Decision on an application to change consent conditions under the Resource Management Act 1991



Discretionary activity under section 127(3) for Landuse

Application number:	(Landuse consent Variation)
Applicant:	Fulton Hogan Land Development Limited
Original Application numbers:	(Council Reference)
	(s9 land use consent)
	(s11 Subdivision consent)
Site address:	21 Karapapa Road, Milldale
Legal description:	Lot 9001 DP 581219
Proposal:	
the proposed JOAL (Lot 6000). The ear	oproved earthworks extent to enable construction of thworks will involve approximately 1,010m³ cut and m³ cut and 497m³ fill over an area of 1.13ha
	and 16 of the approved land use consent nged as follows (with strikethrough for deletion,
• •	ordance with the plans and all information submitted all referenced by the council as consent number

- Application Form, and Assessment of Environmental Effects prepared by Woods dated 26 May 2023.
- Application form and Assessment of Environmental Effects prepared by Woods, titled
 'Milldale Stage 4C-1 s127 Variation (i)' dated 17 January 2024

Report title and reference	Author	Rev	Dated
Architects Design Statement	Stevens Lawson Architect		Not dated
MILLDALE STAGE 4C-1 Transportation Assessment	Stantec	2	15 May 2023
Infrastructure Report Milldale Stage 4C-1	Woods	1	3 May 2023
Geotechnical letter STAGE 4C-1 Earthworks Consent Ref: AKL2019-0161DJ Rev 1	CWM Geosciences	1	12 May 2023
S127 Engineering Design Memo	Woods		20 December 2023

Drawing title and reference	Author	Rev	Dated
P22-289-4C-1-0000-GE - COVER	WOODS	2	Sep 23
P22-289-4C-1-0001-GE - INDEX	WOODS	2	Sep 23
P22-289-4C-1-0010-SU - SCHEME PLAN	WOODS	2	Aug 23
		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0104A-GE - ZONING PLAN	WOODS	2	Sep 23
		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0104B-GE - ZONING PLAN WITH	WOODS	2	Sep 23
PRECINCT PLAN OVERLAID		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0104C-GE - ZONING PLAN - STAGE	WOODS	2	Sep 23
4C-1 FOCUS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0105-GE - EXISTING	WOODS	2	Sep 23
EARTHWORKS CONSENTS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0106-GE - EXISTING SUBDIVISION	WOODS	2	Sep 23
CONSENTS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0110-GE - DEVELOPMENT	WOODS	3	Sep 23
CONTROL - OVERALL PLAN		<u>4</u>	<u>Dec 23</u>
P22-289-4C-1-1000-EW - DESIGN CONTOUR -	WOODS	2	Sep 23
OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-1200-EW - CUT FILL - OVERALL	WOODS	2	Sep 23
PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-1800-EW - EROSION AND	WOODS	2	Sep 23
SEDIMENT CONTROL - OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-2000-RD - ROADING LAYOUT PLAN	WOODS	3	Sep 23
- OVERALL PLAN		4	<u>Dec 23</u>
P22-289-4C-1-2001-RD - ROADING LAYOUT PLAN	WOODS	2	Jul 23
P22-289-4C-1-2002-RD - ROADING LAYOUT PLAN	WOODS	3	Sep 23
P22-289-4C-1-2003-RD - ROADING LAYOUT PLAN	WOODS	2	Jul 23
P22-289-4C-1-2200-RD - ROADING TYPOLOGY	WOODS	2	Sep 23
PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-2201-RD - TYPICAL ROAD CROSS SECTIONS & KERB DETAILS - GREEN STREET	WOODS	2	Jul 23
P22-289-4C-1-2202-RD - TYPICAL ROAD CROSS SECTIONS & KERB DETAILS - SUBURBAN STREETS	WOODS	1	May 23

Dec 23	P22-289-4C-1-2400-RD - ROADING	WOODS	1	Jul 23
SECTIONS & KERB DETAILS - JOALS AND		WOODS	'	Jul 23
DORSECTION P22-289-4C-1-2750-RD - ROADING SIGHT WOODS 2 Sep 23	SECTIONS & KERB DETAILS – JOALS AND	WOODS	2	<u>Dec 23</u>
DISTANCE PLAN		WOODS	1	<u>Dec 23</u>
TURNING MOVEMENTS - OVERALL PLAN WOODS 2 Sep 23 P22-289-4C-1-2801-RD - ROADING VEHICLE WOODS 2 Sep 23 TURNING MOVEMENTS PLAN WOODS 2 Sep 23 P22-289-4C-1-2802-RD - ROADING VEHICLE WOODS 2 Sep 23 P22-289-4C-1-2900-RD - ROADING CYCLE WOODS 2 Sep 23 NETWORK PLAN WOODS 2 Sep 23 P22-289-4C-1-3000-DR - STORMWATER WOODS 2 Sep 23 P22-289-4C-1-3200-DR - STORMWATER WOODS 2 Sep 23 CATCHMENT - OVERALL PLAN WOODS 1 Sep 23 P22-289-4C-1-3310-DR - OVERLAND FLOW PATH - OVERALL WOODS 1 Sep 23 SECTION PLAN WOODS 1 Sep 23 P22-289-4C-1-4000-DR - WASTEWATER DRAINAGE LAYOUT WOODS 3 Sep 23 P22-289-4C-1-6000-WR - WATER RETICULATION OVERALL PLAN 3 Dec 23 Landscape Plan - Cover Bespoke Landscape Architects August 2023 December 2023 Landscape Plan 01 Bespoke Landscape Architects August 2023 December 2023		WOODS	2	Sep 23
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Landscape Architects Landscape Architects Bespoke Landscape Architects December 2023	OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
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Detail Plan 02 Bespoke Landscape Architects December 2023 December 2023	Landscape Plan 01			August 2023
Landscape Architects December 2023		•		
Architects Architects 2023	Detail Plan 02			August 2023
Detail Plan 03 Bespoke December		•		
	Detail Plan 03	<u>Bespoke</u>		<u>December</u>

