

Auckland Unitary Plan

Standard Conditions Manual

Subdivision - Rural

Disclaimer

The information in this Standard Conditions Manual is, according to Auckland Council's best efforts, accurate at the time of publication. Auckland Council makes every reasonable effort to keep it current and accurate. However, users of the Conditions Manual are advised that:

- *Although the conditions are “standardised”, in the sense that they should be applied consistently where they are required, this does not mean that they should all be applied in every instance. Applicants need to consider the nature of the activity, and the characteristics of the site and its surroundings in considering whether to apply each and every condition.*
- *The standard conditions should be used with caution as a starting point from which appropriate conditions for the individual consent should be drafted to align with the requirements of ss108, 108AA and 220 of the Resource Management Act 1991.*
- *Further guidance as to whether to apply the conditions are included in the guidance notes that accompanies each condition.*
- *Users should take specific advice from qualified professional people before undertaking any action as a result of information obtained in this Standard Conditions Manual.*
- *Auckland Council does not accept any responsibility for, or liability whatsoever whether in contract, tort, equity or otherwise (including negligence) arising from the use of, or reliance on, this Standard Conditions Manual. This includes, without limitation, any liability arising from any error, or inadequacy, deficiency, flaw in or omission from the information provided.*
- *These standard conditions relating to rural subdivision will be updated in due course once the appeals relating to some of the provisions of Chapter E39 of the AUP (OP) have been resolved.*

Contents

General Consent Conditions	4
Condition 1: Activity to be undertaken in accordance with application documents.....	4
Conditions specific to Subdivision (SUBXXXXXXXX)	5
Condition 2: Staging of Subdivision.....	5
Condition 3: Survey Plan Approval (s223) Conditions	5
Condition 4: Section 224(c) Compliance Conditions.....	6
a) Protective fencing of wetland and buffer / existing indigenous vegetation / indigenous revegetation planting areas.....	6
b) Final Planting and Maintenance Plan to be provided	8
c) Planting of wetland and buffer and/or native revegetation planting	9
d) Monitoring Report	10
e) Planting Bond	11
f) Final Pest Plant and Pest Animal Management Plan	11
g) Implementation of the Pest Plant and Pest Animal Management Plan.....	12
h) Stock crossings and fish passage.....	13
i) Queen Elizabeth II Trust Open Space (QEII) Covenant	13
j) Kauri Contamination Zone	15
k) Removing material from the site	15
l) All equipment to be cleaned.....	15
m) Certification of Myrtaceae species for planting.....	15
Section 224(c) compliance conditions applicable to most rural subdivisions.....	17
n) Provide for telephone.....	17
o) Confirmation of location of building sites	18
Section 224(c) compliance conditions: Transferable Rural Sites Subdivision - Donor Site.....	20
p) Donor Site - Covenant.....	20
q) Registration of Covenant	23
r) Bond Requirements	24
Section 224(c) compliance conditions: Transferable Rural Sites Subdivision - Amalgamation	25
s) Donor Site.....	25
t) Covenant to be registered on donor site	25

Section 224(c) compliance conditions: Transferable Rural Sites Subdivision -	
Amalgamation via approved scheme plan	27
w) Subdivision amalgamation based on an approved scheme plan	27
x) Lapse of resource consent SUBXXX (Donor Site)	27
y) Surrender of Resource Consent: BUNXXXXXXXX.....	27
Ongoing Conditions / Consent Notices	28
Condition 5.....	28
a & b) Protection of wetland and buffer / indigenous vegetation / indigenous revegetation planting	28
c) Monitoring Reports for indigenous revegetation planting area(s)	29
d) Three yearly monitoring of indigenous vegetation / indigenous revegetation planting / wetland and buffer	30
e) Pet free condition.....	31
f) No livestock	32
g) Stock free area	32
h) Firefighting water supply – Lots X-X.....	32
i) Specified Building Areas (SBAs).....	33
j) Colour palette	33
k) External Lighting	33
l) Height.....	33
m) Landscaping plan.....	33
n) Building restrictions – geotechnical.....	34
o) Building restrictions - stormwater control	34
p) Building restrictions – wastewater disposal.....	35
q) Provision of telecommunication services	35
r) Monitoring charges	35
Advice Notes	36

General Consent Conditions

Condition 1: Activity to be undertaken in accordance with application documents

The [insert details] subdivision / land use activity shall be as described in the application and assessment of environmental effects prepared by name dated xxxx (and any other information relating to description of activity) and must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Council as consent number SUBxxxx and LUCxxxx (BUNxxxx).

- Application Form, and Assessment of Environmental Effects prepared by xxxx dated xxxx.

Report title and reference	Author	Rev	Dated

Plan title and reference	Author	Rev	Dated

Other additional information	Author	Rev	Dated

Guidance Note:

This condition is to be included on all consent applications. Full reference should be given to all relevant plans and documents. The Environment Court has commented in a number of recent appeals that there should be a distinction between the description of the activity in the application & AEE, etc and the carrying out of the activity in accordance with the plans.

For joint land use and subdivision applications, information regarding hours of operation, or numbers of patrons/children/occupants should be included where appropriate.

For joint land use and subdivision consents as well as integrated consents, this condition is to be extended to include references to the documents relevant to the different consent / permit. In such situations, it is recommended that identifiers be put in place to differentiate each of the consents. Naturally, when the consent is not a joint land use / subdivision or integrated no additional references to land use / subdivision or regional permits would be required. Under all circumstances, it is essential that this condition identify all of the documentation that the consent relies on.

Conditions specific to Subdivision (SUBXXXXXXXX)

Condition 2: Staging of Subdivision

The staging of the subdivision must be carried out in the following order:

Stage 1: Creation of Lots x - x

Stage 2: Creation of Lots x - x

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.

Guidance Note:

If the applicant requests to stage the subdivision as provided for in Standard E39.6.1.4, the lot(s) to be created by each stage and, where applicable, the environmental benefit required to create the sites created by each stage shall be specifically identified. i.e. Each stage shall be independent of any subsequent stage. For the avoidance of doubt, compliance with all relevant requirements of a rule, such as those for TRSS (such as the protection of wetland or indigenous vegetation, amalgamation of lots or surrender of consented sites shown on an approved scheme plan of subdivision, etc) will need to be completed for each stage.

