

Ref: R59060

Rahopara Farms Ltd
C/- Macdonnell Consulting Ltd
PO Box 35 928
Mairangi Bay 0753

RESOURCE CONSENT R59060 Section 104 and 108 Decision

APPLICATION DESCRIPTION	
To subdivide the site to create 4 additional rural residential sites, protect 12ha of native bush, undertake 12ha of additional planting, replant and protect riparian areas and undertake 7,000m ³ of earthworks.	
Application and Property Details	
Consent Application Number(s):	R59060
Site Address:	1153 Weranui Road Wainui
Applicant's Name:	Rahopara Farms Ltd
Legal Description:	Allotment 373 Parish of Waiwera
Site Area:	38.7410ha
Operative Plans Applying:	Auckland Council District Plan (Rodney Section)
Zoning:	General Rural
Regional Plans Applying:	N/A
Proposed Zoning:	N/A

DECISION UNDER DELEGATED AUTHORITY

That pursuant to sections 104, 104B, 104D and 108 of the RMA, consent is **granted** to the non complying application by Rahopara Farms Ltd to subdivide the site into 4 additional rural residential sites, protect 12ha of native bush, undertake 12ha of additional planting, replant and protect riparian areas and undertake 7,000m³ of earthworks at 1158 Weranui Road, Wainui being Allotment 373 Parish of Waiwera (R59060).

Signed under Delegated Authority

Team Leader Resource
Consents/ Land Surveyor/
Senior Planner/ Manager
Resource Consents



Date:

28/3/13

1.0 REASONS FOR DECISION

The reasons for this decision are as follows:

- (a) In terms of section 104(1)(a) of the RMA, it is concluded that adverse environmental effects are minor. The new rural residential lots will be clustered in the lower contours of the site, reducing potential visual and landscape effects. Similarly, potential adverse effects in relation to the earthworks can be overcome via landscaping. During construction, potential ecological effects can be avoided via the implementation of appropriate silt and sediment control. The sites can be adequately accessed and serviced via on site means, and are suitable (in engineering terms) for residential development.

In addition the application will create positive ecological effects. These relate to the protection of 12ha of existing native bush, augmentation of this by the planting of a further 12ha of native bush along with the enhancement (via replanting) and protection of riparian areas.

- (b) In terms of section 104(1)(b) of the RMA, the application is consistent with objectives and policies of the ARPS or the ACDP (Rodney Section). When considered together with conditions, the application will maintain the rural character and amenity of the area, and will protect natural features.
- (c) The application is consistent with section 106 RMA.
- (d) The application is concluded to be consistent with Part II of the Resource Management Act. The site is not adjacent to the coast and does not provide access to any significant waterbodies. The site contains no features of known significance to iwi. Existing bush areas on the site are to be legally and physically protected, and augmented by further planting and enhancement of riparian areas. This will, over time, provide a valuable habitat for native flora and fauna. The application will impact on the amenity and quality of the area, but to a minor extent.

2.0 Conditions

Pursuant to section 108 of the RMA, this consent is subject to the following conditions:

1. (information submitted) The subdivision shall be carried out in accordance with the plans and all information submitted with the application, being:

Report(s)	Dated:	Prepared by:	Ref:
1. August 2012		1. Macdonnell Consulting Ltd	1. Application Report
2. 9/8/12		2. Hutchinson Consulting Engineers	2. LN14136A (including appended reports)
3. Undated		3. Waitoki Plants (Lisa Clapperton)	3. Bush and Enhancement Planting Assessment
4. September 2012		4. Waitoki Plants (Lisa Clapperton)	4. Plant & Animal Pest Management Plan

Correspondence	Dated:	From:	Ref:
1. 19/10/12		1. Hutchinson Consulting Engineers	1. LP14136
2. 30/10/12		2. Hutchinson Consulting Engineers	2. Subdivision application 59060
3. 22/11/12		3. Hutchinson Consulting Engineers	3. SLC59060
4. November 2012		4. Waitoki Plants (Lisa Clapperton)	4. Ecological Queries Raised
5. 21/12/12		5. Macdonnell Consulting Ltd	5. R59060
6. 1/2/13		6. Macdonnell Consulting Ltd	6. R59060
7. 12/2/13		7. Macdonnell Consulting Ltd	7. Weranui Road
8. 14/2/13		8. C & R Surveyors	8. Weranui Road
9. 14/2/13		9. Macdonnell Consulting Ltd	9. Weranui Road
10. 13/3/13		10. Macdonnell Consulting Ltd	10. Weranui/ R59060

Plans	Dated:	Drawn by:	Ref:
1. November 2012		1. C & R Surveyors	1. 2604 Sheet 2 of 2
2. March 2013		2. C & R Surveyors	2. 2604 Sheet 1 of 2

and referenced as R59060 by the Council.

