

Thompson Blackie Biddles
151 Queen Street
Auckland
AUCKLAND 1140



Applicant	Thompson Blackie Biddles
LIM address	10 Stonehill Drive MANUKAU CENTRAL Auckland 2104
Application number	8270167106
Customer Reference	106231-10
Date issued	21-Jun-2019
Legal Description	LOT 3 DP 525619
Certificates of title	841803

Disclaimer

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

s44A(2)(a) Information identifying any special feature or characteristics of the land

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

Site Contamination

No land contamination data are available in Council's regulatory records.

Wind Zones

Wind Zone(s) for this property: High wind speed of 44 m/s

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building. For further information refer to NZS 3604:2011 Section 5 — Bracing Design

Soil Issues

Soil issues recorded. The land may not be suitable for particular development or land use purposes. A soil report may be required to/must be submitted with any building and/or resource consent application.

Effective Date	Description	Details
31/07/2017	Geotechnical completion/ investigation report on file	Geotech Completion Report or Geotechnical Investigation Report Available.

If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre.

Flooding

This statement entitled "Flooding" appears on all LIMs.

Known flooding information is displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

The information shown in the "Special Land Features - Natural Hazards - Flooding" map is also shown on the Auckland Council online map viewer (Geomaps), at www.aucklandcouncil.govt.nz, which is updated from time to time.

Any proposed development may require a flooding assessment to be provided by the applicant.

The absence of flooding on the "Special Land Features - Natural Hazards - Flooding" map does not exclude the possibility of the site flooding, particularly from Overland Flow Paths which may be on other properties.

Flood Plain

This site (property parcel) spatially intersects with a Flood Plain, as displayed on the map attached to this

LIM entitled “Special Land Features - Natural Hazards - Flooding”, and may flood during significant rainfall events.

Flood Plains represent the predicted area of land inundated by runoff from a 1% Annual Exceedance Probability (AEP) magnitude event, often referred to as a ‘1 in 100-year event’.

Flood Plains are generally determined by computer based hydrological and hydraulic modelling.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Flood Plains.

Note: The terms “Flood Plain” and “Floodplain” are used interchangeably.

Flood Prone Area

This site (property parcel) spatially intersects with a Flood Prone Area, as displayed on the map attached to this LIM entitled “Special Land Features – Natural Hazards - Flooding”.

Flood Prone Areas represent depressions in the terrain with no natural outlet. The frequency of flooding within the Flood Prone Area is dependent on the upstream catchment area, the amount of rainfall and the outlet capacity.

Flood Prone Areas are determined from analysis of a Digital Terrain Model (DTM).

Any development within a Flood Prone Area may require a risk assessment.

Overland Flow Path

This site (property parcel) spatially intersects with one or more Overland Flow Paths, as displayed on the map attached to this LIM entitled “Special Land Features – Natural Hazards - Flooding”.

Overland Flow Paths are lines representing the predicted route of overland flow, based on analysis of a Digital Terrain Model (derived from aerial laser survey). Overland Flow Paths do not show the width or extent of flow.

Overland Flow Paths are based solely on the terrain and are indicative only.

Overland Flow Paths may flood depending on the amount of rain.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Overland Flow Paths.

Note: The terms “Flow Path” and “Flowpath” are used interchangeably.

Exposure Zones

New Zealand Standard 3604:2011E classifies all properties in New Zealand into zones based on environmental features including wind, earthquake, snow load and exposure. These zones are relevant to building requirements, such as strength of buildings, materials that should be used and maintenance. All building sites are classified as being in Exposure Zones Extreme Sea Spray, B, C, or D, depending on the severity of exposure to wind driven salt.

This property is classified as: Unknown or Unassessed Corrosion Zone

Unknown or unassessed - No known information is available relating to these sites. Recommended that specific sites and/or product designed and to consult suppliers information for specific durability

requirements.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Information on private and public stormwater and sewerage drains is shown on the [underground services map](#) attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

For metered water information, please contact **Watercare (09) 442 2222** for services provided to this property.

s44A(2)(c) Information relating to any rates owing in relation to the land


Billing Number/ Rate Account:	12345833623
Rates levied for the Year 2018/2019 :	\$0.00
Total rates to clear for the current year (including any arrears):	\$0.00

The rates figures are provided as at 8 a.m. 21/06/2019. It is strongly advised these are not used for settlement purposes.

Retrofit Your Home Programme

The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and (2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

It is recommended that the full property file is viewed and compared with the actual building and activities on the land to identify any illegal or unauthorised building works or activities.

Financial / development contributions

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

Resource Management

Planning

10 Stonehill Drive MANUKAU CENTRAL Auckland 2104

Application No.	Description	Decision	Decision Date
33887	Land Use Consent Stage one: Landuse and subdivision for business 5 purposes on quarry zoned land	Granted	04/12/2009
39194	Land Use Consent Stage 2 subdivision of Mclaughlins quarry involving regional stormwater discharge consent (39328) and regional earthworks consent (39901)	Granted(Constructi on Monitoring Underway)	11/06/2012
46751	Change of Condition (s127) Change of conditions to 39194 - Amend the design of retaining wall	Granted	29/05/2015
50015	Change of Condition (s127) Change of conditions - variation to subdivision consent 39194 - split the stage 2 subdivision into 3 seperate stages	Withdrawn	03/11/2016
52825	Change of Condition (s127) Change of conditions - combo - 11+ lots - variation to joint subdivision and land use consent 51522	Granted	27/04/2017

Subdivisions

10 Stonehill Drive MANUKAU CENTRAL Auckland 2104

Application No.	Description	Decision	Decision Date
33887	Subdivision Consent Stage one: Landuse and subdivision for business 5 purposes on quarry zoned land	Granted	04/12/2009
33887	Subdivision survey plan ((s)223) Stage one: Landuse and subdivision for business 5 purposes on quarry zoned land	Granted	21/12/2010
39194	Subdivision Consent Stage 2 subdivision of Mclaughlins quarry involving regional stormwater discharge consent (39328) and regional earthworks consent (39901)	Granted	11/06/2012
51522	Subdivision Consent Subdivision - Freehold - To create 19 vacant fee simple business lots over three stages	Granted	03/11/2016
51522	Subdivision survey plan ((s)223) Subdivision - freehold - to create 19 vacant fee simple business lots over three stages	Granted	23/08/2017
51522	Subdivision completion cert ((s)224C) 224 Application - 19 Lot Subdivision	Approved	23/08/2017
SUB60318937	Subdivision Consent Subdivision of Lots 12 and 20 DP 432020 and Lots 41 and 45 DP 485905	Granted	18/05/2018
SRV90071736	Subdivision survey plan ((s)223) 223 Survey Plan - 3 Lot Subdivision	Granted	20/07/2018
CCT90071793	Subdivision completion cert ((s)224C) 224 Application - 3 Lot Subdivision	Approved	08/08/2018

Engineering Approvals

10 Stonehill Drive MANUKAU CENTRAL Auckland 2104

Application No.	Description	Decision	Decision Date
44971	Engineering Compliance Engineering approval - construction of waste water pumping station	Approved	08/04/2015

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

Building

10 Stonehill Drive MANUKAU CENTRAL Auckland 2104

Application No.	Description	Issue Date	Status
BCO10267349 BCO10267349-A	DBC - New Warehouse and Office Building DBC - -Amendment to the Fire Wall between the Office & Warehouse (using fire design C/VM2)	09/08/2018	CCC Not Issued (See Note 3)

Note	Description
3	Consent approved but a final Code Compliance Certificate (CCC) for this consent has not been issued. To obtain a CCC an inspection to confirm compliance with the approved plans and standards may be sought.

Please note that prior to the Building Act 1991; Councils were not required to maintain full records of building consents [etc] issued under the Building Act. While Auckland Council has always endeavoured to maintain full records of pre-Building Act 1991 matters, not all records for this period have survived and in other cases where building work is documented, information may be incomplete. Council does not accept responsibility for any omission.

It is recommended that the Council property file is viewed and compared with the actual building and activities on site to identify any illegal or unauthorised building works or activities.

Compliance Schedules (Building Warrant of Fitness)

The Council has no record of a Compliance Schedule for this property/building.

If it is evident that any specified systems such as lifts or commercial fire alarms are present in the building, the owner must ensure there is a current compliance schedule or building warrant of fitness.

Vehicle Crossing

10 Stonehill Drive MANUKAU CENTRAL Auckland 2104

Application No.	Description	Decision
VXG21395384	Vehicle Crossing: Lot 100 DP 432020	Sent to Auckland Transport (See Note 1)

Note	Description
1	This Vehicle Crossing Application has been referred to Auckland Transport and is currently under their care. ***PLEASE NOTE : This status may not be an accurate status. We are currently working through correcting this issue. Please contact Auckland Council in the first instance if you believe that Auckland Transport has issued a Certificate of Completion for this Vehicle Crossing. We will update our records accordingly.

The installation and maintenance of vehicle crossings is the responsibility of the owner of the land. The standard required is set out in by-laws for your area, these are available to view at: <https://at.govt.nz/about-us/working-on-the-road/vehicle-crossing-application/#standards>

Swimming/Spa Pool Barriers

The Council has no record of a swimming pool or spa pool being registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004.

Pool barrier information is available for viewing at <http://www.aucklandcouncil.govt.nz>

Licences

There are NO current licences recorded

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

The Council has not been notified of any information under Section 124 of the Weathertight Homes Resolution Services Act 2006 relating to this property.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

Purchasers or those intending to develop the land should satisfy themselves that the land is suitable for any intended use or future development proposal. In addition to any site specific limitations recorded below, general restrictions that apply across the region may be relevant to any development proposals on this property.

Auckland Unitary Plan - Operative in Part (AUP:OP)

The **Auckland Unitary Plan - Operative in part(AUP:OP)** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or used. Those parts of the Auckland Unitary Plan that are operative replace the corresponding parts of legacy regional and district plans. However, certain parts of the AUP:OP are the subject of appeals and have not become operative. If a property is subject to an appeal this will be identified on the attached Unitary Plan Property Summary Report. Where this is the case, both the Auckland Unitary Plan Decisions version and the legacy regional and district plans will need to be considered.

The AUP:OP zones, controls, overlays, precincts, and designations that apply to this property are set out in the Property Summary Report, which is attached to this memorandum.

The AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplan>

The legacy regional and district plans can be viewed here:

<https://www.aucklandcouncil.govt.nz/districtplans>

<https://www.aucklandcouncil.govt.nz/regionalplans>

The appeals to the AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Auckland Council District Plan - Hauraki Gulf Islands Section (Operative 2013) (DP:HGI)

While the regional provisions in the AUP:OP apply to the Hauraki Gulf Islands, and are set out in the Property Summary Report attached to this memorandum, the AUP:OP does not contain any district provisions for the Hauraki Gulf Islands. If the Property Summary Report attached to this memorandum lists its zone as "Hauraki Gulf Islands", the district provisions that apply are in the Auckland Council District Plan Hauraki Gulf Islands Section (Operative 2013) (DP:HGI).

The relevant maps of the DP:HGI are attached to this memorandum, if applicable. The text of the DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

Plan Changes and Notices of Requirement

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum. However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

Please refer to the AUP:OP for information on any proposed Plan Changes or see the Auckland Council modifications website at:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Information relating to any proposed Plan Changes to DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation, may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this property can be developed or used from the date it is received by Council.

If this property is not on the Hauraki Gulf Islands, any notices of requirement applicable will be listed as a modification in the Property Summary Report attached to this memorandum.

If this property is on the Hauraki Gulf Islands, any notice of requirement will be available on the Auckland Council Website.

Information on all current notices of requirement can be found on the modifications page here:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Copies of the appeals to the Auckland Unitary Plan can be viewed online at:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

Restriction(s)

This property is affected by the following restriction(s):

Effective Date	Description	Details
25/10/2011	Foundation design restrictions	Foundation design is based on a specific geotechnical report.
18/09/2002	Restriction on land	Restriction on land.

Further information on these restrictions may be provided elsewhere in this document. Alternatively please contact a Resource Management Planner at an Auckland council service centre or by telephone for further information.

Information concerning Caveat, Bond, Encumbrance, Consent Notice and Covenant

For any information concerning Caveats, Bonds, Encumbrances, Consent Notices or Covenants, please refer to the Certificate of Title for this property.

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information has been notified to Council.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

Underground Services and District Plan maps are attached.

Please note: Height restrictions apply where overhead power lines cross the site. Works near water services utilities may require approval. Works near high-pressure Gas, Oil or LPG pipelines create risk of damage and must first be approved. Please contact the relevant Utility provider in your area for further information.

Any escape of gas or liquid from the pipelines is potentially dangerous and requires immediate action as soon as discovered (Dial 111 and ask for the Fire Service).

Attachments

As the placement of the building/s on the attached maps is based on aerial photography we cannot guarantee the accuracy. A formal survey will indicate the exact location of the boundaries.

- Auckland Unitary Plan Property Summary Report
- Auckland Unitary Plan - Operative in part Maps and Map Legend
- Auckland Council District Plan - Hauraki Gulf Islands Section (if applicable)
- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend

Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information on any features which may or may not appear on your map.

- Consent Conditions : LU 39194
- Consent Conditions : LU 33887
- Consent Conditions : SRV90054635_ s
- Consent Conditions : CC 46751
- Consent Conditions : CCT90071793 Consent Conditions
- As Built Drainage Plan : 10267349

Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

Address

10 Stonehill Drive MANUKAU CENTRAL 2104

Legal Description

LOT 3 DP 525619

Appeals

Modifications

Notice of Requirements - NoR 7: Proposed Northern Runway - Airspace Restriction Designations - [View PDF](#) - Notified - 15/02/2018

Zones

Special Purpose - Quarry Zone

Precinct

Controls

Controls: Macroinvertebrate Community Index - Rural

Overlays

Mana Whenua: Sites and Places of Significance to Mana Whenua Overlay [rcp/dp] - 036 - Maunga Matukutureia

Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Manukau Southeast Kaawa

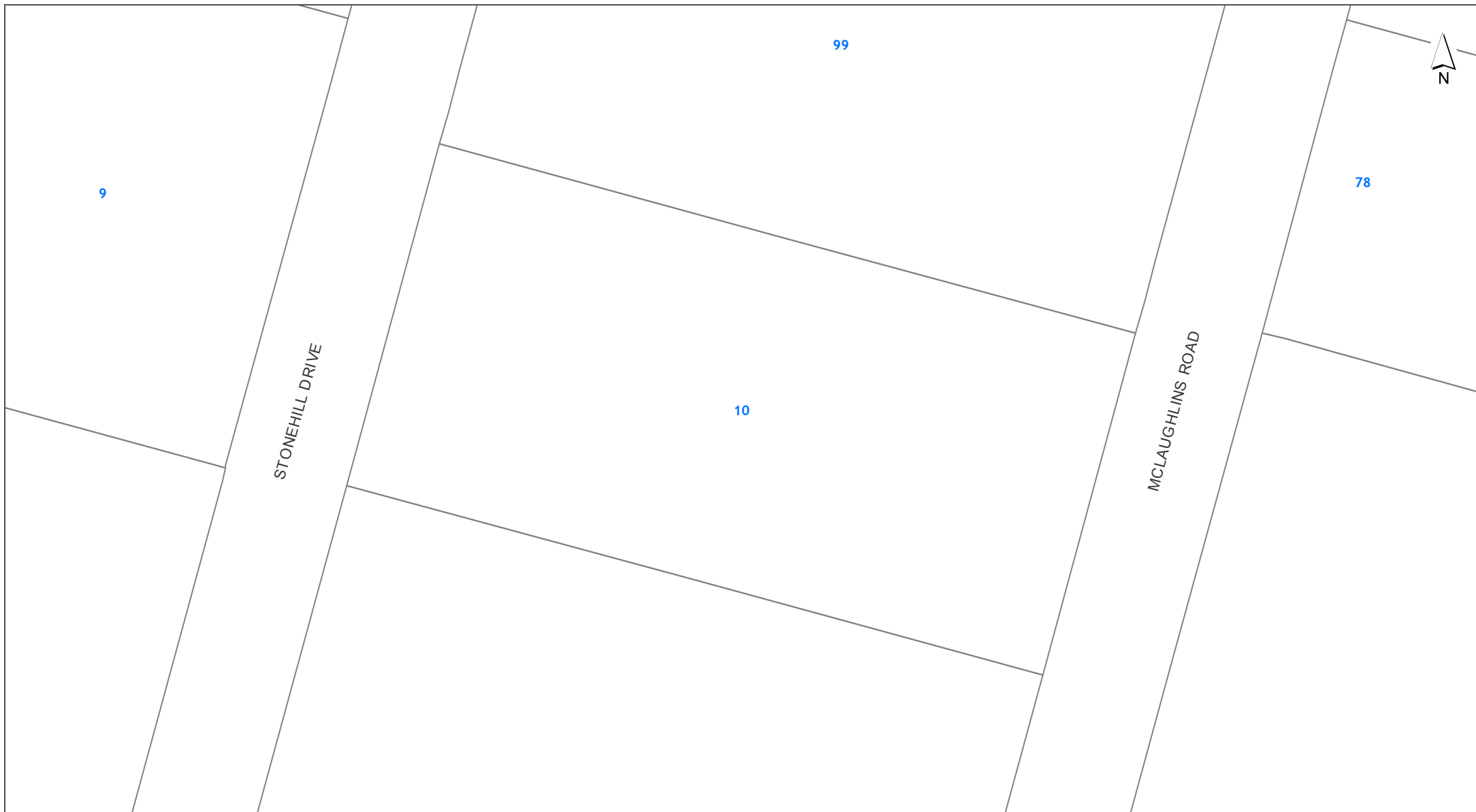
Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Manukau Waitemata Aquifer

Natural Resources: High-Use Stream Management Areas Overlay [rp]

Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Wiri Volcanic Aquifer

Designations

Designations: Airspace Restriction Designations - ID 1102 - Protection of aeronautical functions - obstacle limitation surfaces - Auckland International Airport Ltd



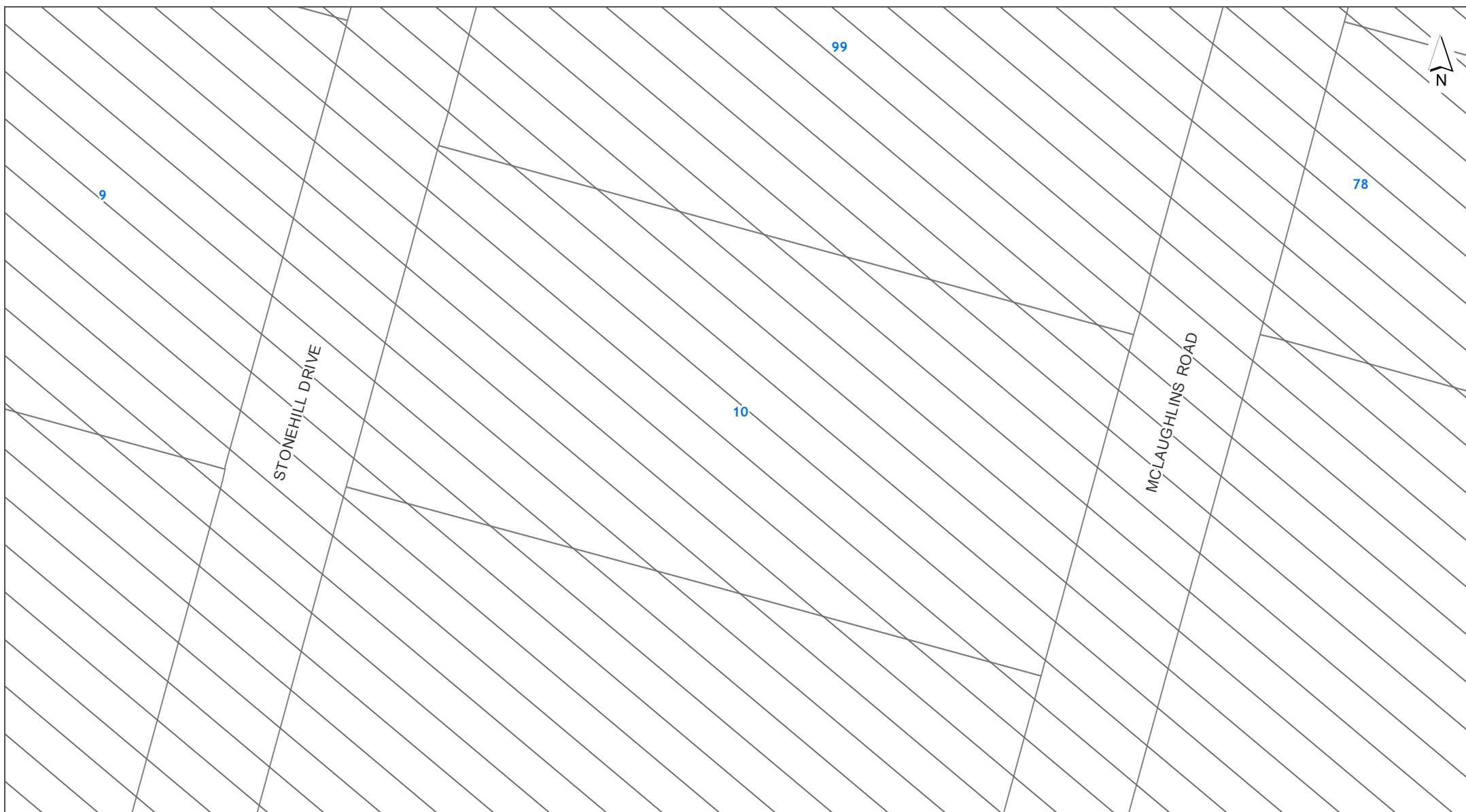
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Built Environment**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619**

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Meters

Scale @ A4
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Date Printed:
21/06/2019

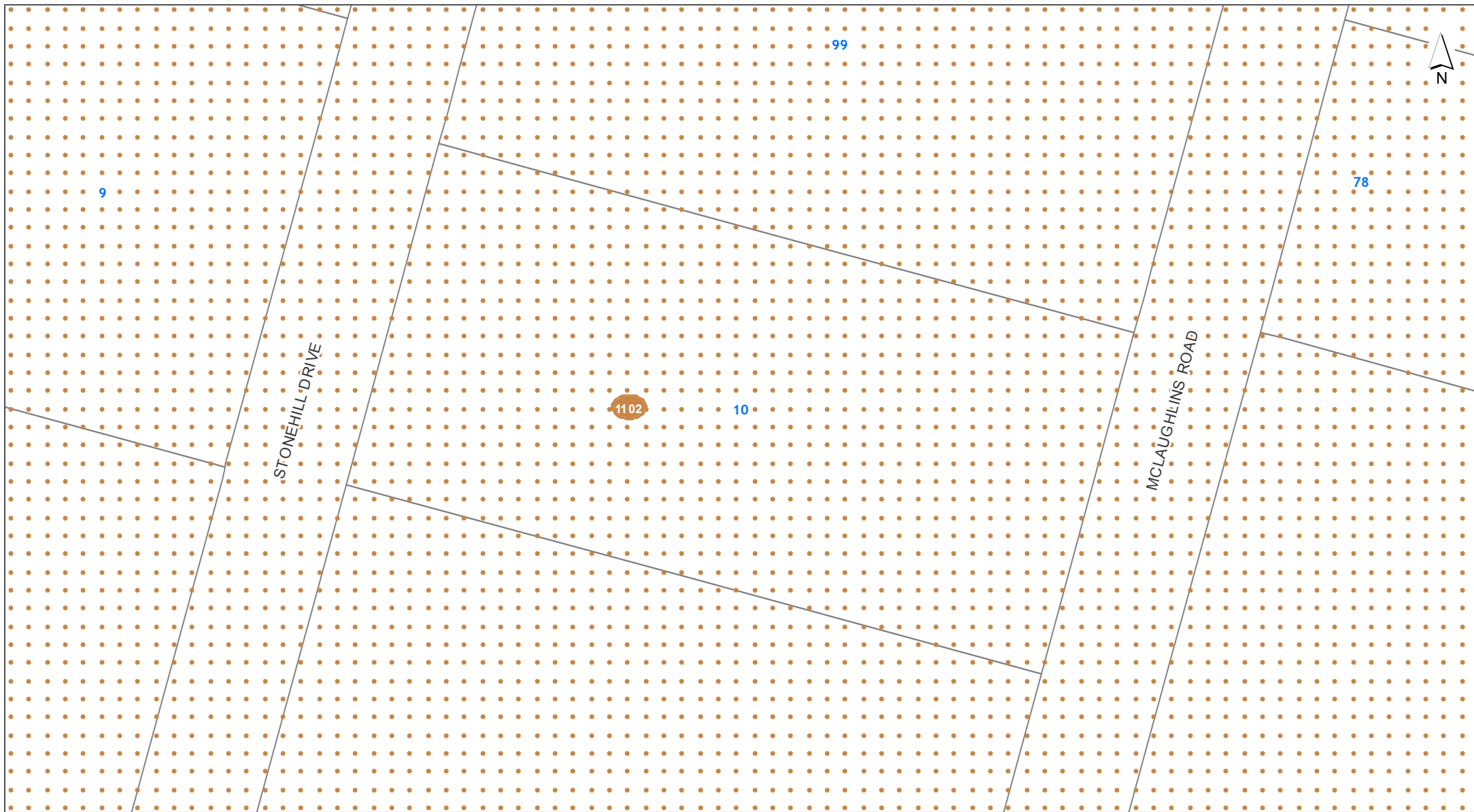
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Controls**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619**

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Designations

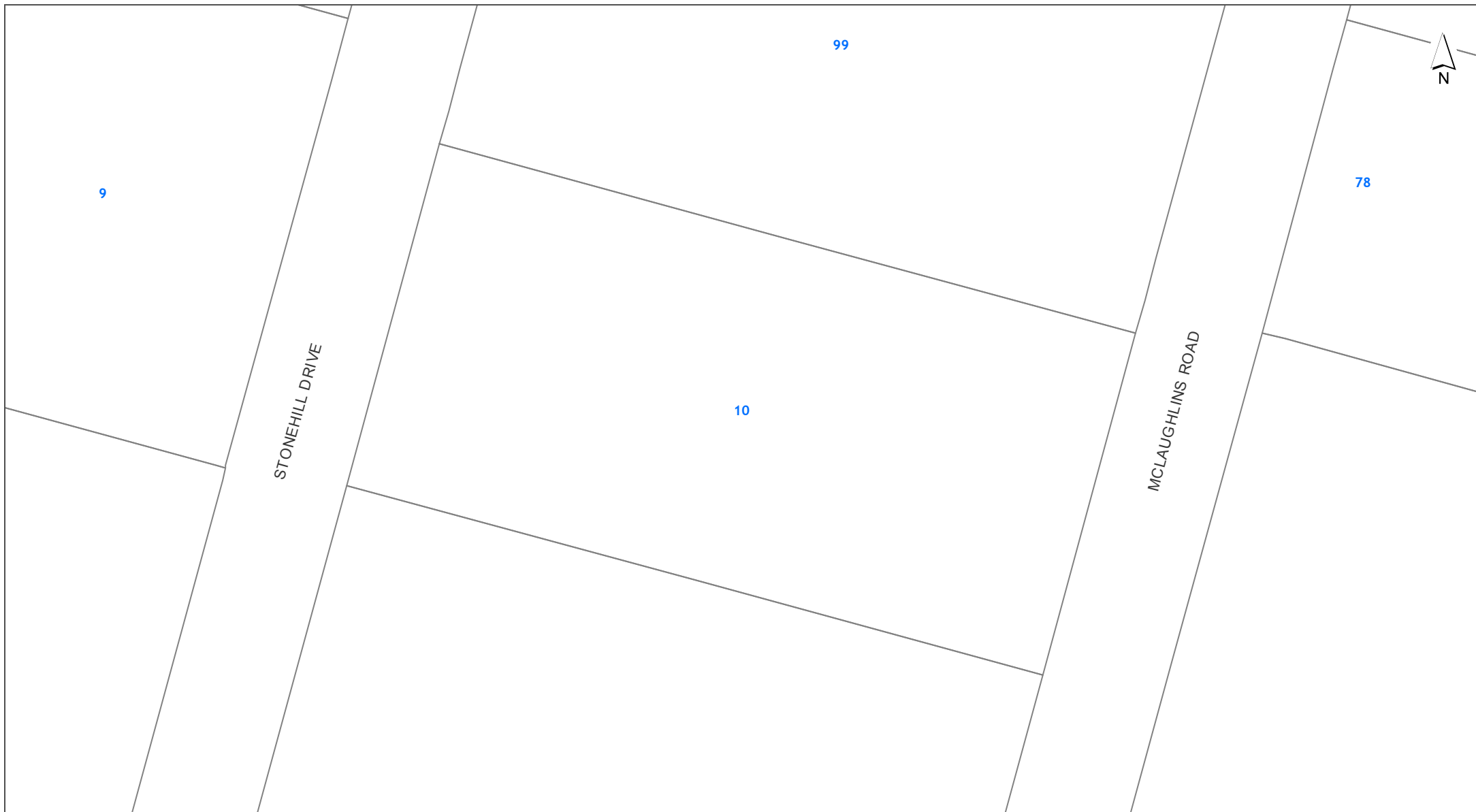
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Historic Heritage and Special Character
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LOT 3 DP 525619