Condition 3: Survey Plan Approval (s223) Conditions

Before the Council will approve the survey title plan pursuant to section 223 of the Resource Management Act 1991, the following requirements must be satisfied:

- a. The survey plan must show and identify (including labelling) all the areas of **wetland and buffer / existing indigenous vegetation / indigenous revegetation planting** to be protected on Lots xxxx (Areas xxxx and xxxx) as shown on the approved scheme plan(s) referred to in condition 1 as “areas to be subject to land covenant”. The boundaries of the covenant areas must coincide with the approved location of the proposed fence lines and/or existing fence lines referred to in condition X(x).
- b. The consent holder must provide Council with the calculated area(s) of the **wetland and buffer / existing indigenous vegetation / indigenous revegetation planting** to be protected on Lot(s) xxxx as shown on the approved scheme plans referred to in condition 1 and defined by survey.

Condition 4: Section 224(c) Compliance Conditions

Before the Council will issue a certificate pursuant to section 224(c) of the Resource Management Act 1991, the consent holder must satisfy the following conditions at his / her / its full cost:

a) Protective fencing of wetland and buffer / existing indigenous vegetation / indigenous revegetation planting areas

Use Conditions (i) and (ii) below if a final fencing plan has NOT been provided and is NOT listed within Condition 1.

Use conditions (iii), (iv) and (v) if a final fencing plan HAS been provided and is listed within Condition 1.

- i. To ensure that all covenant areas are clearly identifiable and stock are excluded from those areas at all times the consent holder shall submit a final fencing plan for certification from the Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) illustrating: where stock proof fences, without any gate/s, capable of preventing browsing or other damage by farmed animals will be erected (*minimum seven wire post and batten as specified within Schedule 2 of the Fencing Act 1978*) and the areas where stock will be excluded. The stock proof fences shall be constructed in accordance with the plan approved via this condition and maintained thereafter.

If 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 is located on the covenant boundaries.

- ii. The consent holder must arrange with Council's Team Leader, Compliance Monitoring, [NW1 / NW2 / S](#) to inspect the stock proof fences and cattle stops which have been erected in accordance with Condition [4\(a\)\(i\)](#) and must have received written certification that the fencing meets the requirements of Condition [4\(a\)\(i\)](#) and/or [4\(a\)\(iii\)](#) and/or [4\(a\)\(iv\)](#).
- iii. A permanent ungated continuous stock-proof fence, (minimum seven wire post and batten fence *as specified within Schedule 2 of the Fencing Act 1978*, with no gates) capable of preventing browsing or other damage by farmed animals, shall be constructed outside of the **wetland and buffer, and outside of the dripline of the existing indigenous vegetation and revegetation planting** to be protected on Lot(s) [xxx](#) (Areas [xxx](#)). 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 [xxx](#) and [xxx](#) is located on the covenant boundary.

Guidance Note:

There may be situations where a different type/standard of fencing may be required (e.g. deer fencing) or an alternative fencing solution may be appropriate (i.e. in areas subject to frequent flooding). In other cases the applicant may believe there is a valid reason to include a gate/s and or a cattle stop/s. Any changes to the standard fencing standard should be specifically identified by the applicant and assessed by Council's Ecologist before amending the standard condition to include the provision of gates or cattle stops.

In some cases demarcation fencing rather than stock proof fencing may be acceptable however livestock should not be able to access the protected areas and No Stock covenants (Stock Exclusion Zones) should be created via issue of a consent notice or registration of a covenant.

- iv. Demarcation posts/fencing must be installed on the boundary of the covenant areas. The posts/fencing must be *(Council's Ecologist to specify the appropriate demarcation from the following options):*
- a. wooden posts with a minimum diameter of 135mm installed with a minimum height of 800mm above the ground and at a maximum separation distance of 10 metres and at each change in direction of the boundary; or
 - b. waratahs with a minimum of 3 wires between; or
 - c. where the posts cannot be damaged by vehicles or mowers, no less diameter wooden posts than No. 3 posts with a minimum height of 800mm above the ground and at a maximum separation distance of 10 metres and at each change in direction of the boundary with the top 100mm of the posts painted white.

If the demarcation posts/fencing are installed 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 demarcation posts/fencing is located on the covenant boundaries.

- v. The consent holder must arrange with Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#), to inspect the stock-proof fence and/or demarcation fencing which has been erected in accordance with Condition [4\(a\)\(iii\)](#) and [4\(a\)\(iv\)](#) and must have received written certification that the fencing meets the requirements of Condition [4\(a\)\(iii\)](#) and [4\(a\)\(iv\)](#).

b) Final Planting and Maintenance Plan to be provided

A finalised detailed [Planting / Revegetation and Maintenance Plan / Covenant Management Plan](#) from a suitably qualified ecologist, including an implementation and maintenance programme for a minimum of **five** years, shall be submitted for certification by the Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) prior to any works commencing on the site. The plan shall be in accordance with the [Planting/Revegetation and Maintenance Plan or Covenant Management Plan referenced xx dated xx by xx](#)

- i. The plan shall include details of all site planting, including species to be planted, size of plants and where they are to be planted within the overall area of planting, density of planting, sourcing of plants and fertilisers. All plants are to be eco-sourced from the [Rodney / West / South / Manukau](#) ecological district.
- ii. The plan shall identify the location of all planting areas and the area (m²/ha) of each planting area.
- iii. The plan shall include details of the implementation methodology, timing and duration of different activities (including site preparation, plant releasing, mulching, plant maintenance including weed and pest animal control).
- iv. The planting/revegetation plan shall stipulate that any planting must be implemented in full within the recognised planting season (generally April-September).

Advice note:

When deciding the date to undertake the planting the consent holder should take into account that the planting must establish and meet the minimum standards specified within other related consent conditions to enable the council to certify that all the relevant consent conditions relating to plant survival, density and canopy closure have been met.

Guidance Note:

A [Planting/Revegetation and Maintenance Plan](#) should be submitted with the application and finalised before consent is granted. However, in those cases where a final [Planting/Revegetation and Maintenance Plan](#) was NOT submitted with the application and the planting is of a minor extent, or if a [Planting/Revegetation and Maintenance Plan](#) was submitted but requires minor changes use [Condition 4\(f\)](#) below.

The purpose of this condition is to require the consent holder to supply a [planting/revegetation plan](#) which must be assessed by a council ecologist before certification/approval by the appropriate Team Leader. Generally, a minimum of a five-year implementation and monitoring period is required however there may be specific situations where the monitoring period is reduced or extended for specific situations (e.g. small area of planting or specific monitoring requirements).

c) Planting of wetland and buffer and/or native revegetation planting

The following requirements must be satisfied:

- i. The consent holder shall carry out the new [wetland and buffer and indigenous revegetation planting](#) in accordance with the planting plan/s and associated details approved under condition [1](#) or [4\(b\)](#) above.
- ii. Any pest plants and animals present in the areas shall be controlled prior to planting.