2. (fees) This consent (or any part thereof) shall not commence until such time as the following charges, which are owing at the time the council's decision is notified, have been paid in full:
- (a) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and

- (b) All additional charges imposed under section 36(3) of the RMA to enable the council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.
3. (fees) The consent holder shall pay any subsequent further charges imposed under section 36 of the RMA relating to the receiving, processing and granting of this resource consent within 20 days of receipt of notification of a requirement to pay the same, provided that, in the case of any additional charges under section 36(3) of the RMA that are subject to challenge, the consent holder shall pay such amount as is determined by that process to be due and owing, within 20 days of receipt of the relevant decision.
4. (s125 RMA) Pursuant to section 125 of the RMA, this consent lapses five years after the date it is granted unless:
- (a) The consent is given effect to (i.e. a survey plan in respect of the subdivision has been submitted to council under section 223 of the RMA), but shall thereafter lapse if the survey plan is not deposited in accordance with section 224 of the RMA; or
- (b) The council extends the period after which the consent lapses.
5. (notification) At least 7 days prior to the work commencing, the consent holder shall notify council's Orewa Compliance Administrator by telephone (0800 426 5169) or email (ResourceConsentAdmin@aucklandcouncil.govt.nz) the expected date of work commencing.

To be completed before council approval of the Survey Plan

6. Before council will approve the survey title plan pursuant to s.223 of the Act, the following requirements are to have been satisfied:
- (a) The consent holder shall provide council with the calculated area(s) of native bush to be protected on Lot 5 as shown on the approved scheme plan referred to in condition 1 and as defined by survey. This shall exclude any areas of dead or dying native vegetation, and must be at least 12ha when these areas are excluded.
- (b) The survey title plan shall show and identify the area(s) of native bush and riparian margins to be protected (Areas T, U, V, W, X, Y, Y1 and Z) as "areas to be subject to land covenant". The boundaries of the covenant must coincide with the proposed fence line referred to in condition 7(a)

Easements

- (a) The survey title plan shall show and identify the right of way and services easement (labelled A) on a Schedule of Memorandum of Easements attached to the cadastral survey dataset as a supporting document.

To be completed before issue of the s.224(c) Certificate

7. Before a Certificate is issued pursuant to section 224(c) of the Act, the consent holder shall satisfy the following conditions at the consent holder's cost:

Fencing of native bush

- (a) A permanent ungated continuous stock-proof fence, (minimum seven wire post and batten fence with no gates) capable of preventing browsing or other damage by farmed animals, shall be

constructed outside of the dripline of the native bush and riparian areas to be protected on Lots 1, 2 and 5 (Areas T, U, V, W X, Y, Y1 and Z) and maintained. If the fencing is constructed after the survey title plan has been approved under section 223, a certificate from a licensed cadastral surveyor shall be provided to confirm that the fencing of Areas T, U, V, W, X, Y, Y1 and Z is located on the covenant boundary.

- (b) The consent holder shall arrange with council's Team Leader, Compliance Monitoring (Orewa), to inspect the stock-proof fence which has been erected in accordance with Condition 7(a).

Riparian Planting and Management Plan

- (c) Prior to commencement of any works the following requirements must be satisfied::
 - (i) The consent holder shall submit to council's Team Leader, Compliance Monitoring (Orewa), for approval, a Riparian Planting and Management Plan incorporating a Planting and Maintenance Schedule for the planting of riparian areas identified on the plan by C & R Surveyors Ltd dated March 2013 ref 2604 on Lots 1, 2 and 5. The Riparian Planting and Management Plan shall follow best practice methodology and have regard to the native revegetation planting standards as set out in Annexure A.
 - (ii) Once the Riparian Planting and Management Plan referred to in condition 7(c)(i) has been approved by council's Team Leader, Compliance Monitoring (Orewa), the consent holder shall carry out riparian planting in accordance with the approved Riparian Planting and Management Plan. Any weeds present in the riparian area shall be controlled prior to planting. The consent holder will advise council when planting is initiated.