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Infrastructure

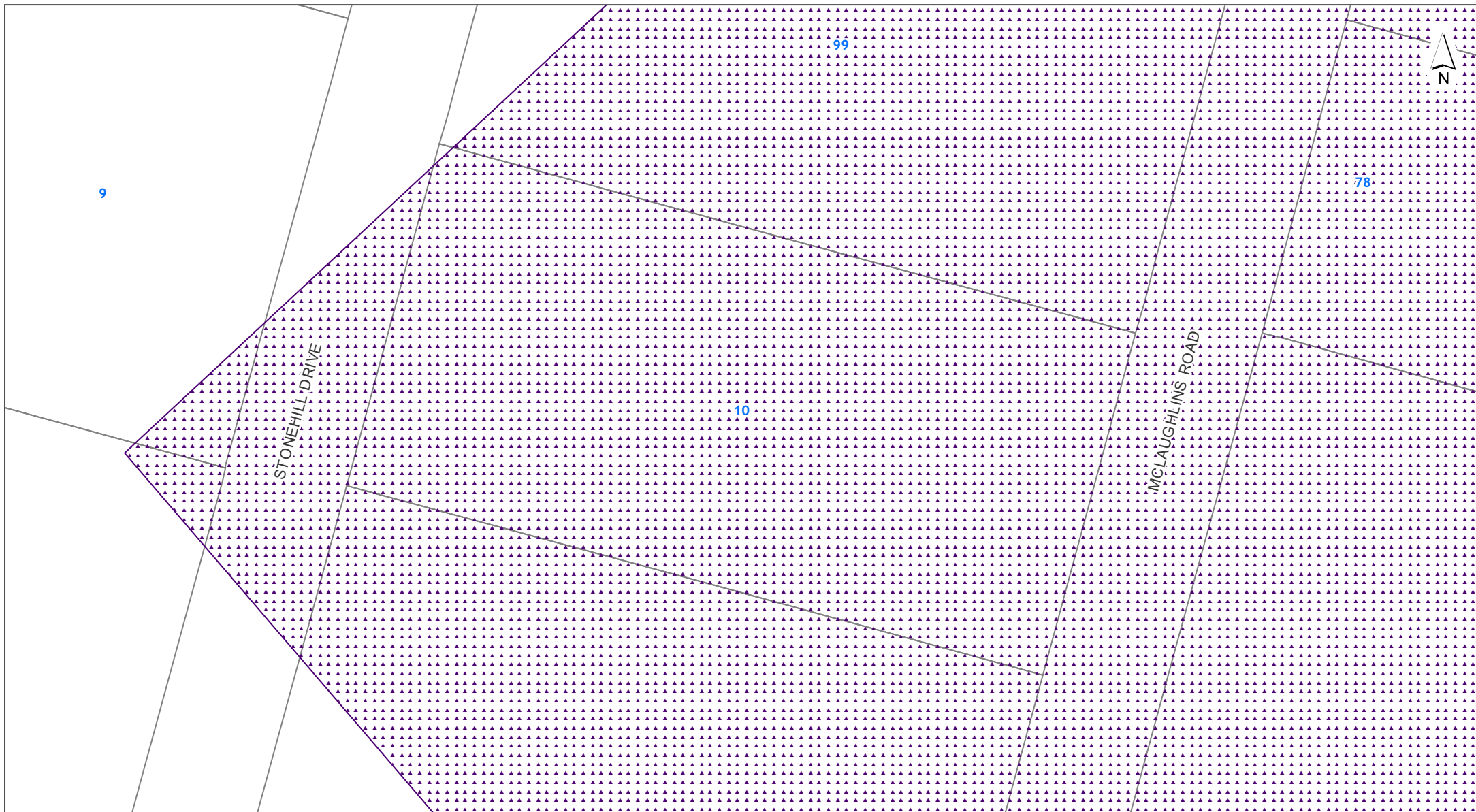
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Mana Whenua

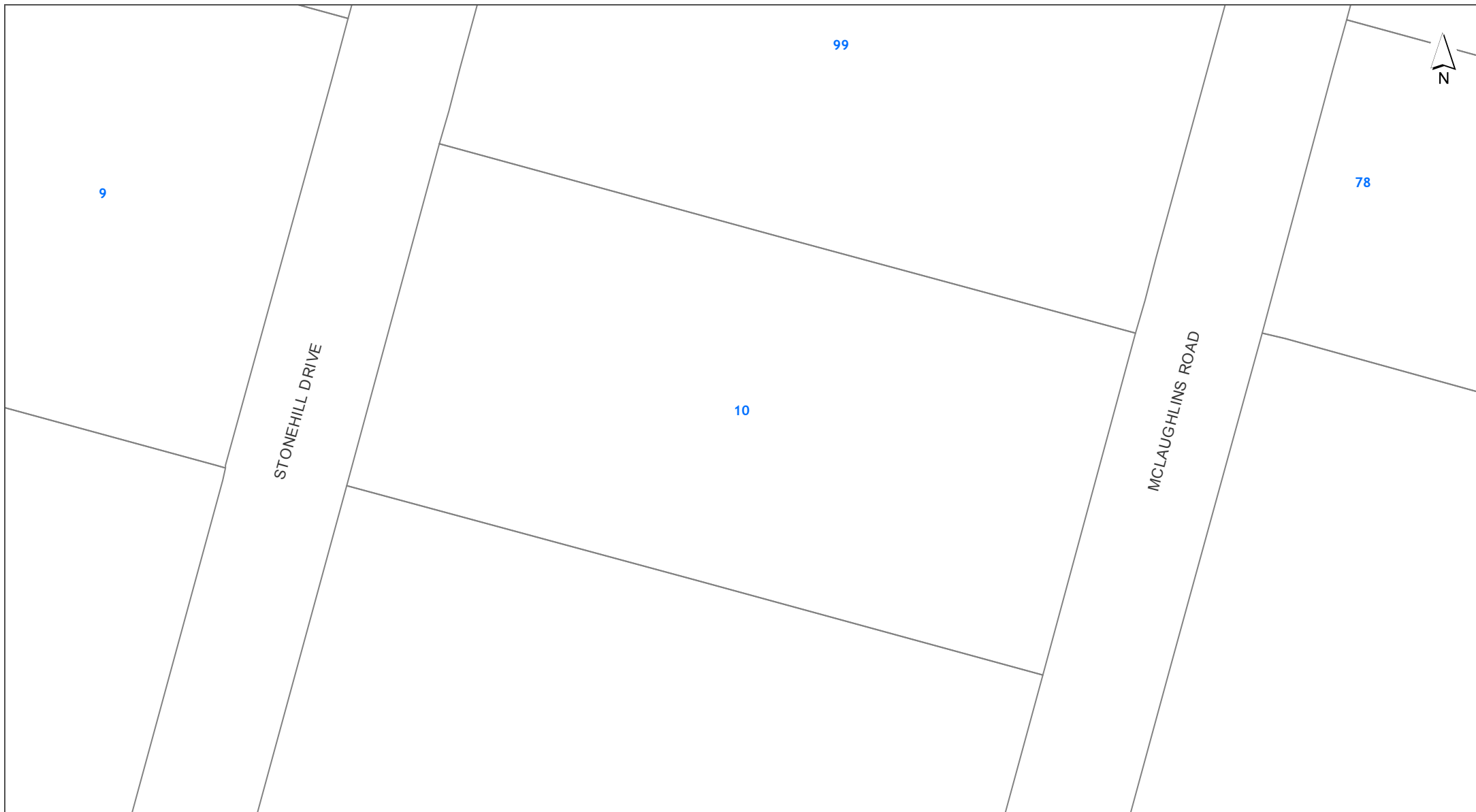
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Natural Heritage

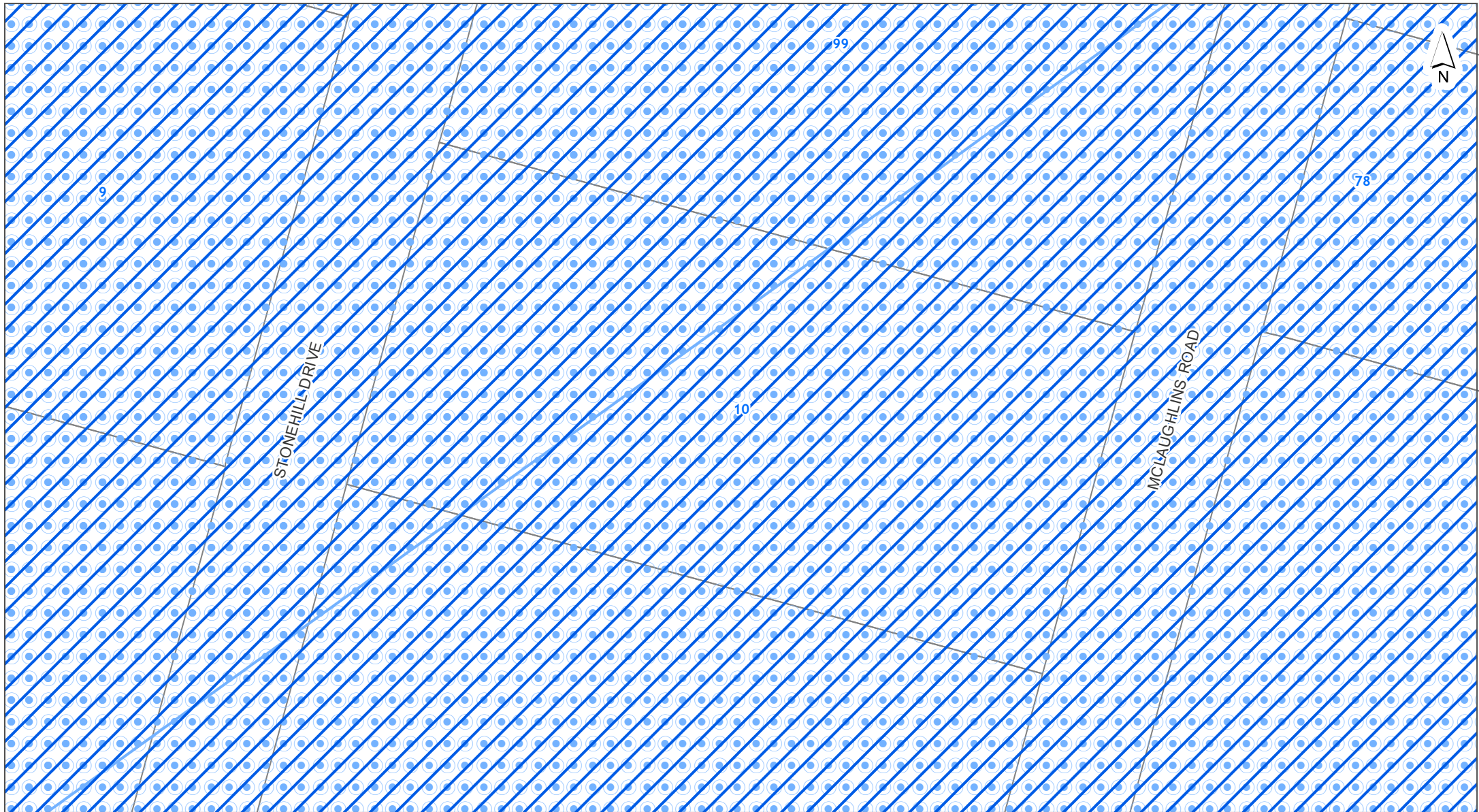
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Natural Resources

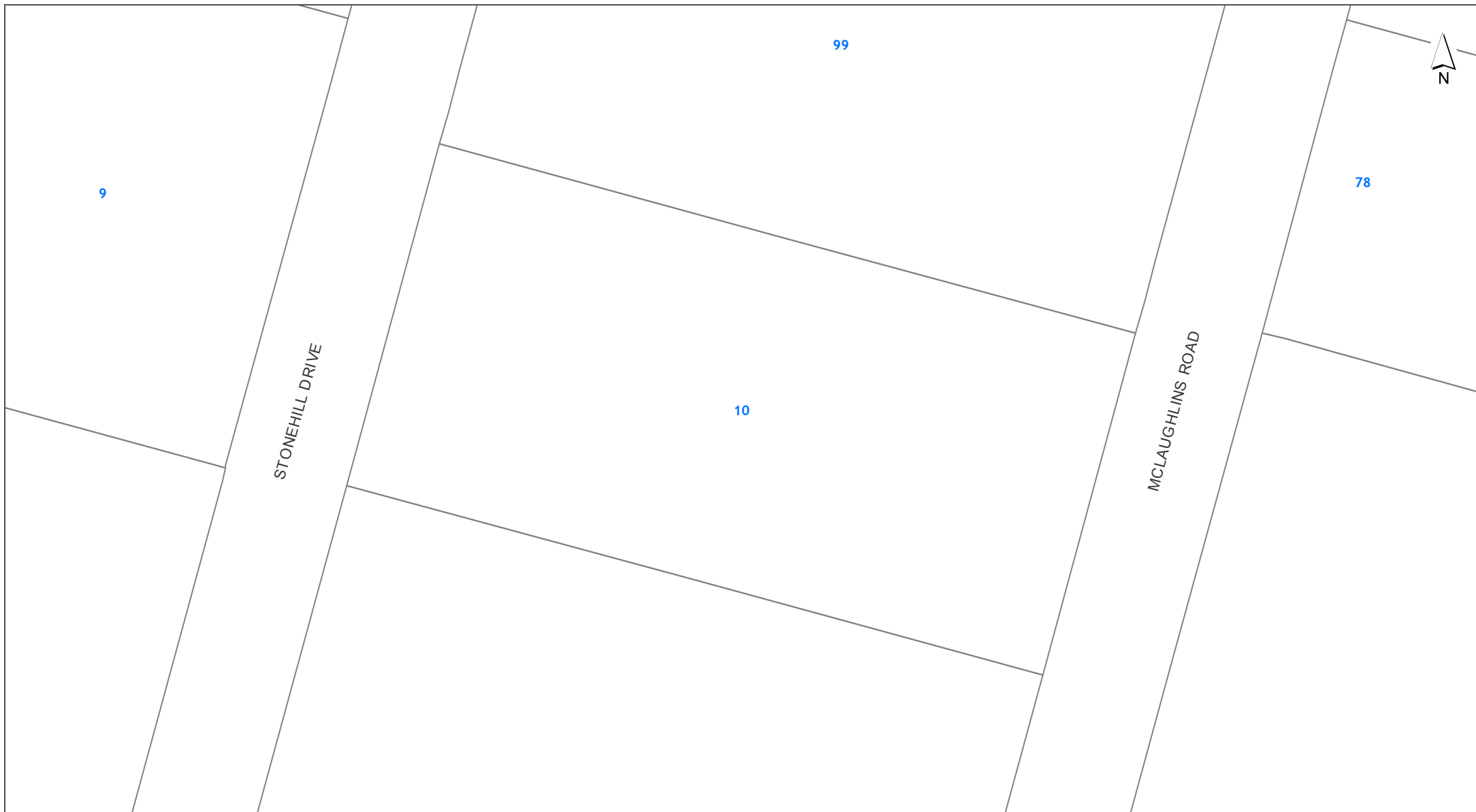
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Precincts

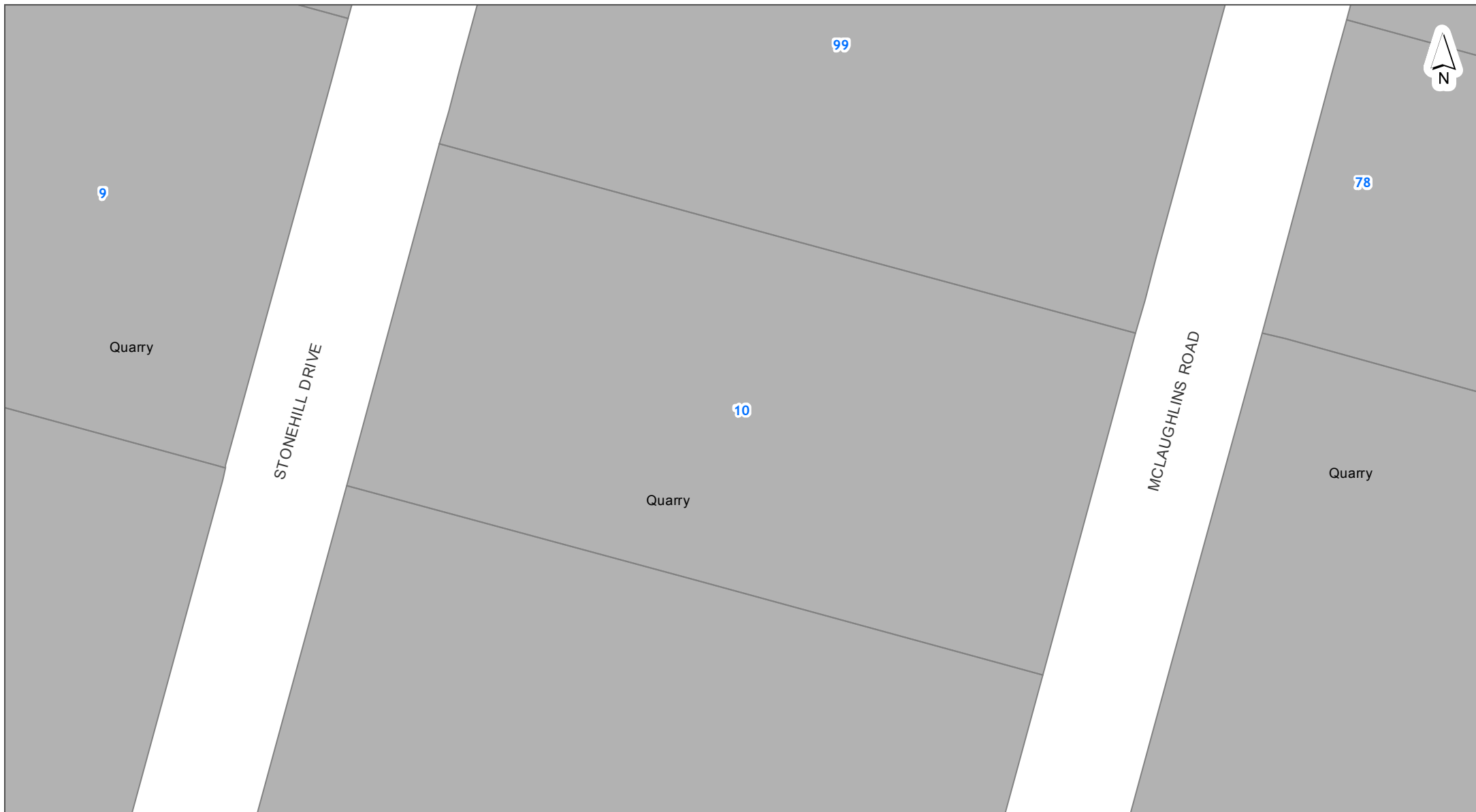
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Zones and Rural Urban Boundary
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LOT 3 DP 525619



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21/06/2019

Auckland Unitary Plan Operative in part 15th November 2016 - LEGEND

Appeals

-  Properties affected by Appeals seeking change to zones or management layers
-  Properties affected by Appeals seeking reinstatement of management layers

Plan Modifications

-  Notice of Requirements
-  Plan Changes

ZONES

- Residential - Large Lot Zone
- Residential - Rural and Coastal Settlement Zone
- Residential - Single House Zone
- Residential - Mixed Housing Suburban Zone
- Residential - Mixed Housing Urban Zone
- Residential - Terrace Housing and Apartment Buildings Zone
- Business - City Centre Zone
- Business - Metropolitan Centre Zone
- Business - Town Centre Zone
- Business - Local Centre Zone
- Business - Neighbourhood Centre Zone
- Business - Mixed Use Zone
- Business - General Business Zone
- Business - Business Park Zone
- Business - Heavy Industry Zone
- Business - Light Industry Zone
- Open Space - Conservation Zone
- Open Space - Informal Recreation Zone
- Open Space - Sport and Active Recreation Zone
- Open Space - Civic Spaces Zone
- Open Space - Community Zone

ZONES

- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Rural - Rural Coastal Zone
- Rural - Rural Conservation Zone
- Rural - Countryside Living Zone
- Rural - Waitakere Foothills Zone
- Rural - Waitakere Ranges Zone
- Future Urban Zone
- Green Infrastructure Corridor (Operative in some Special Housing Areas)
- Coastal - General Coastal Marine Zone [rcp]
- Coastal - Marina Zone [rcp/dp]
- Coastal - Mooring Zone [rcp]
- Coastal - Minor Port Zone [rcp/dp]
- Coastal - Ferry Terminal Zone [rcp/dp]
- Coastal - Defence Zone [rcp]
- Coastal - Coastal Transition Zone
- Special Purpose Zone- Airports & Airfields, Cemetery, Quarry, Healthcare Facility & Hospital, Tertiary Education, Maori Purpose, Major Recreation Facility, School
- Strategic Transport Corridor Zone
- Water [i]

Tagging of Provisions:

- [i] = Information only
- [rp] = Regional Plan
- [rcp] = Regional Coastal Plan
- [rps] = Regional Policy Statement
- [dp] = District Plan (only noted when dual provisions apply)

DESIGNATIONS

-  Designations
-  Airspace Restriction Designations

Natural Resources

- Terrestrial [rp/dp]
- Marine 1 [rcp]
- Marine 2 [rcp]
- Natural
- Urban
- Water Supply Management Areas Overlay [rp]
- Natural Stream Management Areas Overlay [rp]
- High-Use Stream Management Areas Overlay [rp]
- High-Use Aquifer Management Areas Overlay [rp]
- Quality-Sensitive Aquifer Management Areas Overlay [rp]
- Wetland Management Areas Overlay [rp]

Infrastructure

- Airport Approach Surface Overlay
- Aircraft Noise Overlay
- City Centre Port Noise Overlay [rcp / dp]
- Quarry Buffer Area Overlay
- National Grid Subdivision Corridor
- National Grid Substation Corridor
- National Grid Yard Compromised
- National Grid Yard Uncompromised
- National Grid Corridor Overlay

Mana Whenua

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

CONTROLS

- Key Retail Frontage
- General Commercial Frontage
- Adjacent to Level Crossings
- General
- Motorway Interchange Control
- Coastal Inundation 1 per cent AEP Plus 1m Control
- Business Park Zone Office Control
- Cable Protection Areas Control [rcp]
- Centre Fringe Office Control
- Height Variation Control
- Arterial Roads

CONTROLS

- Hazardous Facilities
- Infrastructure
- Flow 1 [rp]
- Flow 2 [rp]
- Level Crossings With Sightlines Control
- Macroinvertebrate Community Index
- Parking Variation Control
- Subdivision Variation Control
- Surf Breaks [rcp]

Natural Heritage

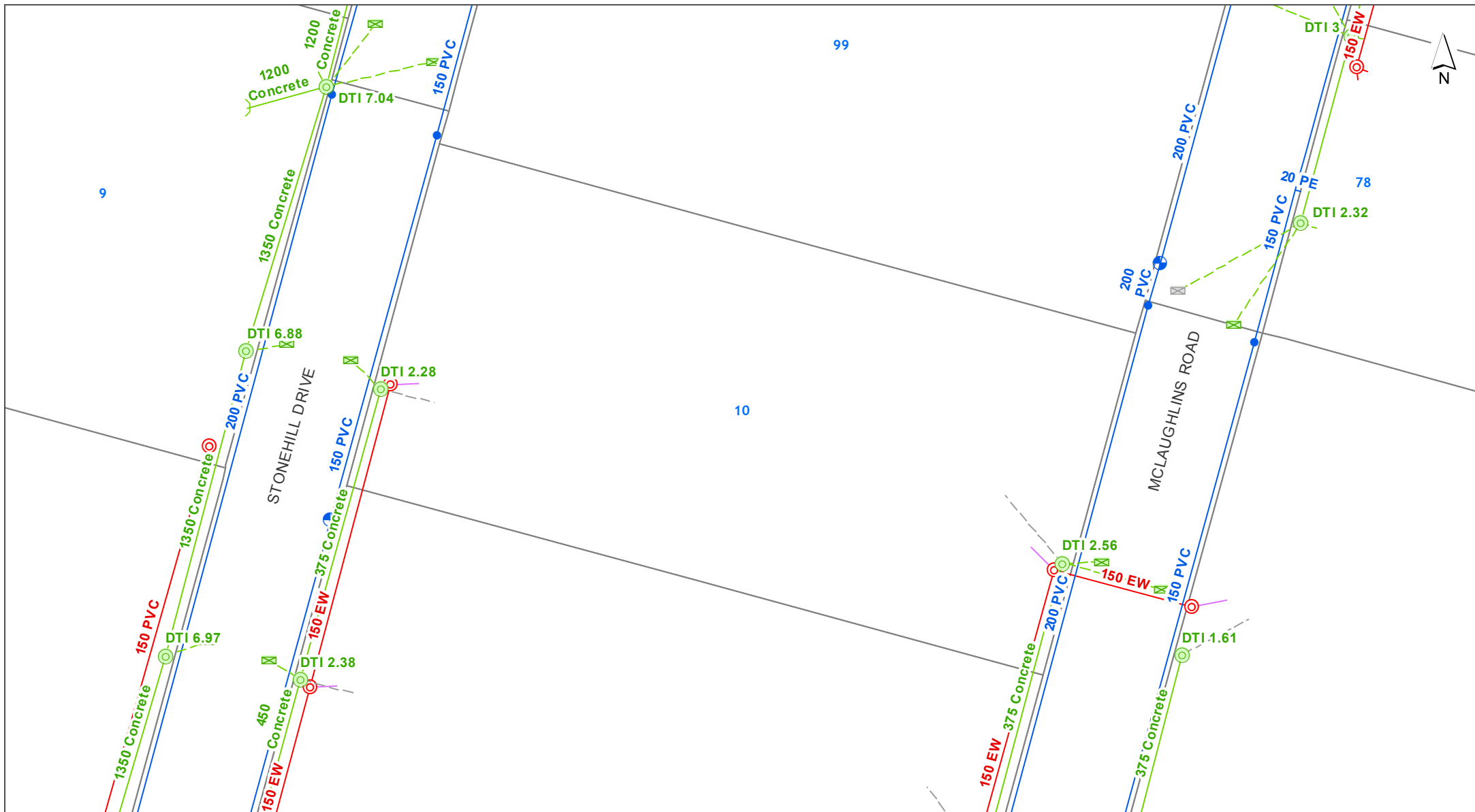
- Notable Trees Overlay
- Outstanding Natural Features Overlay [rcp/dp]
- Outstanding Natural Landscapes Overlay [rcp/dp]
- Outstanding Natural Character Overlay [rcp/dp]
- High Natural Character Overlay [rcp/dp]
- Local Public Views Overlay [rcp/dp]
- Viewshafts
- Height Sensitive Areas
- Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- Regionally Significant Volcanic Viewshafts Overlay Contours [i]
- Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
- Locally Significant Volcanic Viewshafts Overlay Contours [i]
- Extent of Overlay
- Subdivision Schedule
- Modified
- Natural
- Waitakere Ranges Heritage Area Overlay
- Ridgeline Protection Overlay

Historic Heritage & Special Character

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [rcp/dp]

Built Environment

- Identified Growth Corridor Overlay
- Hazardous Facilities
- Infrastructure
- Flow 1 [rp]
- Flow 2 [rp]
- Level Crossings With Sightlines Control
- Macroinvertebrate Community Index
- Parking Variation Control
- Subdivision Variation Control
- Surf Breaks [rcp]

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Underground Services

10 Stonehill Drive MANUKAU CENTRAL 2104

LOT 3 DP 525619

0 7 14 21
Meters

Scale @ A4
= 1:1,000

Date Printed:
21/06/2019

Stormwater

Note: Unless otherwise specified in the text below, the *colour* of a Stormwater symbol is determined by the ownership or usage status, using the following colour scheme:

Public, **Private** or **Abandoned**

	Treatment Device		Overland Flowpath (Public)
	Septic Tank		Overland Flowpath (Private)
	Septic Tank (Hi-Tech)		Forebay (Public)
	Soakage System		Forebay (Private)
	Inspection Chamber		Treatment Facility (Public)
	Manhole (Standard / Custom)		Treatment Facility (Private)
	Inlet & Outlet Structure		Pump Station
	Inlet & Outlet (No Structure)		Planting
	Catchpit		Embankment
	Spillway		Viewing Platform
	Safety Benching		Bridge
	Culvert / Tunnel		Erosion & Flood Control (Other Structure)
	Subsoil Drain		Erosion & Flood Control (Wall Structure)
	Gravity Main		
	Rising Main		
	Connection		
	Fence		
	Lined Channel		
	Watercourse		

