

DRAFT SUBDIVISION CONDITIONS

GENERAL CONDITIONS

Activity in Accordance with Application

1. The subdivisions shall proceed in general accordance with the information and plans submitted with the application formally received by the Environment Protection Agency on 30 April 2021, including all supporting additional information submitted. In the event that any of the provisions of the following documents conflict with the requirements of these conditions of consent, these conditions of consent must prevail.

Drawing Title and Reference	Architect / Author	Rev.	Dated
Proposed Subdivision (Boundary Adjustment): Scheme Plan 1B - 8424/BA, Drawing 1 of 4	Yeomans	-	April 2021
Proposed Subdivision (Boundary Adjustment): Scheme Plan 1B - 8424/BA, Drawing 2 of 4	Yeomans	-	April 2021
Proposed Subdivision (Boundary Adjustment): Scheme Plan 1B - 8424/BA, Drawing 3 of 4	Yeomans	-	April 2021
Proposed Subdivision (Boundary Adjustment): Scheme Plan 1B - 8424/BA, Drawing 4 of 4	Yeomans	-	April 2021
Redevelopment of Units on Lot 1 DP 170042: Scheme Plan 2B - 8424/RUT, Sheet 1 of 4	Yeomans	-	April 2021
Redevelopment of Units on Lot 1 DP 170042: Scheme Plan 2B - 8424/RUT, Sheet 2 of 4	Yeomans	-	April 2021
Redevelopment of Units on Lot 1 DP 170042: Scheme Plan 2B - 8424/RUT, Sheet 3 of 4	Yeomans	-	April 2021
Redevelopment of Units on Lot 1 DP 170042: Scheme Plan 2B - 8424/RUT, Sheet 4 of 4	Yeomans	-	April 2021
Redevelopment Unit Plan on New Lot 1 DP Scheme Plan 1: Scheme Plan 3B - 8424/RDV, Sheet 1 of 4	Yeomans	-	April 2021
Redevelopment Unit Plan on New Lot 1 DP Scheme Plan 1: Scheme Plan 3B - 8424/RDV, Sheet 2 of 4	Yeomans	-	April 2021

Redevelopment Unit Plan on New Lot 1 DP Scheme Plan 1: Scheme Plan 3B - 8424/RDV, Sheet 3 of 4	Yeomans	-	April 2021
Redevelopment Unit Plan on New Lot 1 DP Scheme Plan 1: Scheme Plan 3B - 8424/RDV, Sheet 4 of 4	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 1 of 6	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 2 of 6	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 3 of 6	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 4 of 6	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 5 of 6	Yeomans	-	April 2021
Proposed Subdivision: Scheme Plan 4B - 8424/S/4, Drawing 6 of 6	Yeomans	-	April 2021
Units on Lot 3 DP Scheme Plan: Scheme Plan 5B - 8424/RUT, Sheet 1 of 5	Yeomans	-	April 2021
Units on Lot 3 DP Scheme Plan: Scheme Plan 5B - 8424/RUT, Sheet 2 of 5	Yeomans	-	April 2021
Units on Lot 3 DP Scheme Plan: Scheme Plan 5B - 8424/RUT, Sheet 3 of 5	Yeomans	-	April 2021
Units on Lot 3 DP Scheme Plan: Scheme Plan 5B - 8424/RUT, Sheet 4 of 5	Yeomans	-	April 2021
Units on Lot 3 DP Scheme Plan: Scheme Plan 5B - 8424/RUT, Sheet 5 of 5	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 1 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 2 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 3 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 4 of 8	Yeomans	-	April 2021

Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 5 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 6 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 7 of 8	Yeomans	-	April 2021
Units on Lot 4 DP Scheme Plan: Scheme Plan 6B - 8424/RUT, Sheet 8 of 8	Yeomans	-	April 2021
86010 - 3 Waters Plan	Robert Bird Group	P01	08.03.21
86040 - Stormwater Details	Robert Bird Group	P01	08.03.21
86041 - Wastewater Details	Robert Bird Group	P01	08.03.21
87010 - Soakhole Location and Test Result	Robert Bird Group	P01	08.03.21
87011 - Existing Catchment Plan	Robert Bird Group	P01	08.03.21
87012 - Proposed Catchment Plan	Robert Bird Group	P01	08.03.21
87020 - Overland Flow Culvert Long Section	Robert Bird Group	P01	08.03.21
89010 - Water Supply and Services Plan	Robert Bird Group	P01	08.03.21
89040 - Water Supply Details	Robert Bird Group	P01	08.03.21

Lapsing of Consent

2. In accordance with clause 37(7) of Schedule 6 to the COVID-19 Recovery (Fast-Track Consenting) Act 2020, this consent shall lapse two 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) The period after which the consents lapse under section 125 of the RMA is extended.