Enhancement Planting & Mangement Plan

- (d) Prior to commencement of any works the following requirements must be satisfied:

The consent holder shall submit to Council's Team Leader, Compliance Monitoring (Orewa) for approval, an Enhancement Planting and Management Plan, from a suitably qualified and experienced Ecologist, for the planting of any un-vegetated areas within Y and Y1 on Lot 5 and shall include all riparian areas (subject to 7(c)ii above) that are not included, or not to be utilised, as stormwater detention areas (by prior determination of Natural Resources and Specialist Input Unit Auckland Council); and

The planting shall be set back from the dam structure within Lot 5, as indicated by the white dashed line in the plan by C&R Surveyors dated March 2013 (ref 2604) and shall total at least 12ha. The Planting Plan shall follow best practice methodology and have regard to the native revegetation planting standards as set out in Annexure A and shall ensure that canopy closure will be achieved across the entire planting area(s).

Planting

- (e) Once the Enhancement Planting and Management Plan referred to in condition 7d) ~~has~~ been approved by Council s Team Leader, Compliance Monitoring (Orewa); the consent holder shall carry out enhancement planting in accordance with the approved Enhancement Planting and Management Plan. Any weeds present in the enhancement planting area shall be controlled prior to planting, in accordance with, but not limited to, the Waitoki Plants - Plant & Animal Pest Management Plan dated September 2012 (except that this shall be updated to refer to the Regional Pest Management Strategy 2007-2012). The consent holder shall advise council when planting is initiated.

Advice Note: Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any weed species present are dead. In addition there shall be no areas where weed species are smothering and / or out-competing native vegetation including but not limited to suppressing the natural regeneration processes. For surety of clarification, this condition extends to the control and management of gorse within the revegetation areas. Control shall be demonstrated to the satisfaction of council's Team Leader, Compliance Monitoring (Orewa) or similar position.

Weed and pest animal control plan for bush (and planting) areas

- (f) In addition to that outlined above, the consent holder shall control all existing weed infestations and control all pest animals on Lots 1, 2 and 5 in accordance with, but not limited to, the the Waitoki Plants - Plant & Animal Pest Management Plan dated September 2012 (except that this shall be updated to refer to the Regional Pest Management Strategy 2007-2012). to the satisfaction of council's Team Leader, Compliance Monitoring (Orewa), prior to the issue of s224(c) certificate.

Advice Note: Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any weed species present are dead. In addition there shall be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Control shall be demonstrated to the satisfaction of council's Team Leader, Compliance Monitoring (Orewa) or similar position.

Completion report for planted area

- (g) All planting required to be undertaken on Lots 1, 2, and 5 shall be undertaken and completed in accordance with the Approved Planting plan(s). Following completion of the required planting in accordance with the approved Planting Plan(s) the consent holder shall submit a completion report to council's Team Leader, Compliance Monitoring (Orewa) for approval.

Ongoing maintenance and monitoring

- (h) Plant maintenance in accordance with the approved Planting Plans shall occur for five years or until 75% canopy closure has occurred and a minimum survival rate of the plants (being 90% of the original density through the entire planting area(s)) has been achieved. The five year period shall commence once the completion report has been approved by council in accordance with condition 7(g). Plant maintenance includes the ongoing replacement of plants that do not survive. All invasive weeds and animal pests shall be controlled in accordance with the Weed and Pest Animal Control Plan both at the time of initial planting and any replacement planting if required and on an ongoing basis.

Advice Note:

The five year period can only commence once all planting, weed control and initial pest animal control has been completed to the satisfaction of Team Leader, Compliance Monitoring (Orewa).

- (i) Once Council has approved the completion report referred to in condition 7(g), the consent holder may enter into a surety bond of a sum calculated to be 1.5 times the cost of maintenance and 10% the cost of planting or \$3500 per hectare (whichever is the greater sum) to allow the early release of s.224(c) Certificate. The value of this bond shall be to the satisfaction of the council's Team Leader, compliance Monitoring (Orewa). The purpose of the bond is to ensure a minimum survival rate of the plants to 90% of the original density and 75% canopy closure through the entire planting area(s).