Water

	Valve
	Hydrant
	Fitting
	Other Watercare Point Asset
	Other Watercare Linear Asset
	Local Pipe (Bulk)
	Local Pipe (In Service)
	Local Pipe (Abandoned)
	Transmission Pipe (In Service)
	Transmission Pipe (Out of Service)
	Transmission Pipe (Proposed)
	Pump Station
	Reservoir
	Other Structure (Local)
	Chamber (Transmission)
	Water Source (Transmission)
	Other Watercare Structures and Areas

Wastewater

	Fitting
	Fitting (Non Watercare)
	Manhole
	Pipe (Non Watercare)
	Local Pipe (Main / Service Line)
	Local Pipe (Abandoned)
	Local Pipe (Future)
	Transmission Pipe (In Service)
	Transmission Pipe (Out Of Service)
	Transmission Pipe (Proposed)
	Chamber
	Structure (Non Watercare)
	Pump Station
	Wastewater Catchment

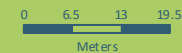
Utilities

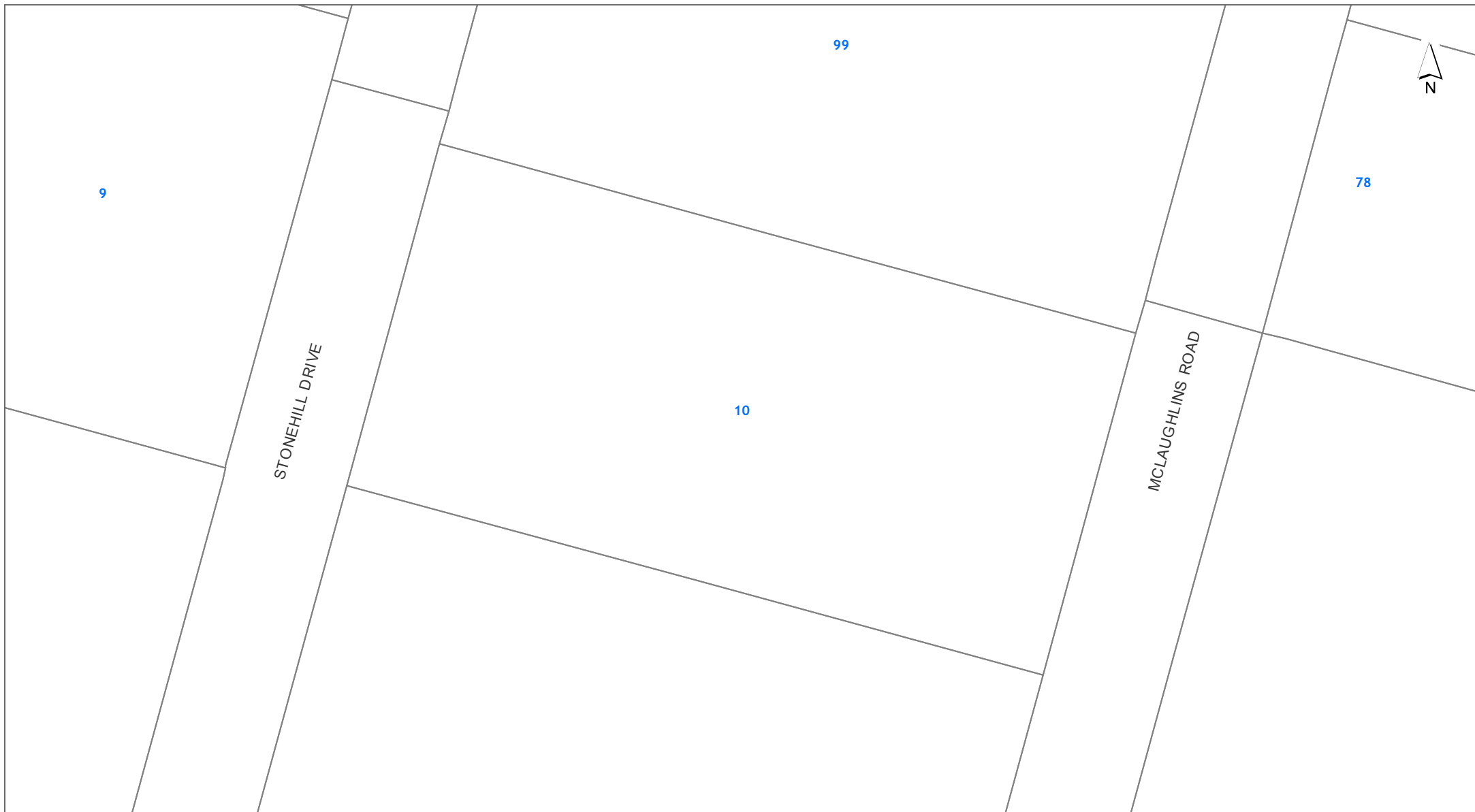
	Transpower Site
	Pylon (Transpower)
	220kv Line (Transpower)
	110kv Line (Transpower)
	33kv Line (Transpower) & Underground Line (Mercury)
	Transmission Line (Vector)
	Oil Services Pipeline [Wiri]
	Liquid Fuels Pipeline [Wiri to Marsden]
	High-Pressure Gas Pipeline (Vector & Orion)
	Medium-Pressure Gas Pipeline (Vector & Orion)
	Indicative Steel Mill Slurry Pipeline
	Indicative Steel Mill Water Pipeline
	Fibre Optic Cable (ARTA)
	Contour Interval

Legend
updated:
9/05/2018

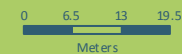
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Hazards**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619****Scale @ A4
= 1:1,000****Date Printed:
21/06/2019**

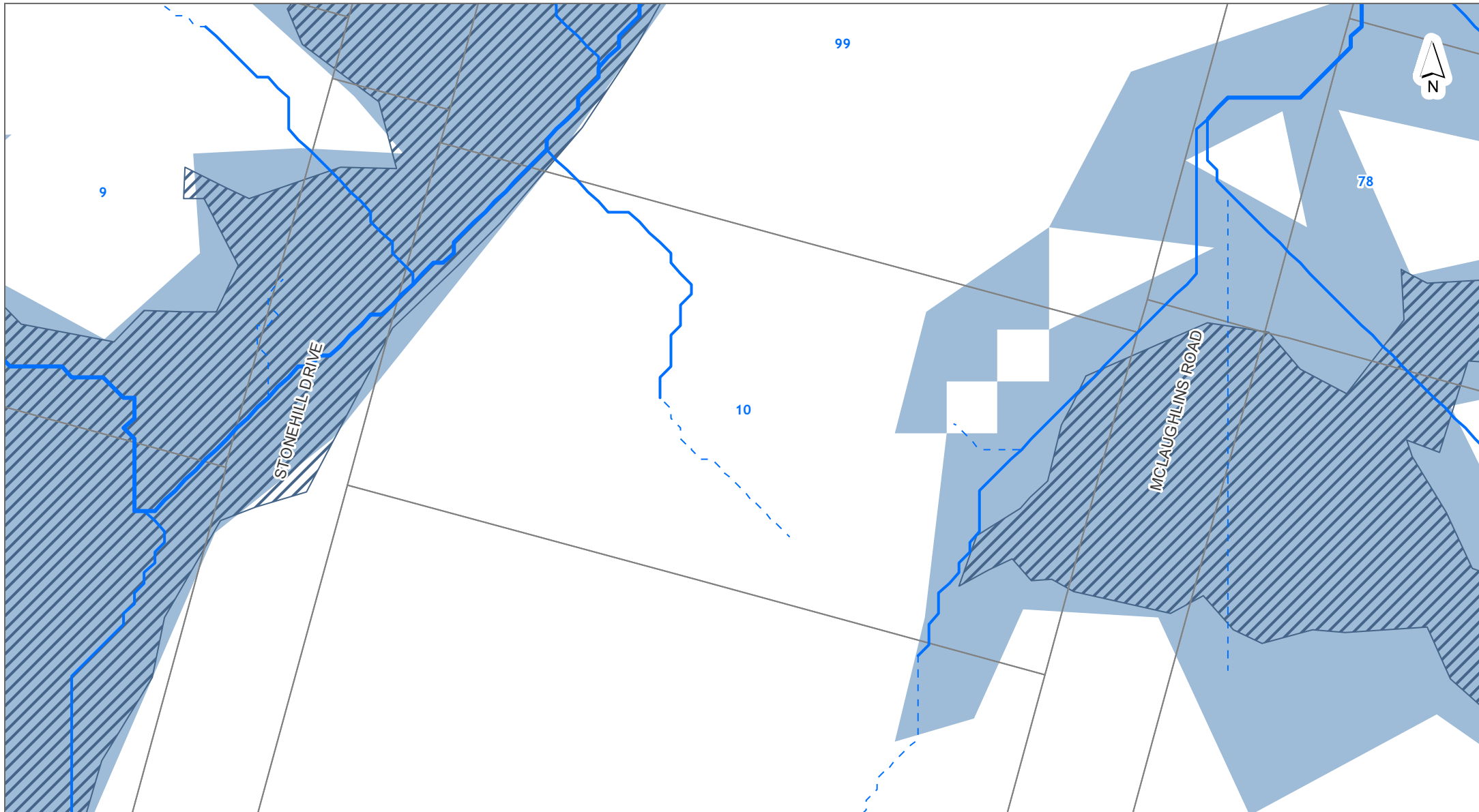
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Natural Hazards - Coastal Inundation**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619**

Scale @ A4
= 1:1,000

Date Printed:
21/06/2019

**DISCLAIMER:**

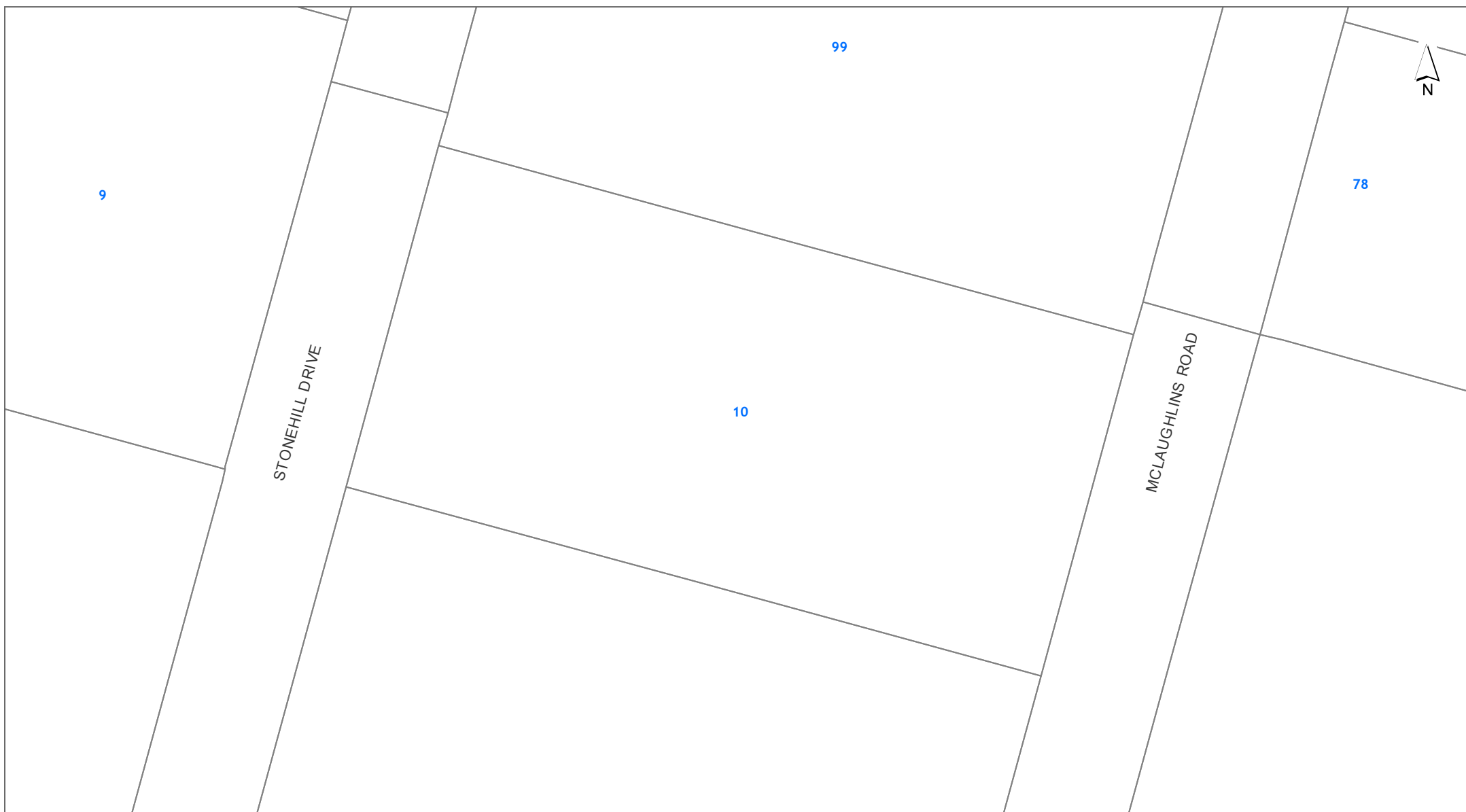
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Natural Hazards - Flooding**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619**

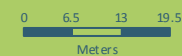
0 6.5 13 19.5
Meters

Scale @ A4
= 1:1,000

Date Printed:
21/06/2019

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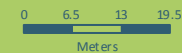
Natural Hazards - Sea Spray**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619**

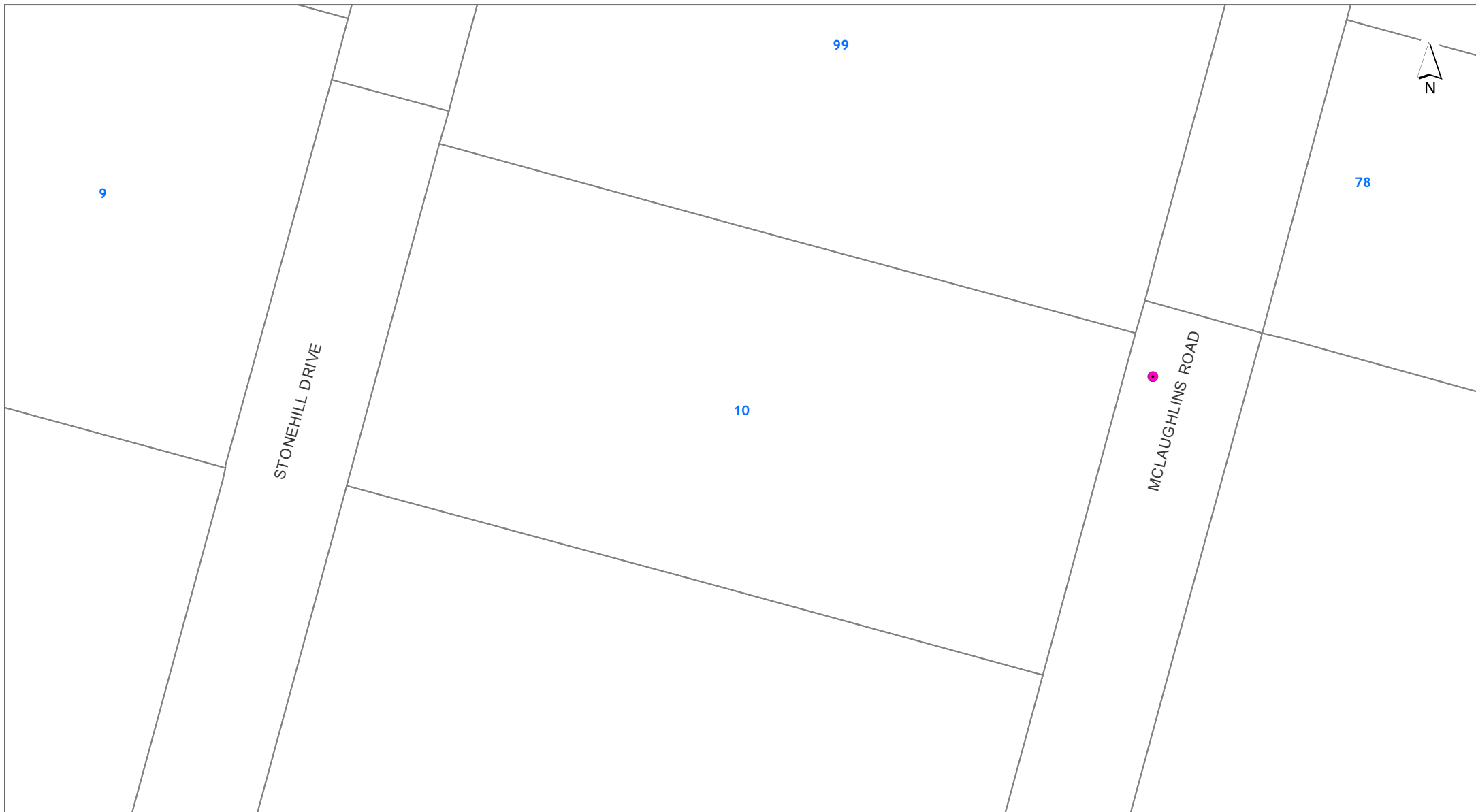
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Date Printed:
21/06/2019

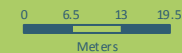
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Natural Hazards - Volcanic Cones**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619****Scale @ A4
= 1:1,000****Date Printed:
21/06/2019**

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Other**10 Stonehill Drive MANUKAU CENTRAL 2104****LOT 3 DP 525619****Scale @ A4
= 1:1,000****Date Printed:
21/06/2019**
















Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)




Hazards

Soil Warning Area continued

-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)

Natural Hazards

Overland Flow Path

-  Catchment area 2000m² to 3999 m²
-  Catchment area 4000 m² to 3 Ha
-  Catchment area 3 Ha and above

 1% AEP Flood Plain




 Flood Prone Areas

 Flood Sensitive Areas

 Sea Spray








 Volcanic Cones

Coastal Inundation

-  1% AEP
-  1% AEP plus 1m sea level rise
-  1% AEP plus 2m sea level rise

Other

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

Legend updated: 12/06/2018

11 June 2012

Harrison Grierson Consultants Limited
P O Box 276 121
Manukau
AUCKLAND 2241

Attention: Mr Andrew McCarthy

Dear Sir

**DECISION ON AN APPLICATION FOR AN INTEGRATED REGIONAL LAND USE
AND DISTRICT SUBDIVISION AND LANDUSE RESOURCE CONSENT**

Applicant : Stonehill Trustees Ltd
Application : Stage 2 application for a 22 lot fee simple business subdivision, earthworks, discharge of stormwater, and landuse consent for the business lots, of a Quarry zoned land requiring consent for the following:

**Auckland Council District Plan (Manukau Section)
Subdivision and Landuse Consent - (Resource Consent
39194, SP10737)**

Subdivision

- (i) Controlled Activity for works having effects on Wahi Tapu. Rule 9.8.2 - Activity Table.
- (ii) Controlled Activity for street planting provided as part of a subdivision and development. Rule 9.8.2 – Activity Table
- (iii) Controlled Activity for the provision of stormwater treatment devices including stormwater treatment. Rule 9.8.2 Activity Table
- (iv) Controlled Activity for site rehabilitation (including cleanfill activities) in a Quarry zone. Rule 17.8.10.2
- (v) Restricted Discretionary Activity for 22 lot fee simple subdivision of land within a Quarry zone. Rule 9.8.2 - Activity Table.
- (vi) Restricted Discretionary Activity for any subdivision that does not meet the development and performance standards in Rules 9.9.1 and 9.9.2. Rule 9.8.2 Activity Table

The proposal does not comply with the legal road width requirements for an industrial road for the full width of Road 2. Road width and carriageway widths of 15.7m & 10.0m respectively for Road 2 with the required 23.6m

and 12.2m respectively. Rules 9.9.1. & 9.9.2.11
Appendix 2

- vii) Restricted Discretionary Activity to undertake approximately 27,544m³ of earthworks along side the Puhinui Stream. Rule 9.8.2 Activity Table
- viii) Restricted Discretionary Activity for earthworks and fill within the Stormwater Management Area. Rule 9.8.2 and 9.8.3.4
- ix) Restricted Discretionary Activity for development which requires the provision of public utility services. Rule 9.8.2 Activity Table
- x) Restricted Discretionary Activity for Development on areas subject to a Financial Contribution for proposed public utility services which are intended to serve the development. Rule 9.8.2 Activity Table

Landuse

- i) Activities that are Discretionary Activities in Business 6 zone are Discretionary Activity under the Quarry zone. Rule 17.8.10.2

Auckland Council Regional Plan - (Air, Land and Water) Permit 39328

- i) Discretionary Activity to discharge stormwater from greater than 5,000m² (being 23 hectares) of new impervious area. Rule 5.5.4.

Auckland Council Regional Plan - (Sediment Control) Permit 39901

- i). Restricted Discretionary Activity to undertake approximately 2.2 hectares of earthworks within the Sediment Control Protection Area (SCPA) being within 50m of a permanent stream. Rule 5.4.3.1

Transitional Auckland Council Regional Plan General Authorisation 10 (TRP)

- i). General Authorisation Number 10 authorises stormwater discharges from impermeable areas not exceeding 1,000m² when the discharge is to a watercourse. In this case, the discharge will be to the Puhinui Stream from an area greater than 1,000m², therefore the general authorisation is not met and consent for the diversion and discharge of stormwater is required and the activity is considered to be a **Discretionary Activity** under the TRP pursuant to section 87B of the Resource Management Act 1991.

Site : 21 Stonehill Road, Manukau

Legal Description : Lot 100 DP 432020

Zoning : Quarry Zone under Auckland Council District Plan (Manukau Section)

Resource Consent : 39191 SP 10737 (Subdivision and Landuse)
Permit : 39328 (Stormwater Discharge)
Permit : 39901 (Earthworks)

I wish to advise that this Resource Consent is granted on 11 June 2012 under delegated authority and pursuant to Sections 104, 104A, 104B, 104C, 105, 106, 107, 108, 220 and 221 of the Resource Management Act 1991 (RMA) subject to the following conditions being completed to the satisfaction of Council and at no cost to the Council.

CONDITIONS OF CONSENT

CONDITIONS FOR ALL CONSENTS/PERMITS (39194, 39328 and 39901)

Activity in accordance with plans

1. That the proposed activity shall be in accordance with the plans and information submitted with the application, the accompanying supporting documents, subject to such amendments as may be required by the following conditions of this consent, detailed below and all referenced by Council as:

Resource Consent 39194 SP 10737 (Landuse and Subdivision)
Permit 39328 (Auckland Council Regional Plan: Air, Land, Water) and
Permit 39901 (Auckland Council Regional Plan: Sediment Control)

Report: Dated November 2011, '*Resource consent application and assessment of effects on the environment*'. Prepared by: Harrison Grierson Consultants Limited. HG Project No. 1150-125855-02.

- Approved plans Sheets 1-54 referenced Resource Consent 39194 by Council as identified in Table 1 below and Specialist Reports Table 2 and additional information Table 3 as detailed below:

Plans: Project: Stonehill Property Trust, McLaughlins Road – Wiri Stage 2
Prepared by: Harrison Grierson Consultants Limited

Table 1

Reference number	Rev	Title	Dated	Sheet of 54
125855-2-100	R1	Lots 30-50, 101, 301, 702 and 901 being a Subdivision of Lot 100 Lt 432020	23.11.11	1
125855-2-120	R1	Proposed Subdivision Showing Aerial Photograph	23.11.11	2
125855-2-140	R1	Proposed Subdivision Showing 1% AEP Flood Level	23.11.11	3

125855-2-200	R2	Proposed Earthworks Finished Contours	27.04.12	4
125855-2-220	R2	Proposed Earthworks Isopac Plan and Sediment and Erosion Control Plan.	27.04.12	5
125855-2-270	R1	Proposed Earthworks Retaining Wall	23.11.11	6
125855-2-271	R2	Proposed Earthworks Retaining Walls Elevation & Cross Section	23.11.11	7
125855-2-290	R1	Sediment Control Standard Details, Sheet 1	23.11.11	8
125855-2-291	R1	Sediment Control Standard Details, Sheet 2	23.11.11	9
125855-2-292	R1	Sediment Control Standard Details, Sheet 3	23.11.11	10
125855-2-300	R4	Proposed Roding Layout Plan	27.04.12	11
125855-2-320	R1	Proposed Roding Longitudinal Sections, Sheet 1	23.11.11	12
125855-2-321	R1	Proposed Roding Longitudinal Sections, Sheet 2	23.11.11	13
125855-2-322	R1	Proposed Roding Longitudinal Sections, Sheet 3	23.11.11	14
125855-2-330	R1	Typical Road Cross Sections, Sheet 1	23.11.11	15
125855-2-350	R3	Proposed Roding Stormfilter and Pump Station – Access Detail and Tracking Curve	27.04.12	16
125855-2-360	R2	Proposed Intersection Details Overall	27.04.12	17
125855-2-361	R2	Proposed Intersection 1 Detail	23.11.11	18
125855-2-362	R2	Proposed Roding Trucking Curve Worst Case	19.01.12	19
125855-2-380	R2	Proposed Road Marking Overall	27.04.12	20
125855-2-381	R1	Proposed Road Marking Detail Curve 1	23.11.11	21
125855-2-382	R2	Proposed Road Marking Detail Curve 2	27.04.12	22
125855-2-383	R1	Proposed Road Marking Detail Curve 3	23.11.11	23
125855-2-384	R1	Proposed Road Marking Detail Intersection 1	23.11.11	24
125855-2-390	R2	Proposed Roding Standard Details	27.04.12	25
125855-2-430	R1	Stormwater Longitudinal Sections Sheet 1	23.11.11	26
125855-2-431	R1	Stormwater Longitudinal Sections Sheet 2	23.11.11	27
125855-2-432	R1	Stormwater Longitudinal Sections Sheet 3	23.11.11	28
125855-2-433	R2	Stormwater Longitudinal Sections Sheet 4	23.11.11	29

125855-2-400	R3	Proposed Drainage Reticulation Plan	27.04.12	30
125855-2-450	R3	Wastewater Longitudinal Sections Sheet 1	27.04.12	31
125855-2-451	R3	Wastewater Longitudinal Sections Sheet 2	27.04.12	32
125855-2-452	R2	Wastewater Longitudinal Sections Sheet 3	27.04.12	33
125855-2-453	R3	Wastewater Longitudinal Sections Sheet 4	27.04.12	34
125855-2-500	R4	Proposed Watermain Reticulation Plan	27.04.12	35
125855-2-590	R1	Proposed Watermain Reticulation Standard	23.11.11	36
125855-2-469	R1	Proposed Stormwater Treatment and Pump Station Overall Layout. D	27.04.12	37
125855-2-470	R3	Proposed Stormwater Treatment and Pump Station Layout Plan Sheet 1	27.04.12	38
125855-2-481	R1	Proposed Stormwater Treatment Inlet and Outlet Details	23.11.11	39
125855-2-482	R1	Proposed Stormwater Treatment Outlet Structure Details	23.11.11	40
125855-2-485	R1	Proposed Stormwater Treatment Stormwater 360 Stormfilter Standard Detail – Plan	23.11.11	41
125855-2-486	R1	Proposed Stormwater Treatment Stormwater 360 Stormfilter Standard Detail – Elevation	23.11.11	42
125855-2-600	R3	Overall Landscape Plan	24.01.12	43
125855-2-601	R3	Landscape Plan Detail Sheet 1	24.01.12	44
125855-2-602	R1	Landscape Plan Detail Sheet 2	24.01.12	45
125855-2-603	R1	Landscape Plan Detail Sheet 3	24.01.12	46
125855-2-604	R2	Landscape Plan Detail Sheet 4	24.01.12	47
125855-2-605	R1	Landscape Plan Detail Sheet 5	24.01.12	48
125855-2-606	R1	Landscape Plan Detail Sheet 6	24.01.12	49
125855-2-607	R1	Landscape Plan Detail Sheet 7	24.01.12	50
125855-2-608	R1	Landscape Plan Detail Sheet 8	24.01.12	51
125855-2-700	R3	Proposed Lighting and Utilities Indicative Layout Plan	27.04.12	52
		Building Design Principles	13.09.11	53
		Option 2 (Preferred)	13.09.11	54

Specialist Reports

Table 2

Specialist Report Title	Prepared by	Dated
Potential Design Options for proposed Lot 51	Harrison Grierson	13.09.2011
Visual and Landscape Assessment	Harrison Grierson	August 2008
Historical Place Trust Authority to Modify	Historic Places Trust	02.11.2007
Integrated Transport Assessment	SKM	August 2008
Preliminary Geotechnical Report Perimeter Road Retaining Walls	Tonkin & Taylor Ltd	T&T23184 August 2008 T&T23184.001 dated 26 January 2012
Stormwater Calculations For Stonehill Property Trust – Stage 2	Harrison Grierson	26.10.11
Stormwater 360 Stormwaterfilter Design Philosophy Report referenced no. CSR/11/2242-01	Stormwater360 New Zealand	November 2011
Stormwater 360 Operation and Maintenance Guidelines StormFilter	Stormwater360 New Zealand	

- additional information.