	<u>Landscape</u> <u>Architects</u>	2023
Planting Plan 03 <u>04</u>	Bespoke Landscape Architects	August 2023 December 2023
Planting Palette and Schedule 04_05	Bespoke Landscape Architects	August 2023 December 2023
Rain Garden Planting Layout 05_06	Bespoke Landscape Architects	August 2023 December 2023
Additional Information		
S92 Response and Table with attachments (as referenced above)	Woods	26 July 2023
S92 Traffic Response	Stantec	21 July 023
S92 Landscape response	Bespoke Landscape Architects	19 July 2023
S92 Architectural Response	Stevens Lawson)	26 July 2023
S92 Response (ii) and Table with attachments (as referenced above)	Woods	5 September 2023
S92 Overland Flowpath Response (iii)	Woods	12 September 2023

Condition 16

Development on Super Lots <u>5100</u> <u>5700</u> and <u>5701</u> and Balance Lots 9100, 9101 and 9102:

All future dwellings and associated buildings constructed on Super Lots 5100 5700 and 5701 and Balance Lots 9100, 9102 and 9101 must be designed to adopt the standards of the Residential -Terrace Housing and Apartment Building (THAB) Zone that are listed under Standard H6.6 of the Auckland Unitary Plan (Operative in Part) or seek resource consent to infringe the aforementioned THAB zone standard(s).

Advice Note:

For clarification purposes, the above blanket land use consents apply to development on the future lots approved under subdivision consent referenced by council as SUB60419152. The applicable future lots as it correlates to each of the infringed standards are listed under the above reasons of consent.

Decision

I have read the applications, supporting documents, and the report and recommendations on the consent applications. I am satisfied that I have sufficient information to consider the matters required by the RMA and make a decision under delegated authority on the applications.

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

Reasons

The reasons for this decision are:

- 1. The proposal is appropriately considered under s127 as the changes will not result in a fundamentally different activity or materially different effects.
- 2. In accordance with an assessment under s104(1)(a) and s127(3) of the RMA, the actual and potential effects from the changes will be acceptable for the following reasons:
 - a. The proposed changes to the consented earthworks are minimal. There are a suite of earthworks conditions as part of that remain unchanged and will ensure the works are undertaken with these standards.
 - b. The proposed COAL design includes appropriate pedestrian pathways and landscaping that will provide an appropriate level of on-site amenity.
 - c. The proposal does not propose any fundamental changes to the consented infrastructure, noting that the changes will result in an additional superlot being created. As such, any adverse infrastructure related effects are assessed to be negligible.
- 3. In accordance with an assessment under s104 (1)(b) and s 127(3) of the RMA the changes are consistent with the relevant statutory documents. In particular, the objectives and policies contained in Chapters I544 (Wainui Precinct Precinct), H6 (Residential Terrace Housing and Apartment Building zone), E26 (Infrastructure), and E27 (Transportation) of the Auckland Unitary Plan (Operative in part). In addition to the reasons outlined within the above ss104(1)(a) and (ab) assessments and in summary:
 - a. The proposed changes to the consented earthworks are considered minimal.

 There are a suite of earthworks conditions as part of unchanged and will ensure the works are undertaken with these standards.
 - b. The proposal will continue to reinforce a safe and connected road pattern.
 - c. The proposal can be serviced with infrastructure that is compatible and integrated with the proposed network.
 - d. The proposal proposed vehicle access (COAL 6000) and vehicle crossing design in a manner that does not adversely affect the safe and efficient operation of the surrounding road network.
- 4. The original application were assessed under the relevant provisions of the AUP(OP). As the proposal involves changes to conditions, the planning framework under the original consent is the relevant provisions under which the subject s127 application is required to be assessed.

- 5. In accordance with an assessment under s104 (1)(c) of the RMA there are no other matters that are considered appropriate.
- 6. These changes achieve the sustainable management purpose of the RMA in Part 2 being the sustainable management of natural and physical resources as the proposal will provide for an efficient use of an existing land resource in the manner intended on this residential site.

Overall, the proposal meets the provision set out in section 104, 104B and s127 of the RMA.

Conditions

Under section 108 of the RMA, I grant the changes to existing conditions 1 and 16 of the approved land use consent and as set out above.

Advice notes

1.	This consent is	to be read in conjur	action with the previously approved under resource
	consent	and	and does not negate the consent holder's
	requirement to	continue to comply v	with the conditions of that original resource consent
	subject to the a	mendments approve	ed above.

Delegated decision maker:

Name:	Masato Nakamura
Title:	Principal Project Lead, Premium Resource Consents

Signed:

Date: 15 February 2024

Decision on an application to change consent conditions under the Resource Management Act 1991



Discretionary activity under section 127(3) for Subdivision

Application number:	(Subdivision consent variation
Applicant:	Fulton Hogan Land Development Limited
Original Application numbers:	(Council Reference)
	(s9 land use consent)
	(s11 Subdivision consent)

Site address: 21 Karapapa Road, Milldale

Legal description: Lot 9001 DP 581219

Consent is sought for changes to the approved scheme plan layout to include two superlots (Lot 5700 and 5701) and one Commonly Owned Access Lot (Lot 6000) within approved Lot 5100. This will result in the creation of one additional residential superlot and COAL from what has been consented to.

Subdivision staging is proposed as follows:

Stage 4C-1

Creation of super lots 5700 and 5701; and COAL (Lot 6000).

Stage 4C-2

Creation of super lots 9100, 9101 and 9102; Lot 8100 (road to vest).

To enable the above works, conditions 1, 3, 4, 7, 17, 18, 19, 24, 25, 27 and 29 of Subdivision Consent SUB60419152 are proposed to be changed as follows (with strikethrough for deletion, underline for insertions):

Condition 1

This Stage 4C subdivision of Milldale, comprising of 4 2 super lots, 3 balance lots, a road and public accessway to vest with associated infrastructure and site works must be as described in the application form and assessment of environmental effects prepared by Woods dated 26 May 2023; and Application form and Assessment of Environmental Effects prepared by Woods, titles 'Milldale Stage 4C-1 – s127 Variation (i)' dated 17 January 2024 and must be carried out in accordance with the plans and information detailed below, and all referenced by the council as consent

Report title and reference	Author	Rev	Dated
Architects Design Statement	Stevens Lawson Architect		Not dated
MILLDALE STAGE 4C-1 Transportation Assessment	Stantec	2	15 May 2023
Infrastructure Report Milldale Stage 4C-1	Woods	1	3 May 2023