- (j) The consent holder shall submit a Monitoring Report to council's Team Leader, Compliance Monitoring (Orewa), for approval 6 monthly for the first 18 months then annually thereafter for a minimum period of five years. The Monitoring Report shall include but is not to be limited to the following information in respect of each lot:
- (i) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses);
 - (ii) Canopy closure, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds;
 - (iii) A running record of fertilisation, animal and weed pest control and replacement of dead plants;
 - (iv) Details on the condition of, and recommendations for maintenance of, the fencing.
 - (v) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work). Any recommended remediation work shall include a start date for replanting.
- If remediation work is recommended, the consent holder shall:
- (vi) Undertake this remediation work within six months from the start date.
 - (vii) Provide Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council's Team Leader, Compliance Monitoring (Orewa) within 6 months after the remediation work has been undertaken.
- (k) (earthworks) All earthworks associated with creating suitable building platforms on Lots 1-4 shall be stabilised with earth batters in preference to retaining walls, unless this is unavoidable or impractical for geotechnical reasons.

Engineering Matters

- (l) (developer's representative) Prior to the commencement of engineering design, the Consent Holder shall nominate, in writing, its Developer's Representative in terms of Council's "Standards for Engineering Design and Construction" to be the first point of contact for all engineering matters. Any subsequent change to the nominated Developer's Representative shall be immediately notified in writing to the Consents Engineer.
- (m) (insurance and warranties for engineering works) Prior to the commencement of engineering design for the works required by these conditions, the Consent Holder and the Developer's Representative shall provide to the Council proof of Professional Indemnity Insurance and Warranties in full satisfaction of section 102 of the "Standards for Engineering Design and Construction".
- (n) (engineering plans) The engineering works required by this consent shall comply with the Council's "Standards for Engineering Design and Construction" as may be amended from time to time. Engineering Plans, as specified in the "Standards", shall be submitted to the Consents Engineer, and approval thereto received in writing, prior to the commencement of any works on the site.

Any variation or changes to the approved engineering plans shall be submitted for approval as an Amendment and approval received thereto prior to construction of the varied works.

The term 'engineering works' includes, but is not limited to:

- Earthworks,
- The formation of roads, the laying of pipes and other ancillary equipment to be vested in the Council for water supply, drainage or sewage disposal;
- Street lights, landscaping or structures on land vested, or to be vested, in the Council;
- The installation of gas, electrical or telecommunication reticulation including ancillary equipment;
- Any other works required by conditions of this consent.

Note: Structures such as retaining walls, in-ground walls and bridges will require a separate Building Consent.

Note: The plans required under this condition are separate to, and do not form part of, any Building Consent that may be required on the subject site.

- (o) (pre-construction meeting) The Developer's Representative shall give the Consents Field Supervisor named in the engineering plan approval at least 5 working days notice of the on-site pre-construction site meeting (refer section 103.15 of the "Standards for Engineering Design and Construction"). Construction work shall not commence on the site until such meeting has been held and all necessary documentation presented. All silt and sediment control shall be inspected at this meeting, and be to the satisfaction of Council's Consents Field Supervisor.

Note: Attention is drawn to the requirements of section 103.15.3 "Standards for Engineering Design and Construction" for the following documentation to be presented at the preconstruction meeting:

- Approved engineering plans and copy of approval letter;
 - Health and Safety Plan;
 - Traffic Management Plan;
 - The signed Corridor Access Request;
 - The relevant Resource or Subdivision Consent (and all conditions attached thereto);
 - Copies of any Auckland Council Consents necessary for the works;
 - Signed copies of all Consents to Enter for Construction for works on land (including Council land) not owned by the consent holder.
- (p) (as built record plans) As Built Record Plans to the requirements of s.103.5.6 of the "Standards" shall be submitted together with the relevant completed As Built Plans shall be a prerequisite of s.224(c) RMA or Consent-Works Completion Certificate as appropriate.
- (q) (inspection and testing) All engineering works required by this consent shall be subject to inspection and testing pursuant to s.103.19 of the "Standards for Engineering Design and Construction". The Developer's Representative shall make applications for the inspection and testing in writing in the form of Appendix "E" of the "Standards".
- (r) (health & safety plan) A detailed Health & Safety plan to the requirements of the Health & Safety in Employment Act 1992, specifically addressing control of the works on and adjacent to public land, and the protection of the public, shall be submitted to the Consents Engineer prior to the commencement of any works on the site (refer s.103.11 of the "Standards for Engineering Design and Construction"). A copy of the Health & Safety Plan shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the Plan shall be maintained and complied with until such times as the works are completed.
- (s) (traffic management plan) A detailed Traffic Management Plan in accordance with the Code of Practice for Temporary Traffic Management specifically addressing control of construction access to the site and traffic control adjacent to the site, and the protection of the public, shall be