Table 3

Other Additional Information	Dated
S92 Request Responses from Harrison Grierson	14 February 2012
	11 April 2012
	7 May 2012

All Charges Paid

- Pursuant to section 116 of the RMA, this consent (or any part thereof) shall not commence until such time as all charges pursuant to section 36 of the RMA, owing at the time the Council's decision is notified are paid in full to the Council.

Access to Property

- Auckland Council officer(s) shall be permitted to have access to relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements and/or to take samples whilst adhering to the Consent Holder's health and safety policy.

SUBDIVISION CONSENT 39194 SP 10737

Subdivision of Lot 100 DP 432020 into 21 business lots, recreation and esplanade reserves, roading and a balance lot.

General

1. That the easements 'A', 'B' and 'C' for rights to supply electricity, located in the front corner of: Lot 34 (easement A), Lot 39 (easement B) and Lot 46 (easement C) shall be shown on the survey plan in a memorandum of easements. The easements shall be duly granted or reserved.
2. That Lot 901 (encompassing Roads 2 and 3) shall be vested in the Auckland Council as legal road, at no compensation or cost to the Council.
3. That the proposed esplanade reserve (Lot 301) shall be vested in the Auckland Council at no compensation or cost to the Council. (See Advice Note 20)
4. The part of Lot 702 containing the drainage structures for stormwater and wastewater pump station shall be shown separately on the survey plan as Lot 701 for local purpose drainage reserve and be vested at no compensation or cost to the Council.
5. That proposed Lot 702 shall be vested as recreation reserve in the Auckland Council. (See Advice Note 20)
6. In the event that Lot 51 is acquired, it shall be vested in the Auckland Council as a recreation reserve. If not, it is approved for creation as a business lot and **Conditions 7-9 and 12** of the Subdivision Consent apply.

Landscaping

7. That the esplanade and recreation reserves (Lots 51, 301 and 702) shall be landscaped by the consent holder in accordance with the Overall Landscape Plan 125855-2-600 R3, Sheet 43 of 54 referenced Resource Consent 39194 by Council and completed to the satisfaction of the Council prior to issue of the certificate under Section 224(c) of the RMA. The planting in the landscaped areas shall be maintained by the consent holder for not less than 12 months after the date of issue of the certificate under Section 224(c) of the RMA.
8. The following works shall be completed to the satisfaction of Manager – Parks prior to vesting of the recreation reserves, Lots 51, 301 and 702, and drainage reserve Lot 701:

Except for those parts of the recreation and esplanade reserve planted with trees and shrubs in accordance with the landscaping plan in **Condition 7** above and those parts with existing trees to be retained;

- (i) The reserve area to be earthworked shall be re-topsoiled to a minimum 150mm compacted depth and regrassed;

- (ii) All grassed areas shall be regularly mown until there is an even grass coverage acceptable to Council, and
 - (iii) All rubbish, construction material, noxious weeds and any vegetation specifically directed by the Council, shall be removed and the reserve left in a mowable condition.
9. Bollards shall be installed at 1.4m centres along all the road frontage of reserves, Lot 51, Lot 701 and Lot 702. Vehicle access on to Lot 701 and two removable bollards shall be installed as per MCC EQS Standards at a location approved by the Manager, Council Parks. Except for the bollards at the road boundary, the boundaries of Lot 701 shall not be fenced.

*In the event that Lot 51 is not acquired by the Council as recreation reserve but is developed as a business lot, then **Conditions 7-9** above will not be applicable for Lot 51.*

Constraints on activities on Lot 101

10. That conditions of consent notice number 8939875.4 registered on the Computer Freehold Register of Lot 100 DP 432020 shall remain applicable to Lot 101 on the survey plan of this consent.

At the time of issue of the certificate under Section 224(c) for the subdivision, the Council will cancel consent notice 8939875.4 pursuant to Section 221(5) of the RMA for Lots 30 - 51, 101, 301, 701, 702, and 901 so that its provisions are no longer applicable to these lots in Stage 2 of this Subdivision Consent.

Reserve Contributions

11. (a) A reserve contribution of **\$1,795,362.75** inclusive of GST, which equals to 6% plus GST of the market value of all the additional allotments (Lots 30 – 50) less the value of recreation reserve (Lot 702) to be vested, shall be paid within two years or prior to the issue of the Section 224 certificate for the subdivision, whichever is the sooner.

The reserves contribution calculation is as follows:

The reserves contribution for Lots 30-50 = \$1,933,362.75 inc GST
Less value of Lot 702 = \$138,000.00 inc GST

Reserves contribution to pay = **\$1,795,362.75 inc GST**

- (b). If the reserve contribution determined in accordance with this condition has not been paid within two years of the date of this consent, the Council may at any time thereafter review this condition pursuant to Section 128 of the Resource Management Act 1991 to reassess the reserve contribution required by this condition on the basis of new valuation(s) undertaken at the time of review. Any such valuation shall be undertaken at the consent-holder's expense.
12. In the event that Lot 51 is not acquired by the Council as recreation reserve but is developed as a business lot, the following additional reserve contribution will be payable: (Refer to Advice Note 21)

(a). A reserve contribution of \$59,512.50 inclusive of GST, which equals to 6% plus GST of the market value of Lot 51 to be vested, shall be paid within two years or prior to the issue of the Section 224 certificate for the subdivision, whichever is the sooner.

The reserves contribution calculation is as follows:

$$(\$862500 \times 6\%) + \text{GST} = \$59,512.50$$

Reserves contribution to pay = \$59,512.50 inc GST

(b). If the reserve contribution determined in accordance with this condition has not been paid within two years of the date of this consent, the Council may at any time thereafter review this condition pursuant to Section 128 of the Resource Management Act 1991 to reassess the reserve contribution required by this condition on the basis of new valuation(s) undertaken at the time of review. Any such valuation shall be undertaken at the consent-holder's expense.

Street Tree Planting Contribution

13. Street tree contribution of **\$19,561.50** incl GST shall be paid to the Auckland Council.

The consent holder is advised that Street Tree contribution has been calculated at (FC301B) \$210 per street tree for a total of 81 PB95 size trees:

$$\text{Total } \$17,010 + \text{GST} = \$19,561.50$$

The above Financial Contribution shall be paid prior to release of the certificate under Section 224(c) for the subdivision.

Transportation

14. That Roads 2 and 3 shall be formed, sealed and drained to Council's "Manual of Engineering Quality Standards" having 23.6m and 12.2m road width and carriageway width respectively (this shall include raised kerb and channel, 2.5m front berm, 1.8m rear berm and 1.4m footpath), and the approved plan 125855-2-300 R4, Sheet 11 of 54 referenced Resource Consent 39194 by Council (except for Park Edge sections of Road 2 where reduced widths of 15.7m and 10.0m for road and carriageway respectively was approved) and vest in Council as road at no cost to Council. The proposed road kerb and channel, footpath and berm shall be extended to tie into the existing kerb and channel and footpath of Harbour Ridge Drive, Stonehill Drive and McLaughlins Road.
15. That all pram crossings at the intersections and along pedestrian desire lines on Road 2 for safe pedestrian crossing shall be constructed in accordance with drawing R8 (refer update February 2007) and finished complete with tactile pavers as per the Council's "Manual of Engineering Quality Standards".

16. That the vehicle crossing providing access to the wastewater pump station and stormwater treatment facility on Lot 701 shall be constructed as per drawing R10 (refer update September 2009) of the Council's Manual of Engineering Quality Standards and the approved plan 125855-2-350 R3, Sheet 16 of 54 referenced Resource Consent 39194 by Council.
17. That all signs including PW10.1, PW66.7, RG6, RG17 and "Give-Way" markings at the intersection as per fig 3.1(a) and 3.17, white centreline road markings and the "NO STOPPING AT ALL TIMES" yellow line markings shall be in accordance with the "Manual of Traffic Signs and Markings" of New Zealand Transport Agency and the approved plan 125855-2-381 to 384, Sheets 21-24 referenced Resource Consent 39194 by Council.
18. That the street lighting for Roads 2 and 3 shall be in accordance with Council's "Public Lighting Design Standards", Rule 5.18.2 of the District Plan and the approved plan 125855-2-700 R3, Sheet 52 of 54 referenced Resource Consent 39194 by Council and located in the front berm.

Land Modification

19. There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, which in the opinion of the Team Leader- Southern Compliance and Monitoring is noxious, offensive or objectionable.
20. There shall be no damage to public roads. In the event that such damage occurs, the Team Leader - Southern Compliance and Monitoring will be notified within 24 hours of its discovery. The costs of rectifying such damage and restoring the asset to its original will be met by the consent holder.
21. All earthworks shall be managed to ensure that no debris, soil, silt, sediment or sediment-laden water is discharged from the subject site to stormwater drainage systems, watercourses or receiving waters. In the event that a discharge occurs, work shall cease immediately and the discharge shall be mitigated and/or rectified to the satisfaction of the Team Leader - Southern Compliance and Monitoring.
22. All imported fill used shall:
 - a. be solid material of a stable, inert nature and
 - b. not contain contaminants and
 - c. not be subject to biological breakdown

Certification of the cleanfill shall be provided within 10 working days of the completion of the earthworks activity to the Team Leader – Earthworks and Contaminated Land.

23. All works on the retaining walls shall be undertaken in accordance with the recommendation contained within the geotechnical investigation

report prepared by Tonkin and Taylor referenced no. 23184 dated August 2008 and 23184.001 dated 26 January 2012.

That any variation to the recommendations shall be certified by the writer of the report has been appropriate to achieve the desired results.

24. Where earthworks result in archaeological features being uncovered, all works on the subject site shall cease unless in the opinion of the Team Leader - Southern Compliance and Monitoring, the works can continue subject to restrictions on works within a 10 metre radius of the archaeological find. A suitable temporary barrier and signage restricting access shall be erected immediately, and the New Zealand Historic Places Trust shall be contacted immediately so that appropriate action can be taken.

Land Stability

25. (i) A geotechnical Foundation Completion Report shall be submitted for the lots, to the satisfaction of the Team Leader - Southern Compliance and Monitoring that the site has been appropriately remediated and rehabilitated and suitable for the proposed subdivision.

Should the Land Transfer plan differ from the approved subdivision plan then the Foundation Completion Report shall be amended accordingly

- (ii) For any lot for which the Foundation Completion Report recommends specific engineering investigation, and/or design, including any measure for dealing with the effects of 'Extremely Expansive Soils' [AS2870 (1996) class E or equivalent], the development shall be undertaken in terms of the recommendation in that report.

This condition shall be complied with on a continuing basis by the owners of the affected lots and registered, at no cost to Council, as a consent notice on the Certificate of Title for those lots pursuant to Section 221 of the RMA and on Council's Land Information Register.

The Council's Land Information Register will record the above information for all lots as applicable.

Construction

26. Prior to works commencing, the consent holder shall liaise with utility operators to ensure any required clearances are maintained and that due care and attention is given to the requirements and reasonable conditions of those utility operators to avoid any interference or damage. Contingency plans are to be agreed with those respective utility operators for any specific infringements to the required separation distances.

- (i) Adequate provision shall be made for the protection of wastewater lines from the proposed network utility service. There must be a minimum of two metres clearance at all times.

Where the minimum clearance can not be maintained, the consent holder shall contact Watercare Services Limited, a minimum of 48 hours prior to commencement of any work, to arrange a site inspection and obtain approval. Approval will be granted in writing on a case by case basis.

- (ii) Adequate provision shall be made for the protection of wastewater lines that will be crossed over by a stormwater line. In all such cases the area between the lines shall be hardfill backfilled. Where clearance is less than 150mm, 55mm thick polystyrene packing shall be placed against the underside of the stormwater line. Where clearance is less than 300mm and bell jointed stormwater pipes are used, there shall be no bell joints placed directly over the wastewater line.

- (iii) Adequate provision shall be made for the protection of water supply lines from any of the proposed network utility service. There is a minimum of 500mm horizontal and 300mm vertical clearance at all times.

Where the minimum clearance can not be maintained, the consent holder shall contact Watercare Services Limited, a minimum of 48 hours prior to commencement of any work, to arrange a site inspection and obtain approval. Approval will be granted in writing on a case by case basis.

Public Utility Services

- 27. Adequate provision shall be made for the disposal of stormwater, wastewater and the provision of a water supply to all lots intended to be used for business purposes.

- 28. The works detailed on the approved plans by Council shall be constructed to the satisfaction of and at no cost to the Council and are subject to the following requirements;

- (i) A 'pre-construction' meeting shall be arranged not less than 48 hours prior to commencement of the works.

Please contact Council's Senior Compliance Engineering Inspector (phone 2628900 extension 5794)

Please contact Watercare Services Limited Development Team (developments@water.co.nz)

- (ii) All materials, workmanship and testing shall be in accordance with the current Auckland Council Manukau Engineering Quality Standards, MANARC and the Watercare Services Limited Engineering Standards;

- (iii) All construction work, shown on the attached plans, shall be supervised by an engineering representative appointed by the owner (refer to Auckland Council Manukau Engineering Quality Standards and Watercare Services Limited Engineering Standards);
- (iv) On completion of the work, 'as-built' plans and a completion certificate, in accordance with the Council's Quality Assurance Manual, shall be forwarded to Council's appointed field officer.;
- (v) All works on existing public wastewater and watermains shall be carried out by a Watercare Services Limited approved licensed contractor and all works on existing public stormwater shall be carried out by Auckland Council approved licensed contractor at the consent's holder expense.

This condition requires compliance through completion of the works to the satisfaction of the Team Leader – Southern Compliance and Monitoring within six months, (unless authorised by the Team Leader – Southern Compliance and Monitoring), of the commencement of these work prior to release of the certificate under Section 224(c) for the subdivision.

Pump Station and Rising Main

29. Prior to works commencing, the consent holder shall submit to Watercare Services Limited engineering drawings of the pump station and rising main for approval.

Stormwater Quality Treatment

30. The consent holder shall provide the following to be bound in a folder with section dividers and numbered as below.
- 1. Design and Calculations report for the quality treatment
 - 2. Copy of the Stormwater Discharge Consent no. 39328
 - 3. Copy of certified as-builts including construction plans marked up with changes
 - 4. Operations and maintenance plan
 - 5. Annual monitoring reports if any
 - 6. Compliance Audit Report demonstrating compliance with the Condition of Stormwater Discharge Consent No. 39328
 - 7. Certificate Stormwater Discharge Consent No. 39328 payments for monitoring and other applicable fees related to the consent
 - 8. Completed Notice to transfer a '*Resource Consent to Another Person Form*' for Stormwater Discharge Consent No. 39328 along with the relevant one-off transfer processing fee
 - 9. Development Engineering Quality Assurance Manual forms relating to the quality treatment and associated works eg pipeworks

Any faults shall be remedied and the documentation as required above be submitted prior to requesting the issue of the Section 224(c) certificate for the subdivision to the satisfaction of the Team Leader – Southern Compliance and Monitoring, prior to Council taking-over the maintenance of the quality treatment.

Network Utilities

31. Power and telephone services shall be installed underground to provide service connections to all proposed lots. This connection shall be at the road boundary.

The consent holder shall supply completion certificate from the utility service providers and certified 'as-built' plan giving locations of all plinths, cables and ducts.

Financial Contribution

32. A Comprehensive Stormwater Discharge Levy of \$8,305.60 shall be paid to Auckland Council.

The consent holder is advised that this levy (FC45) has been calculated at \$690.00 plus GST per hectare for the total area of this development of 10.4670 hectares.

33. A Stormwater Contribution of \$27,324.10 shall be paid to Auckland Council.

The consent holder is advised that this contribution (FC46 – Puhinui Stream Flood Management) has been calculated at \$2,270.00 plus GST per hectare for the total area of this development of 10.4670 hectares.

34. A Stormwater Quality Contribution of \$836,482.40 including GST shall be paid to Auckland Council.

The consent holder is advised that this contribution (FC 47 - Puhinui Stream Stormwater Quality) has been calculated at \$27,040.00/ha + GST per hectare for the total area of this development of 26.9 hectares.

Note: Stormwater Unit of Auckland Council agrees to offset its cost against the actual cost of the proposed Stormwater360 filter facility.

35. The financial contributions required by **Conditions 32-34** shall be paid prior to release of the certificate under Section 224(c) for the subdivision.
36. If payment of the financial contribution required by **Conditions 32-34** are not made within 12 months of date of this consent the Council may at any time thereafter review this condition pursuant to Section 128 of the Resource Management Act 1991 and reassess the contribution in accordance with the current Statistics NZ Capital Goods Price Index for Other Construction – S2GC (for the previous year).

Access to pump station and stormwater treatment facility

37. The access driveway to the wastewater pump station and stormwater treatment facility shall be designed to be suitable for truck manoeuvring for the maintenance of the treatment device, outfall and pump station.

Section 223 and 224 Certificates

38. The Consent Holder shall notify the Council when the survey plan is lodged with Landonline for approval under Section 223 of the Resource Management Act 1991. The plan shall be approved if it is in accordance with this consent.

Prior to issue of the certificate under section 224 (c) of the Resource Management Act 1991, the Consent Holder shall satisfy the Council that all the conditions of consent have been complied with.

DIVERSION AND DISCHARGE OF STORMWATER PERMIT 39328

Review condition

1. The conditions of this consent may be reviewed by the Auckland Council pursuant to Section 128 of the Resource Management Act 1991, (with the costs of the review process being borne by the Consent Holder), by giving notice pursuant to Section 129 of the Act, in one or more of the following times:
- June 2013
 - June 2014
 - June 2015
 - And/or at five yearly intervals after either the date of that review (if such review occurs) or after June 2015 whichever is the earlier.

The purpose of the review may be for any of the following purposes, namely:

- i) To deal with any adverse effect on the environment which may arise from the exercise of the consent or upon which the exercise of the consent may have an influence and which becomes apparent, or is found appropriate, to deal with at a later stage, and in particular but without limiting the ambit of this clause to:
- a) Insert conditions, or modify existing conditions, to require the Consent Holder to identify the character or nature of any discharges authorised by this Consent and to report the results of that monitoring to the Auckland Council; and/or

- b) Insert conditions, or modify existing conditions to require the Consent Holder to monitor the effects of any discharges authorised by this Consent on the local receiving environment and to report the results of that monitoring to the Auckland Council;
- ii) Insert conditions, or modify existing conditions, requiring the Consent Holder to adopt the Best Practicable Option to remedy, mitigate or minimise any adverse effects on the environment resulting from the discharges authorised by this consent, including remedying or mitigating any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

General

- 2. That permit 39328 shall expire on 11 June 2047 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.
- 3. The following stormwater management works are constructed for the following catchment areas and design standards and they are completed prior to construction of further impervious surfaces.

Works	Catchment area- Total	Design Standard
Stormfilter vault	26.9ha	75% TSS removal
Roof material		No exposed unpainted metal surfaces

- 4. Any amendments that may affect the capacity or performance of the stormwater management system shall be submitted to, and approved by the Manager, Natural Resources and Specialist Input, in writing prior to construction.

Construction meetings

- 5. Five working days prior to initiation of any construction of stormwater devices on the site, a pre-construction site meeting between Stormwater Natural Resources and Specialist Input and all relevant parties, including the site stormwater engineer, shall be arranged.
- 6. The following information shall be provided at the pre construction meeting:
 - i). Timeframes for key stages of the works authorised under this consent;
 - ii). Contact details of the site contractor and site stormwater engineer; and
 - iii). Approved (signed/stamped) construction plans:

Any resulting amendments to the stormwater management system may be reviewed by Auckland Council at the time and shall be approved in accordance with **Condition 5** above.

7. **Within 30 days** of Practical Completion and prior to operation of the stormwater management works, a post construction site meeting shall be arranged and conducted between Stormwater, Natural Resources and Specialist Input and all relevant parties, including the site stormwater engineer. As-Built certification and plans shall be available for this meeting, as specified in **Condition 8** below.

Certification of construction works

8. **Within 30 days** of practical completion, As-Built certification and plans of the stormwater management works, which are certified (signed) by a suitably qualified registered surveyor or engineer as a true record of the stormwater management system, shall be provided to the Manager, Natural Resources and Specialist Input.
9. The 'as-built' plans shall include, but not be limited to:
 - i) The surveyed location (to the nearest 0.1m) and level (to the nearest 0.01m) of the discharge structure, with co-ordinates expressed in terms of NZTM and L&S datum;
 - ii) Location, dimensions and levels of any major overland flowpaths including cross sections and long sections;
 - iii) Plans and cross sections of all stormwater management devices, including confirmation of the Water Quality Volume, storage volumes and levels of any outflow control structure; and
 - iv) Documentation of any discrepancies between the design plans and the 'as-built' plans.

Operation and maintenance

10. A final updated Operation and Maintenance Plan shall be submitted to the Manager, Natural Resources and Specialist Input **within 30 days** of the completion of installation of the stormwater works set out in **Condition 3** of this permit (39328).
11. The Operation and Maintenance Plan shall set out how the stormwater management and treatment system is to be operated and maintained to ensure adverse environmental effects are minimised. The plan shall include, but not be limited to:
 - i) A programme for regular maintenance and inspection of the stormwater management works;
 - ii) A programme for the collection and disposal of debris and sediment collected by the stormwater management system;
 - iii) A programme for post storm maintenance;
 - iv) General inspection checklists for all aspects of the stormwater management system, including visual checks; and

- v) Details of who will hold responsibility for long-term maintenance of the stormwater management system and the organisational structure which will support this process.
- 12. The stormwater management and treatment system shall be managed in accordance with the approved Operation and Maintenance Plan.
- 13. Any amendments to the Operation and Maintenance Plan shall be submitted to and approved by the Manager, Natural Resources and Specialist Input, in writing prior to implementation.
- 14. A written maintenance contract with an appropriate stormwater management system operator, shall be entered into, and maintained, for the on-going maintenance of the stormwater management system.
- 15. **Within 30 days** of the completion of stormwater works, a signed copy of the contract required by **Condition 14** of this permit shall be forwarded to the Manager, Natural Resources and Specialist Input. An operative contract shall be provided to the Auckland Council upon request throughout the term of the consent.
- 16. The stormwater management system shall be maintained to minimise erosion, risk of obstruction of the waterway and hazards to safety

Overland flowpaths

- 17. For stormwater flows in excess of the capacity of the primary drainage systems, overland flow paths shall be provided and maintained to allow surplus stormwater from critical storms (up to the 100 year ARI event), to discharge with the minimum of nuisance and damage.
- 18. Major secondary flow paths shall be kept free from significant obstructions such as buildings and solid fences.
- 19. Roading, kerbs and channels constructed across overland flow paths shall be set at a level that maximises the capture of water by road cesspits. Other than at designated overland flow paths, driveway crossings shall be constructed in order to minimise the overflow of water from the road into private properties.

Outfall erosion

- 20. Any stormwater outfalls authorised by this consent shall incorporate erosion protection measures to minimise the occurrence of bed scour and bank erosion in accordance with TP10.

Monitoring report

- 21. A Monitoring Report shall be provided to the Manager, Natural Resources and Specialist Input **on request** The Monitoring Report shall include but not be limited to the following:
 - i) Details of who is responsible for maintenance of the stormwater management system and the organisational structure supporting this process;

- ii) Details of any maintenance undertaken; and
- iii) Details of what inspections were completed over the preceding **twelve months**.

22. Details of all inspections and maintenance for the stormwater management system for the preceding **three years** shall be retained.

EARTHWORKS PERMIT 39901

1. If work on site is abandoned, adequate preventative and remedial measures shall be taken to control sediment discharge and shall thereafter be maintained for so long as necessary to prevent sediment discharge from the site. All such measures shall be of a type and to a standard which are to the satisfaction of the Team Leader – Earthworks and Contaminated Land.
2. All personnel working on the site shall be made aware of and have access to the contents of this consent document and the associated erosion and sediment plan and methodology.
3. That consent number 39901 shall expire on 30 April 2017 unless it has lapsed, been surrendered or been cancelled at an earlier date pursuant to the Resource Management Act 1991.
4. Inspection advice notes issued on site by the Auckland Council or its representatives shall be actioned within the timeframes stipulated. Where there is disagreement as to the suitability of the action requested, immediate contact with the Team Leader - Earthworks and Contaminated Land is required.

Pre Construction Conditions

5. Prior to the commencement of any earthworks in any season, the Team Leader - Earthworks and Contaminated Land, shall be informed in writing at least one week prior to the start date of the works authorised by this resource consent.
6. Prior to the commencement of any earthworks in any season authorised by the granting of this consent, a pre-construction site meeting shall be arranged and conducted between Auckland Council, (Earthworks & Contaminated Land Team, Natural Resources & Specialist Input unit), and all relevant parties including the primary contractor.
7. Decanting earth bunds shall be constructed to treat sediment laden runoff generated in the earthworks areas as specified on the Erosion and Sediment Control Plan approved under **Condition 1** of Conditions for all Consents/Permits (39194, 39328 and 39901) plans Sheets 8-10 referenced Resource Consent 39194 by Council. The decanting earth bunds shall:

- Have a 3% storage capacity (3m^3 of storage volume for every 100m^2 of contributing catchment);
 - Have a level invert and two layers of geotextile securely pinned to the emergency spillway to prevent erosion; and
 - be fitted with a floating decanting device which discharges at a rate of 3L/sec/ha of contributing catchment.
8. Prior to bulk earthworks commencing, a certificate signed by an appropriately qualified and experienced person shall be submitted to the Team Leader - Earthworks & Contaminated Land, to certify that the erosion and sediment controls have been constructed in accordance with the plans and documents as specified in **Condition 1** of Conditions for all Consents/Permits (39194, 39328 and 39901) plans Sheets 4, 5, 7-10 and 38 referenced Resource Consent 39194 by Council. Certified controls shall include the decanting earth bunds and diversion bunds.
- Information supplied for the certification of the above sediment retention measures shall include (if applicable):
- i contributing catchment area,
 - ii retention volume of the structure (dead storage and live storage measured to the top of the primary spillway),
 - iii shape of structure (dimensions of structure),
 - iv position of inlets/outlets,
 - v stabilisation of the structure.
9. Prior to the commencement of bulk earthworks at the site, a Chemical Treatment Management Plan (CTMP) shall be submitted for the written approval of the Team Leader - Earthworks & Contaminated Land. The plan shall include as a minimum:
- a) Specific design details of the chemical treatment system based on a batch dosing methodology for the site's decanting earth bunds;
 - b) Monitoring, maintenance (including post storm) and contingency programme (including a record sheet);
 - c) Details of optimum dosage (including assumptions);
 - d) Results of initial chemical treatment trial;
 - e) A spill contingency plan; and
 - f) Details of the person or bodies that will hold responsibility for long term operation and maintenance of the chemical treatment system and the organisational structure which will support this system.
10. The CTMP referred to under **Condition 9** above, shall be implemented prior to the start of any bulk earthworks at the site.
11. Any amendments to the CTMP shall be approved by the Team Leader - Earthworks & Contaminated Land, in writing, prior to implementation.
12. The site shall be progressively stabilised against erosion as soon as practicable as earthworks are finished over various areas of the site. Site stabilisation shall mean when the site is covered by a permanent

erosion proof ground cover such as aggregate and includes vegetative cover which has obtained a density of more than 80% of a normal pasture sward.

13. A stabilised entrance, constructed in accordance with TP90, shall be established at the ingress and egress of the earthworks site. This entrance shall maintained throughout the duration of the consent.
14. Sediment control measures shall be inspected to ensure effective operation on a daily basis or immediately after a significant storm event during construction by the contractor. The engineering representative shall also inspect the sediment control measures on their regular site inspections.
15. In the event that any sediment & or soil is deposited onto the site's surrounding roading network, immediate action to clean the surrounding roading network shall be undertaken. Cleaning in this regard shall be to the satisfaction of the Council's monitoring officer, or delegated representative.
16. Notwithstanding **Condition 15** above, suitable protection in accordance with TP90, shall be installed and maintained over the surrounding roading network's cesspits, at the direction of the Council's monitoring officer or delegated representative.

Seasonal Restriction

17. Revegetation / stabilisation is to be completed by 30 April in the year of bulk earthworks in accordance with measures detailed in TP90 and any amendments to this document, unless a later date is approved in writing by the Team Leader - Earthworks and Contaminated Land, at least two weeks before 30 April.
18. No vegetation removal or earthworks on the site shall be undertaken between 1 May and 30 September in any year, without the written approval of the Team Leader - Earthworks and Contaminated Land. Earthworks in this regard refers to bulk earthworks (cut/fill/waste) associated with the site.

LANDUSE CONSENT 39194

Monitoring Charges

1. The consent holder shall pay the Council a consent compliance monitoring charge of \$600. (exclusive GST), plus any further monitoring charge or charges to recover the actual and reasonable costs that have been incurred to ensure compliance with the conditions attached to this consent. (This charge is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc, all being work to ensure compliance with the resource consent).