Geotechnical letter STAGE 4C-1 Earthworks	CWM	1	12 May
Consent Ref: Rev 1	Geosciences		2023
S127 Engineering Design Memo	Woods		20 December 2023

Drawing title and reference	Author	Rev	Dated
P22-289-4C-1-0000-GE - COVER	WOODS	2	Sep 23
P22-289-4C-1-0001-GE - INDEX	WOODS	2	Sep 23
P22-289-4C-1-0010-SU - SCHEME PLAN	WOODS	2	Aug 23
		<u>4</u>	<u>Jan. 24</u>
P22-289-4C-1-0104A-GE - ZONING PLAN	WOODS	2	Sep 23
		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0104B-GE - ZONING PLAN WITH	WOODS	2	Sep 23
PRECINCT PLAN OVERLAID		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0104C-GE - ZONING PLAN - STAGE	WOODS	2	Sep 23
4C-1 FOCUS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0105-GE - EXISTING	WOODS	2	Sep 23
EARTHWORKS CONSENTS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0106-GE - EXISTING SUBDIVISION	WOODS	2	Sep 23
CONSENTS PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-0110-GE - DEVELOPMENT	WOODS	3	Sep 23
CONTROL - OVERALL PLAN		<u>4</u>	<u>Dec 23</u>
P22-289-4C-1-1000-EW - DESIGN CONTOUR -	WOODS	2	Sep 23
OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-1200-EW - CUT FILL - OVERALL	WOODS	2	Sep 23
PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-1800-EW - EROSION AND	WOODS	2	Sep 23
SEDIMENT CONTROL - OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-2000-RD - ROADING LAYOUT PLAN	WOODS	3	Sep 23
- OVERALL PLAN		<u>4</u>	<u>Dec 23</u>
P22-289-4C-1-2001-RD - ROADING LAYOUT PLAN	WOODS	2	Jul 23
P22-289-4C-1-2002-RD - ROADING LAYOUT PLAN	WOODS	3	Sep 23
P22-289-4C-1-2003-RD - ROADING LAYOUT PLAN	WOODS	2	Jul 23
P22-289-4C-1-2200-RD - ROADING TYPOLOGY	WOODS	2	Sep 23

PLAN		<u>3</u>	<u>Dec 23</u>
P22-289-4C-1-2201-RD - TYPICAL ROAD CROSS SECTIONS & KERB DETAILS - GREEN STREET	WOODS	2	Jul 23
P22-289-4C-1-2202-RD - TYPICAL ROAD CROSS SECTIONS & KERB DETAILS - SUBURBAN STREETS	WOODS	1	May 23
P22-289-4C-1-2400-RD - ROADING LONGSECTION PLAN	WOODS	1	Jul 23
P22-289-4C-1-2202-RD - TYPICAL ROAD CROSS SECTIONS & KERB DETAILS – JOALS AND PEDESTRIAN WALKWAY	WOODS	2	<u>Dec 23</u>
<u>P22-289-4C-1-2402-RD – JOAL 6000</u> <u>LONGSECTION</u>	WOODS	1	<u>Dec 23</u>
P22-289-4C-1-2750-RD - ROADING SIGHT DISTANCE PLAN	WOODS	2	Sep 23
P22-289-4C-1-2800-RD - ROADING VEHICLE TURNING MOVEMENTS - OVERALL PLAN	WOODS	2	Sep 23
P22-289-4C-1-2801-RD - ROADING VEHICLE TURNING MOVEMENTS PLAN	WOODS	2	Sep 23
P22-289-4C-1-2802-RD - ROADING VEHICLE TURNING MOVEMENTS PLAN	WOODS	2	Sep 23
P22-289-4C-1-2900-RD -ROADING CYCLE NETWORK PLAN	WOODS	2	Sep 23
P22-289-4C-1-3000-DR - STORMWATER DRAINAGE LAYOUT - <u>OVERALL PLAN</u>	WOODS	2 <u>3</u>	Sep 23 <u>Dec 23</u>
P22-289-4C-1-3200-DR - STORMWATER CATCHMENT - OVERALL PLAN	WOODS	2	Sep 23
P22-289-4C-1-3310-DR - OVERLAND FLOW PATH - OVERALL	WOODS	1	Sep 23
P22-289-4C-1-3311-DR - OVERLAND FLOW SECTION PLAN	WOODS	1	Sep 23
P22-289-4C-1-4000-DR - WASTEWATER	WOODS	3	Sep 23
DRAINAGE LAYOUT		<u>4</u>	<u>Dec 23</u>
P22-289-4C-1-6000-WR - WATER RETICULATION	WOODS	2	Sep 23
OVERALL PLAN		<u>3</u>	<u>Dec 23</u>
Landscape Plan - Cover	Bespoke Landscape Architects		August 2023 December 2023
Landscape Plan 01	Bespoke Landscape		August 2023

	Architects	December 2023
Detail Plan 02	Bespoke Landscape Architects	August 2023 December 2023
Detail Plan 03	Bespoke Landscape Architects	December 2023
Planting Plan 03 <u>04</u>	Bespoke Landscape Architects	August 2023 December 2023
Planting Palette and Schedule 04_05	Bespoke Landscape Architects	August 2023 December 2023
Rain Garden Planting Layout 05_06	Bespoke Landscape Architects	August 2023 December 2023
Additional Information		1
S92 Response and Table with attachments (as referenced above)	Woods	26 July 2023
S92 Traffic Response	Stantec	21 July 023
S92 Landscape response	Bespoke Landscape Architects	19 July 2023
S92 Architectural Response	Stevens Lawson)	26 July 2023
S92 Response (ii) and Table with attachments (as referenced above)	Woods	5 September 2023
S92 Overland Flowpath Response (iii)	Woods	12 September 2023

Advice Notes:

- This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).
- Details and specifications for the provision of infrastructure (e.g. public/ private drainage, location, and types of connections) and access (including drainage of accessways, construction standards etc) are subject to a separate EPA and/or Building Consent approval process.
- Should it become apparent during the EPA and/or Building Consent process that a

component of the granted resource consent cannot be implemented (e.g. detailed tests for soakage fail to achieve sufficient soakage rates, or sufficient gradients for drainage cannot be achieved in accordance with engineering standards/ bylaws etc), changes to the proposal will be required. This may require either a variation to this subdivision consent or a new consent.