Advice note:

The advice note referred to in condition [4\(g\)](#) details what 'pest plant and animal control' means.

- iii. All plants shall be eco-sourced from the [Rodney / West / South / Manukau Ecological District](#).

Guidance note:

Biodiversity to insert reference to relevant ecological districts.

- iv. Following establishment of the required planting the consent holder shall submit a completion report to Council's Team Leader, Compliance Monitoring [NW1 / NW2 / South](#) for certification. The survival rate of plants must not be measured any sooner than 12 months following planting.
- v. Plant maintenance in accordance with the details approved under condition [4\(b\)](#), shall occur until 80% 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 maintenance period shall be a minimum of five years and shall commence once the completion report has been certified by Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) in accordance with condition [4\(c\)\(iv\)](#). Plant maintenance includes the ongoing replacement of plants that do not survive. All invasive pest plants and pest animals shall be controlled in accordance with the [Pest Plant and Pest Animal Management Plan or Covenant Management Plan](#) referenced [xxx](#) dated [xxx](#) by [xxx](#) at the time of initial planting and any replacement planting if required and on an ongoing basis.

Guidance Note:

Use condition [4\(b\)](#) with condition [4\(c\)](#) above.

The purpose of this condition is to require the applicant to maintain all plantings for a minimum period to ensure survival and sustainability of the plantings, allowing the plantings to become self-sustaining over the long term and for natural successional processes to take over. Canopy closure is an important part of ensuring this survival, it

should be achievable within five years in most circumstances but your ecologist will advise if other time periods are appropriate. The maintenance period should only commence once all planting, pest plant control and initial pest animal control has been completed to the satisfaction of the Team Leader Compliance Monitoring in accordance with condition x above.

d) Monitoring Report

Following certification of the planting completion report required by Condition 4(c)(iv) the consent holder shall submit a Monitoring Report to Council's Team Leader, Compliance Monitoring NW1 / NW2 / S, for approval every 6 months for the first 18 months then annually thereafter for a minimum period of five years (*Guidance Note - this is a requirement of the ACDP RS (Rule 7.14.2.3.1), which is still operative*). 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, etc;
- 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 and
- 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.
- vi. If remediation work is recommended, the consent holder shall:
 - (1) Undertake the remediation work within six months from when it was recognised as being necessary.
 - (2) Provide Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council's Team Leader, Compliance Monitoring NW1 / NW2 / S within 6 months after the remediation work has been undertaken.

Advice note:

This condition requires monitoring reports to be submitted for a minimum of 6 and a half years following planting. Should the s224c be issued prior to the receipt of the final monitoring report required by condition 4(d) above, a consent notice condition shall be imposed requiring the submission of any outstanding reports.

Guidance Note:

Insert consent notice condition requiring monitoring report.

e) Planting Bond

Once Council has certified the completion report referred to in condition 4(c)(iv) and at least 12 months has elapsed since the planting was completed and the planting has achieved growth of a minimum of 300 mm, the consent holder may enter into a surety bond of \$5,500 per hectare to allow the early release of the s224(c) certificate. The value of this bond shall be to the satisfaction of the Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#). The purpose of the bond is to ensure a minimum survival rate of the plants to 90% of the original density and 80% canopy closure is achieved through the entire planting area(s).

f) Final Pest Plant and Pest Animal Management Plan

The consent holder shall provide a Pest Plant and Pest Animal Management Plan or a Covenant Management Plan (written by a suitably qualified and experienced ecologist or professional pest management contractor), which addresses all areas of [existing native vegetation, wetland and /or new native revegetation planting](#) to be protected, for certification by the Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#).

This plan shall specify:

- i. existing pest species as listed under the Auckland Regional Pest Management Plan 2019-2029 (RPMP) or subsequent versions, including but not limited to pest plants, possums, rats, mustelids, ungulates and pest fish (if appropriate).
- ii. methodologies of control including why these methodologies are suitable for the purpose and the environment in which they are being used.
- iii. any pathogens (e.g. kauri dieback, myrtle rust) which are present or may establish and proposed methodology for avoidance, containment and/or control as appropriate.
- iv. timeframes for control and eradication.
- v. where pest management will be carried out on the site.
- vi. any chemical control proposed to be used and methodologies associated with this.
- vii. details of record keeping and monitoring in terms of herbicides and vertebrate toxic agents used or other methods of control (e.g. shooting, trapping).

Guidance Note:

Only use this condition when a pest management plan was not approved as part of the consenting process, but is recommended by your ecologist, you can condition that one be supplied and certified by the Team Leader Compliance Monitoring.

The condition should set out all the things that the plan must contain in order to be certified. Your ecologist will detail what is required. They will also give a timeframe for maintenance of the weed and pest management (usually this is for five years). If using this condition please ensure that you also include condition 14 beneath which requires that pest management is undertaken in accordance with the certified or approved plan.

g) Implementation of the Pest Plant and Pest Animal Management Plan

The consent holder shall carry out pest plant and animal management in accordance with the certified or approved [Pest Plant and Pest Animal Management Plan or Covenant Management Plan](#) referred to in condition 1 / 4(f) above to the satisfaction of the Team Leader, Compliance Monitoring [NW1 / NW2 / S](#).

This shall include but not be limited to:

- That all pest plant and animal species as listed in the Auckland Regional Pest Management Plan shall be controlled within the covenant in accordance with the certified or approved [Pest Plant and Pest Animal Management Plan or Covenant Management Plan](#). Any chemical control (herbicides or toxins) shall follow best practice methodology and be suitable for the purpose of the environment in which they are being used.
- Any native revegetation planting shall be undertaken in accordance with the certified or approved [Planting/Revegetation and Maintenance Plan or Covenant Management Plan](#). Any pest plants and animals present in the planting area shall be controlled prior to planting.

Advice note:

Pest plant control means, that there are no fruiting and / or flowering individuals of pest plant species present within the specified area and any mature pest plant species present are dead. In addition there shall be no areas where pest plant species are smothering and / or out-competing native vegetation including suppressing the natural regeneration processes.

Pest Animal Control means meeting Council's minimum requirements and national standard best practice methods for control of these species to an acceptable level.