submitted to the Consents Engineer. Verification that it meets the Council's requirements shall have been received in writing, prior to the commencement of any works on the site (refer s103.12 of the "Standard for Engineering Design & Construction".) A copy of the Traffic Management Plan, together with the verification letter shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the verified Plan shall be maintained and complied with at all times until such time as the works are completed

- (t) (corridor access request). The Consent Holder or his Contractor shall obtain a Corridor Access Request (CAR) from the relevant Network Service Provider prior to the commencement of any works within the legal road.
- (u) (supervision) The construction building foundations and the cutting of and placement & compaction of fill material shall be supervised by a suitably qualified engineering professional. In supervising the works, the suitably qualified engineering professional shall ensure that they are constructed and otherwise completed in accordance with Hutchinson Consulting Engineers Geotechnical Report, reference No LMS14136, dated 9/8/2012.
- (v) (certification) Certification from a suitably qualified engineering professional responsible for supervising the works shall be provided to the Team Leader, Compliance Monitoring Orewa confirming that the works have been completed in accordance with condition 7(u), within ten (10) working days following completion. Written certification shall be in the form of a geotechnical completion report, producer statement or any other form acceptable to Council.
- (w) (dust control) There shall be no airborne or deposited dust beyond the subject site as a result of the earthworks activity, that in the opinion of the Team Leader, Compliance Monitoring Orewa, is noxious, offensive or objectionable.
- (x) (erosion & sediment control) Prior to the commencement of earthworks activity, all required erosion and sediment control measures on the subject site shall be constructed and carried out in accordance with TP90.
- (y) (construction of private way) The private way over parts of Lot 5 and the vehicle crossing thereto shall be constructed to a single lane rural metal standard to the Council's "Standards for Engineering Design and Construction". The vehicle crossing and the first 12 metres shall be to a two lane rural concrete standard.
- (z) (depth markers) Flood depth markers shall be installed on either side of the existing ford.
- (aa) (construction of crossing) The vehicle crossing to the boundary of Lot 1 shall be reconstructed to the rural concrete standards of the "Standards for Engineering Design and Construction".
- (bb) (construction of crossing) The vehicle crossing to the boundary of Lot 2 shall be constructed to the rural concrete standards of the "Standards for Engineering Design and Construction".
- (cc) (identify building sites) Two copies of a plan certified and dated by Hutchinson Engineering Consultants fixing the location and size of the identified building sites on Lots 2 - 5 by offsets from surveyed boundary pegs are to be provided to the Consents Engineer.
- (dd) (provide for electric power) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an electric supply has been made available to all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- (ee) (provide for telephone) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of telephone services has been made

available to all saleable lots created and that all the network supplier's requirements for making such services available have been met.

Fees

- (ff) All fixed charges relating to the receiving, processing and granting of this resource consent under section 36(1) of the Resource Management Act 1991 (RMA); and
- All additional charges imposed under section 36(3) of the RMA to enable the Council to recover its actual and reasonable costs in respect of this application, which are beyond challenge.

Consent Notices

8. The following conditions of consent shall be complied with on a continuing basis by the consent holder (which includes the subdividing owner and subsequent owners) and shall be recorded in a consent notice issued pursuant to s221 of the Resource Management Act 1991 registered on the title(s).
- (a) The respective owners of Lots 1-5 shall pay the council 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.
 - (b) Such charge/s 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.
 - (c) The areas of native bush, native planting and riparian areas to be protected on Lot 1, 2 and 5 (Areas T, U, V, W, X, Y, Y1 and Z) identified by survey shall be protected in perpetuity to the satisfaction of the council's Team Leader, Compliance Monitoring (Orewa).
9. The owners or their successors in title, of Lots 1, 2 and 5 shall:
- 1. (i) Preserve the native vegetation, wildlife habitats and the natural landscape within the areas of native bush, native planting and riparian areas to be protected on Lots 1, 2 and 5.
 - (ii) Maintain any stock crossings and/or fish passage(s) in accordance with any easement(s) through the covenant areas;
 - (iii) Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the areas of native bush to be protected;
 - (iv) Not do anything that would prejudice the health or ecological value of the areas of native bush to be protected, their long term viability and/or sustainability;
 - (v) Control all invasive plants and control pest animals within the areas of native bush to be protected, in accordance with the approved Waitoki Plants - Plant & Animal Pest Management Plan dated September 2012.