The charge shall be paid as part of the resource consent fee and the consent holder will be advised of the further monitoring charge or charges as they fall due. Such further charges are to be paid within one month of the date of invoice.

Commencement

2. Pursuant to Section 116(1A) of the RMA, the Landuse Consent of this decision shall not commence until the Section 224(c) certificate of the Subdivision Consent of this decision has been issued by the Council except that this condition shall not prevent the erection of buildings on proposed Lots 30-50 by the consent holder prior to the issue of the certificate under Section 224(c) of the Act.
3. No business activity shall commence on the land until the covenants required by **Conditions 4-7** below have been prepared, executed and registered on the Computer Freehold Registers (certificates of title) of the respective lots.

Landuse Activities on Lots 30-50

4. That the following list of activities shall be provided for as permitted activities on the land for proposed Lots 30 to 50 subject of this resource consent:
 - The erection or relocation of any building or structure and/or external alterations or additions to any building or structure;
 - Retail sale activities excluding the following (defined by ANZSIC in Appendix 4A of the District Plan):
 - 5210 - Department Stores,
 - 5221 – Clothing Retailing,
 - 5222 – Footwear Retailing,
 - 5234 – Domestic Appliance Retailing,
 - 5235 – Recorded Music Retailing,
 - 5242 – Toy and Game Retailing,
 - 5243 – Newspaper, Book and Stationary Retailing,
 - 5244 – Photographic equipment retailing,
 - 5251 - Pharmaceutical, cosmetic and toiletry retailing,
 - 5255 – Watch and Jewellery Retailingprovided that the activity is undertaken in premises with a gross floor area not exceeding 800m²;
 - The retail sale of any good manufactured on the site provided that the retail sale area does not exceed 25% of the gross floor area set aside for manufacturing, or 250m², whichever is the lesser;
 - Cafes, restaurants and takeaway food premises;
 - Carparking areas and buildings not ancillary to a permitted activity;
 - Care Centre;
 - Cleanfill activities involving the depositing of less than 5000m³ of material per site;
 - Educational Facilities;

- Entertainment facilities and Activities;
- Equipment Hire Premises;
- Funeral Directors Premises;
- A single household unit needed for a person whose responsibilities require them to live on the site;
- Industry except activities involving discharges to air categories listed in Appendix 14B of the Manukau District Plan 2002;
- Motor vehicle sales and service premises;
- Offices (see **Condition 6**)
- Personal and other services;
- Places of Assembly;
- Public Open spaces;
- Public Toilets;
- Service Stations;
- Wholesale trade, warehousing, storage, auction rooms;
- Accessory buildings for any of the above;
- Network Utility Services – Refer Rules Chapter 7 – Network Utility Services;
- Temporary Activities – Refer Rules Chapter 5 – General Procedures and Rules;
- Activities which may have an adverse effect on any scheduled heritage resource – refer Rules Chapter 6 Heritage;
- Relocated Buildings – Refer Chapter 5 General Procedures and Rules;
- Network Utility Services – Refer Rules Chapter 7 – Network Utility Services;
- Parking, Loading and Access – Refer Chapter 8 – Transportation;
- Hazardous Facilities and Substances – Refer to Chapter 10.1 Hazardous Facilities and Substances;
- Land modification, development and subdivision – Refer Rules Chapter 9 – Land Modification, Development and Subdivision.

Undertaking of the above activities shall be subject to compliance with Rule 14.11 General Development and Performance Standards of the District Plan, unless explicitly varied by a condition of this consent.

Should any of the above listed activities fail to meet any of the above Development and Performance Standards, the non compliance shall require a resource consent application and assessment pursuant to Rule 5.19 – Matters for Discretion: Restricted Discretionary Activity for Development Standard Modification of the District Plan and also assessed against those matters for discretion specified in Rule 14.13 of the District Plan.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of Lots 30 to 50 pursuant to Section 108 of the Resource Management Act 1991.

The covenant shall be prepared by the Council's solicitor at the applicant's expense.

(See advice note 9 and attached form '*Requirements and Procedures for Legal Documentation*')

The above information will be recorded on Council's Land Information Register for each respective lot.

5. That the height of any building on Lots 30 to 50 shall be restricted to 18m above finished ground levels of the sites at the time of issue of section 224(c) certificate.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of Lots 30 to 50 pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense.

(See advice note 9 and attached form '*Requirements and Procedures for Legal Documentation*')

The information shall also be recorded on Council's Land Information Register.

6. That no more than 20% of the gross floor area of buildings on each lot, Lots 30 - 50 shall be used for 'Office' activities as defined in the District Plan, unless a resource consent has been obtained from the Council for a higher percentage of office space.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of the respective lots pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense. (See advice note 9 and attached form '*Requirements and Procedures for Legal Documentation*')

This requirement shall also be recorded on Council's Land Information Register.

Landuse Activities and Development on Lot 51

7. In the event that Lot 51 develops as a business lot, it shall be designed in accordance with the conditions below and plan *Option 3 (preferred)*, Sheet 54 of 54 referenced Resource Consent 39194 by Council. The following shall apply:

- a). The building shall be principally (80%) used for an office, administration or community use only;
- b). Any building shall have a maximum height not exceeding 12m above finished ground levels;
- c). That 75% of each building wall façade facing the road, and Puhinui Stream shall be of glass or other material to reduce blank facades. Any building façade with continuous 20% shall not be a blank wall (e.g. textured or patterned);

- d). Building material to have low reflectivity, recessive colours and low embodied energy;
- e). Screening of service & storage areas, and retaining wall shall be undertaken. All rubbish and recycling shall be stored inside the building unless placed outside for immediate emptying;
- f). Building height in relation to boundary controls apply in accordance with Rule 5.18.1 of the District Plan;
- g). Yards: All yards including front yard shall be 5m minimum width. All yard areas (except access in the front yard) shall be planted and maintained in grass, trees and shrubs;
- h). No business activity (except access in the front yard) or storage of any kind including goods, material, refuse or refuse containers shall be permitted on any yard;
- i). All carparking shall be at the basement of the building, except that up to 4 visitor parks may be created at ground level on the site;
- j). All pedestrian entry shall be direct from street level to the first floor of the building;
- k). No fencing or structures shall be greater than 1m high shall be located on the boundaries and yard areas of the site; and
- l). No signage shall be located on any part of building facing the reserves. Only one façade sign is permitted and shall comply with Rule 5.14.9.5.1 of the District Plan.

The above shall be undertaken to the satisfaction of Team Leader - Southern Compliance and Monitoring.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of the respective lot pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense. (See advice note 9 and attached form 'Requirements and Procedures for Legal Documentation')

This requirement shall also be recorded on Council's Land Information Register.

*In the event that Lot 51 is acquired by the Council as recreation reserve and is not developed as a business lot, then **Condition 7** above will not be applicable.*

ADVICE NOTES

1. Please read the conditions of this resource consent carefully and make sure that you understand all the conditions that have been imposed before commencing the development.
2. This resource consent 39194, will lapse five years after the date of Council's decision **unless:**

(a) it is given effect to before the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the

conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established, or

(b) an application is made and granted prior to the expiry of that period for a time extension. The statutory considerations that apply to extensions are set out in section 125 of the RMA.

N.B – all charges owing at the time council's decision is notified must be paid before a consent can commence.

3. The consent holder shall obtain all other necessary consents and permits, including those under the Building Act 2004, and the Historic Places Trust Act 1993. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004. Please note that the approval of this resource consent, including consent conditions specified above, may affect a previously issued building consent for the same project, in which case a new building consent may be required. If not all resource consents have been applied for and Council has not required these consents be sought as part of the consent applications for this proposal, it remains the responsibility of the consent holder to obtain any and all necessary resource consents required under the relevant requirements of the Resource Management Act 1991
4. A copy of this consent should be held on site at all times during the establishment and construction phase of the activity. The consent holder is requested to notify Council, in writing, of their intention to begin works, a minimum of seven days prior to commencement. Such notification should be sent to the and include the following details:
 - name and telephone number of the project manager and the site owner;
 - site address to which the consent relates;
 - activity to which the consent relates; and
 - expected duration of works.
5. The granting of this resource consent does not in any way allow the consent holder to enter and construct drainage within neighbouring property, without first obtaining the agreement of all owners and occupiers of said land to undertake the proposed works. Any negotiation or agreement is the full responsibility of the applicant, and is a private agreement that does not involve Council. Should any disputes arise between the private parties, these are civil matters, which can be taken to independent mediation or disputes tribunal for resolution. It is recommended that the private agreement be legally documented to avoid disputes arising. To obtain sign-off for the resource consent, the services described by the conditions above are required to be in place to the satisfaction of Council.
6. Compliance with the consent conditions will be monitored by Council in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance)

and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter on request of the consent holder.

7. Archaeological features' may in practice include shell middens, hangi or ovens, pit depression, defensive ditches, artefacts, or koiwi tangata (human skeletal remains). In the event any of these features are uncovered during the course of the earthworks please contact the Team Leader Southern Compliance and Monitoring. If any archaeological features are uncovered on the site, NZHPT can be contacted on Phone (09) 3070413. It is also recommended that you contact the local Iwi immediately.
8. **Condition 6** of the Landuse Consent is intended to limit the overall number of vehicle trips generated by the subdivision in order to mitigate potential adverse effects on the Vogler Drive/Roscommon Road intersection during peak times. A separate resource consent will be required for any departures from the aforementioned requirements to assess the effects on the environment of the additional office space, including any effects of additional traffic generation on the wider roading network.
9. The Council's solicitor will be instructed by Council officers to prepare the necessary documentation for the covenants under Section 108 of the Act required by **Conditions 4-7** of the Landuse Consent, duly prepared and executed with the necessary deposits of \$850 payable to Brookfields Lawyers. The team will instruct Council's Solicitor to prepare the covenant and liaise with your lawyer to arrange for its execution and subsequent registration. A copy of Council's requirements for the preparation of legal documentation is attached in this regard.
10. The planting and maintenance of the street trees will be undertaken by Council's Parks Department.
11. The consent holder is advised that all vehicles crossings must be designed to comply with Rules 8.11.7.3, 8.11.7.4 & 8.11.7.5 of the District Plan. All vehicle crossings must be constructed in accordance with drawing R10 (refer update September 2009) of the Council's "Manual of Engineering Quality Standards."
12. All road markings should be carried out in consultation with Council's Roding Network Manager, Opus International Consultants Ltd contact Area Engineer for Manurewa on Phone 263 2500.
13. All works within the legal road corridor (boundary to boundary) require a 'Corridor Access Request (CAR) approved by Auckland Transport. All works include inter alia open cut trenching and trenchless techniques for utility installations.

Application for a CAR is made online to www.beforeudig.co.nz where relevant background details are required including resource consents, traffic management plans.

Please note that a CAR may require up to 15 days to process and construction hours may be restricted on Level 2 or 3 roads, as defined in the Code of Practice for Temporary Traffic Management, ("COPTTM" of NZTA) to those that may be permitted under this consent.

14. Watercare Services Limited have advised that at the time of application for a wastewater connection (or application for demand increase), completed in conjunction with a building consent, a wastewater Infrastructure Growth Charge per additional equivalent unit apply. Details of the charge are available on the website, www.watercare.co.nz.
15. That Contractors/Consultants associated with the proposed works be aware of the Industry Education Programme for Plan Implementers/Preparers available through Auckland Council.
16. That the Land Use Consent: Sediment Control report, permit and associated conditions should be included with the Contract Documents.
17. The Consent Holder is referred to Section 124 of the RMA, which provides for the exercising of a consent while applying for a new consent for the same activity.
18. Formation of the walkway along the esplanade reserve and recreation reserve will be undertaken to the extent that will facilitate future construction of public access in the form of pedestrian walkways along the side of Puhinui Stream which is proposed as part of the subsequent stages of future development. The basic shaping of the land will be done in this area so that paths may be constructed at a future date. This will facilitate the functional use and enable easy access of the reserves.

This information will be recorded in Councils Land Information Register.

19. Reserves contribution payable in respect of this subdivision consent has been assessed on the market values of the proposed lots for business purposes.
20. Pursuant to Rule 15.10.3 of the District Plan on zoning of vested reserves, the following is noted:
 - a. At such time land is vested as Reserve, as part of a subdivision, it shall automatically be rezoned as Public Open Space 1, 2 3 or 4 as specified in the conditions of the subdivision consent.
 - b. At such time land is vested as an Esplanade Reserve or Drainage and Water Quality Area or Stormwater Management Area as part of a subdivision, it shall automatically be rezoned as Public Open Space 5 as specified in the conditions of the subdivision consent.

It is considered that Lots 301 and 701 be zoned as Public Open Space 5 and Lot 702 zoned as Public Open Space 2. If Lot 51 is vested as recreation reserve it should also be zoned Public Open Space 2.

21. In the event that Lot 51 is acquired by the Council as recreation reserve and is not developed as a business lot, then Subdivision Consent **Conditions 7-9 and 12** (applicable to Lot 51) and Landuse Consent **Condition 7** will not be applicable. A negotiation on the valuation of Lot 51 will then be undertaken by Councils Property Team and the consent holder.

22. Development Contributions under the Local Government Act 2002.

The consent holder is advised that under section 198 (1)(b) of the Local Government Act 2002, Development Contributions are also applicable to this proposal.

This Development Contribution for non-residential development will be based on the gross floor area of the development. It will be assessed and invoiced at building consent stage when individual lots develop.

23. The consent holder proposes to locate a *tohu* within the esplanade reserve. The location of the *tohu* will be undertaken in consultation with the *Ngati Te Ata* by the consent holder and Councils Parks.

REASONS FOR THE DECISION

- (a) The application satisfies the sustainable management purpose of Part 2 of the Resource Management Act 1991, and meets the requirements of sections 104, 104A, 104B, 104C, 105, 106, 107, 108, 220 and 221 of the Act. It is also consistent with the objectives, policies and rules of the Auckland Council District Plan (Manukau Section), maintaining business environment consistent with the intent of the zoning of the site.
- (b) The proposal is considered to be consistent with the relevant objectives and policies and of the New Zealand Coastal Policy 2002 and Auckland Regional Policy Statement, Auckland Council Regional Plan (Air, Land and Water) and (Sediment Control) in particular the integrated management of the region's natural and physical resources and the minimisation of adverse effects arising from the proposed development.
- (c) The overall adverse effects on the receiving environment will be less than minor taking into account the conditions imposed to avoid, remedy or mitigate those that potentially arise.
- (d) The proposed development and engineering works are in accordance with Council's engineering standards and will result in less than minor effects on the environment.
- (e) The short term adverse effects of the proposed land modification are outweighed by the long term benefits of the potential use of the land for the proposed activity.
- (f) The subdivision will promote the sustainable management of this land resource while maintaining and enhancing the amenity values of the surrounding environment.

- (g) Office space restriction on the proposed lots will ensure that the roading network surrounding the site can adequately cater for traffic generated by the proposed development.
- (h) Stage 2 as a continuation of Stage 1 has a defined edge between built form and open space with a park edge road. The park edge road apart from providing a clear visual definition, also significantly improves the overall amenity for the reserve and subdivision development itself.
- (i) If Lot 51 is acquired by the Council as recreation reserve it will provide a buffer and visual protection of the Puhinui Arena Crater adjacent to Puhinui reserve, an important historic and cultural site for the *iwi*.
- (j) Access to the recreation and esplanade reserves from the site will add a key access point to Puhinui Reserve and Manukau Harbour coastline. Vesting of Lot 51 as a recreation reserve will play a key role in connecting and providing a clear and continuous recreational buffer along the coastal edge. Given the other benefits and significance from an ecological and cultural viewpoint, the site has high significance in enhancing this amenity.
- (k) If vesting of Lot 51 is not considered a viable option for the Council, then specific development conditions may mitigate any adverse effects of the development on this lot.
- (l) In accordance with Chapter 17.8 of the District Plan, land which is zoned Quarry is likely to be used for Business 5 or 6 purposes once mineral extraction activities have ceased. The proposal is considered to make an effective and efficient use of the available land for business purposes.
- (m) A comprehensive landscaping including planting of the reserves and street trees will make a positive contribution towards the aesthetics and amenity values of the overall area. The planting of the esplanade reserve is a complementary coastal theme and planting on the gabion wall will soften the interface of the development to the reserve.
- (n) The effects of land modification works from silt/soil erosion, dust and noise have been mitigated by the imposition of the conditions, and the silt control measures proposed by the consent holder. In this regard, the effects on the environment have been identified as less than minor.
- (o) The full list for permitted activities on land zoned Business 5 has been assessed and it is considered that some activities in this list are unsuitable for this site. An amended activity list having regard to environmental considerations is recommended, due to the proximity of the subject site to Maunga Matukutureia, Matukuturua (Stonefields), Liquid Petroleum Gas storage facility and Wiri Oil Services Limited fuel facility.
- (p) The subject site is located in close proximity to *Maunga Matukutureia* (McLaughlins Mountain), which is a *Waahi Tapu* site, it is important to maintain views to this mountain as far as practicable. With the above consideration, a height restriction of 18m is acceptable to Council as

recommended by the applicant for any future development on the proposed lots.

- (q) The location of a *tohu* within the esplanade reserve will relate to enhancing the clarity of pedestrian circulation within the reserves.

COSTS

1. Your deposit of \$8,355.00 already paid has been deducted from the total costs.
2. In addition to the consent charge, a compliance deposit relating to the engineering conditions of the resource consent will be applicable. The applicant will be advised of the charges as they fall due, covering the fair and reasonable costs incurred by the Council.
3. The aforementioned fee is in addition to the normal fees and requirements under the Building Act 2004 as imposed by the Manager - Building Authority.

RIGHT OF OBJECTION

Within 15 working days of receipt of this decision (commencement date stamped below) you may lodge an objection to the decision pursuant to Section 357A (content of the decision) or Section 357B (additional processing costs) of the Resource Management Act 1991. Any such objection shall be made by notice in writing to the Council setting out the reasons for the objection and the relief sought.

Please direct all enquiries to Rashida Sahib, the Consent Co-ordinator, on 261 8859 quote reference Resource Consent 39194.

Yours faithfully



Alice Lili Tay
Team Leader - Resource Consents

Date: <u>13.6.2012</u>
Commencement of 15 working days
RE: S357 RM Act 1991

MANUKAU CITY COUNCIL**APPLICATION FOR RESOURCE CONSENT NOT REQUIRING NOTIFICATION CONSIDERED UNDER DELEGATED AUTHORITY**

Applicant : Stonehill Property Trust

Site : 68 and 93 McLaughlins Road, Manukau

Legal Description : Lots 23 & 24 DP 344377

Zone : Quarry Zone
(Wahi Tapu Special site rule, McLaughlins Mountain ref no. 15, Water Care designations ref no. 177)

Proposal No. : 33887

File Ref : SP10188

Application : Subdivision followed by landuse consent for Business purposes on Quarry zoned land

1. DESCRIPTION OF PROPOSAL

The subject site is zoned Quarry and quarry operations are currently occurring on site with life expectancy of another 2-3 years.

The applicant proposes to subdivide the site as business lots. Subdivision will involve the creation of 28 business lots and a residue lot. The proposal will also involve the vesting of 4 roads, esplanade and recreation reserve to Council and installation of drains and utilities.

The proposal seeks a landuse consent for future development on the proposed lots for business activities provided for generally in the business 5 zone.

The proposed subdivision will be as follows:

Lot	Site Area (m2)
Lot 1	4377
Lot 2	4008
Lot 3	4008
Lot 4	4122
Lot 5	6037 Recreation Reserve
Lot 6	2000
Lot 7	1966
Lot 8	4967
Lot 9	4967
Lot 10	4971
Lot 11	5143
Lot 12	4749
Lot 13	4749
Lot 14	4749
Lot 15	1957
Lot 16	2000
Lot 17	2000
Lot 18	4749
Lot 19	4749
Lot 20	4749
Lot 21	5000
Lot 22	4000
Lot 23	3477
Lot 24	3912
Lot 25	5096

Lot 26	4540
Lot 27	2428
Lot 28	2272
Lot 29	646
Lot 100	210,400 (21.04ha) Balance Lot
Lot 300	18,817 Esplanade Reserve
Lot 700	11,456 Recreation Reserve
Lot 701	5243 Recreation Reserve
Lot 900	Proposed Roads (1-4) to vest

2. REASONS FOR THE APPLICATION

Subdivision

1. Subdivision of land within the Quarry Zone is a **Restricted Discretionary Activity**. Rule 9.8.2
2. Works having effects on Waahi Tapu is a **Controlled Activity**. Rule 6.9.2
3. Street planting, provided as part of a subdivision and development is a **Controlled Activity**. Rule 9.8.2
4. To waive or vary the 20m width of Esplanade Reserve is a **Discretionary Activity**. Rule 15.15.3.1.4.
5. Any subdivision that does not meet the development and performance standards in Rules 9.9.1 and 9.9.2 is a **Restricted Discretionary Activity**. These are:

The proposal does not comply with the legal road width requirements for an industrial road for the full width of Road 2.

Proposed Lot 29 has an area less than the minimum permitted lot size of 1000m², being 646m².
6. Land modification or development (including that which involves earthworks) not otherwise permitted by Rule 9.8.2 is a **Restricted Discretionary Activity**.
7. Earthworks and fill within the Stormwater Management Area is a **Restricted Discretionary Activity**. Rule 9.8.3.4.
8. The proposed provision of public utility services requires resource consent as a **Restricted Discretionary Activity**. Rule 9.8.2
9. Development on areas subject to Financial Contribution for existing or proposed public utility services provided at Council's expense which serve or are intended to serve the development is a **Restricted Discretionary Activity**. Rule 9.8.2.
10. Any site rehabilitation (including cleanfill activities) in the Quarry Zone is a **Controlled Activity**. Rule 17.8.10.2.

Landuse

11. Any activity not listed in Rule 17.8.10.2 Activity Table - Use of land within the Quarry Zone for business activities is not provided for in the District Plan is a **Non Complying Activity**. Rule 17.8.10

Overall the proposal is a non-complying activity.

3.0 PLAN PROVISIONS

- (a) **Relevant Provisions relating to this proposal.**

Objective and Policies

Chapter 6: Heritage

Objectives – 6.3.1, 6.3.2

Policy – 6.4.1

Chapter 9: Land Modification, Development and Subdivision

Objectives – 9.3.1, 9.3.2, 9.3.3, 9.3.4, 9.3.5, 9.3.6

Policies – 9.4.1, 9.4.3, 9.4.4

Chapter 14: Business Areas

Objectives – 14.3.1, 14.3.2, 14.3.3, 14.3.5

Policies – 14.4.2, 14.4.3, 14.4.8, 14.4.9

Chapter 15: Public Open Space

Objectives – 15.3.1, 15.3.2, 15.3.3, 15.3.4, 15.3.6

Policies – 15.4.1, 15.4.2, 15.4.4

(b) Relevant Assessment Criteria.

1. Rule 9.11, 9.9.1, 9.9.3, Development and Performance Standards Rule 14.11.16
2. Rule 6.10.1
3. Rule 9.9.2.10(b)(iv)-(vii)
4. Rule 15.15.3.2
5. Rule 9.9, 9.11, 9.12
6. Rule 9.12.6
7. Rule 9.8.3.4, 9.12.6
8. Rule 9.12.1
9. Rule 9.12.1
10. Rule 17.8.12.2
11. Rule 17.8.13

Please note: Assessment for the following activity –

Any subdivision that does not meet the development and performance standards in Rules 9.9.1 and 9.9.2 is a **Restricted Discretionary Activity**.

The proposal does not comply with the legal road width requirements for an industrial road for the full width of Road 2.

This non-compliance is only on a small part of proposed Road 2 (eastern side of Lot 24). Road 2 will be extended further in future subdivisions and thus this will be assessed in subsequent resource consents. It is also noted that consultation has been undertaken with Council's Transportation Department (in particular Manager - Chris Freke) and an agreement for the reduction in the width of the proposed road, extension of Road 2 for further future extension (future Stage 2) has been made with the applicant. This again will be addressed in subsequent resource consents.

(c) Conditions the Plan requires to be imposed.

No conditions are required to be imposed on the decision, however conditions may be imposed in accordance with Section of the Act.

In accordance with section 108 and 220 Council may impose conditions in relation to those matters over which it has reserved control / restricted the exercise of its discretion.

4.0 STATUTORY CONSIDERATIONS

Sections 104, 104A, 104B, 104C 104D, 108 and 220 of the Resource Management Act 1991, and the Purpose and Principles of the Act (Part II).

5.0 AFFECTED PERSONS' APPROVALS (SECTION 94 OF THE ACT)

The attached Section 93 & 94 assessment report concludes that:

- Taking into account the effects of the proposal, the adverse effect on the environment of the activity for which consent is sought will be no more than minor.
- Written approvals have been obtained from persons considered to be adversely affected.
- The attached Section 94 assessment report concludes that: (refer to [i] of the s.94 report)
- The District Plan permits the application to be considered without the need for notification under s.93.
- Special circumstances requiring notification do not exist.
- The applicant has not requested public notification of the proposal

Accordingly, the application is being processed on a non-notified basis

6.0 ASSESSMENT OF THE APPLICATION

6.1 Assessment criteria of the District Plan

Use of Land within the Quarry zone for Business Activities and Works having Effects on Wahi Tapu

The District Plan states that:

Land which is currently zoned Quarry is likely to be zoned Business 5 or 6 once mineral extraction activities have ceased. It is appropriate to apply a Development and Performance Standards that is consistent with its likely future zoning. The subdivision standards for both the Business 5 and 6 zones specified in Rule 14.11.16 are the same.

The Development and Performance Standards of Rule 14.11.16 apply to any land within the Quarry Zone as if it was within the Business 5 or 6 zone.

The subject site is zoned Quarry and as per the application quarrying activities are coming to an end in approximately 2 – 3 years time. This application seeks consent for business 5 type uses on the proposed lots 1-29. (It is noted that Lot 5 has subsequently been required by the Council to vest for Reserve purposes. This will be discussed under the heading of McLaughlins Mountain).

The full list for permitted activities on land zoned Business 5 has been assessed and it is considered that some activities in this list are unsuitable for this site. An amended activity list having regard to environmental considerations is recommended, due to the proximity of the subject site to Maunga Matukutureia, Matukuturua Stonefields, the LPG storage facility and Wiri Oil Services Limited fuel facility.

Quarrying activities in the area involving the proposed development (Stage 1) has been completed and there are some quarrying activities currently been undertaken on part of the balance Lot 100. In order to ensure protection of any development on lots located along the southern end of the proposed development it is considered that no quarrying should be permitted within 60m of these sites, namely Lots 11, 12, 20 and 21.

As the subject site is located in close proximity to Maunga Matukutureia (McLaughlins Mountain), which is a Waahi Tapu site, it would be important to maintain views to this mountain as far as practicable. With the above consideration, a height restriction is recommended for any future development on the proposed lots. In business 5 zones there is no height limit, but a height limit of 18m is recommended by the applicant. As per the application:

This will ensure that views to Maunga Matukutureia are maintain from key view points in the roading network, and from the reserve areas along the Puhinui Stream and the large Puhinui Reserve to the north of the site, whilst still facilitating the anticipated form of development on the lots, which is anticipated to be large warehouse type buildings with associated offices.

With the above it is considered that 18m height will be appropriate for the developments in this area.

The New Zealand Transport Agency has consented to the proposal and has recommended that 'Not more than 11,240m² of the total Gross Floor Area (GFA) of all buildings on Lots 1-29 shall be used for 'Office' activities as defined in the District Plan'

The purpose of the above recommendation is to limit the overall number of vehicle trips generated by the subdivision in order to mitigate potential adverse effects on the Vogler Drive/Roscommon Road

intersection during peak times. A separate resource consent will be required for any departures from the aforementioned requirements to assess the effects on the environment of the additional office space, including any effects of additional traffic generation on the wider roading network.

It is considered that granting consent in accordance with the above recommendation could have a 'gold rush' effect, in which the first few occupiers of the proposed lots will take up a disproportionate amount of the office space while the rest of the lots developing later may not have any office space left. Thus it is recommended that the above recommendation by NZTA be given effect with a condition that can be applied on a lot by lot basis, and impose a condition that limits the amount of office space to 20% of the gross floor area of buildings on each lot. It is considered that such a condition is likely to achieve the intended constraint on traffic-generating office space, without creating a situation that is impracticable to apply and enforce across the whole area of the development.

The above recommendation was acceptable by NZTA and the applicant

Subdivision of Land within Quarry Zone and Works having Effects on Wahi Tapu

The proposed subdivision will comprise of 28 business lots, esplanade, recreation and road to vest in Council, residue/balance lot and installation of drainage and utilities. The business lot sizes range between 646m² and 6037m². Except for Lot 29 which is 646m², all the other lots comply with the minimum lot size, which is 1000m² as the average lot size is in excess of 2000m² (14.11.16(b)) being 3875m². The sites comply with the required shape factor (Rule 14.11.16(e)) and minimum frontage (Rule 14.11.16)).