Control shall be demonstrated to the satisfaction of the Team Leader Compliance Monitoring [NW1 / NW2 / S](#) or similar position.

Guidance Note:

This condition should accompany condition 5(j) above which requires that the plan is provided and certified. This condition then requires that the implementation is in accordance with the certified plan. Your ecologist will provide advice on the minimum period that management should be undertaken in accordance with the approved plan and other conditions of consent.

h) Stock crossings and fish passage

The consent holder shall submit to the Council's Team Leader, Compliance Monitoring **NW1 / NW2 / S**, for certification, detailed designs of stock and access crossing(s) to be installed within any riparian area. Appropriate provision shall be made in the design of any stock or access crossing for the passage of fish past the device. Once certified, the stock or access crossing(s) must be installed in accordance with these certified designs.

Advice Note:

The consent holder is advised to refer to the Auckland Council's Technical Publication 131 "Fish Passage Guidelines for the Auckland Region" and the NIWA publication "New Zealand Fish Passage guidelines for structures up to 4 metres (April 2018)" or subsequent versions of either document in the preparation of the design details.

Guidance Note:

The location of any stock crossings and also the areas to be excluded from an area to be subject to protection via a covenant should be determined prior to the issue of consent.

i) Queen Elizabeth II Trust Open Space (QEII) Covenant

Evidence that a Queen Elizabeth II Trust Open Space (QEII) Covenant has been registered on the title(s) of Lot **xx** DP **xxxxxx** to achieve ongoing protection and management of the areas of indigenous vegetation and/or wetland areas to be protected, Areas **x, x, & x** as defined by survey in accordance with condition **x(x)**, must be provided to the Team Leader, Compliance Monitoring **NW1 / NW2 / S**. Prior to the registration of the covenant the wording of the covenant shall be provided to Council's Team Leader Compliance Monitoring (NW1) in advance for certification.

- i. The covenant must, as a minimum, provide for ongoing weed and pest animal control, management of the indigenous vegetation and/or wetland, and the fully stockproof fencing (with no gates) of the areas to be protected via the covenant.
- ii. The covenant must not allow activities or works that would prejudice the health or ecological value of the areas to be protected, their long-term viability and/or sustainability –

Including but not limited to:

- a. Not cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the areas to be protected;
 - b. Maintain the protected area free from earthworks or land modification.
- iii. The covenant must also provide for the regular monitoring of the protected areas of indigenous vegetation and/or wetland to ensure the following matters are being appropriately addressed:
 - Effectiveness of fencing, including details of any repairs undertaken;
 - Health of the indigenous vegetation;
 - Presence of pollutants;
 - Vegetation loss, or clearance, and any remediation;
 - Presence of pest animals and plants;
 - Evidence that pest plants and animals are being effectively managed and controlled;
 - An assessment of natural processes including regeneration; and
 - Providing appropriate access to any sites and places of significance to Mana Whenua, if applicable.

Guidance Note:

This condition should be used when a consent holder decides to protect the indigenous vegetation, wetland or indigenous revegetation planting via registration of a covenant with the Queen Elizabeth II Trust.

j) Kauri Contamination Zone

As New Zealand Kauri Trees (*Agathis Australis*) (and soil and material surrounding them) may contain the pathogen that causes Kauri dieback disease (*Phytophthora agathidicida* (formerly PTA)) strict hygiene procedures are required when works occur on or around Kauri trees so as to avoid the spread of Kauri dieback disease. All vegetation, soil and other material from within a “Kauri contamination zone” (defined as 3 (three) x the radius of the canopy dripline of any Kauri Tree) must remain on site or be taken to a licenced landfill. For further information please contact the Kauri Dieback Programme on 0800 NZ KAURI (69 52874) or visit the website www.kauridieback.co.nz.

k) Removing material from the site

Any material (including soil) from within the “kauri contamination zone” which is to be removed to an approved landfill facility must then be buried within the ground. Where the material is to be loaded onto the back of an open top vehicle, the material must be covered with a tarpaulin (or similar) to prevent the material from leaving the vehicle whilst it is in motion. After the material has been emptied from the truck, the areas of the truck which were previously exposed to the material and the tarpaulin must be thoroughly washed with Sterigene (or other suitable agent) prior to the truck or tarpaulin being used for the transportation of any other material.

l) All equipment to be cleaned

All footwear, clothing, tools, vehicles and equipment used on site must be cleaned of all soil, vegetation, or other material that has, or may have, come from a Kauri contamination zone and must be sterilised with trigen disinfectant on entry and exit from the site, on every occasion, to avoid the spread of Kauri dieback disease (*Phytophthora agathidicida* (formerly PTA)).

Advice note:

Further advice can be found within the guidelines titled ‘Hygiene Procedures for Kauri Dieback’ and ‘Procedures for Tree Removal and Pruning’ published by the Ministry for Primary Industries Kauri Dieback Management Programme which can be found at www.kauridieback.co.nz or copies can be obtained from Auckland Council.

m) Certification of Myrtaceae species for planting

Prior to any Myrtaceae species being delivered to the site, a signed Myrtle Rust Nursery Management Declaration that certifies that the plant producer has implemented the New Zealand Plant Producers Incorporated Myrtle Rust Nursery Management Protocol must be obtained by the consent holder. A copy of the declaration must be provided to the Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) within 5 days of being obtained.

Advice note:

The New Zealand Plant Producers Incorporated has developed a framework of supply chain biosecurity protocols that will satisfy the above condition. A copy of the Myrtle Rust Nursery Management Declaration and the New Zealand Plant Producers Incorporated Myrtle Rust Nursery Management Protocol can be found at the website (<http://nzppi.co.nz/>). The website explains that a declaration signed by the plant provider will be proof that any Myrtaceae species have been grown and treated according to best practice protocols to reduce the spread of Myrtle rust.

Section 224(c) compliance conditions applicable to most rural subdivisions

n) Provide for telephone

Option A

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 lots created and that all the network supplier's requirements for making such services available have been met or satisfactory arrangements have been concluded with the Consent Holder to complete the provision of the service.

Option B

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 lots created and that all the network supplier's requirements for making such services available have been met or satisfactory arrangements have been concluded with the Consent Holder to complete the provision of the service.

Where the provision of a physical telephone connection (copper wire) is not provided, the Consent Holder shall provide suitable evidence that reliable wireless telecommunication coverage is available at the identified building sites on Lots [x](#), [x](#) and [x](#). Suitable evidence shall include any form of confirmation from a wireless/mobile service provider (e.g website information, email or similar), to the satisfaction to the Team Leader, Compliance Monitoring [NW1 / NW2 / S](#).