Staging of Subdivision

3. The staging of the subdivision must be carried out in the following order:
 - (a) 1B Fee simple subdivision (Boundary adjustment - Lots 1 and 2);
 - (b) 2B Unit title redevelopment (Accessory unit (AU) carparks 6 to 9, 57 and 58);
 - (c) 3B Unit title redevelopment (All AU car parks);
 - (d) 4B Fee simple stratum subdivision (Lots 3 and 4); and
 - (e) 5B and 6B Unit title subdivision can then be undertaken in any order.

The consent holder must provide a letter setting out how each relevant condition has been met at the time an application for a section 223 and a section 224(c) certificate for each stage is made.

1B FEE SIMPLE SUBDIVISION (Boundary Adjustment - Lots 1 and 2)

Survey Plan Approval (s223) Conditions

4. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 1B referenced in Condition 1. The survey plan must show all easements required by this subdivision consent.
5. Easements in gross in favour of the Auckland Council for the purpose of a pedestrian right of way, shall be created over part of Lot 1 as labelled "L" and part of Lot 2 as labelled "M" on the scheme plan(s) outlined in Condition 1 of this consent, and shall be included in a memorandum of easements endorsed on the survey plan and be granted or reserved. The consent holder shall meet the costs for the preparation, review and registration of the easement instruments on the relevant records of title.
6. Auckland Council agrees to the cancellation of easements A to F imposed as a condition of the granting of the subdivision consent for DP 170042 on the basis that they will be replaced by proposed new easements.

Section 224(c) Compliance Conditions

7. There are no section 224 conditions imposed on this unit title subdivision noting that construction of the mixed-use development is well underway.

2B UNIT TITLE REDEVELOPMENT (DELETION OF AU 6 TO 9, 57 and 58)

Survey Plan Approval (s223) Conditions

8. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 2B referenced in Condition 1.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council:

- (a) Adequate information has been supplied to Council to enable the release of a certificate under s32(2)(a) of the Unit Title Act 2010 by Council.

Section 224(c) Compliance Conditions

9. There are no section 224 conditions imposed on this unit title subdivision noting that construction of the mixed-use development is well underway.
10. The certificate pursuant to section 224(f) of the RMA 1991 shall be signed by Auckland Council as there is no changes to the existing Principal Units.

3B UNIT TITLE REDEVELOPMENT (CREATION OF RELOCATED AU CAR PARKS)

Survey Plan Approval (s223) Conditions

11. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 3B referenced in Condition 1.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council:

- (a) Adequate information has been supplied to Council to enable the release of a certificate under s32(2)(a) of the Unit Title Act 2010 by Council.

Section 224(c) Compliance Conditions

12. There are no section 224 conditions imposed on this unit title subdivision noting that construction of the mixed-use development is well underway.
13. The certificate pursuant to section 224(f) of the RMA will be given on application as no principal units are affected.

4B FEE SIMPLE STRATUM SUBDIVISION (LOTS 3 AND 4)

Survey Plan Approval (s223) Conditions

14. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 4B referenced in Condition 1. The survey plan must show all easements required by this subdivision consent.

Section 224(c) Compliance Conditions

15. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of this subdivision consent, as they relate to 4B, have been complied with, and identify all those conditions that have not been complied with and are subject to a consent notice to be issued in relation to any conditions of this consent to which section 221 applies.

Public Stormwater

16. All the necessary pipes and ancillary equipment are to be supplied and laid to divert and relay existing public stormwater lines within the site in general accordance with plans referenced in Condition 1 and provide separate individual connections to Lots 3 and 4.

Advice Note:

An Engineering Plan Approval application for this work is required to be submitted to Auckland Council's Development Engineering and approved prior to the works commencing.

Public Wastewater

17. All the necessary pipes and ancillary equipment are to be supplied and laid to divert and relay existing public wastewater lines within the site and to provide new public connections, in general accordance with plans referenced in Condition 1 and provide separate individual connections to Lots 3 and 4..

Advice Note:

An Engineering Plan Approval application for this work is required to be submitted to Auckland Council's Development Engineering and approved prior to the works commencing.

As-Built Drawings for Public Infrastructure

18. All as-built documentation is to be provided to Council for all new public assets to be vested in the Council. The documentation is to be in accordance with Auckland Council's Development Engineering As-built Requirements. The as-built information will require approval by Auckland Council's Development Engineering. Vesting of public assets to Auckland Council and close off and completion of related Engineering Approval consent must be completed.

Water Supply

19. The consent holder shall provide an individual water connection and bulk water meter for each Lot.
20. As-built plans for all individual private water supply lines and a certificate from Watercare Services Limited confirming that appropriate water supply connections have been provided in support of the section 224(c) application.

Private As-Built Drawings

21. With respect to Conditions 16 and 17 the section 224(c) certificate will not be issued until either a Code Compliance certificate has been issued for the work OR a copy of the Auckland Council Inspections Officer's final drainage inspection sheet (showing as passed) and the drainlayer's signed "as-built" drainage plan are provided to confirm that the drainage work and stormwater management systems have been completed, inspected and passed by Council.