- Similarly, should the detailed design stage demonstrate that additional reasons for consent under the AUP are triggered (e.g. after detailed survey the access gradient increases to now infringe or increase an approved infringement to a standard in the plan), a new or varied resource consent is required.
- It is the responsibility of the consent holder to ensure that all information submitted
 and assessed as part of the subdivision consent is correct and can be
 implemented as per the subdivision consent (without requiring additional reasons
 for consent). Any subsequent approval processes (such as the EPA) do not
 override the necessity to comply with the conditions of this resource consent.

Staging of Consents

For the purposes of the s223 and s224 conditions set out below, the subdivision staging is proposed as follows:

Stage 4C-1

Creation of super lots 5700 and 5701; and COAL (Lot 6000).

Stage 4C-2

Creation of super lots 9100, 9101 and 9102; Lot 8100 (road to vest).

Condition 3

Survey Plan

The consent holder must submit a survey plan in accordance with the approved resource consent subdivision plan as follows:

Plan title and reference	Author	Rev	Dated	
Survey Scheme Plan 0010-SU	Woods	2 <u>4</u>	August 2023	
			<u>Jan. 2024</u>	

Condition 4

Any drainage and services easements must be included in a memorandum and/or schedule of easements endorsed on the survey plan and must be duly granted or reserved. The consent holder must meet the costs for the preparation, review and registration of the easement instruments on the relevant computer registers (certificates of title).

Condition 7

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 subdivision consent have been complied with, and identify all those conditions that have not been complied with and are subject to the following:

b. a consent notice has been issued in relation to any conditions to which section 221

applies.

Parks requirements - streetscape and Accessway

Streetscape and Accessway Landscaping

Condition 17

The consent holder must submit a detailed streetscape landscaping plan(s) for rain gardens, street trees, and accessways for road Lot 8100, <u>COAL 6000</u> and Accessway Lot 7500 for approval by the Parks Planning Team Leader. In particular, the plans must:

- i) Be prepared by a suitably qualified landscape architect.
- j) Be in general accordance with the submitted scheme plan titled 'Milldale Local Centre Scheme Plan' prepared by Woods, revision 2<u>4</u>, drawing no P22-289-4C-1-01010-SU dated August Jan. 2024 and landscape plans prepared by Bespoke dated 28 August 2023-21 December 2023.
- k) Show all planting including details of intended species, location, plant sizes at time of planting and likely heights on maturity, tree pit specifications, the overall material palette, location of streetlights and other service access points.
- Ensure that selected species can maintain appropriate separation distances from paths, roads, streetlights, and vehicle crossings in accordance with the Auckland Transport Code of Practice.
- m) Comply with Council's latest specifications or relevant Code of Practice for green assets and landscaping. Contact the Parks Planning Team Leader for the most up to date information.
- n) Include hard landscaping details for the accessway.
- o) Include planting methodology.
- p) Include all lighting details within the proposed street, and accessway

Advice note:

Plans approved under Resource Consent do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public works in the absence of that approval.

Implementation of streetscape and accessway landscape works

Condition 18

Prior to issue of section 224(c) certification, all street and accessway landscaping for road Lot 8100, <u>COAL 6000</u> and Accessway Lot 7500 must be implemented in accordance with the approved streetscape plans to the satisfaction of the Parks Planning Team Leader and landscaped in accordance with the Code of Practice for green assets and landscaping (contact the Parks Planning Team Leader for the most up to date information), and in particular:

- d) The street must be cleared of any construction material, rubbish, and surplus soil, and must be maintained in a neat and tidy condition;
- e) Should site factors preclude compliance with any of these conditions, the Parks Planning Team Leader must be advised in writing as soon as practicable and, in any case, prior to planting, and an alternative soil improvement methodology proposed to the satisfaction of the Advisor; and

f) Grassing must only be undertaken when the weather is suitable i.e., mild, dull, and moist, and when the ground is moist and workable. Where delays occur in the agreed programme which prevents areas being planted, the consent holder must inform the Parks Planning Team Leader immediately.

Advice note:

Practical completion will be determined by Parks prior to the issue of the certificate required under 224(c) to demonstrate reserve development has been satisfactorily implemented and to formalise the commencement of the maintenance period.

Maintenance - Streetscape and Accessways

Condition 19

Prior to the issue of the section 224(c) certificate the consent holder must provide for the approval of the Parks Planning Team Leader a Maintenance Plan, for all planting and landscaping to be established in the streetscape, and accessways for road Lot 8100, COAL 6000 and Accessway Lot 7500. The Maintenance Plan must include:

- d) Vegetation maintenance policies for the proposed planting, in particular details of maintenance methodology and dates / frequencies;
- e) Details of watering, weeding, trimming, cultivation, pest, and disease control, checking of stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth; and
- f) Vandalism eradication policies.

Maintenance Bonds - Streetscape and Accessway Landscaping

Condition 24

Prior to the issue of the 224(c) certificate, and in accordance with section 108(2)(b) of the RMA, the consent holder will provide the Council a refundable bond in respect of the maintenance of the landscaping works required by the conditions of this consent. The maintenance bond will be held for a period of two years from the issue of the certificate under s224(c) for road Lot 8100, <u>COAL 6000</u> and Accessway Lot 7500. The amount of the bond will be 1.5 x the contracted rate for maintenance and must be agreed in consultation with the Parks Planning Team Leader.

CONSENT NOTICES

Building Restrictions

Condition 25

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for all Lots. The consent notice must record that the following condition is to be complied with on a continuing basis:

"Any buildings erected on the building sites identified on the "Milldale Stage 4C-1 Survey Scheme Plan prepared by Woods, dwg no P22-289-4C-0010-SU, Rev-1 4, dated: May 2023 Jan. 2024" shall be subject to the requirements of the "Geotechnical memo prepared by CMW, ref: dated: 12 May 2023" and any subsequent reports. Copies of the said plan and report(s) will be held at the offices of the Council, Centreway Road, Orewa."