Advice note:

The Consent Notice will be registered against the title of Lots [x](#), [x](#) and [x](#) if telecommunications are proposed via wireless means.

Guidance Note:

Refer to Chapter [E39.6.1](#) General Standards for the basis of these conditions.

o) Confirmation of location of building sites

A plan certified and dated by xxxx, (refer to their Report: Reference: xxxx, dated xxxx), or by another suitably qualified and experienced person, fixing the location and size of the identified building sites on Lots x, x and x by offsets from surveyed boundary pegs are to be provided to the Team Leader, Compliance Monitoring NW1 / NW2 / S.

Guidance Note:

General Standards E39.6.1.1(1) and E39.6.1.3(c) require that a specified building area must be clearly identified on every site on a subdivision scheme plan on which a building is to be constructed. This condition requires the fixing of the specified building area in relation to the surveyed boundaries of the site/s created as the scheme plans are not drawn to the same accuracy and do not provide for ready identification of the building area on the ground.

Transferable Rural Sites Subdivision

Overview – Refer to Chapter E39 & Appendix 15 of the AUP (OP)

A Transferable Rural Site Subdivision (TRSS) is the transfer of the rural - residential development potential of rural sites from one location to the Countryside Living Zone through a subdivision process. This process may be carried out in the following ways:

- (a) through the protection of indigenous vegetation or wetland identified in the D9 Significant Ecological Areas Overlay and established revegetation planting meeting relevant criteria; or
- (b) through the amalgamation of donor sites: amalgamating two existing and abutting rural zoned sites (excluding a Rural - Countryside Living Zone site), and transferring the development potential of the 'amalgamated' site to the Countryside Living Zone.

The new or additional site must be located in Rural - Countryside Living zoned sites identified on the planning maps by the Subdivision Variation Control.

The process is the same if more than two donor sites are amalgamated, or if more than one block of qualifying indigenous vegetation or wetland is protected.

Section 224(c) compliance conditions: Transferable Rural Sites Subdivision - Donor Site

p) Donor Site - Covenant

The consent holder shall submit a covenant document to achieve the protection in perpetuity of the [indigenous vegetation / wetland / indigenous revegetation planting](#) at the “Donor Site” to Council’s Team Leader, Subdivision for approval. The covenant document shall contain, but is not limited to, the following ([insert relevant conditions listed below](#)):

- a. A schedule of the calculated areas(s) of the [indigenous vegetation / wetland / indigenous revegetation planting](#) identified within the “Plan of Proposed Protection Areas” prepared by [xxxx](#) to be protected on [xxxx](#) as referred to in [Condition 1](#).
- b. A covenant plan (Land Transfer Plan) accurately depicting the area/s of [indigenous vegetation / wetland and buffer area/s / indigenous revegetation planting](#) identified within the “Plan of Proposed Protection Areas” prepared by [xxxx](#) as “areas to be subject to land covenant” on [xxxx](#) as referred to in [Condition 1](#).
- c. Inclusion, as a minimum, of the following clauses requiring the owner, or their successors in title to:
 - (1) Preserve in perpetuity the indigenous flora and fauna, wildlife habitats and the natural landscape within the “areas to be subject to land covenant”.
 - (2) Maintain any stock crossings and / or fish passage(s) in accordance with any easement(s) through the covenant areas.

Guidance Note:

This covenant condition is only required if the applicant seeks to maintain stock crossings through the covenant areas and has included this in the application.

- (3) Not do anything that would prejudice the health or ecological value of the areas to be protected, their long-term viability and / or sustainability. Including but not limited to:
 - The land owner or their successors in title shall 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 to be protected;
 - The landowner or their successors in title shall maintain the protected area free from earthworks or land modification.
 - The landowner or their successors in title shall not place any building and/or structure within the covenant area/s nor undertake any recreational or other activity that would affect the integrity of the covenanted area.

- (4) Control all pest plants and pest animals within the “areas to be subject to land covenant” in accordance with, but not limited to, the *“Assessment and Management report for SEA protection and/or the indigenous revegetation planting management plan”* prepared by xxxx to be protected on xxxx as referred to in Condition 1.

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. Upon request control shall be demonstrated to the satisfaction of Council's Team Leader, Compliance Monitoring NW1 / NW2 / S or similar position.

- (5) Maintain a permanent continuous stock-proof fence (minimum seven wire post and batten fence with no gates) and other fencing (*including demarcation posts*) as approved by the Council in perpetuity around the perimeter of the area to be protected and keep stock out of these areas.
- (6) Not be in breach of this covenant if any of the areas of planting to be protected die as a result of fire and/or natural causes not attributable to any act or default on their part for which they are not responsible.
- (7) Pay the Council the fair and reasonable costs incurred by the Council in monitoring this condition. The owners will be advised of the costs, assessed under the Council's Schedule of Fees and Charges, as they fall due.
- (8) No stock shall be grazed on Lot/s x & y DP xxxx.

Guidance Note:

May be used where the consent holder has demonstrated the external boundaries of a site are fenced to a stock proof standard and the covenant boundary/ies is demarcated to an appropriate standard

Monitoring Reports for protected - wetland and buffer / indigenous vegetation areas(s)

(9) Within one month of the end of every three year period following the legal protection of the [indigenous vegetation / wetland and buffer area/s](#) at the Donor Site the land owner shall submit a Monitoring Report prepared by a suitably qualified and experienced ecologist to Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) for audit [[see Appendix 15.4\(2\) & \(3\) of the AUP \(OP\)](#)] and certification. The Monitoring Report shall include but is not limited to the following information:

- Effectiveness of fencing;
- Presence of pest animals and plants;

Advice Note

The three year monitoring period shall begin once the areas have been legally protected, which should be no later than the issue of the s224(c) certificate for the first receiver site subdivision.

Guidance Note:

Subdivisions in rural areas require Significant Ecological Areas to be identified on a plan and legally protected and maintained (e.g. stock proof fencing, weed and pest animal control) in accordance with Appendix 15. Appendix 15 requires three yearly monitoring of the critical determinants of the health of the SEA. See below for Monitoring covenant condition for applications based on Enhancement Planting/ Revegetation Planting.

The wording in Appendix 15 of the AUP(OP) refers to "animal and plant pests" which is ambiguous. However, this is interpreted as referring to plants which are pests.