Network Utility Services

22. The consent holder shall provide and install connections to the underground reticulation of electricity, gas (if applicable) and telecommunication services to service each individual lot. The system shall be installed in accordance with the requirements of the Auckland Code of Practice for Land Development and Subdivision and the relevant network utility operator. The consent holder shall provide confirmation from the network utility operator that the system has been installed in accordance with their requirements and 'as-built' plans of the system to the Council.

Alterations to Vehicle Crossings from Public Roads and Road Widening

23. Where any vehicle crossings from public roads are to be modified or removed or where any new vehicle crossings from public roads are proposed or where road widening works are proposed approval must be obtained from Auckland Transport.

A final certification is to be provided from Auckland Transport, in terms of the works, at the time of a section 224(c) application.

5B UNIT TITLE SUBDIVISION (COMMERCIAL)

Survey Plan Approval (s223) Conditions

24. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 5B referenced in Condition 1.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council:

- (a) Adequate information has been supplied to Council to enable the release of a certificate under section 32(2)(a) of the Unit Title Act 2010 by Council.

Section 224(c) Compliance Conditions

25. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of this subdivision consent, as they relate to 5B, have been complied with, and identify all those conditions that have not been complied with and are subject to a consent notice to be issued in relation to any conditions of this consent to which section 221 applies.
26. The certificate pursuant to section 32(2)(a) of the Unit Title Act 2010 will be given on the application upon the completion of the units so that they are physically measurable.
27. The certificate pursuant to section 224(f) of the RMA will be given upon confirmation that the units comply with section 116(a) of the Building Act 2004.

6B UNIT TITLE SUBDIVISION (RESIDENTIAL)

Survey Plan Approval (s223) Conditions

28. The consent holder must submit a survey plan of the subdivision to Council for approval under section 223 of the RMA in general accordance with the approved resource consent subdivision scheme plans 6B referenced in Condition 1.

The consent holder shall ensure that the following conditions have been met to the satisfaction of Council:

- (a) Adequate information has been supplied to Council to enable the release of a certificate under section 32(2)(a) of the Unit Title Act 2010 by Council.

Section 224(c) Compliance Conditions

29. The application for a certificate under section 224(c) of the RMA must be accompanied by certification from a professionally qualified surveyor or engineer that all the conditions of this subdivision consent, as they relate to 6B, have been complied with, and identify all those conditions that have not been complied with and are subject to a consent notice to be issued in relation to any conditions of this consent to which section 221 applies.
30. The certificate pursuant to section 32(2)(a) of the Unit Title Act 2010 will be given on the application upon the completion of the units so that they are physically measurable.
31. The certificate pursuant to section 224(f) of the RMA will be given upon confirmation that the units comply with section 116(a) of the Building Act 2004.

ADVICE NOTES

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *Please note that a fee is payable upon lodgement of an application for the issue of a certificate pursuant to section 224(c) of the Resource Management Act 1991 relating to this application. Please contact Auckland Council for the current fee.*
3. *Please attach copies of any Code Compliance Certificate(s) for the drainage work(s) or copies of the Auckland Council Inspections Officer's sign off and drainlayer's signed "As Built" drainage plans with the application for the issue of a certificate pursuant to section 224(c) of the Resource Management Act 1991 relating to this application.*
4. *New water supply connection for new lots shall be to the Watercare supply main and shall be designed in accordance with Watercare Services Ltd.'s "Standards" and be made by a Water Care Services Ltd approved contractor. For details, please contact Watercare Services.*
5. *Watercare Services Ltd advises 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, an Infrastructure Growth Charge shall apply. Details of this charge are available on the website www.watercare.co.nz.*
6. *A separate application shall be lodged in Watercare (developments@water.co.nz) for any existing water meter(s) required to be removed or relocated. Only authorised Watercare approved contractor is permitted to remove or relocate any existing water meters on site.*
7. *Watercare approval is required prior to connecting the proposed units to the public water and/or wastewater network. This application is generally made at the same time as the building consent application. Contact Watercare at connections@water.co.nz to arrange for a Connections Approval.*

8. *A Corridor Access Request, (CAR), is required for all works undertaken within the 'road corridor'. See Auckland Transport's website <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests/#applycar> for more information.*
9. *Any provision being made for telecommunications, power or gas to this subdivision are to be underground and are to be to the requirements of the respective utility services.*
10. *The consent holder is liable for the payment of development contributions applicable to the development. For more information regarding the payment of development contributions, please email through to Central - Development Contributions on ACE-ContributionTeam@aucklandcouncil.govt.nz.*
11. *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.*
12. *If you disagree with any of the above conditions, and/or disagree with the additional charges relating to the processing of the application(s), you have a right of objection pursuant to section 13 of Schedule 5 of the COVID-19 Recovery (Fast-track Consenting) Act 2020.*