Blanket consents

Open Space zone

Condition 27

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Super Lots 5100 5700 and 5701 and Balance Lots 9100, 9102 and 9101. The consent notice must record that the following condition is to be complied with on a continuing basis:

"A blanket land use consent has been approved for Super Lots 5100 5700 and 5701 and Balance Lots 9100, 9102 and 9101 and enables infringements to the following development standards within those portions of the site that are zoned Open Space:

- H7.11.1 Building height;
- H7.11.2 Height in relation to boundary;
- H7.11.3 Yards;
- H7.11.4 Screening;
- H7.11.5 Gross floor threshold;
- H7.11.6 Maximum site coverage; and
- H7.11.7 Maximum impervious area.

All future development on these lots shall be designed to adopt the Residential: Terrace Housing and Apartment Building (THAB) zone activity table and standards, or seek resource consent to infringe the applicable THAB zone standards.

Condition 29

The consent holder must register with the Registrar-General of Land a consent notice under Section 221 of the RMA, against the computer registers (certificates of title) for Lots <u>5100</u>–<u>5700 and 5701</u>, 9100 & 9102. The consent notice/s must record that fencing requirements are to be complied with on a continuing basis.

"For Lots <u>5100 5700</u> and <u>5701</u>, 9100 and 9102, no subdivision or development shall create a vehicle crossing directly over the shared path to the Green Street (Lot 8100 road to vest) without prior written approval from Auckland Council."

Decision

I have read the applications, supporting documents, and the report and recommendations on the consent applications. I am satisfied that I have sufficient information to consider the matters required by the RMA and make a decision under delegated authority on the applications.

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

Reasons

The reasons for this decision are:

1. The proposal is appropriately considered under s127 as the changes will not result in a fundamentally different activity or materially different effects.

- 2. In accordance with an assessment under s104(1)(a) and s127(3) of the RMA, the actual and potential effects from the changes will be acceptable for the following reasons:
 - a. The effects on the wider environment will not be discernibly different in comparison with resource consents with the changes to the subdivision primarily relating to the sequencing and staging of the approved to subdivision.
 - b. The proposed changes will primarily include consented superlot 5100 being split into two superlots (5700 and 5701). The size and shape of the new proposed superlots will have a less than minor adverse effect on the neighbourhood character and amenity. The two super lots and the overall subdivision design and layout will continue to be compatible with the anticipated future subdivision land pattern (including its amenity values and character) on the subject land and within this part of the Wainui Precinct.
 - c. The proposed subdivision layout and road pattern is broadly consistent with these anticipated outcomes and is in keeping with the amenity and future residential and neighbourhood character of the surrounding environment.
 - d. The proposal proposed vehicle access (COAL 6000) and vehicle crossing design in a manner that does not adversely affect the safe and efficient operation of the surrounding road network or result in adverse traffic generation.
 - e. The proposed COAL design includes appropriate pedestrian pathways and landscaping that will provide an appropriate level of on-site amenity.
 - f. To ensure that Lots 5700 and 5701 remain adequately serviced and connected, a covenant is proposed by the consent holder to own and be responsible and liable for the ongoing operation of the common accessway, stormwater management device, and landscaping within the Lot 6000 (COAL) area. This has been accepted by the Applicant and now forms part of this consent.
 - g. The proposed staging does not affect the provision of infrastructure and that the original subdivision has the necessary mechanisms to ensure all lots can be serviced.
 - h. The proposed changes to the staging do not adversely affect the delivery of land to be vest in Council including roads or accessways.
 - i. The proposal does not propose any fundamental changes to the consented infrastructure, noting that the changes will result in two additional residential lots being created. As such, any adverse infrastructure related effects are assessed to be negligible.
- 3. In accordance with an assessment under s104 (1)(b) and s 127(3) of the RMA the changes are consistent with the relevant statutory documents, in particular the relevant objectives and policies as they relate to the subdivision in urban areas and in particular Objectives E38.2, and Policies E38.3 and in particular Policy E38.3(6). The proposed changes will continue to provide for a subdivision in a manner that is anticipated in this location and that will maintain an appropriate level of amenity, and which can be appropriately serviced by public infrastructure. The superlots (5700 and 5701) and COAL (6000) and the overall subdivision design and layout will continue to be compatible with the anticipated future subdivision land pattern (including its amenity values and character) on the subject land and within this part of the Wainui Precinct.

- 4. The original application SUB60419152 were assessed under the relevant provisions of the AUP(OP). As the proposal involves changes to conditions, the planning framework under the original consent is the relevant provisions under which the subject s127 application is required to be assessed.
- 5. In accordance with an assessment under s104 (1)(c) of the RMA there are no other matters that are considered appropriate.
- 6. These changes achieve the sustainable management purpose of the RMA in Part 2 being the sustainable management of natural and physical resources as the proposal will provide for an efficient use of an existing land resource in the manner intended on this residential site.

Overall, the proposal meets the provision set out in section 104, 104B and s127 of the RMA.

Conditions

Under section 108 of the RMA, I grant the changes to existing conditions 1, 3, 4, 7, 17, 18, 19, 24, 25, 27 and 29 of and as set out above.

Additional conditions 3a, 12a, 16a, 16b for stormwater, vehicle access (COAL 6000) design and associated vehicle crossing together with a covenant condition for the maintenance and management of common stormwater assets within the COAL are necessary. These are set out in the enclosed Consolidated Consent Conditions.