- *Health of the protected <indigenous vegetation, wetland and buffer areas;*
- *Presence of pollutants;*
- *Vegetation clearance;*
- *Effectively managing and controlling pest animals and plants; and*

Guidance Note:

The wording in Appendix 15 of the AUP(OP) refers to "animal and plant pests" which is ambiguous. However, this is interpreted as referring to plants which are pests.

- *Providing appropriate access to any sites and places of significant to Mana Whenua. (Include where appropriate)*

Monitoring Reports for Indigenous Revegetation Planting Area(s)

(10) The land owner shall submit a Monitoring Report for all Indigenous Revegetation Planting Area(s) prepared by a suitably qualified and experienced ecologist to Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#), for approval 6 monthly for the first 18 months then annually thereafter for a minimum period of five years following the certification of the planting completion report **referred to in condition 4(c)(iii) above** (*this is a requirement of the ACDP RS (Rule 7.14.2.3.1), which is still operative.*) The Monitoring Report shall include but is not to be limited to the following information in respect of each lot:

- Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses). A minimum survival rate of 90% is to be achieved;
- Canopy closure, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds. A minimum canopy closure of 80% is to be achieved;
- A running record of fertilisation, animal and weed pest control and replacement of dead plants;
- Details on the condition of, and recommendations for maintenance of, the fencing;
- 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 land owner shall:
 - (i) Undertake this remediation work within six months from the start date.
 - (ii) Provide Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#) within 6 months after the remediation work has been undertaken.

Guidance Note:

This condition is not required if the receiver sites are created more than 6.5 years after planting has been undertaken.

q) Registration of Covenant

The land covenant required by Condition [<4\(p\)>](#) above must be registered on the title of Lot [x DP x](#) and evidence provided of such to the Council's Team Leader, Subdivision.

r) Bond Requirements

The consent holder must provide evidence that in relation to the Indigenous Revegetation Planting Area/s at the Donor site that Council has certified the completion report referred to in **condition 4(c)(iv)**, **at least 12 months has elapsed since the planting was completed and the planting has achieved growth of a minimum of 300 mm**, and that the donor site owner has entered into a surety bond of \$5,500 per hectare with Council. The value of this bond shall be to the satisfaction of the Council's Team Leader, Compliance Monitoring [NW1 / NW2 / S](#). The purpose of the bond is to ensure a minimum survival rate of the plants to 90% of the original density and 80% canopy closure through the entire planting area(s) is achieved.

Section 224(c) compliance conditions: Transferable Rural Sites Subdivision - Amalgamation

s) Donor Site

The consent holder shall provide evidence to the Council's Team Leader, Subdivision that a new Survey Title Plan has been prepared showing the Donor Sites x and x as a single lot for which a single new record of title has been issued.

Guidance Note:

If the amalgamation involves guaranteed and limited titles this would need to be dealt with by section 220 (2a) covenant which should be conditioned to be presented at the time section 223 is requested, discuss with the Subdivision Team advisor if necessary.

t) Covenant to be registered on donor site

- a. The consent holder shall prepare and submit a covenant document to Council's Team Leader, Subdivision for approval. This document shall contain the following:
 - i. The residential development rights attaching to the donor sites have been used to create a transferable rural sites subdivision under the Auckland Unitary Plan and must not accommodate any further residential development unless it is allowed as a permitted activity subject to the relevant zone rules or by the granting of a resource consent.
 - ii. The new site cannot be further subdivided other than by amalgamation with another qualifying site or by boundary adjustment.

Guidance Note:

This condition is required as the development right associated with the site/lot being surrendered through the amalgamation is being transferred to the Receiver site.)

- iii. The new site has no further potential to be used for the purpose of a transferable rural sites subdivision, except where amalgamated with another qualifying donor site.
- b. Once approved, the covenant document shall be registered against the new computer freehold register required by **condition <X> (above)** and evidence of such supplied to the Team Leader, Subdivision.

Advice Note:

Subdivision consent application number/s x [NOT YET DETERMINED] and Subdivision consent/s x Granted will utilise the <?> other transferable rights generated by the amalgamation of < Lot/s X DP ... and Lot/s Y DP> in the Land Amalgamation Incentivised Area.

In the event that the yet to be determined application referenced as x does not proceed the Transferable Rural Site Subdivision (TRSS) rights generated by the amalgamation of x. that would have been used by this yet to be determined application (SUB/BUNxxxx) will be available for substitution to a new TRSS application, provided that the unsuccessful application/consent is officially withdrawn/surrendered. In relation to this issue please be aware of the following:

1. A subsequent receiver site TRSS application would be considered on a case by case basis and assessed on its own merits.
2. The indication provided in this advice note should not in any form be interpreted as confirmation that resource consent will be granted to any particular TRSS application lodged in substitution of the yet to be determined application referenced above (SUB/BUNXXXXXXXX). This will be determined through the resource consent process.

Section 224(c) compliance conditions: Transferable Rural Sites Subdivision - Amalgamation via approved scheme plan

u) Subdivision amalgamation based on an approved scheme plan

1. The consent holder shall provide evidence that the approved scheme plan of consent SUBXXX has been amended with council's approval under section 127 of the RMA 1991 to reflect the amalgamation of Lots X and Y via those lots being shown as one lot.

Advice note:

This may be achieved by providing a copy of the section 127 consent which varies the conditions of SUBXXX to remove Lots X and Y from the scheme plan and amalgamating these lots to create Lot Z, and/or providing evidence that the ability to create that/those lot/s has been surrendered pursuant to s.138 of the Act.

2. All relevant section 224(c) conditions of the subdivision consent, referenced by Council as SUBXXX, relating to the physical and legal protection of the <wetland and buffer, indigenous vegetation, or indigenous revegetation planting areas> to warrant the creation of <Lot X, Lots X and Y> to be subject to the amalgamation at the Donor Site must be complied with to the Council's satisfaction. Following the physical protection of the <wetland and buffer, indigenous vegetation, or indigenous revegetation planting areas>, the consent holder must provide evidence that legal protection of those natural areas has occurred either via registration of a consent notice or a land covenant prepared under section 108(2)(d) of the RMA on the relevant record of title for the donor site.

v) Lapse of resource consent SUBXXX (Donor Site)

The consent holder is advised that resource consent SUBXXXX (Donor Site) will lapse on <insert date>. The s224(c) for this current application SUBXXXX (Receiver Site) must be issued prior to the lapse of SUBXXX.

w) Surrender of Resource Consent: BUNXXXXXXXX

A letter, to Council's satisfaction, shall be provided from the consent holder of resource consent/s SUBXXX / LUCXXX / BUNXXX confirming that pursuant to Section 138 of the Act those consents have been surrendered.