The subject site consists of 2 parcels of land which will need to be amalgamated prior to any works commencing on site.

The proposal was also assessed by the Urban Design team. The layout of the subdivision has incorporated the urban design principles by allowing access of all the lots via the proposed legal road. A park-edge type road is also proposed towards the northern side with lots on south side of the road and reserve areas towards the northern side. It is considered that once the buildings are developed, this layout will encourage the active frontage towards the road, reserve areas and Puhinui Stream. Access to the reserve areas is readily available to the public, and considered to be safe and functional as it is not provided for in isolation with future buildings backing onto the proposed reserve areas.

Archaeological sites and wetland area/lagoon (tuff or "maar" crater)

There are various archaeological sites present on site, most of it located near the Puhinui Stream and some, along with the tuff crater, located partially on the subject land and partially on the adjoining DOC reserve, towards the south of the site. All these features will be retained as part of this application.

Easements

It is proposed to remove the existing Right of Way easements 'AF' and 'AG' which provides access to Lots 23 and 24 DP344377 from McLaughlins Road. McLaughlins Road will be extended further by the proposed development and thus these easements will no longer be required. It is proposed by the applicant that these two easements be extinguished.

It is proposed to create 2 easements A and B for power supply transformers. These easements will be located in the front corner of Lots 7 (easement A) and 18 (easement B).

McLaughlins Mountain and Watercare designations

Watercare designation (Number 177 Watercare Services Limited – water supply purposes – Reservoirs, bores, Treatment Station and associated structures) is over part of Lot 5 and part of the the cul de sac head on Road 4 and Recreation Reserve Lot 710.

Letter dated 11.06.08 from Watercare Services Ltd (WSL) notes that *WSL will not uplift the designation and will not agree to a variation in the designation boundary until all of Watercare's interests in the site have been relinquished.* Watercare has indicated that no buildings should be allowed within the designated area.

Furthermore, the applicant has proposed a specific development configuration for Lot 5 which intends to exclude any buildings within the designated area. However, Councils Reserves Working Party has recommended that all of Lot 5 be vested into Council as recreation reserve.

The Council's Parks Manager Digby White has provided the following reasons for the recommendation:

"The reason to maximise Lot 5 was as a result of consultation with Ngati Te Ata as mana whenua. The Mountain Matukutureia ('the watchful bittern') (McLaughlin's Mountain) is of great spiritual significance to the iwi and is a key part of their identity. The iwi requested we protect as much of its footprint as possible. The shape of Lot 5 allowed a broad arc of the lower mountain to be preserved.

From a park perspective ensuring large commercial buildings were not hard up against a significant landscape and heritage feature was also important and would provide for people to circulate the base of the mountain (rather like avoiding a grand old heritage building from being hemmed in by in-fill housing).

Further, Lot 5 is at a key entry point to the Matukuturua stonefields. It provides for a greater sense of entry and potentially a small car park external to the sensitive stonefields themselves".

With Lot 5 being set aside as reserve and the existing adjoining DOC reserve there will be greater connectivity between these reserves and wider reserve areas. A lot of the footprint of the Mountain will be preserved as well. Any future building development adjoining the recreation reserve (or generally any reserve/ public open space) will have a 5m wide landscaping strip which will further set any buildings away from this common boundary. With the above assessment it is considered that any adverse effects of the proposed development on the Mountain will be no more than minor.

Any subdivision that does not meet the development and performance standards:

Proposed Lot 29 has an area less than the minimum permitted lot size of 1000m2, being 646m2.

Proposed Lot 29 has an area of 646m2 and thus does not comply with the minimum lot size of 1000m2. This is due to the constraint relating to the shape of the property at this part of the site. It is proposed that this lot be developed for lunch bar of similar type of facility that would not require a larger site typical of Business 5 zone.

Street Tree Planting

The street tree planting plan (Plan No 125855-1- 620 revision R1) has been provided and is in accordance with the Rule 9.9.2.11(B) of the District Plan.

A street tree contribution is required to be paid to council for Councils Park to undertake the planting of the trees.

The consent holder is advised that Street Tree contribution has been calculated based on the Street Tree plan provided by the applicant.

It is recommend that the Pohutukawas (Metrosideros Maori Princess) be of PB150 size for it to be a feature tree and the rest of the trees being London Plan, Puriri and Rewarewa be PB95 size as they spread along the street. The contribution will be calculated as follows:

(FC301A) \$250 plus GST per street tree for a total of 17 PB150 size trees - \$4,250

(FC301B) \$210 plus GST per street tree for a total of 39 PB95 size trees - \$8,190

Total \$12, 440 + GST = **\$13,995.00**

The above Financial Contribution shall be paid prior to release of the certificate under Section 224(c) for the subdivision.

The planting and maintenance of the street trees will be undertaken by Council's Parks Department.

Variation or Reduction in the width of Esplanade Reserve

Under Rule 15.15.3.1.1 and 15.15.3.1.3 an esplanade reserve is required to be provided and vested into Council. Rule 15.15.3.2 provides the Assessment Criteria For Reduction In Width Of An Esplanade Reserve Or Strip

In assessing an application for a reduction in the width of an esplanade reserve or strip or a variation to an existing esplanade strip the Council will need to be satisfied that value of the land in terms of the purposes specified in Section 229 of the Act are not significantly diminished.

The Council will also consider the objectives and policies of Chapter 11 Coastal Environment and Surface of Rivers and the criteria contained in Rule 15.15.3.2

The width of the esplanade reserve is proposed to be reduced at various locations from 20m to 17.9m (varying from 17.9m – 18.8m) refer to drawing no. 125855-1-150 rev A, which is only a minor variation from the 20m requirement.

The reductions will be offset by provision of increased esplanade reserve width in other portions. The reduction in width is to accommodate the proposed future park-edge road. The increased widths proposed plus the additional width of reserve created by vesting Lot 700, Recreation Reserve will compensate for the areas with reduced width.

The proposed reduction is not considered to affect the functioning of the adjoining Puhinui Stream.

The esplanade reserve will be planted - esplanade reserve stabilisation planting for bank stabilisation and esplanade reserve riparian planting will be undertaken by the applicant as per the landscaping plan provided with the application.

As per the application: *The proposed re-vegetation and landscaping of the riparian margin, coupled with appropriate fencing and the provision of a generally complying esplanade reserve should enhance the ecological and amenity values of the stream.*

Furthermore, a public access in the form of pedestrian walkways along the Esplanade reserve Lot 300, on the side of Puhinui Stream is proposed as part of the subsequent stages of future development. The basic shaping of the land will be done in this area so that paths may be constructed at a future date. This will facilitate the functional use and enable easy access of the esplanade reserve if Lot 100 develops in future.

Land adjacent to the stream is undulating and as a result there was a need to construct reinforced earth walls in 2 locations adjacent to the esplanade reserve and a reinforced earth batter in another part of the site, to stabilise the site and mitigate any adverse effects. It is due to the location of earthwall 1 that the esplanade reserve width is proposed to vary, with some areas less than 20m in width and some areas greater than 20m in width.

The portion of the site where a reduced esplanade reserve width is proposed is adjacent to a proposed earth retaining wall. Whilst it is proposed to alter the natural topography of the site in this locale, the existing topography of the site in this area is quite steep and the reinforced earth wall proposed will stabilise and strengthen this part of the site, making this area safer for all future users of the site.

The walls will be planted in grasses and appropriate low profile shrubs when constructed to create a green face, which will be sympathetic to the natural qualities of the surrounding reserve area, and will mitigate any adverse effects.

I concur with the above and consider that any effects with regards to the reduction in the width of the esplanade reserve will be no more than minor. The planting of the walls will enhance the visual amenity of these reserve areas.

There are a few identified archaeological sites on the proposed esplanade reserve areas, which will be retained and protected, it is considered that the reduction in the width will not affect any value of significance to Tangata Whenua.

The application was referred to Councils Reserves Working Party and Rogan Robins has assessed that application and is satisfied with the reduction in the esplanade reserve.

It is considered that any effects in term of reducing the minor width of the esplanade reserve at the certain points is no more than minor.

Transportation

Councils Transportation Engineer has assessed the application as follows:

McLaughlin's Road is classified as a Business Road in the District Plan. The application requires assessment for roading and subdivision design.

Roading Design, Roads 1, 2 and 3 (Plan No 125855-1-330 to 332 revision 'A')

Assessment against Rule 9.9.2.11 of the District Plan and drawing R5 of the Council's "Manual of Engineering Quality Standards" shows that the roadway and carriageway widths of 23.6m and 12.2m respectively for Roads 1, 2 and 3 do comply. However in the case of Road 2 dispensation has been agreed between applicant and the Council's Manager Transportation for reduction of the road and carriageway width to 15.7m and 10.0m along the western side but is not part of stage 1. The berm width of 5.7m including 1.4m wide footpath on sides for Roads 1, 2 and 3 complies with drawing R5.

Roading Design roundabout Intersection: Roads 1 and 2

Plan No 125855-1-360 & 361 revision 'A':

The radius of 10.0m for the central island with provision of mountable kerb having 2.0m strip along the periphery of the central island for the roundabout intersection of Roads 1 and 2 complies to accommodate the tracking curves of 17.0m B-Trains. Pram crossings are shown for each leg of the roundabout. The outer radius of 20.0m proposed for the four corners at each leg complies. All pram crossings should be completed with tactile pavers and be in accordance with drawing R8 (refer update Feb 2007) of MEQS.

Roads 2 and 3 (T-intersection)

Plan No 125855-1-363 revision 'A':

The design of the T-intersection including corner radius of 12.0m and provision of pram crossings for each leg of the intersection complies. The corner splay for properties at the respective intersection do comply.

Cul de sac head for Road 2: (Plan 125855-1-362 revision 'A')

The design of the cul de sac head with 15.0 radius is over the minimum 10.0m required as per drawing R3 of the Council's "Manual of Engineering Quality Standards".

Vehicle Crossings

All vehicle crossings to comply with Rule 8.11.7.1 and should be constructed as per drawing R10 (refer update Sept 2009) of the Council's "Manual of Engineering Quality Standards".

Road Signs and Markings:

Roads 1, 2 & 3 roundabout: (Plan 125855-1-381 & 382 revision 'A')

The chevron Board PW 69 signs have been provided within the central traffic island. The signs and markings are in general accordance with figure 3.17 (update June 2009) of MOTSAM of New Zealand Transport Agency and include all other necessary signs and markings for roundabouts. The PW-8 sign has been provided for all legs. All corners of the splitter islands at the circulation traffic lanes have been "radiused". NO STOPPING AT ALL TIMES yellow line markings have been provided for all corners. The markings for Give Way and Sign for intersection of Road 2 and 3 is in accordance with fig 3.1(a) of MOTSAM.

Street Lighting: (Plan No 125855-1- 901 revision R1)

Streetlight for all four roads and roundabout shown is in accordance with Council's "Manual of MANARC Standards".

Contamination – Site rehabilitation

Councils environmental officer have assessed the contamination issues of the site as follows:

Site History

The site has operated as a quarry since 1959. It does not appear that any on-site refuelling of equipment involving underground tanks was involved, nor storage of explosives. Existing fill materials identified in test pits 3.3 page 4 Appendix 5 Geotechnical Report but unclear if this constitutes all existing fill. No indication of uncontrolled filling on site. Equipment building has been removed off site.

Rehabilitation

There is risk of contamination where imported cleanfill materials are sourced from sites which have had hazardous activities, such as those broadly listed under the Ministry for the Environment Hazardous Activities and Industries List (HAIL).

The reports did not make it clear where rehabilitation material has been or will be sourced from to refill the site. The comment "The fill material is certified cleanfill and has been supervised by Tonkin and Taylor." (p47) and similar under (vii) page 56 and (I) page 64 do not appear to be supported by any evidence, including any management plan to ensure that any material does in fact comply with cleanfill definitions.

It is therefore recommended that the applicant should provide information to Council to substantiate that materials already placed to refill the site comply with the definition of cleanfill, and that materials to be placed in the future are cleanfill, and as well as notified Council within one week of identification of any contamination found at the site which was not identified in the reports submitted in support of the application, including contaminated soil, surface water or groundwater.

Furthermore, the siting, design, installation and management shall be in accordance with 'A Guide to the Management of Cleanfills' Ministry for the Environment (2002).

ENGINEERING

Councils Engineers has assessed the application as follows:

Land Modification

Rule 9.12.1 General Matters

- Whether the design and layout of the proposed subdivision will result in new allotments or sites which conform with local topography, and maintain or enhance the natural and physical character of the area;
- Whether new allotments or sites have suitable access to a formed legal road;
- Whether the proposed subdivision, land modification or development will avoid or mitigate adverse effects from natural hazards by maintaining or improving the functioning of natural processes in the area;
- Whether the proposed subdivision, land modification or development will meet the intentions of the District Plan including objectives, policies and rules, and Section 106 of the Resource Management Act 1991;
- Whether the disposal of wastewater and stormwater from the proposed lots can be done effectively without risk to public health or the environment

Rule 9.12.6 Earthworks

- **Alteration to Natural Landscape**
The extent to which any earth cut or fill will remove existing vegetation, alter the existing topography of the site, or affect existing natural features including land forms.
The extent to which the area's existing amenity values will be altered
Such effects may be adverse or beneficial or a combination of both. Whether the work is necessary to establish an adequate and stable building platform and private open space
- **Sedimentation**
The proximity of the proposed earthworks to any water body and the extent to which sedimentation controls or control systems will minimise adverse effects on receiving waters
- **Run-off**
The extent to which measures to control the path of run-off from surrounding land mitigate against the discharge of sediment from the site The extent to which the earthworks will result in an increase or decrease in flood hazards and the extent or impacts of such effects
- **Slope and Stability**
The extent to which the effects from natural hazards will be avoided or mitigated and the extent or impacts of such effects; the extent to which earthworks affect the stability and erosion potential of the site and surrounding area The extent to which the earthworks compromise future proposed building and roading uses for the zone within which it is located.
- **Vegetation including Riparian Vegetation**
The contribution made by the vegetation to the ecological and amenity values of the area, including its visual impact from roads or other public land or from the sea or foreshore. The timing of revegetating bare earthworked surface; whether the removal of riparian vegetation is undertaken in such a manner as to prevent debris entering a watercourse whether the proposed replacement riparian vegetation will enhance water quality and amenity values.
- **Noise and Dust**
Whether the measures to mitigate potential noise and dust nuisance and detract from visual amenity values of the area have been considered and the extent of impacts of such effects
- **Duration, Timing and Staging**

Whether the extent or impacts of adverse effects from earthworks activities can be mitigated by limiting the duration, season or staging of such works

- **Traffic Generation and Routes**
Whether the traffic generation will have adverse effects on the amenity values of areas or adverse effects on the carriageways of roads through which it is likely to pass
- **Flooding**
Whether earthworks and final levels will adversely affect overland flowpaths or increase the potential for flooding within the site or surrounding area.
- **Utility Services**
Whether earthworks and final levels will adversely affect existing utility services
- **Heritage**
Whether the earthworks would adversely affect any feature of historic or cultural importance
- **Contamination**
Whether any contaminants are present or are likely to be present on the land
- **Coastal Protection Yards**
Whether earthworks in coastal protection yards (where such yards are required in the relevant zone) will cause any adverse effects on the natural coastal environment, including adverse effects on ecological, cultural, spiritual, recreational and visual values of the natural coastal environment.

With regards to the aspects of the proposal being considered in terms of the relevant assessment criteria detailed above in this report are made:

The subject site is currently zoned Quarry. The quarry has been in operation for over 25 years. The northern part of the site is already rehabilitated and quarry works are currently being carried out in the southern part of the site. Stated in the applicant's report, it is expected that the quarry operations will be completed in the next 2 -3 years.

Site Rehabilitation

The proposed subdivision will meet the intentions of the District Plan including objectives, policies and rules, and Section 106 of the Resource Management Act 1991 provided that a foundation completion report will be required to confirm that the site has been appropriately remediated and rehabilitated and suitable for the proposed business subdivision prior to release of the certificate under Section 224(c) for the subdivision.

Provision for Public Utility Services

Manukau Water

Manukau Water has confirmed that adequate provision is available for supply of water and disposal of wastewater from both allotments. A water and wastewater Network Growth Charge will be applicable when an application is made for connection to the wastewater system.

Stormwater

Discharge of stormwater from the development is to Puhinui Stream. The impact on the environment is to Puhinui Stream and the mitigation is to provide dual reticulation as the ultimate design. The ultimate design is a stormwater treatment device will be provided by "StormFilters" from Stormwater 360. Email from Mohammed Hassan – Group Manager Environmental Sustainability and Infrastructure accepts the device proposed.

For the proposal (Stage 1), a temporary wetland is proposed to mitigate discharge of stormwater to Puhinui Stream.

Development on areas subject to Financial Contributions

Financial Contributions are applicable for Puhinui Stream Stormwater Flood Management and Comprehensive Discharge Levy. These contributions have been assessed at the respective per hectare rates for the area for the area of Stage 1 (excluding Lot 100.) Such contributions are fair and reasonable towards the cost of augmentation of Puhinui Stream.

Earthworks and Fill

The proposed roading network has been designed to provide adequate access to the proposed lots and also to provide access along, with views towards the Puhinui Stream. The design and layout of the proposal will result in new allotments which conform to local topography and maintain the natural and physical character of the area. Chris Freke confirmed by means of email that the Roding Department were comfortable with basic concept and Opus Consultants will review the construction and marking detail. Chris Freke signed the proposed road layout sheets 125855-300,

125855-330 and 125855-331. The proposed 'road 2' which borders recreational /esplanade reserve to vest, requires the construction of a retaining wall. The proposed construction of the retaining walls involves more than 200m³ earthworks and is located within the 1% Annual Exceedence Probability Floodplain on Council Records.

Two retaining walls have been identified as being required to support the proposed perimeter roadway above the existing western boundary. All works on the two retaining walls will be undertaken in accordance with the recommendations contained within the geotechnical investigation report prepared by Tonkin and Taylor Ltd referenced no. 23184 dated August 2008. That any variation to the recommendations will be certified by the writer of the report has been appropriate to achieve the desired results. This will be recommended as a condition of consent.

Extensive mitigation measures, in accordance with Auckland Regional Council Technical Publication 90 are proposed to establish prior to any earthworks adjacent to Puhinui Stream. The proposal also requires alteration to existing Auckland Regional Council Sediment Control permits associated with the existing quarrying activities for further remediation works required to facilitate the proposed subdivision (stage 1). The earthworks will be undertaken as authorized by an Auckland Regional Council Landuse: Sediment Control Consent or in general accordance with Technical Publication 90 – TP90 Erosion and Sediment Control and recommended as a condition of consent.

The implementation of the Sediment Control will mitigate run-off against the discharge of sediment from the site. The current shapes of the site have a tendency to generate the formation of eddies and therefore give rise to flow disturbance and bank erosion. The proposed earthworks and construction of the retaining walls will result in a positive effect for stream flow characteristics of Puhinui Stream. The proposed earthworks will not result in an increase of flood hazards.

Geotechnical considerations recommended as a condition of consent will mitigate the stability of the proposed allotments.

The site is currently occupied by quarrying activities. Vegetation is generally limited along Puhinui Stream's banks and trees/vegetations of significance are not situated within the area of proposed earthworks. Landscaping is proposed along the retaining walls to further mitigate any potential physical effects will have on natural hazards.

Any noise and dust effects arising from the proposed earthworks will be less intensive than the currently consent quarry activities in operation. The proposed earthworks will have no more than minor effects on surrounding properties (Business 6 zoned).

The proposed earthworks will not significantly increase the number of heavy vehicles to and from the site on a day to day basis.

The levels of the proposed roads have been designed to allow for unobstructed outflow of 100 year event run off. The final levels around the perimeter of the site have been designed to marry to neighbouring land in a manner that maintains prevailing runoff characteristics. The earthworks and final levels will not increase the potential for flooding within the site and surrounding area.

The proposed earthworks will not adversely affect existing utility services.

The proposed earthworks will not adversely affect any feature of historic or cultural importance.

The site has been quarried for more than 25 years and remediated and rehabilitated using clean fill. The fill placed on the site will have a certification certifying 'clean fill' and this will need to be supplied at 'pre-construction' meeting.

The implementation of the Auckland Regional Council Landuse: Sediment Control Consent or in general accordance with Technical Publication 90 – TP90 Erosion and Sediment Control will mitigate any adverse effects on the natural coastal environment, including potential adverse effects on ecological and visual values of the natural coastal environment.

Having regards to only those matters specified in the District Plan Rule 9.12.1 and 9.12.6 for the proposed activity the effects are no more than minor.

6.2 Objectives and Policies

The proposed subdivision and landuse is consistent with the objectives and policies of Chapters 6, 9, 14 and 15 which seek to enable subdivision and establish landuse provided that the existing environmental qualities and character of the business area are maintained and any adverse effects are avoided, remedied or mitigated.

The objectives and policies of Chapters 6, 9, 14 and 15 are satisfied by this application, given that appropriate conditions will be imposed.

The proposed subdivision and landuse is considered to maintain the environmental qualities of the surrounding area and will allow a business subdivision activity and landuse that seeks to achieve the environmental results anticipated by the District Plan to proceed in a comprehensive manner.

6.3 Section 104 of the Act

6.3.1 Given the above assessment it is considered that the adverse effects of the proposal will be minor and that the proposal is compatible with the character and amenity values of the surrounding area. The proposal is not contrary to the relevant objectives and policies of the Manukau Operative District Plan 2002.

Conclusions reached in determining the application are:

- Section 104(1)(a) Actual / Potential effects on the environment will be no more than minor
- Section 104(1)(b) Relevant provisions of the plan are met.
- Section 104(1)(c) No other matters are considered necessary to determine the application.
- Section 104 (2) Plan provides for the activity with that effect through development standard modification.
- Section 104(3)(d) Section 94 assessment concluded that non-notification is justifiable for determining consent.

6.3.2 Section 104A (Controlled Activities)

Section 104A states that after considering an application for a resource consent for a controlled activity, a consent authority must grant the application; and may impose conditions under section 108 for those matters over which it has reserved control. It is considered that the proposal merits consent pursuant to Section 104A subject to the imposition of appropriate conditions, having exercised its control over the relevant matters.

6.3.3 Section 104C (Restricted Discretionary Activities)

Section 104C states that after considering an application for a resource consent for a restricted discretionary activity, a consent authority may grant or refuse the application; and if it grants the application, may impose conditions under section 108 for those matters over which it has restricted the exercise of its discretion (as mentioned earlier in this report). It is considered that the proposal merits consent pursuant to Section 104C subject to the imposition of appropriate conditions, having exercised discretion only over those matters over which the Council has restricted the exercise of its discretion.

6.3.4 Section 104B (Discretionary Activities)

Section 104B states that after considering the application for a resource consent for a discretionary activity a consent authority may grant or refuse the application; and if it grants the application, may impose conditions under section 108.

6.3.5 Section 104D Particular restrictions for non-complying activity

- (1) ...a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either:

- (a) *the adverse effects of the activity on the environment will be minor: or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of the plan.*

The application has been assessed in terms of Sections 104, 104A, 104B, 104C 104D, 108 and 220 of the Resource Management Act 1991 which requires the consideration of provisions referred to above. Given the assessments undertaken in section 6.1, it is considered the development will have minor actual or potential adverse effects on the environment. Any minor effects such as they are can be mitigated by conditions recommended to be imposed pursuant to sections 108, 220 and 221 of the RMA should consent be granted.

6.4 Part II of the Act

It is considered that the proposal is consistent with the purpose and principles of the Resource Management Act 1991. With reference to Sections 5 and 7, it is considered that the proposal provides for an efficient use of the land and through the imposition of conditions, any adverse effects of the activity can be avoided or mitigated and the amenity values and quality of the environment will be maintained. It is considered that the proposal will not affect any matters of national importance and is not contrary to the provisions of the Treaty of Waitangi.

6.5 Section 105 (For activities involving discharge and coastal permits / reclamation)

N/A

7.0 RECOMMENDATION

That consent be granted subject to conditions.

8.0 CONDITIONS OF CONSENT

PART A: SUBDIVISION CONSENT

General

1. That The Council's administrative charges for receiving and determining of this resource consent or for any specified or additional matter in accordance with section 36 of the Act or any regulation under the Act, or as necessary to enable Council to recover its actual and reasonable costs in respect of this application, must be paid in full within 20 days of receipt of the invoice for this decision and this consent shall not be exercised prior to such payment.
2. That the development shall be in accordance with the information submitted with the application and the plans approved by Council on the date of this consent and referenced Resource Consent **Proposal 33887, SP10188**, Sheet No 1 – No 69 by Council, except where expressly altered by a condition of this consent.
3. That the easement 'A' and 'B' for Power Supply located in the front corner of Lots 7 (easement A) and 18 (easement B) shall be shown on the survey plan in a memorandum of easements. The easements shall be duly granted or reserved.
4. That the existing Rights of Way easements 'AF' and 'AG' shall be extinguished.
5. That Lot 900 (encompassing Road 1-4) shall be vested in Manukau City Council as legal road, at no compensation or cost to the Council.
6. That the proposed esplanade reserve (Lot 300) shall be vested in Manukau City Council at no compensation or cost to the Council.
7. That proposed recreation reserves (Lots 700 and 701) shall be vested in Manukau City Council as recreation reserve.

8. That Lot 5 shall be vested into Council as recreation reserve.

Landscaping

9. That the esplanade and recreation reserve (Lots 5, 300, 700 and 701) shall be landscaped as per the Landscape Concept Plan drawing no. 125855-LC01, and completed to the satisfaction of the Council prior to issue of the certificate under Section 224(c) of the Act. The planting in the landscaped areas shall be maintained for not less than 12 months after the date of issue of the certificate under Section 224(c) of the Act.
10. The following works shall be completed to the satisfaction of Council's Manager - Manukau Leisure Services prior to vesting of the recreation reserve Lots 5, 700 and 701:

Except for those parts of the recreation and esplanade reserve planted with trees in accordance with the landscaping plan in Condition 9 above and those parts with existing trees to be retained;

- (i) the reserve area to be earthworked shall be re-topsoiled to a minimum 150mm compacted depth and regrassed;
 - (ii) All grassed areas shall be regularly mown until there is an even grass coverage acceptable to Council, and
 - (iii) All rubbish, construction material, noxious weeds and any vegetation specifically directed by the Council, shall be removed and the reserve left in a mowable condition.
11. Bollards shall be installed at 1.4m centres along all the road frontage of recreation reserve, Lot 5. Vehicle access on to the recreational reserve and two removable bollards shall be installed as per MCC EQS Standards at a location approved by the Council.

Engineering Plans

12. The works detailed on the Harrison Grierson Consultants Limited approved plans referenced Resource Consent Proposal 33887 (sheets 3-67) by Council shall be constructed to the satisfaction of and at no cost to the Council and are subject to the following requirements:
- (i) A 'pre-construction' meeting must be arranged not less than 48 hours prior to commencement of the works.
Please contact Council's Senior Resource Management Engineer – Compliance (phone 262 8900 extension 5794)
 - (ii) All materials, workmanship and testing shall be in accordance with the current Manukau City Council Engineering Quality and MANARC
 - (iii) All construction works, shown on the attached plans shall be supervised by an engineering representative appointed by the owner (refer to MCC Engineering Quality Standards).
 - (iv) On completion of the works, 'as-built' plans and a completion certificate, in accordance with the Council's Quality Assurance Manual, shall be forwarded to Council's appointed field officer.
 - (v) All works on existing public stormwater shall be carried out by a Manukau City Council approved licensed contractor at the consent holder's expense and all works on existing public wastewater drains and watermains, shall only be carried out by a Manukau Water Limited approved licensed contractor at the consent holder's expense.

This condition requires compliance through completion of the works to the satisfaction of the Team Leader – Resource Compliance within six months (unless authorized by

the Team Leader – Resource Compliance), of the commencement of these works and/or prior to subdivision.

Importation of fill material

13. That information shall be provided to The Environmental Scientist, Environmental Directorate, Manukau City Council to substantiate that materials already placed to refill the site comply with the definition of cleanfill, and that materials to be placed in the future are cleanfill. Certification of all imported 'clean fill' previously placed on the site shall be supplied to Council officers at the 'pre-construction' meeting.
14. The siting, design, installation and management of the areas subject to filling with imported material shall be in accordance with 'A Guide to the Management of Cleanfills' Ministry for the Environment (2002).
15. That the Environmental Scientist, Environmental Directorate, Manukau City Council shall be notified within one (1) week of identification of any contamination found at the site which was not identified in the reports submitted in support of the application, including contaminated soil, surface water or groundwater.