Advice notes

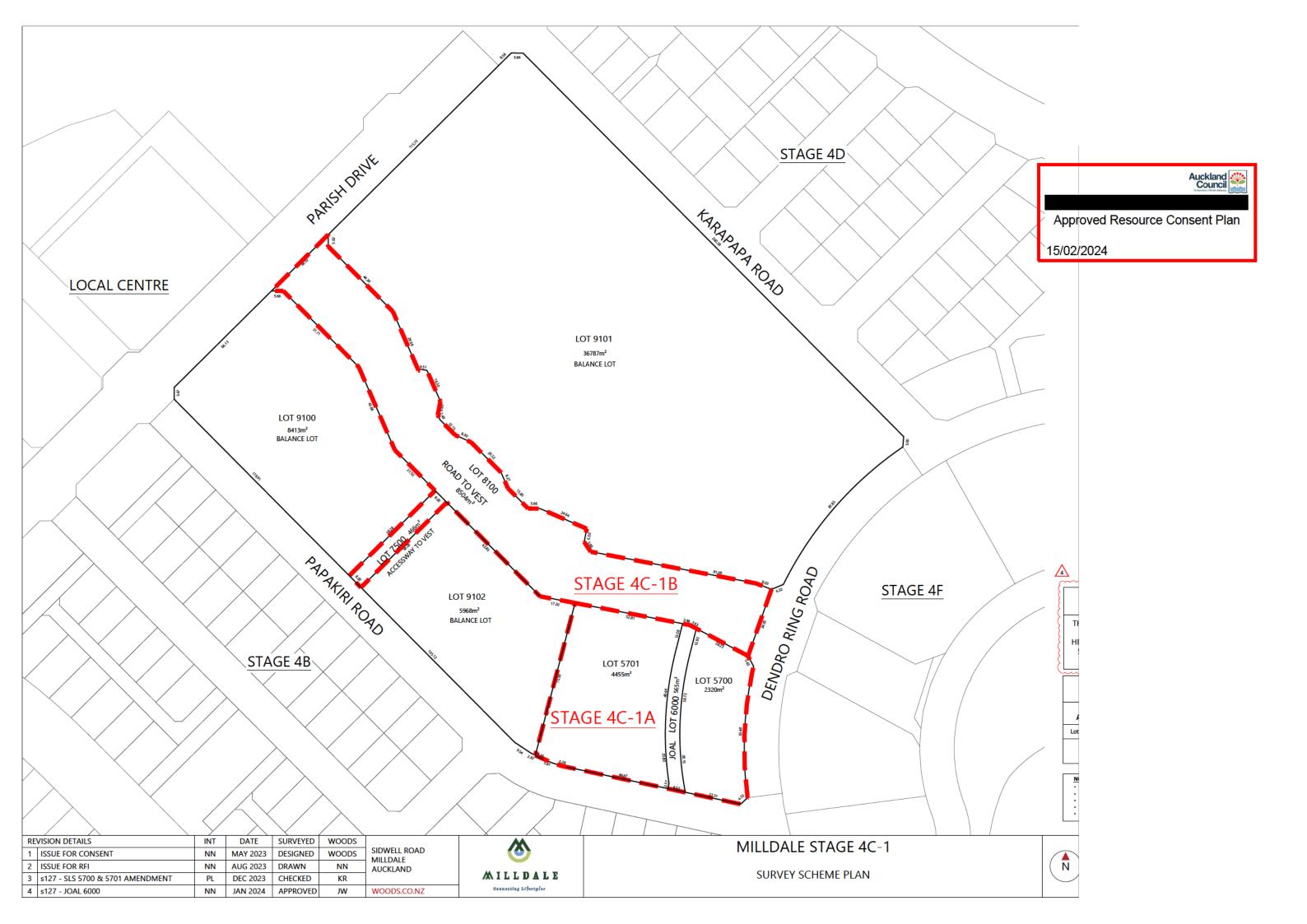
Delegated decision maker:

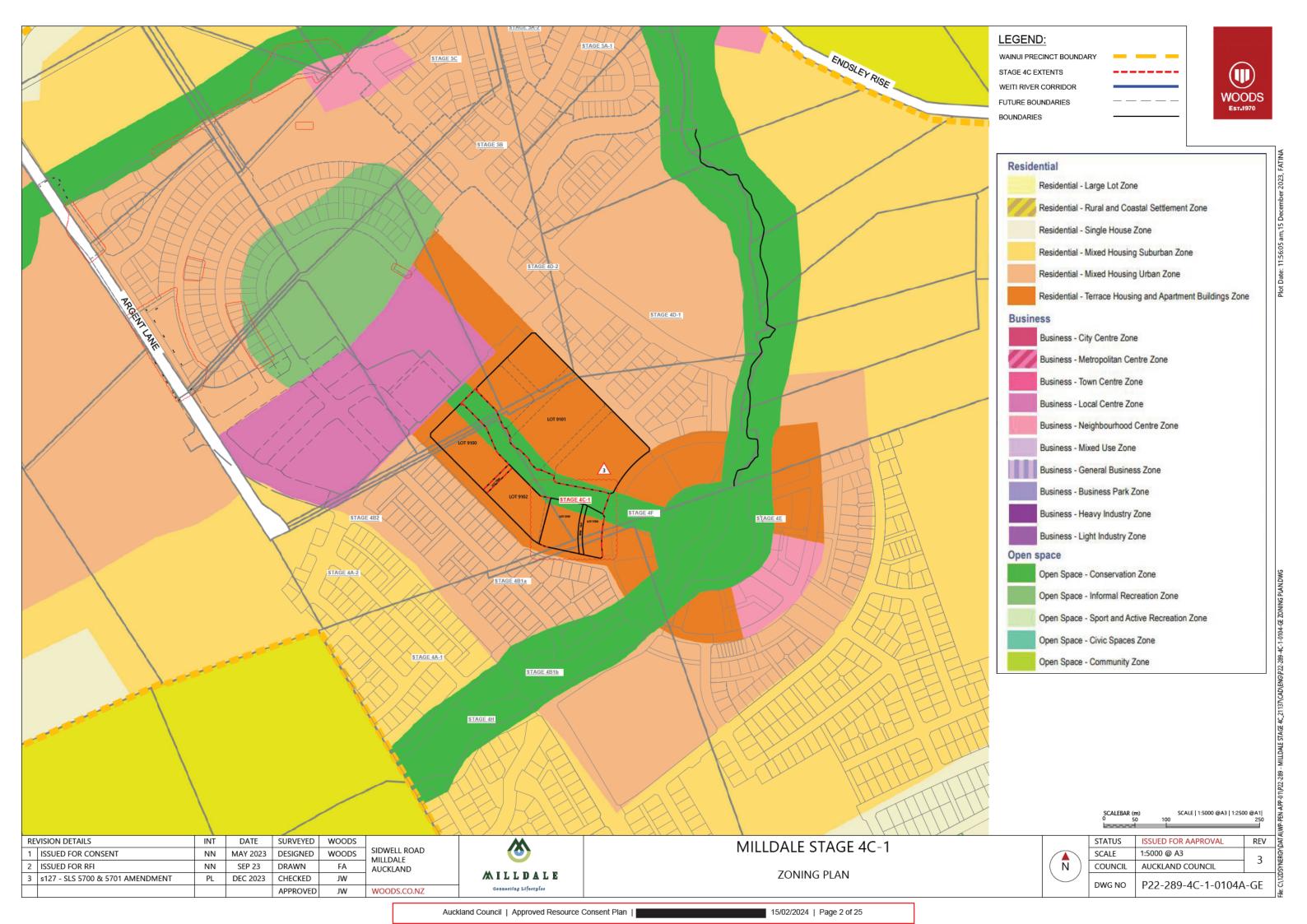
Name:	Masato Nakamura

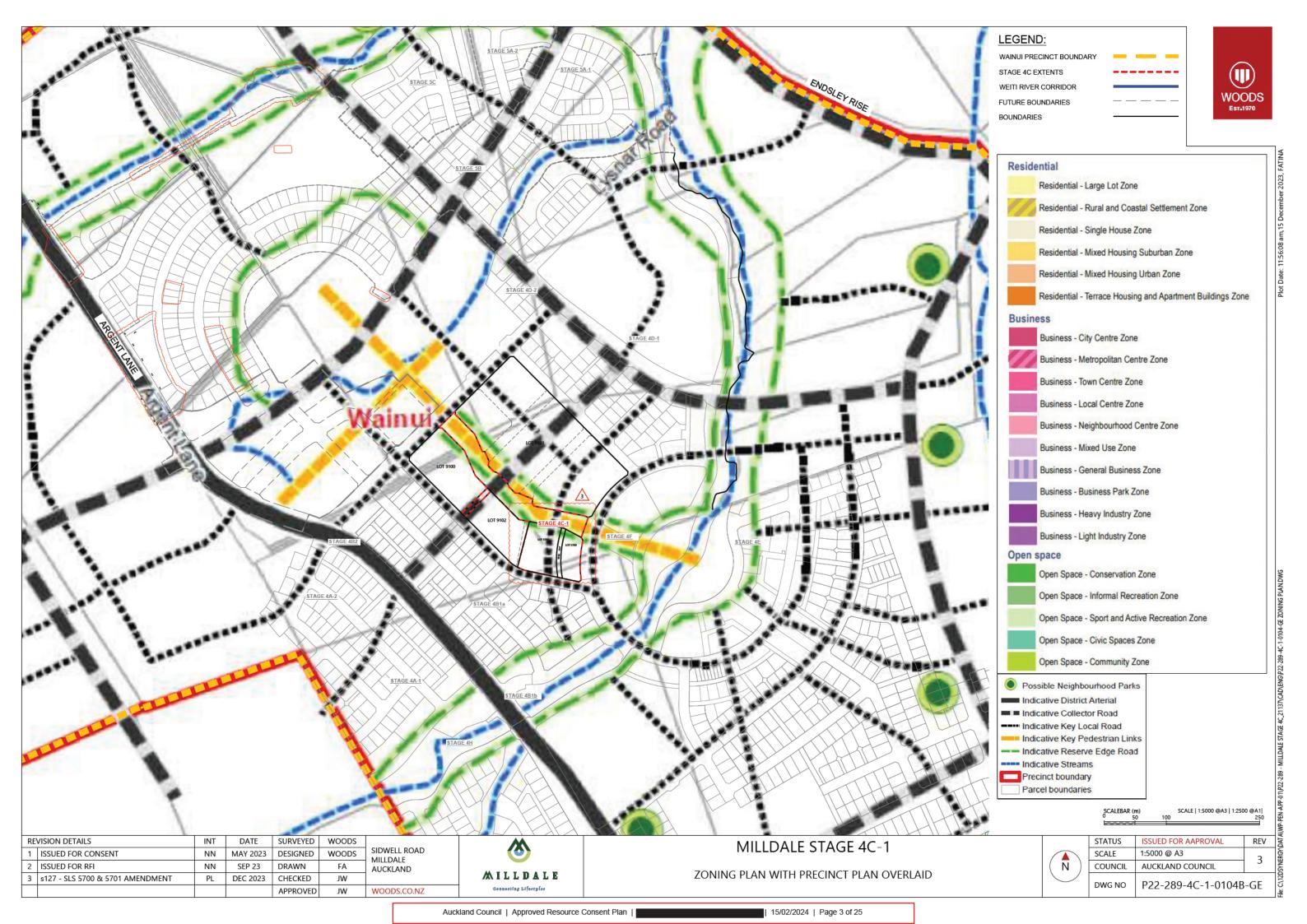
Title: Principal Project Lead, Premium Resource Consents