Guidance Note:

Only required should the new application supersede the old.

Ongoing Conditions / Consent Notices

Condition 5

The following conditions of consent shall be complied with in perpetuity and shall be registered on the relevant Record of Titles by way of Consent notices pursuant to s.221 of the RMA:

a) & b) Protection of **wetland and buffer / indigenous vegetation / indigenous revegetation planting**

- a. The areas of **indigenous vegetation / indigenous revegetation planting / wetland and buffer** to be protected as illustrated within the scheme plan/s (**insert reference to approved scheme plan**) and identified by survey in accordance with condition **X(x)** shall be protected in perpetuity to the satisfaction of the Council's Team Leader, Compliance Monitoring **NW1 / NW2 / S**.
- b. The owners of the respective lots or their successors in title shall:
 - i. Preserve in perpetuity the indigenous flora and fauna, wildlife habitats and the natural landscape within the areas of **indigenous vegetation / indigenous revegetation planting / wetland and buffer** to be protected on Lots **X and X** (Areas **X, X, X**).
 - ii. Monitor the health of the areas of protected **indigenous vegetation / wetland and buffer / indigenous revegetation planting** in accordance with the Covenant Management Plan. Monitoring reports shall be prepared and submitted to Council every three years.
 - iii. Maintain any stock crossings and / or fish passage(s) in accordance with any easement(s) through the covenant areas;
 - iv. Not do anything that would prejudice the health or ecological value of the areas to be protected, their long-term viability and/or sustainability - Including but not limited to:
 - 1) 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 to be protected;
 - 2) Maintain the protected area free from earthworks or land modification.

- v. Control all pest plants and pest animals within the areas to be protected, in accordance with but not limited to the approved Pest Plant and Pest Animal Control Plan referred to in condition X of SUBXXXXX

Advice note:

Pest Plant 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 NW1 / NW2 / S or similar position.

- vi. Maintain a permanent continuous stock-proof fence (minimum seven wire post and batten fence with no gates) and other fencing (including demarcation posts) as approved by the Council in perpetuity around the perimeter of the areas to be protected and keep stock out of these areas.
- vii. Not be in breach of this covenant if any of the areas of planting to be protected die as a result of fire and/or natural causes not attributable to any act or default on their part for which they are not responsible.

c) Monitoring Reports for indigenous revegetation planting area(s)

The owners of the respective lots or their successors in title shall submit a Monitoring Report for each area of protected **indigenous revegetation planting** prepared by a suitably qualified and experienced ecologist to Council's Team Leader, Compliance Monitoring NW1 / NW2 / S, for certification 6 monthly for the first 18 months then annually thereafter for a minimum period of five years. The reporting period commences on the date council certified the planting completion report. The Monitoring Report shall include but is not to be limited to the following information in respect of each protected area within 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:

- (1) Undertake this remediation work within six months from the start date as recommended in accordance with Condition (c)(v).
- (2) Provide Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council's Team Leader, Compliance Monitoring **NW1 / NW2 / S** within 6 months after the remediation work has been undertaken.

Guidance Note:

This consent notice is not required if the sites are created more than 6.5 years after planting and reflects the requirements of E39.6.4.5 and Appendices 15 & 15.

d) Three yearly monitoring of indigenous vegetation / indigenous revegetation planting / wetland and buffer

Within one month of the end of every 3 year period following the legal protection of the <indigenous vegetation/wetland and buffer, indigenous revegetation planting> within Lot/s <X and Y> the owners of the respective lots shall submit a Monitoring Report, prepared by a suitably qualified and experience ecologist, of the areas of protected <indigenous vegetation/wetland and buffer, indigenous revegetation planting> to Council's Team Leader, Compliance Monitoring <NW1/NW2/S> for audit and certification. The Monitoring Report shall include but is not limited to the following information:

- Effectiveness of fencing;
- Presence of pest animals and plants;

Guidance Note:

Standard 15.4 of Appendix 15 requires the provision of three yearly monitoring of the protected area and for the results to be provided to council. The wording in Appendix 15 of the AUP(OP) refers to "animal and plant pests" which is ambiguous.

- Health of the wetland and buffer / indigenous vegetation / indigenous revegetation planting;
- Presence of pollutants;
- Vegetation loss, or clearance, and any remediation;
- Effectively managing and controlling pest animals and plants; and

Guidance Note:

The wording in Appendix 15 of the AUP(OP) refers to “animal and plant pests” which is ambiguous. However, this is interpreted as referring to plants which are pests.

- Providing appropriate access to any sites and places of significant to Mana Whenua. (Include where appropriate)

Advice Note

The three year monitoring period shall begin once the s224(c) certificate has been issued.

Guidance Note:

Subdivisions in rural and urban areas require Significant Ecological Areas to be identified on a plan and legally protected and maintained (e.g. stock proof fencing, weed and pest animal control) in accordance with AUP(OP) Appendix 15. Appendix 15 requires three yearly monitoring of the critical determinants of the health of the SEA. See below for Monitoring condition for Subdivision based on Enhancement Planting/ Revegetation Planting. See above for Monitoring condition for applications based on Enhancement Planting/ Revegetation Planting.

e) Pet free condition

The owners of Lot(s) XXX and any occupiers, are not permitted to own, house, care for or feed any domesticated cats or any pests listed in table 10.1a of the Auckland Regional Pest Strategy 2007–2012 (ARPS), or any successive ARPS, on these sites. Any domesticated dog(s) shall be kept on a lead and under the supervision of the owner, whilst outside within the boundary of Lots X and Y any right of way or jointly owned access, and shall be excluded from all covenant areas. Where kiwi has been recorded on the parent property, dogs shall be excluded from all properties.

Guidance Note:

Please consider the use of pet free covenants where subdivision may consist of more than XX lots or the protected areas may be impacted by the introduction of domesticated pets or animals in areas of sparse population and the applicant agrees to imposition of the condition.

f) No livestock

The owners of Lot(s) XXX, and any occupiers, are not permitted to own, house, care for or feed any livestock (i.e. all grazing animals) within the boundaries of their property.