Land Modification

16. In the event of archaeological features being uncovered (eg shell midden, hangi, oven stones, pit depressions, defensive ditches, artifact material, or koiwi tangata [human skeletal remains]), work shall cease within a 10 metre radius of the discovery and the Environmental Management Group, Manukau City Council, the New Zealand Historic Places trust and the appropriate iwi authorities shall be contacted within 72 hours so that appropriate action can be taken.
17. All works on the two retaining walls shall be undertaken in accordance with the recommendations contained within the geotechnical investigation report prepared by Tonkin and Taylor Ltd referenced no. 23184 dated August 2008.
18. That any variation to the recommendations shall be certified by the writer of the report has been appropriate to achieve the desired results.
19. The earthworks shall be undertaken as authorized by an Auckland Regional Council Landuse: Sediment Control Consent or in general accordance with Technical Publication 90 – TP90 Erosion and Sediment Control.
20. All land modification works shall be undertaken in such a manner as to ensure that beyond the boundary of the site there should be no 'dust' or 'soil erosion / siltation', which in the opinion of the Team Leader - Resource Compliance, is objectionable, offensive or has the potential to create an adverse effect on the receiving environment.
21. Control measures shall be in place to ensure that any trucks leaving the site do not deposit soil or other debris on public roads. Any such material deposited on any public road shall be cleaned up immediately at the consent holder's expense.

Land Stability

22. (i) A geotechnical Foundation Completion Report shall be submitted for the lots, to the satisfaction of the Team Leader – Resource Compliance that the site has been appropriately remediated and rehabilitated and suitable for the proposed subdivision.

Should the Land Transfer plan differ from the approved subdivision plan then the Foundation Completion Report shall be amended accordingly

- (ii) For any lot for which the Foundation Completion Report recommends specific engineering investigation, and/or design, including any measure for dealing with the effects of 'Extremely Expansive Soils' [AS2870 (1996) class E or equivalent], the development shall be undertaken in terms of the recommendation in that report.

This condition shall be complied with on a continuing basis by the owners of the affected lots and registered, at no cost to Council, as a consent notice on the certificate of Title for those lots pursuant to Section 221 of the Act and on Council's Land Information Register.

- (iii) The Council's Land Information Register shall record the above information for all lots as applicable.

Stormwater Drainage

- 23. Adequate provision shall be made for the disposal of stormwater from each proposed allotment. This will include providing each of the lots with public connection points in accordance with Council's engineering standards and approved engineering drawings referenced Resource Consent proposal 33887 by Council.
- 24. Prior to any works commencing on site, the applicant shall supply the Council with a copy of the stormwater discharge consent from the Auckland Regional Council for these works.
- 25. Adequate provision shall be made for the treatment and disposal of stormwater. This will include the provision of stormwater pond. Prior to commencement of construction works of the stormwater treatment pond, the consent holder shall design and undertake all necessary modification in accordance with Auckland Regional Council Technical Publication 90 requirement to the satisfaction of the Manager – Stormwater Infrastructure for written approval.
- 26. The owner of the residue land (Lot 100) shall maintain the stormwater quality pond to the satisfaction of the Team Leader – Resource Compliance and in accordance with the Auckland Regional Council stormwater discharge consent.

This condition shall be complied with on a continuing basis and shall be registered as a consent notice on the certificate of title of the residue land Lot 100, in accordance with section 221 of the Resource Management Act 1991 at no cost to Council. This information shall also be recorded on the Council's Land Information Register.

Wastewater Drainage

- 27. Adequate provision shall be made for the disposal wastewater from each of Lots 1 - 29.

This will include the extension of the existing public systems to and within the site to provide each of the lots with public connection points and provision for upstream catchment in accordance with Manukau Water Limited Design and Material Standards and the approved engineering drawings referenced Resource Consent Proposal 33887 by Council.

Water Supply

- 28. An adequate water supply reticulation system shall be installed to provide a suitably located water service to each of Lots 1 – 29.

This will include the extension of the existing public systems to and within the site to provide each of the lots with public connection points and provision for upstream

catchment in accordance with Manukau Water Limited Design and Material Standards and the approved engineering drawings referenced Resource Consent Proposal 33887 (sheets 2 and 5) by Council.

Transportation

29. That Roads 1, 2, 3 and 4 (Lot 900) shall be formed, sealed and drained to Council's "Manual of Engineering Quality Standards" having 23.6m and 12.2m road width and carriageway width respectively (this shall include raised kerb and channel, 2.5m front berm, 1.8m rear berm and 1.4m footpath), and the approved plan Nos. 125855-1- 300 revision A referenced Proposal 33887 by Council. The proposed road kerb and channel, footpath and berm shall be extended northwards to tie into the existing kerb and channel and footpath on McLaughlin's Road.
30. That all pram crossings at the intersections for pedestrian crossing shall be in accordance with drawing R8 (refer update Feb 2007) and finished complete with tactile pavers as per the Council's "Manual of Engineering Quality Standards".
31. That all signs including PW69, PW8, RG6, RG6R, RG17 and "Give-Way" markings at all intersections as per fig 3.1(a) and 3.17 (update June 2009), white centreline road markings and the "NO STOPPING AT ALL TIMES" yellow line markings shall be in accordance with of the "Manual of Traffic Signs and Markings" of New Zealand Transport Agency and the approved plan Nos.125855-1-381 and 382 revision 'A' referenced Proposal 33887 by Council.
32. That the street lighting for Roads 1, 2, 3 and 4 shall be in accordance with Council's "Manual of MANARC Standards", Rule 5.18.2 of the District Plan and the approved plan No 125855-1-901 revision 'R1' referenced Proposal 33887 by Council and located in the front berm.

Network Utility Services

33. Power and telephone services shall be installed underground to provide service connections to all proposed lots. This connection shall be at the road boundary. The applicant shall supply completion certificate from the utility service providers and certified 'as-builts' giving locations of all plinths, cables and ducts.

Constraints on activities on Lot 100

34. No quarrying shall be permitted within 60m of the southern boundary of Lots 11, 12, 20 and 21 having regard to the proposed establishment of business activities on those lots.

This condition shall be complied with on a continuing basis by the owners of affected lots and registered at no cost to the Council as a Consent Notice on the Certificates of Title for those lots pursuant to Section 221 of the Act.

The information shall also be recorded on Council's Land Information Register.

35. No activity including excavations, earthworks or other activity shall be undertaken on Lot 100 -
 - (a) within the area labelled Heritage Protection Area, to the south of the line identified as "Minimum Protection Line" by officers of the Department of Conservation on the aerial photo with contours labelled "McLaughlin's Quarry Conservation Area" referenced Proposal number 33887 by the Council and attached to this decision, and
 - (b) No activity including excavations, earthworks or other activity shall be undertaken elsewhere on Lot 100 potentially affecting any other identified

archaeological sites on the property as shown on HGCL Plan 125885 – 105 attached to this decision unless those works have been specifically approved by the Historic Places Trust, Department of Conservation, representatives of Ngati te Ata and Te Akitai ki Pukaki, and a resource consent has been granted for those works by the Manukau City Council.

This condition shall be complied with on a continuing basis by the owners of affected lots and registered at no cost to the Council as a Consent Notice on the Certificates of Title for those lots pursuant to Section 221 of the Act.

The information shall also be recorded on Council's Land Information Register.

Reserve Contributions

36. (a) A reserve contribution of \$892,926.60 inclusive of GST, which equals to 6% plus GST of the market value of all additional allotments less the value of recreation reserve to be vested, shall be paid within two years or prior to the issue of the Section 224 certificate for the subdivision, whichever is the sooner.

The reserves contribution calculation is as follows:

The reserves contribution for Lot 1-4 and 6-29 = \$2,160,801.56 inc GST
Less value of Lots 5, 700 and 701 = \$1,267,875.00 inc GST

Reserves contribution to pay = **\$892,926.56 inc GST**

- (b) If the reserve contribution determined in accordance with this condition has not been paid within two years of the date of this consent, the Council may at any time thereafter review this condition pursuant to Section 128 of the Resource Management Act 1991 to reassess the reserve contribution required by this condition on the basis of new valuation(s) undertaken at the time of review. Any such valuation shall be undertaken at the consent-holder's expense.

Street Tree Planting Contribution

37. Street tree contribution of \$12,440 incl GST shall be paid to Manukau City Council.

The consent holder is advised that Street Tree contribution has been calculated at:
(FC301A) \$250 per street tree for a total of 17 PB150 size trees - \$4,250
(FC301B) \$210 per street tree for a total of 39 PB95 size trees - \$8,190

Total \$12, 440 + GST = \$13,995.00

The above Financial Contribution shall be paid prior to release of the certificate under Section 224(c) for the subdivision.

Stormwater Contributions

38. A Comprehensive Stormwater Discharge Levy of \$12,466.70 shall be paid to Manukau City Council.

The consent holder is advised that this levy (FC45) has been calculated at \$630.00 plus GST per hectare for the total area of this development of 17.59 hectares.

39. A Stormwater Contribution of \$40,962.70 shall be paid to Manukau City Council.

The consent holder is advised that this contribution (FC46 – Puhinui Stream Flood Management) has been calculated at \$2,070.00 plus GST per hectare for the total area of this development of 17.59 hectares.

40. The financial contributions required by Conditions 37, 38 and 39 shall be paid prior to release of the certificate under Section 224(c) for the subdivision.

If payment of the financial contribution required by Conditions 37, 38 and 39 is not made within 12 months of date of this consent the Council may at any time thereafter review this condition pursuant to Section 128 of the Resource Management Act 1991 and reassess the contribution in accordance with the current Statistics NZ Capital Goods Price Index for Other Construction – S2GC (for the previous year).

Section 223 and 224 Certificates

41. The applicant shall notify the Council when the survey plan is lodged with Landonline for approval under Section 223 of the Act. The plan shall be approved if it is in accordance with this consent.

Prior to issue of the certificate under section 224 (c) of the Act the applicant shall satisfy the Council that all the conditions of consent have been complied with.

Resource Compliance

42. That a plan certification fee shall be paid prior to the approval of the survey plan under Sections 223 and 224 of the Act. This fee includes a basic charge of \$450.00 (\$337.50 for S223 and \$112.50 for S224) plus hourly rate for any work done for the certification and shall be determined at the time of payment.
43. The costs incurred by the Council in monitoring and ensuring compliance with the conditions of this consent may be on charged to the customer. If the Council's costs are on-charged payment must be made within 20 working days unless prior approval of a longer credit period has been given by the Manager, Resource Consents and Compliance.
44. If, in the Council's opinion, a breach of any of the conditions of this resource consent is occurring, the costs of investigating any such breach may be on-charged to the consent holder. If such costs are on-charged payment must be made within 20 days unless prior approval of a longer credit period has been given by the Manager, Resource Consents and Compliance.
45. If enforcement action is taken in respect of a breach of any condition of this resource consent Council, may, pursuant to section 128(1)(a) of the Resource Management Act 1991, review any or all of the conditions of this resource consent to ensure that they remain appropriate in the light of the breach referred to above.
46. Where, in the Council's opinion, any non-compliance has arisen from inaccuracies contained in the application for consent the Council may also initiate a review under section 128(1)(a) Resource Management Act, which may in some circumstances result in **cancellation of the** resource consent. It is specifically noted, in this respect, that the decision to grant consent in this case has been materially influenced by the consent holder's agreement to comply with these conditions of consent.

PART B: LANDUSE CONSENT

1. The Council's administrative charges for receiving and determining of this resource consent or for any specified or additional matter in accordance with section 36 of the Act or any regulation under the Act, or as necessary to enable Council to recover its actual and reasonable costs in respect of this application, must be paid in full within 20 days of receipt of the invoice for this decision and this consent shall not be exercised prior to such payment.

2. Pursuant to Sec 116(1A) of the Resource Management Act 1991, Part B of this decision shall not commence until the Section 224(c) certificate for the subdivision in Part A of this decision has been issued by the Council.
3. That the development shall be in accordance with the information submitted with the application and referenced Resource Consent **Proposal 33887**, except where expressly altered by a condition of this consent.
4. No business activity shall commence until on the land until the covenants required by Conditions 5, 6, 7 and 8 have been prepared, executed and registered on the certificates of title of Lots 1 - 4 and 6 - 29
5. That the following list of activities shall be provided for as permitted activities on the land for proposed Lots 1-4 and 6-28 subject of this resource consent:
 - The erection or relocation of any building or structure and/or external alterations or additions to any building or structure;
 - Retail sale activities excluding the following (defined by ANZSIC in Appendix 4A of the Manukau District Plan 2002):
 - 5210 - Department Stores,
 - 5221 – Clothing Retailing,
 - 5222 – Footwear Retailing,
 - 5234 – Domestic Appliance Retailing,
 - 5235 – Recorded Music Retailing,
 - 5242 – Toy and Game Retailing,
 - 5243 – Newspaper, Book and Stationary Retailing,
 - 5244 – Photographic equipment retailing,
 - 5251 - Pharmaceutical, cosmetic and toiletry retailing,
 - 5255 – Watch and Jewellery Retailing

provided that the activity is undertaken in premises with a gross floor area not exceeding 800m²;

 - The retail sale of any good manufactured on the site provided that the retail sale area does not exceed 25% of the gross floor area set aside for manufacturing, or 250m², whichever is the lesser;
 - Cafes, restaurants and takeaway food premises;
 - Carparking areas and buildings not ancillary to a permitted activity;
 - Care Centre;
 - Cleanfill activities involving the depositing of less than 5000m³ of material per site;
 - Educational Facilities;
 - Entertainment facilities and Activities;
 - Equipment Hire Premises;
 - Funeral Directors Premises;
 - A single household unit needed for a person whose responsibilities require them to live on the site;
 - Industry except activities involving discharges to air categories listed in Appendix 14B of the Manukau District Plan 2002;
 - Motor vehicle sales and service premises;
 - Offices (see Condition 8)
 - Personal and other services;
 - Places of Assembly;
 - Public Open spaces;
 - Public Toilets;
 - Service Stations;
 - Wholesale trade, warehousing, storage, auction rooms;
 - Accessory buildings for any of the above;

- Network Utility Services – Refer Rules Chapter 7 – Network Utility Services;
- Temporary Activities – Refer Rules Chapter 5 – General Procedures and Rules;
- Activities which may have an adverse effect on any scheduled heritage resource – refer Rules Chapter 6 Heritage;
- Relocated Buildings – Refer Chapter 5 General Procedures and Rules;
- Network Utility Services – Refer Rules Chapter 7 – Network Utility Services;
- Parking, Loading and Access – Refer Chapter 8 – Transportation;
- Hazardous Facilities and Substances – Refer to Chapter 10.1 Hazardous Facilities and Substances;
- Land modification, development and subdivision – Refer Rules Chapter 9 – Land Modification, Development and Subdivision.

Undertaking of the above activities shall be subject to compliance with Rule 14.11 General Development and Performance Standards of the Manukau District Plan 2002, unless explicitly varied by a condition of this consent.

Should any of the above listed activities fail to meet any of the above Development and Performance Standards, the non compliance shall require a resource consent application and assessment pursuant to Rule 5.19 – Matters for Discretion: Restricted Discretionary Activity for Development Standard Modification of the Manukau District Plan 2002 and also assessed against those matters for discretion specified in Rule 14.13 of the Manukau District Plan 2002.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of Lots 1-4 and 6-28 pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense.

(See advice note 7 and attached Form GEN-026).

The above information will be recorded on Council's Land Information Register for each lot.

6. That Lot 29 shall be used for cafe, restaurant and takeaway food premises only.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of Lot 29 pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense. (See advice note 7 and attached Form GEN-026).

This requirement shall also be recorded on Council's Land Information Register for Lot 29.

7. That the height of any building on Lots 1-4 and 6-29 shall be restricted to 18m above finished ground levels of the sites at the time of issue of sec 224(c) certificate.

This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate of title of Lot 29 pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense. (See advice note 7 and attached Form GEN-026)

8. The information shall also be recorded on Council's Land Information Register.
That no more than 20% of the gross floor area of buildings on each lot, Lots 1-4 and 6-28 shall be used for 'Office' activities as defined in the Manukau District Plan.
This condition shall be complied with on a continuing basis to the satisfaction of the Council. This shall be accomplished by the registration of a covenant on the certificate

of title of Lot 29 pursuant to Section 108 of the Resource Management Act 1991. The covenant shall be prepared by the Council's solicitor at the applicant's expense. (See advice note 7 and attached Form GEN-026).

This requirement shall also be recorded on Council's Land Information Register.

Resource Compliance

9. The costs incurred by the Council in monitoring and ensuring compliance with the conditions of this consent may be on charged to the customer. If the Council's costs are on-charged payment must be made within 20 working days unless prior approval of a longer credit period has been given by the Manager, Resource Consents and Compliance.
10. If, in the Council's opinion, a breach of any of the conditions of this resource consent is occurring, the costs of investigating any such breach may be on-charged to the consent holder. If such costs are on-charged payment must be made within 20 days unless prior approval of a longer credit period has been given by the Manager, Resource Consents and Compliance.
11. If enforcement action is taken in respect of a breach of any condition of this resource consent Council, may, pursuant to section 128(1)(a) of the Resource Management Act 1991, review any or all of the conditions of this resource consent to ensure that they remain appropriate in the light of the breach referred to above.
12. Where, in the Council's opinion, any non-compliance has arisen from inaccuracies contained in the application for consent the Council may also initiate a review under section 128(1)(a) Resource Management Act, which may in some circumstances result in **cancellation of the** resource consent. It is specifically noted, in this respect, that the decision to grant consent in this case has been materially influenced by the consent holder's agreement to comply with these conditions of consent.

REASONS FOR THE DECISION

1. The application merits granting of a resource consent pursuant to 104, 104A, 104B, 104C 104D, 108 and 220 of the Resource Management Act 1991. The proposal is consistent with the purpose of the Resource Management Act 1991 which seeks to provide the sustainable management of natural and physical resources. The proposal will enable people and communities to provide for their economic and social wellbeing, health and safety.
2. The proposal is consistent with the objectives and policies of the Manukau Operative District Plan 2002.
3. The information and plans submitted are sufficient to enable Council to adequately assess the effects and form a sustainable determination on the application.
4. The application qualifies for consideration on a non-notified basis, as the adverse effects are deemed to be no more than minor and all adversely affected parties have given their written approval.
5. The Council is satisfied that the proposal will not adversely impact on the service infrastructure of the area nor compromise pedestrian and traffic safety or the roading network's function, capacity and safety.
6. Any effects of the proposal on the environment will be mitigated with the imposition of the conditions of consent.

7. The proposed development and engineering works are in accordance with Council's engineering standards and should not result in any adverse effect on the environment.
8. A comprehensive landscaping including planting of the reserves and planting of street trees will increase in the aesthetics and amenity values of the overall area.
9. The effects of land modification works from silt/soil erosion, dust and noise have been mitigated by the imposition of the above conditions, and the silt control measures proposed by the consent holder. In this regard, the effects on the environment have been identified as no more than minor.
10. The short term adverse effects of the proposed land modification are outweighed by the long term benefits of the potential use of the above land for the proposed activity.
11. In accordance with Chapter 17.8 of the Manukau District Plan 2002, land which is zoned Quarry is likely to be used for Business 5 or 6 purposes once mineral extraction activities have ceased.
12. The full list for permitted activities on land zoned Business 5 has been assessed and it is considered that some activities in this list are unsuitable for this site. An amended activity list having regard to environmental considerations is recommended, due to the proximity of the subject site to Maunga Matukutureia, Matukuturua Stonefields, the LPG storage facility and Wiri Oil Services Limited fuel facility.
13. As the subject site is located in close proximity to Maunga Matukutureia (McLaughlins Mountain), which is a Waahi Tapu site, it is important to maintain views to this mountain as far as practicable. With the above consideration, a height restriction of 18m is recommended by the applicant for any future development on the proposed lots.
14. With Lot 5 and 701 being set aside as reserves and the existing adjoining Department of Conservation reserve, there will be greater connectivity between these reserves and wider Puhinui Reserve areas, and a lot of the footprint of the Mountain will be preserved as well. Any future building development adjoining the recreation reserve will have a 5m wide landscaping strip which will further set any buildings away from this common boundary. With the above, it is considered that any adverse effects of the proposed development on the Mountain will be no more than minor.

ADVICE NOTES

1. (a) In accordance with Section 125 of the Resource Management Act 1991 this consent will lapse five years unless a longer or shorter period is specified, after the date on which it was granted unless it has been given effect to before the end of that period. However the Council does have the power to extend this period in certain cases where an application under Section 125 is made before the consent lapses.
- (b) Following the issue of the Sec 224(c) certificate for Part A Subdivision Consent, Part B Land Use Consent will commence and it is the Council's intention that it will not lapse but remain valid for an indefinite period of time.
2. A copy of this consent and the associated approved drawings should accompany your application for a Project Information Memorandum and Building Consent. If not supplied unnecessary delay may occur in the processing of your application.

3. This consent does not constitute authority to build or undertake private drainage works. If you have not already done so it will be necessary for you to apply for a Project Information Memorandum and Building Consent for any proposed buildings or private drainage.
4. Reserves contribution payable in respect of this subdivision consent has been assessed on the market values of the proposed lots.
5. The Condition 8, Part B is to limit the overall number of vehicle trips generated by the subdivision in order to mitigate potential adverse effects on the Vogler Drive/Roscommon Road intersection during peak times. A separate resource consent will be required for any departures from the aforementioned requirements to assess the effects on the environment of the additional office space, including any effects of additional traffic generation on the wider roading network.
6. The requirement set out in Condition 12, Part A above includes the appropriate iwi authorities and the New Zealand Historic Places Trust being given a reasonable time to record and recover archaeological features discovered before work may recommence there. Work should not recommence until the New Zealand Historic Places Trust has given approval for work to continue.
7. The Council's solicitor will be instructed by Council officers to prepare the necessary documentation for the covenants under Section 108 of the Act required by Conditions 5, 6, 7 and 8 of Part B Landuse Consent, duly prepared and executed with the necessary deposits of \$750 payable to Brookfields Lawyers and \$337.50 (for processing costs) payable to Manukau City Council, should be sent to the Team Leader Resource Compliance team, Level 4 Kotuku House, 4 Osterley Way, Manukau City Centre. The team will instruct Brookfields to prepare the covenant and liaise with your lawyer to arrange for its execution and subsequent registration. A copy of Council's requirements for the preparation of legal documentation is attached in this regard.
8. Manukau Water Limited has advised that at the time of application for a water and/or wastewater connection (or application for demand increase), completed in conjunction with a building consent, a water and wastewater Network Growth Charge per additional equivalent unit shall apply. This charge is currently \$4090 + GST.
9. A Building Consent is required for structure, retaining walls, private drainage, demolitions etc unless exempted under the First Schedule of the Building Act 2004.
10. That all vehicles crossings should be designed in accordance with Rule 8.11.7.3 of the District Plan. All vehicle crossings should be constructed in accordance with drawing R10 (refer update Sept 2009) of the Council's "Manual of Engineering Quality Standards."
11. All road markings should be carried out in consultation with Council's Roding Network Manager, Opus International Consultants Ltd contact Area Engineer for Manurewa on Phone 263 2500.
12. That the proposed road designation located along the eastern boundary of the subject site be removed by Council following the issue of Sec 224(c) certificate.
13. That the street trees for Roads 1, 2, 3 and 4 should be located within the front berm, in accordance with Rule 9.9.2.11(b) of the District Plan and the approved plan No 125855-1-620 revision 'R1' referenced Proposal 33887 by Council.
14. The planting and maintenance of the street trees should be undertaken by Council's Parks Department.

15. Formation of the walkway along the esplanade reserve Lot 300 and recreation reserve Lot 700 will be undertaken to the extent that will facilitate future construction of public access in the form of pedestrian walkways along the side of Puhinui Stream which is proposed as part of the subsequent stages of future development. The basic shaping of the land will be done in this area so that paths may be constructed at a future date. This will facilitate the functional use and enable easy access of the esplanade reserve if Lot 100 develops in future.

This information will be recorded in Councils Land Information Register.

16. Development Contributions under the Local Government Act 2002.
~~The council is advised that under section 400 (4)(b) of the Local Government Act~~

In the matter	of the Resource Management Act 1991 (The Act)
and	
in the matter	of a subdivision of land in the North Auckland Land Registration District shown on DP 485905

CANCELLATION OF CONSENT NOTICE

(Pursuant to Section 221(3) and (5) of the Act)

THE AUCKLAND COUNCIL (as successor to the Manukau City Council pursuant to Section 35 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009) being the Council named in a consent notice pursuant to Section 221 of the Act registered under **No. 8939875.4** (Auckland Registry) pursuant to Section 221(3) of the Act cancels that consent notice as to the land described in the schedule below.

Schedule

21.6158 hectares more or less being Lot 100 on Deposited Plan 432020 and also being all the land comprised and described in Computer Freehold Register Number 538286 (Auckland Registry).

Dated at Manukau this day of July 2017.

Authenticated by the Council pursuant to
Section 221(2) of the Resource Management Act 1991

Authorised officer under delegated authority

Agreed _____

as Owner of the Land shown in the schedule

Decision on an application for a change / cancellation of consent condition(s) under the Resource Management Act 1991

**Auckland
Council**
Te Kaunihera o Tāmaki Makaurau



Application number: 46751

Applicant's name: Stonehill Trustees Ltd

Site address: 21 Stonehill Drive Manukau

Legal description: Lot 100 DP 432020

Proposal: To seek change of conditions to proposal 39194
SP10737 39328 and 39901 granted 13 June 2012
the proposal will involve changing the wording of
conditions 1, 2 and 28.

I have read the application, supporting documents, and the report and recommendations on the section 127 application. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on this application.

Acting under delegated authority, under sections 104, 104B, 108 and 127 this application to change conditions is **GRANTED**.

1. Reasons

Under section 113 of the RMA the reasons for this decision are:

- The proposed changes to the conditions of consent do not result in greater risk to the environment, but rather will improve the geotechnical stability of Road 2 mitigating the potential for landslides. The changes proposed will also provide safety to motorists by providing a safe guardrail design.
- The overall effects on the environment from the proposed change of conditions will be less than minor.
- The proposed changes to consent conditions are consistent with the relevant provisions of the district and regional plans.