Advice Note: Weed Control means, that there are no mature, fruiting and / or flowering individuals of weed species present within the covenant area and any weed species present are dead. In addition there shall be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Control shall be demonstrated to the satisfaction of council's Team Leader, Compliance Monitoring (Orewa) or similar position.

- (vi) Maintain an ungated stock-proof fence as approved by the council around the perimeter of the areas of native bush, native planting and riparian areas to be protected on Lots 1, 2 and 5 and keep stock out of these areas..
- (d) The owners of Lots 1-5 and their successors in title and any occupiers, shall not own, house, care for or feed any domesticated cats or any pets listed in table 10.1a of the Auckland Regional Pest Strategy 2007–2012 (ARPS) or any successive ARMPS on these sites, while residing on the property. Any domesticated dog(s) shall be kept on a lead and under the supervision of the owner, and shall be excluded from all covenant areas. Where kiwi has been recorded on the parent property, dogs shall be excluded from all properties.
- (e) (building restrictions) Any buildings erected on the building sites identified on the plan certified and dated by Hutchinson Engineering Consultants shall be subject to the requirements of the report prepared by Hutchinson Consulting Engineers, reference LMS14136, dated 9/8/12, and any subsequent reports. Copies of the said plan & report(s) will be held at the offices of the Council, Centreway Road, Orewa.
- (f) (building restrictions) Any buildings erected on Lot 2, 3 & 4 shall be subject to a minimum habitable floor level not lower than RL 25.5m, LINZ Datum.
- (g) (earthworked batters) Any earthworked batters located to the front (Weranui Road side) of a household unit constructed on Lots 1-4 shall be planted to assist in integrating the works into the landscape. This shall occur within the first planting season following completion of the household unit, and shall be maintained and retained thereafter.

Advice Notes:

1. *Please note that Council Officers consider the dam structure within Lot 5 requires resource consent. This will be progressed separately by the Council.*
2. *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.*
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.*
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 Compliance Administrator, Orewa Service Centre, at ResourceConsentAdmin@aucklandcouncil.govt.nz and include the following details:*
 - (a) *name and telephone number of the project manager and the site owner;*
 - (b) *site address to which the consent relates;*
 - (c) *activity to which the consent relates; and*
 - (d) *expected duration of works.*
5. *If you 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 RMA. Any objection must be made in writing to council within 15 working days of notification of the decision.

- 6. The granting of this resource consent does not in any way allow the applicant 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.*
- 7. Compliance with the consent conditions will be monitored by council (in accordance with section 35(1)(2)(d) of the RMA). The initial monitoring 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. 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.*
- 8. Ongoing inspections of the covenanted area will be carried out from time to time by council ecologists. These inspections will assess how the covenant is being managed and if the consent condition is complied with. A report will be produced for the landowner to assist them in the management of the covenant. The inspections are charged at a rate in accordance with the council's schedule of fees.*
- 9. Development contributions levied under the Local Government Act 2002 are payable in relation to this application. The consent holder will be advised of the development contributions payable separately from this resource consent decision. Further information about development contributions may be found on the Auckland Council website at www.aucklandcouncil.govt.nz.*
- 10. Copies of the approved Weed and Pest Animal Control Plan shall be held at the offices of the council, Centreway Road, Orewa, 0931.*
- 11. A list of all current pest plants and animals can be found in the Auckland Regional Pest Management Strategy (ARPS 2007-2012 or any successive ARPS), available from council, which includes all plants identified in the National Pest Plant Accord (MAF).*
- 12. Any activity pertaining to maintenance of covenant areas, including any required or ancillary structure(s), i.e. culvert or fish passage, may require lodgement for a Resource Consent.*
- 13. Where significant weed and animal populations persist, the consent holder may wish to consider Local Landcare Groups, or the employment of a professional contractor to assist with the ongoing management of the protected area.*