Guidance Note:

This condition is to be used where an applicant has stated that no stock are to be kept within the proposed sites so only the external boundaries of the site/s need to be fenced to a stock proof standard and the other covenant boundaries may be demarcated to an acceptable standard

g) Stock free area

The owners of Lot X, and any occupiers, are not permitted to own, house, care for or feed any livestock (i.e. all grazing animals) within the boundaries of covenants ZA and ZB, where stock are to be excluded from being kept, as identified by survey and depicted on the relevant survey title plan.

Guidance Note:

The Subdivision Team will have ensured at the issue of the section 223 certificate that these areas correspond to those areas shown on the scheme plan listed in condition 1 of the subdivision consent granted.

h) Firefighting water supply – Lots X-X

At the time a building consent application is submitted for the dwellings in Lot/s X, X and X it must be demonstrated that sufficient water volume, pressure & flow will be provided in accordance with NZFS Fire Fighting Water Supplies CoP SNZ 4509:2008 and that this water supply is accessible for firefighting purposes. Should the water supply be provided by way of tank storage, this storage must be located a safe distance away from any habitable dwelling in accordance with the above CoP. If an alternative fire-fighting water supply is to be provided the written approval of that system from Fire and Emergency New Zealand must be provided with the building consent application.

i) Specified Building Areas (SBAs)

Any dwelling and any associated accessory building to be located within Lots X and X, shall be located entirely within the proposed building area shown on the approved plan prepared by XXXXXXXXX titled 'Scheme Plan', job. no. XXXXXX, held on Council file SUBXXXXXX.

Guidance Note:

This condition relates to the requirements of General Standard E39.6.1.1(3)(c).

j) Colour palette

The exterior of any dwelling located within Lots X and X shall have a natural timber finish or be painted in recessive colours with a reflective value of 30 percent or less as defined within the BS5252 standard colour palette. The proposed colours shall be submitted to the Council for certification by the Council's Team Leader, Compliance Monitoring, NW1 / NW2 / S when either building consent or resource consent is sought to construct a dwelling on Lot X and X. The exterior shall be maintained thereafter.

k) External Lighting

External lights associated with any building located within Lot/s X & Y must be fitted with covers and orientated downwards.

l) Height

- a. The maximum height of any dwelling or accessory building to the dwelling located within Lots X, X and X must be limited to single level and must not exceed XX metres above existing ground level. Any farm accessory buildings within Lot/s X, X and X must not exceed a height of X metres above existing natural ground level.
- b. The maximum building height of any building located within Lot X shall not exceed RL.XXX (Auckland 1946 datum) or Xm from the existing natural ground level whichever is lesser.

o) Landscaping plan

A Landscape Plan shall be submitted to the Council for certification by the Council's Team Leader, Compliance Monitoring, NW1 / NW2 / S when either building consent or resource consent is sought to construct a dwelling within Lots X and X. The Landscaping Plan shall include details of species, methods of ground preparation for the planting, plant numbers, plant densities and plant sizes at the time of planting and likely maximum heights. The purpose of the Landscaping Plan is to help mitigate the potential adverse visual effects of future buildings and help them blend in with the natural environment.

The Landscape Plan shall also include an on-going maintenance programme to ensure that adequate care of the planted material is undertaken through to establishment. This programme shall make provision for replacement of newly planted trees and/or shrubs that die or decline.

Planting shall occur within the first planting season following occupation of the dwelling. Council's Team Leader, Compliance Monitoring NW shall be notified upon completion of the landscape planting in order to ensure compliance with the approved Landscape Plan. Further monitoring at 12 and 24 months from that date shall take place to ensure that the maintenance programme is undertaken. All replacement trees and/or shrubs must be of the same type, grade and size as that initially planted, and all replacements must be planted no later than the current or following planting season (May to August), following instruction to do so by Council. The planting must be retained and maintained thereafter.

p) Building restrictions – geotechnical

Any buildings located within Lots X and X shall be subject to the requirements of the geotechnical report entitled: XXXXXX prepared by XXXXXX, ref: XXXX, dated XXXXXX, and any subsequent reports. The foundations for any buildings to be located within all Lots are subject to specific design and further site specific subsoil investigation prior to building consent stage. Copies of the said plan and report(s) will be held at the offices of the Council.

Guidance Note:

This condition relates to the requirements of General Standard E39.6.1.1(3).

q) Building restrictions - stormwater control

All stormwater from driveways, roof, and water tank overflow on Lots X to X shall be collected and disposed of in accordance with the requirements of the stormwater report entitled: XXXXXX prepared by XXXXXX, ref: XXXX, dated XXXXXX, and any subsequent reports approved in writing by the Consents Engineer. Copies of the said document are held at the offices of the Council.

Advice Note

The application for a Building Consent will be required to demonstrate compliance with the requirements of the New Zealand Building Code Clause E1 Surface Water.

Guidance Note:

This condition relates to the requirements of General Standard E39.6.1.3(a).

r) Building restrictions – wastewater disposal

All wastewater disposal from any buildings on Lots X to X must be of the design specified within, and installed and operated in accordance with the requirements of, the wastewater disposal report titled: XXXXXX prepared by XXXXXX, ref: XXXX, dated XXXXXX, and any subsequent reports approved in writing by the Consents Engineer. Copies of the said document are held at the offices of the Council.

Advice Note

The report referred in this condition demonstrated that wastewater disposal installed and operated in accordance with the report would be a permitted activity in terms of the provisions of the Auckland Unitary Plan (Operative in Part). Installation of a wastewater disposal system of another design may require resource consent if the relevant AUP (OP) permitted activity standards cannot be complied with.

s) Provision of telecommunication services

Future owners of Lots X, X and X are advised that a physical telecommunication connection has not been provided to Lots X, X and X and if such services are required, the full cost of providing and maintaining these services will be met by the owners. This cost may include the installation of equipment to the utility providers and Council requirements and any growth or other applicable charges.

Guidance Note:

This condition should only be used in conjunction with the Option B version of Condition 5(r). Its imposition relates to requirements of General Standard E39.6.1.3(e).

t) Monitoring charges

The respective owners of Lots X, X and X 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.

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

Advice Notes

1. Ongoing inspections of the covenanted area will be carried out from time to time by Council ecologists, in accordance with condition X (indigenous vegetation/wetland and buffer, indigenous revegetation planting protection) (check that this is the correct condition number) of the consent notice. These inspections will assess how the covenant is being managed and if the consent condition is being 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.
2. Copies of the approved Weed and Pest Animal Control Plan shall be held at the offices of the Council.
3. 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).
4. 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.
5. 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.