2. Conditions

Under section 108 of the RMA, the consent, as varied, is subject to the following conditions:

The following changes shall be read in conjunction with the Land Use resource consent Proposal 39194, SP 10737 (Land use and subdivision) Permit 39328 Auckland Council Regional Plan Air Land Water and Permit 39901 Auckland Council Regional Plan Sediment control) now reads as follows with proposed amendments shown as ***bold /italics*** and deletions as ~~strike-through~~

CONDITIONS FOR ALL CONSENTS/PERMITS (39194, 39328 and 39901)

Original Condition 1 has been amended to read:

Activity in accordance with plans

1. That the proposed activity shall be in accordance with the plans and information submitted with the application, the accompanying supporting documents, subject to such amendments as may be required by the following conditions of this consent, detailed below and all referenced by Council as:

Resource Consent 39194 SP 10737 (Landuse and Subdivision)

Permit 39328 (Auckland Council Regional: Air, Land, Water) and

Permit 39901 (Auckland Council Regional Plan: Sediment Control)

Report: Dated November 2011, 'Resource consent application and assessment of effects on the environment'. Prepared by: Harrison Grierson Consultants Limited. HG Project No. 1150-125855-02

- Approved plans Sheets 1-54 referenced Resource Consent 39194 **except where subsequently amended by change of conditions application and plans referenced Proposal 46751** by Council as identified in Table 1 below and Specialist Reports Table 2 and additional information Table 3 as detailed below:

Plans: Project: Stonehill Property Trust, McLaughlins Road – Wiri Stage 2
Prepared by: Harrison Grierson Consultants Limited

Reference number	Rev	Title	Dated	Sheet of 54
125855-2-100	R1	Lots 30-50, 101, 301, 702 and 901 being a Subdivision of Lot 100 Lt 432020	23.11.11	1
125855-2-120	R1	Proposed Subdivision Showing Aerial Photograph	23.11.11	2
125855-2-140	R1	Proposed Subdivision Showing 1% AEP Flood Level	23.11.11	3
125855-2-200	R2	Proposed Earthworks Finished Contours	27.04.12	4
125855-2-220	R2	Proposed Earthworks Isopac Plan and Sediment and Erosion Control Plan.	27.04.12	5
125855-2-270 125855-2-1B-270	R1 Rev B	Proposed Earthworks Retaining Wall Proposed Earthworks Guardrail Layout Plan	23.11.11 20.03.15	6

125855-2-274 125855-2-1B-271	R2 Rev D	Proposed Earthworks Retaining Walls Elevation & Cross Section Proposed Earthworks Guardrail Cross- Section	23.11.11 20.03.15	7
125855-2-290	R1	Sediment Control Standard Details, Sheet 1	23.11.11	8
125855-2-291	R1	Sediment Control Standard Details, Sheet 2	23.11.11	9
125855-2-292	R1	Sediment Control Standard Details, Sheet 3	23.11.11	10
125855-2-300	R4	Proposed Roding Layout Plan	27.04.12	11
125855-2-320 125855-2-1B-320	R4 Rev B	Proposed Roding Longitudinal Sections, Sheet 4 Proposed Roding Longitudinal Sections Sheet 1 (Road 2)	23.11.11 25.02.15	12
125855-2-321	R1	Proposed Roding Longitudinal Sections, Sheet 2	23.11.11	13
125855-2-322	R1	Proposed Roding Longitudinal Sections, Sheet 3	23.11.11	14
125855-2-330	R1	Typical Road Cross Sections, Sheet 1	23.11.11	15
125855-2-350	R3	Proposed Roding Stormfilter and Pump Station – Access Detail and Tracking Curve	27.04.12	16
125855-2-360	R2	Proposed Intersection Details Overall	27.04.12	17
125855-2-361	R2	Proposed Intersection 1 Detail	23.11.11	18
125855-2-362	R2	Proposed Roding Trucking Curve Worst Case	19.01.12	19
125855-2-380	R2	Proposed Road Marking Overall	27.04.12	20
125855-2-381	R1	Proposed Road Marking Detail Curve 1	23.11.11	21
125855-2-382	R2	Proposed Road Marking Detail Curve 2	27.04.12	22
125855-2-383	R1	Proposed Road Marking Detail Curve 3	23.11.11	23
125855-2-384	R1	Proposed Road Marking Detail Intersection 1	23.11.11	24
125855-2-390	R2	Proposed Roding Standard Details	27.04.12	25
125855-2-430	R1	Stormwater Longitudinal Sections Sheet 1	23.11.11	26
125855-2-431	R1	Stormwater Longitudinal Sections Sheet 2	23.11.11	27
125855-2-432	R1	Stormwater Longitudinal Sections Sheet 3	23.11.11	28
125855-2-433	R2	Stormwater Longitudinal Sections Sheet 4	23.11.11	29
125855-2-400	R3	Proposed Drainage Reticulation Plan	27.04.12	30
125855-2-450	R3	Wastewater Longitudinal Sections Sheet 1	27.04.12	31
125855-2-451	R3	Wastewater Longitudinal	27.04.12	32

		Sections Sheet 2		
125855-2-452	R2	Wastewater Longitudinal Sections Sheet 3	27.04.12	33
125855-2-453	R3	Wastewater Longitudinal Sections Sheet 4	27.04.12	34
125855-2-500	R4	Proposed Watermain Reticulation Plan	27.04.12	35
125855-2-590	R1	Proposed Watermain Reticulation Standard	23.11.11	36
125855-2-469	R1	Proposed Stormwater Treatment and Pump Station Overall Layout. D	27.04.12	37
125855-2-470	R3	Proposed Stormwater Treatment and Pump Station Layout Plan Sheet 1	27.04.12	38
125855-2-481	R1	Proposed Stormwater Treatment Inlet and Outlet Details	23.11.11	39
125855-2-482	R1	Proposed Stormwater Treatment Outlet Structure Details	23.11.11	40
125855-2-485	R1	Proposed Stormwater Treatment Stormwater 360 Stormfilter Standard Detail – Plan	23.11.11	41
125855-2-486	R1	Proposed Stormwater Treatment Stormwater 360 Stormfilter Standard Detail – Elevation	23.11.11	42
125855-2-600	R3	Overall Landscape Plan	24.01.12	43
125855-2-601	R3	Landscape Plan Detail Sheet 1	24.01.12	44
125855-2-602	R1	Landscape Pan Detail Sheet 2	24.01.12	45
125855-2-603	R1	Landscape Plan Detail Sheet 3	24.01.12	46
125855-2-604	R2	Landscape Plan Detail Sheet 4	24.01.12	47
125855-2-605	R1	Landscape Plan Detail Sheet 5	24.01.12	48
125855-2-606	R1	Landscape Plan Detail Sheet 6	24.01.12	49
125855-2-607	R1	Landscape Plan Detail Sheet 7	24.01.12	50
125855-2-608	R1	Landscape Plan Detail Sheet 8	24.01.12	51
125855-2-700	R3	Proposed Lighting and Utilities Indicative Layout Plan	27.04.12	52
		Building Design Principles	13.09.11	53
		Option 2 (Preferred)	13.09.11	54
708300 S02	R2	Calibre Consulting Barrier Layout Plan and Details	19.03.15	55
708300 S02	R2	Calibre Consulting Barrier Details Sheet 2	19.03.15	56
FX5555	Rev.1	CSP Pacific X-350 Flared, Composite Blockout to Steel Post	18/10/10	57

Specialist Reports

Table 2

Specialist Report Title	Prepared by	Dated
Potential Design Options for proposed Lot 51	Harrison Grierson	13.09.2011
Visual and Landscape Assessment	Harrison Grierson	August 2008
Historical Place Trust Authority to Modify	Historic Places Trust	02.11.2007
Integrated Transport Assessment	SKM	August 2008
Preliminary Geotechnical Report Perimeter Road Retaining Walls	Tonkin & Taylor Ltd	T&T23184 August 2008 T&T23184.001 dated 26 January 2012
Stormwater Calculations For Stonehill Property Trust – Stage 2	Harrison Grierson	26.10.11
Stormwater 360 Stormwaterfilter Design Philosophy Report referenced no. CSR/11/2242-01	Stormwater360 New Zealand	November 2011
Stormwater 360 Operation and Maintenance Guidelines StormFilter	Stormwater360 New Zealand	
McLaughlins Road Stage 2 – Slope Stabilisation	Tonkin & Taylor Job No. 23184.0100	19 February 2015

- additional information.

Table 3

Other Additional Information	Dated
S92 Request Responses from Harrison Grierson	14 February 2012 11 April 2012 7 May 2012

SUBDIVISION CONSENT 39194 SP10737

Original Condition 2 has been amended to read:

2. That Lot 901 (encompassing Roads 2 and 3) shall be vested in the Auckland Council as legal road, at no compensation or cost to the Council. ***The consent holder shall provide as-built drawings for Road Assessment and Maintenance Management Manual (RAMM)to the Development Engineer deveng.south@aucklandcouncil.govt.nz prior to issue of the certificate under Section 224(c) of the Act.***

Original Condition 28 has been amended to read:

28. The works detailed on the approved plans by Council shall be constructed to the satisfaction of and at no cost to the Council and are subject to the following requirements;

- (i) A 'pre-construction' meeting shall be arranged not less than 48 hours prior to commencement of the works.

Please contact Council's Senior Compliance Engineering Inspector (phone 2628900 extension 5794)

Please contact Watercare Services Limited Development Team (developments@water.co.nz)

Please contact Auckland Transport (Minnie.liang@aucklandtransport.govt.nz) for the guardrail inspection, any rectification works shall be at the cost of the consent holder. (Confirmation from supplier of the guardrail shall be supplied to ensure that the flare rate of 1.5m will have no implication)

- (ii) All materials, workmanship and testing shall be in accordance with the current Auckland Council Manukau Engineering Quality Standards, MANARC and the Watercare Services Limited Engineering Standards;
- (iii) All construction work, shown on the attached plans, shall be supervised by an engineering representative appointed by the owner (refer to Auckland Council Manukau Engineering Quality Standards and Watercare Services Limited Engineering Standards);
- (iv) On completion of the work, 'as-built' plans and a completion certificate, in accordance with the Council's Quality Assurance Manual, shall be forwarded to Council's appointed field officer.;
- (v) All works on existing public wastewater and watermains shall be carried out by a Watercare Services Limited approved licensed contractor and all works on existing public stormwater shall be carried out by Auckland Council approved licensed contractor at the consent's holder expense.

This condition requires compliance through completion of the works to the satisfaction of the Team Leader – Southern Compliance and Monitoring within six months, (unless authorised by the Team Leader – Southern Compliance and Monitoring), of the commencement of these work prior to release of the certificate under Section 224(c) for the subdivision.

Advice Notes

1. Any administrative charge fixed in accordance with Section 36(1) of the RMA, or any additional charge required pursuant to Section 36 (3) of the RMA in respect of this consent, shall be paid to the Auckland Council.
2. The date of commencement of this consent will be as determined by section 116 of the RMA, unless a later date is stated as a condition of consent.
3. Section 124 of the RMA provides for the exercising of consent while applying for a new consent for the same activity.

4. Section 127 of the RMA provides for the application, at any time, for changes to or cancellation of conditions of consent other than duration, and the provisions therein for making application to do so.

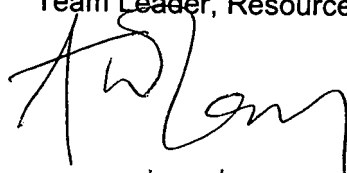
Delegated decision maker:

Name: Alice Iuli-Tay

Title: Team Leader, Resource Consents

Signed:

Date:



29/05/2015

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



Discretionary activity for a subdivision consent

Application number(s): SUB60318937
Applicant: Euroclass
Site address: 99 & 101 McLaughlins Road, Manukau Central 1701 and 8 & 10 Stonehill Drive, Manukau Central 1701
Legal description: Lots 12 & 20 DP 432020 and Lots 41 & 45 DP 485905

Proposal:

To undertake a subdivision to reconfigure the boundaries between Lots 12 & 20 DP 432020 and Lots 41 & 45 DP 485905 (previously approved through subdivisions 39191 SP 10737 & 51522 SP 12591 (Council ref.)) to create three vacant fee simple Lots. One which is a larger rectangular Lot, and two which are smaller square Lots.

The resource consents required is:

Subdivision consent (s11) – SUB60318937

Auckland Unitary Plan (Operative in part)

Subdivision (operative plan provisions)

Rural subdivision

- To subdivide land that is located within the one per cent annual exceedance probability floodplain natural hazard is a restricted discretionary activity under rule E39.4.1(A8).
- To subdivide land that is not meeting the standards of E39.6.1 is a discretionary activity under rule E39.4.1(A9). In this case the 'specified building areas' on proposed Lots 1, 2 & 3 are located on land which is shown on Council GIS to be a 1% AEP floodplain area, and in respect to proposed Lot 1 and 2 may be subject to instability as per Consent Notice (reference: 8939875.4).
- To subdivide land that is located within the Special Purpose – Quarry Zone is a discretionary activity under rule E39.4.4(A30).

Sites and Places of Significance to Mana Whenua

- To subdivide land that results in a site or place of significance to Mana Whenua extending across multiple lots is a discretionary activity under rule D21.4.12(A7).

Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the

matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104, 104B, 106 and Part 2 of the RMA, the resource consent is **GRANTED**.

1. Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The proposal involves reconfiguring the boundaries around four square sites of a similar size to create one larger rectangular lot and two smaller square ones, no physical works are proposed with this application. The sites are of a size which can accommodate a building to comply with yard requirements.
 - b. The existing Lots each directly front, and have access off either Stonehill Drive or McLaughlins Road. These access points will not be altered through the proposed subdivision.
 - c. The existing lots are all fully serviced for potable water, stormwater drainage, gas, electricity, telecommunications and computer media. There will be no effect on servicing as a result of the subdivision.
 - d. There are no physical works associated with the proposal, and it is therefore anticipated that there will be no impact upon Maunga Matukutureia (McLaughlins Mountain).
 - e. In terms of positive effects, the proposal will enable the sites to be correctly defined and updated with the correct certificates of titles.
 - f. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.
2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular;

Objectives E39.2(1), E39.2(2), E39.2(4) and E39.2(6) – The proposal will achieve the objectives of the Special Purpose – Quarry Zone as well as the objectives of the relevant overlays and Auckland-wide provisions. The proposed subdivision will not alter the development potential of the sites to provide for future community needs. The infrastructure is existing and already in place. The layout proposed is safe and efficient and all the sites are accessible from the roading network.

Objectives E36.2(2) and E36.2(5) – The proposed building will be established in accordance with the recommendations made in the flood assessment report. The proposed development will therefore mitigate any adverse flooding effects on people, property and the environment.

Objectives D21.2(1) and D21.2(6) – The proposed subdivision will have no effect on Maunga Matukutureia as it does not change the future development potential of the sites. There are no physical development works proposed as part of the subdivision.

Policies E39.3(1), E39.3(2) and E39.3(4) – The proposed subdivision meets the policies of the Special Purpose – Quarry Zone. All parking spaces will be able to be provided for within a basement level as to not be visible from the street.

Policies E36.3(21) and E36.3(29) – No development is proposed within any 1 per cent annual exceedance probability floodplain. Overland flow has been directed onto the road through the bulk earthworks and creation of the Lots through the previous subdivision. The entry and exit points of the overland flow paths are not altered through the proposal.

Policies D21.3(1) and D21.3(2) – There are no earthworks proposed. There will be no effect on Maunga Matukuturua as a result of this proposal.

3. In accordance with an assessment under s104(1)(c) of the RMA no other matters are considered relevant.
4. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly council is able to grant this subdivision consent subject to the conditions below.
5. This proposal achieves the sustainable management purpose of the RMA under Part 2 because The proposal is making efficient use of land available by subdividing to create a larger freehold Lot (proposed Lot) from two smaller Lots, which will provide a larger space for development opportunities. There are no physical works proposed.

2. Conditions

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

General Conditions

1. The subdivision to reconfigure the boundaries between Lots 12 & 20 DP 432020 and Lots 41 & 45 DP 485905 (previously approved through subdivisions 39191 SP 10737 & 51522 SP 12591 (Council ref.)) to create three vacant fee simple Lots. One which is a larger rectangular Lot, and two which are smaller square Lots activity shall be carried out in accordance with the documents and drawings and all supporting additional information submitted with the application, detailed below, and all referenced by the council as resource consent number SUB60318937.
 - Application Form and Assessment of Environmental Effects prepared by Arna Neivandt from Babage Consultants Limited, dated 17th April 2018.

Report Title	Reference	Author	Rev	Dated
8, 10, 99 & 101 Stonehill Drive Manukau Assessment of Environmental Effects	61537	Arna Neivandt from Babage Consultants Limited	-	17/04/2018
Tech Memo Report - Infrastructure Assessment	61537#C	Ella Walsh from Babage Consultants Limited	-	09/04/2018

Plan Title	Reference	Author	Rev	Dated
Lots 1 - 3 Being a Proposed Subdivision of Lots 41 & 45 DP 465905 and Lots 12 & 20 DP 432020	Job no. 61537 drawing no. S	McKay KNARSTON a babbage company	0	13/04/2018

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

Survey plan approval (s223) conditions

3. The consent holder shall notify the Council when the survey plan is lodged with Landonline for approval under Section 223 of the RMA. The plan will be approved if it is in accordance with this consent.

Section 224(c) compliance conditions

4. Prior to the issue of the certificate under Section 224(c) of the RMA, the consent holder shall satisfy the Council that all the conditions of this consent have been complied with.

3. Advice notes

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, "the council" refers to the council's monitoring inspector unless otherwise specified. Please contact monitoring@aucklandcouncil.govt.nz to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council's website: www.aucklandcouncil.govt.nz. General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment's website: www.mfe.govt.nz.*
4. *The consent notices on the existing Certificate of Titles shall remain and be transferred to the new created Lots.*
5. *If you as the applicant disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of your receipt of this decision (for s357A) or receipt of the council invoice (for s357B).*
6. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable*

Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

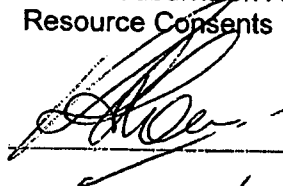
Delegated decision maker:

Name: Roger Low

Title: Senior Subdivision Advisor on behalf of Team Leader,
Resource Consents

Signed:

Date:



18/5/2018

Date: 18/05/2018 Commencement of 15 working days RE: S357 RM Act 1991
--

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



Discretionary activity for a subdivision consent

Application number(s): SUB60318937
Applicant: Euroclass
Site address: 99 & 101 McLaughlins Road, Manukau Central 1701 and 8 & 10 Stonehill Drive, Manukau Central 1701
Legal description: Lots 12 & 20 DP 432020 and Lots 41 & 45 DP 485905

Proposal:

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The resource consents required is:

Subdivision consent (s11) – SUB60318937

Auckland Unitary Plan (Operative in part)

Subdivision (operative plan provisions)

Rural subdivision

- To subdivide land that is located within the one per cent annual exceedance probability floodplain natural hazard is a restricted discretionary activity under rule E39.4.1(A8).
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Decision

I have read the application, supporting documents, and the report and recommendations on the application for resource consent. I am satisfied that I have adequate information to consider the

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Acting under delegated authority, under sections 104, 104B, 106 and Part 2 of the RMA, the resource consent is **GRANTED**.

1. Reasons

The reasons for this decision are:

1. In accordance with an assessment under ss104(1)(a) and (ab) of the RMA the actual and potential effects from the proposal will be acceptable as:
 - a. The proposal involves reconfiguring the boundaries around four square sites of a similar size to create one larger rectangular lot and two smaller square ones, no physical works are proposed with this application. The sites are of a size which can accommodate a building to comply with yard requirements.
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 - f. With reference to s104(1)(ab), there are no specific offsetting or environmental compensation measures proposed or agreed to by the applicant to ensure positive effects on the environment.

2. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular;

Objectives E39.2(1), E39.2(2), E39.2(4) and E39.2(6) – The proposal will achieve the objectives of the Special Purpose – Quarry Zone as well as the objectives of the relevant overlays and Auckland-wide provisions. The proposed subdivision will not alter the development potential of the sites to provide for future community needs. The infrastructure is existing and already in place. The layout proposed is safe and efficient and all the sites are accessible from the roading network.

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Plan Title	Reference	Author	Rev	Dated
Lots 1 - 3 Being a Proposed Subdivision of Lots 41 & 45 DP 465905 and Lots 12 & 20 DP 432020	Job no. 61537 drawing no. S	McKay KNARSTON a babbage company	0	13/04/2018

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

Survey plan approval (s223) conditions

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Section 224(c) compliance conditions

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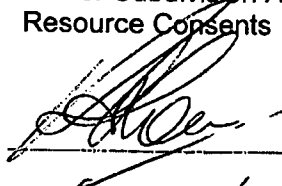
Delegated decision maker:

Name: Roger Low

Title: Senior Subdivision Advisor on behalf of Team Leader,
Resource Consents

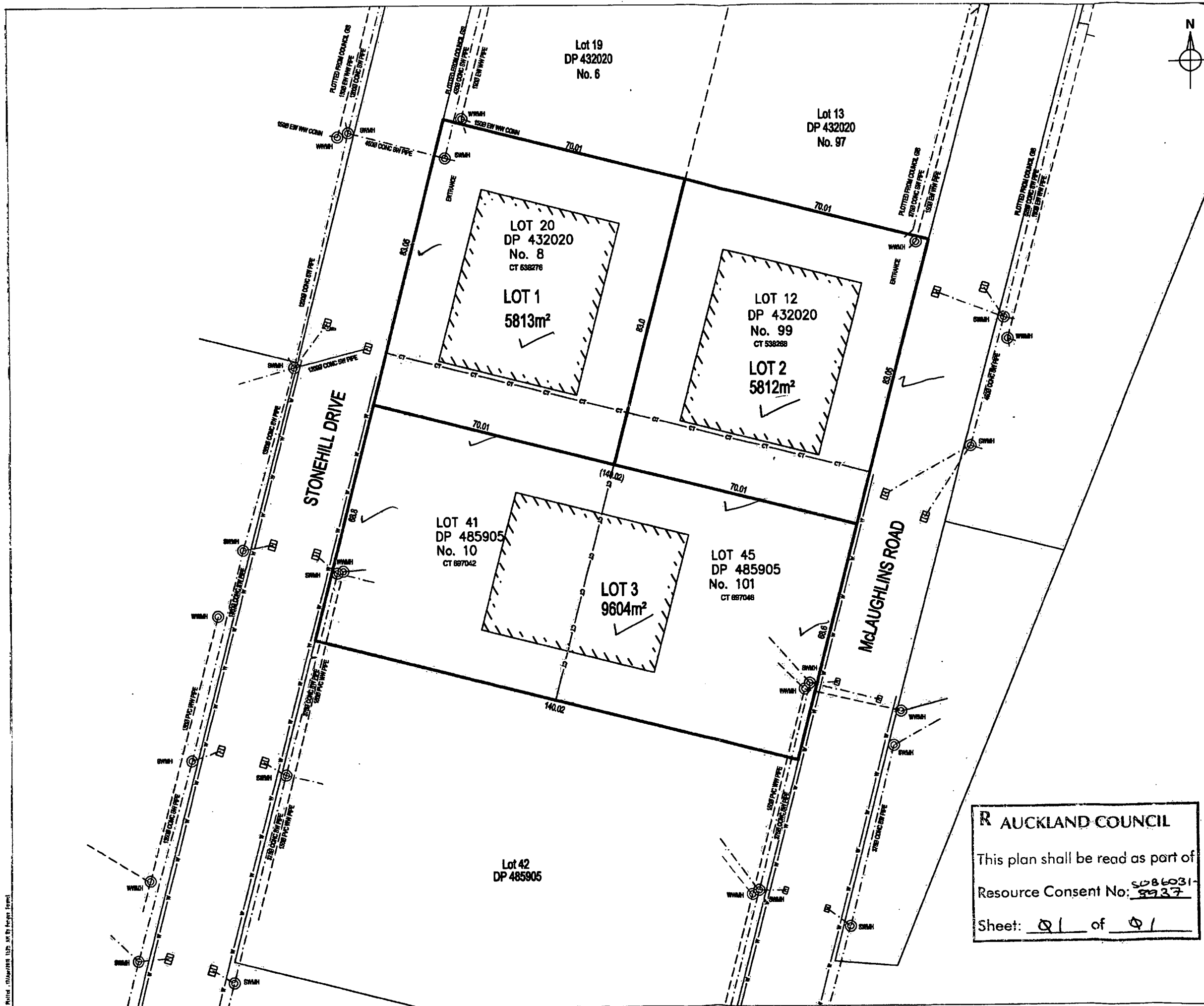
Signed:

Date:



18/5/2018

Date: 18/05/2018
Commencement of 15 working days
RE: S357 RM Act 1991



- NOTES**
1. MOUNT EDEN 2000 COORDINATE DATUM
 2. AS-BUILT SURVEY OF SERVICES BY HARRISON GRIERSON
 3. LOT 20 DP432020 4750m² CT 538276
LOT 12 DP432020 4750m² CT 538268
LOT 41 DP485905 5868m² CT 887042
LOT 45 DP485905 5868m² CT 887048
 4. TOTAL AREA = 2.1234HA
 5. UNITARY PLAN ZONE- SPECIAL PURPOSE QUARRY ZONE
 6. ALL UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BEFORE CONSTRUCTION
 7. POSITIONS OF EXISTING DRAINAGE HAS BEEN PLOTTED FROM COUNCIL GIS UNLESS SHOWN OTHERWISE.
 8. FOR RESOURCE CONSENT PURPOSES ONLY
 9. AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

- LEGEND**
- CESSPIT
 - NEW SW MANHOLE
 - EX SW MANHOLE
 - EX WW MANHOLE
 - NEW WW MANHOLE
 - EXISTING SANITARY SEWER LINE
 - EXISTING STORMWATER LINE
 - WATERMAIN
 - 2000m² BUILDING PLATFORM

McKAY KNARSTON
A BABBAGE COMPANY

Level 1, 25 Arzac Street, Takapuna
Auckland
PO Box 33082, Takapuna 0740
T 09 489 4102
E info@mkk.co.nz
www.mkk.co.nz

0	ORIGINAL	RW	04/18
REVISION		INITIAL	DATE
CLIENT			

EUROCLASS

TITLE

**LOTS 1 - 3 BEING A
PROPOSED SUBDIVISION OF
LOTS 41 & 45 DP 485905
AND LOTS 12 & 20 DP 432020**

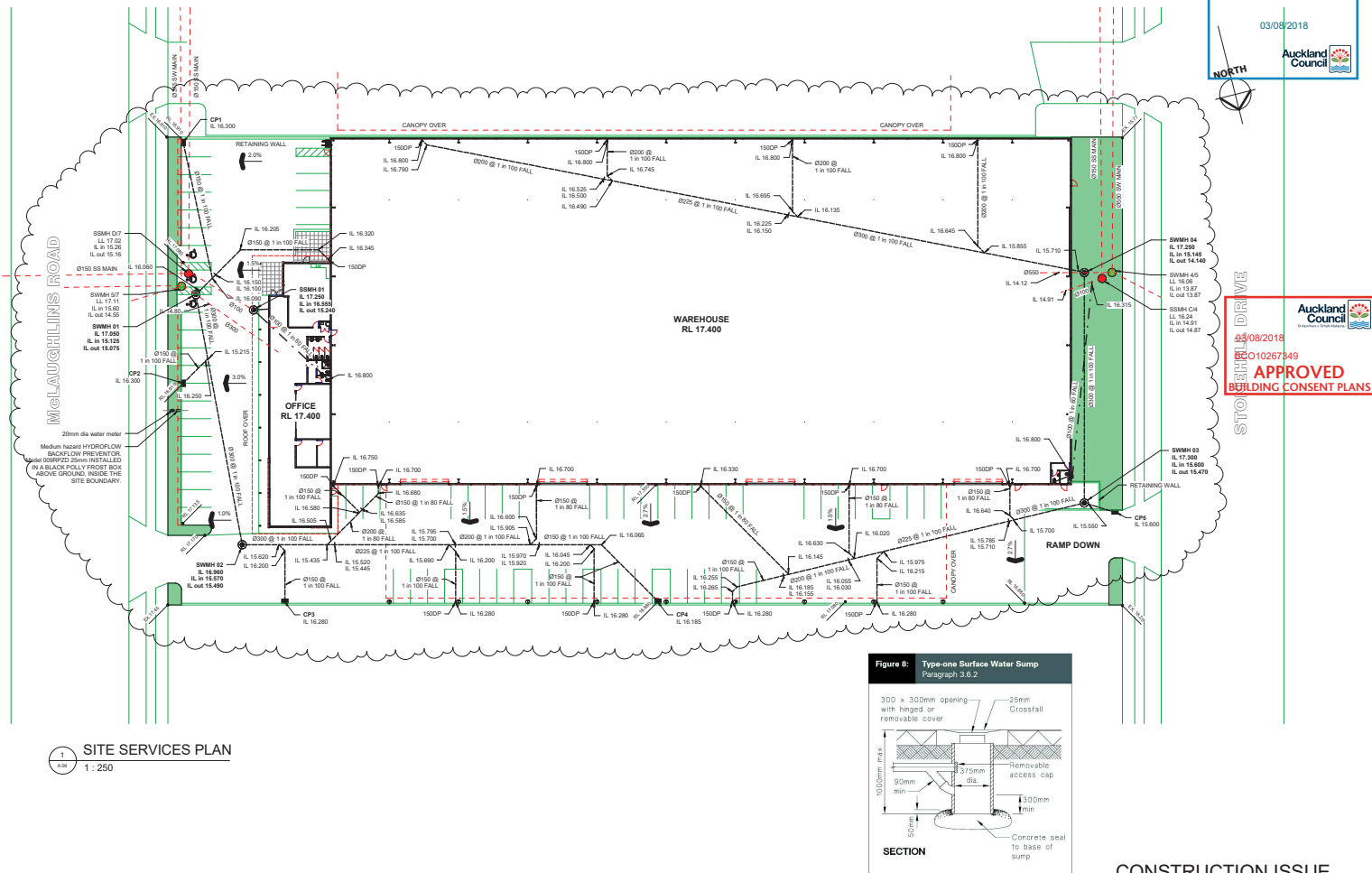
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SURVEYED	-	-
DRAWN	13.04.18	RW
DRAWING CHECK	-	-
APPROVED	-	-
SCALE		
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JOB NO.	DRAWING NO.	REVISION
61537	S	0

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R AUCKLAND COUNCIL

This plan shall be read as part of
Resource Consent No: 5086031-8937

Sheet: 01 of 01



CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND LEVELS ON THE SITE BEFORE COMMENCING WORK. FIGURES ARE INTENDED TO BE USED IN PREFERENCE TO SCHEDULING. COPYRIGHT RESERVED.	PROJECT NAME PROPOSED WAREHOUSE OFFICE DEVELOPMENT 101 McLAUGHLINS ROAD, STONEHILL BUSINESS PARK, MANUKAU CENTRAL, AUCKLAND for PLUMBINGWORLD		DESIGN & SOLUTIONS ARCHITECTURE LIMITED Residential & Commercial New, Alterations & Additions Autocad & Revit Facilities	20 Red Road PO Box 24 373 Rosedale Auckland	Telephone 09 625 8828 Mobile 0272 888088 Facsimile 09 625 8828 Email dsadoffice2003@gmail.com	SUE SERVICES PLAN c:\sue\council\101 p\101\101 SITE LAYOUT UNREVISED A 03\101.DWG			SHEET A 03
						DESIGN DSA	TITLE ARCHITECTURAL	SCALES As indicated @ A1	REVISION D
						DRAWN RG		DATE 03-Aug-18 9:07:34 AM	