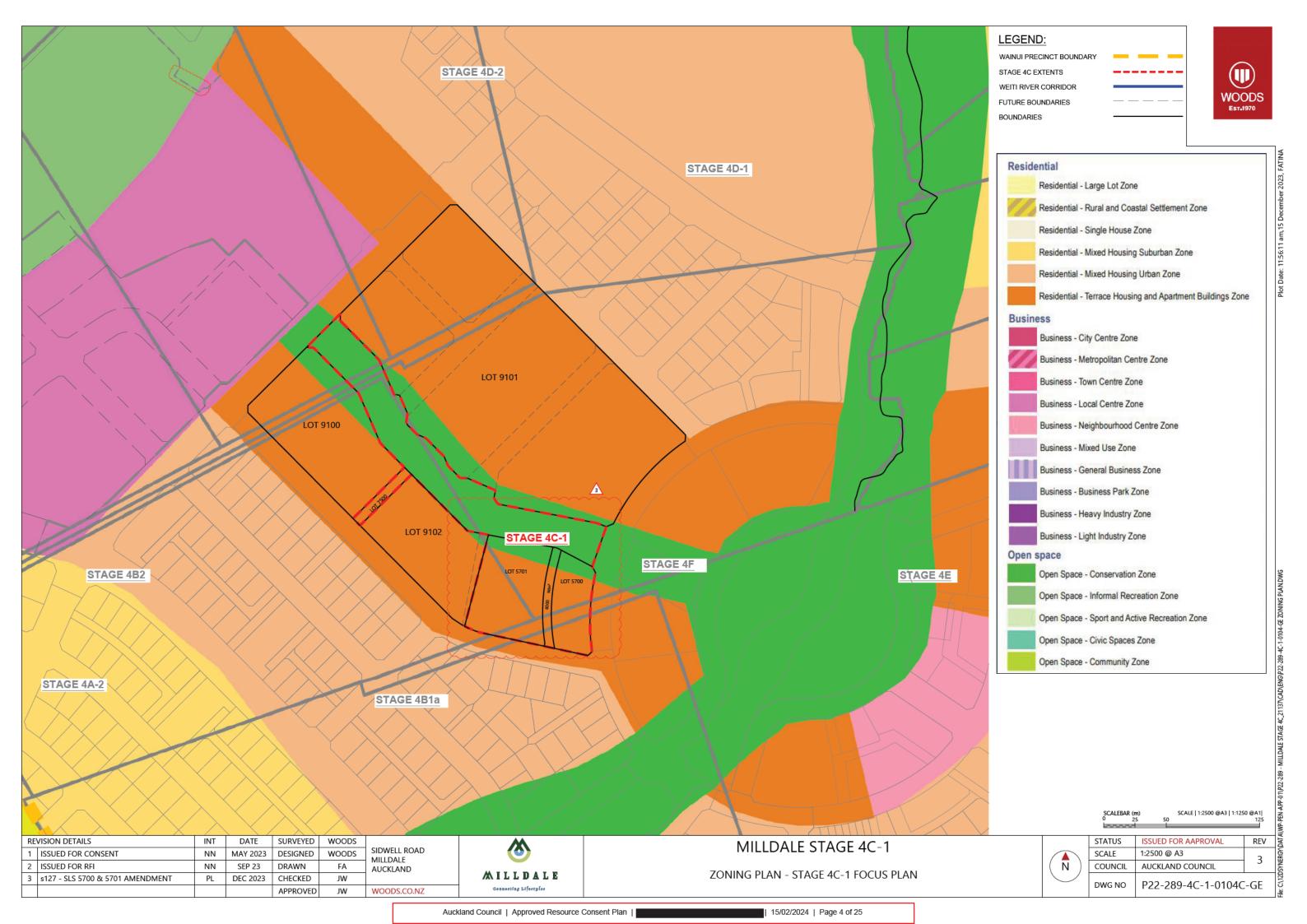
Signed:

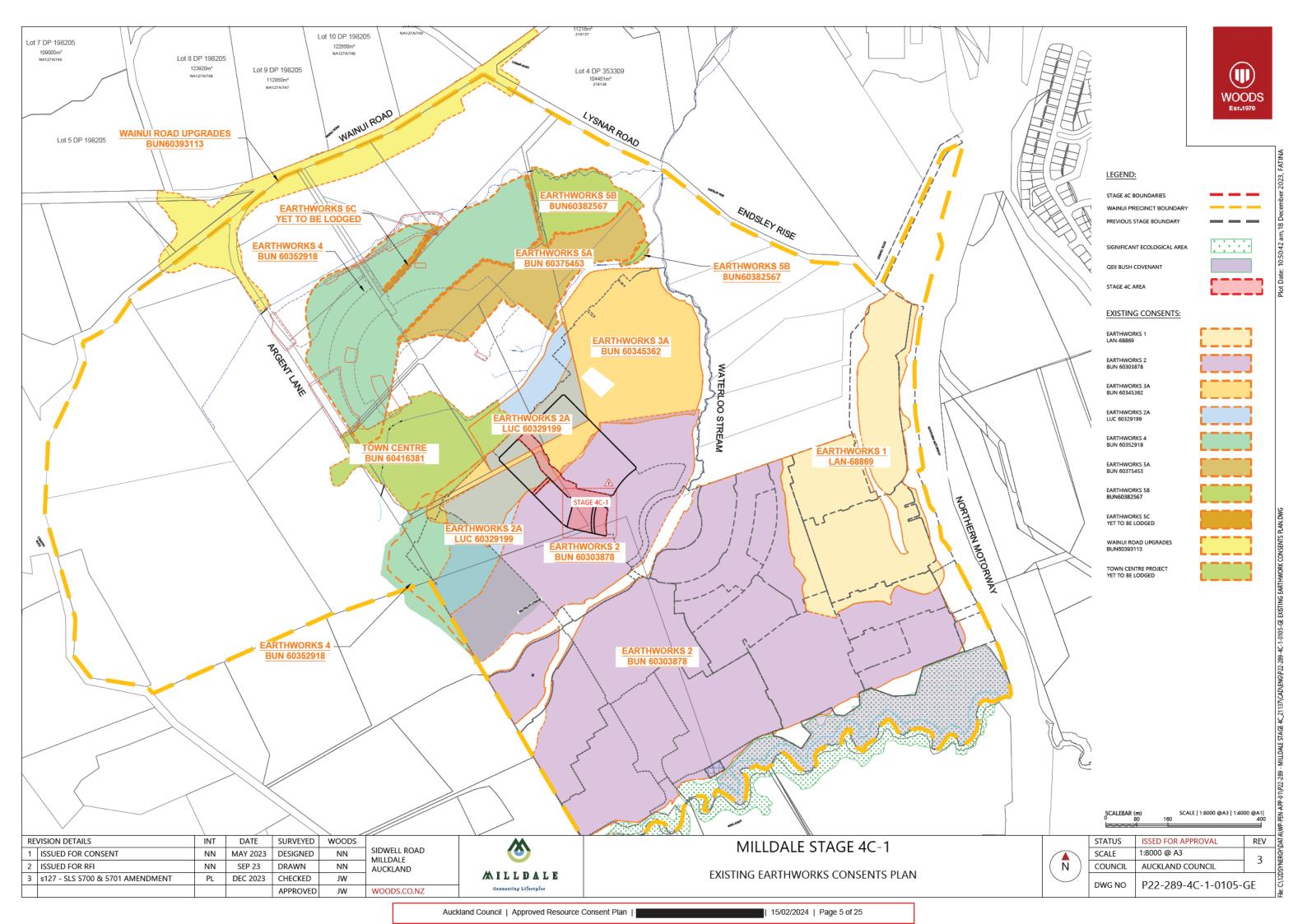
Date: 15 February 2024

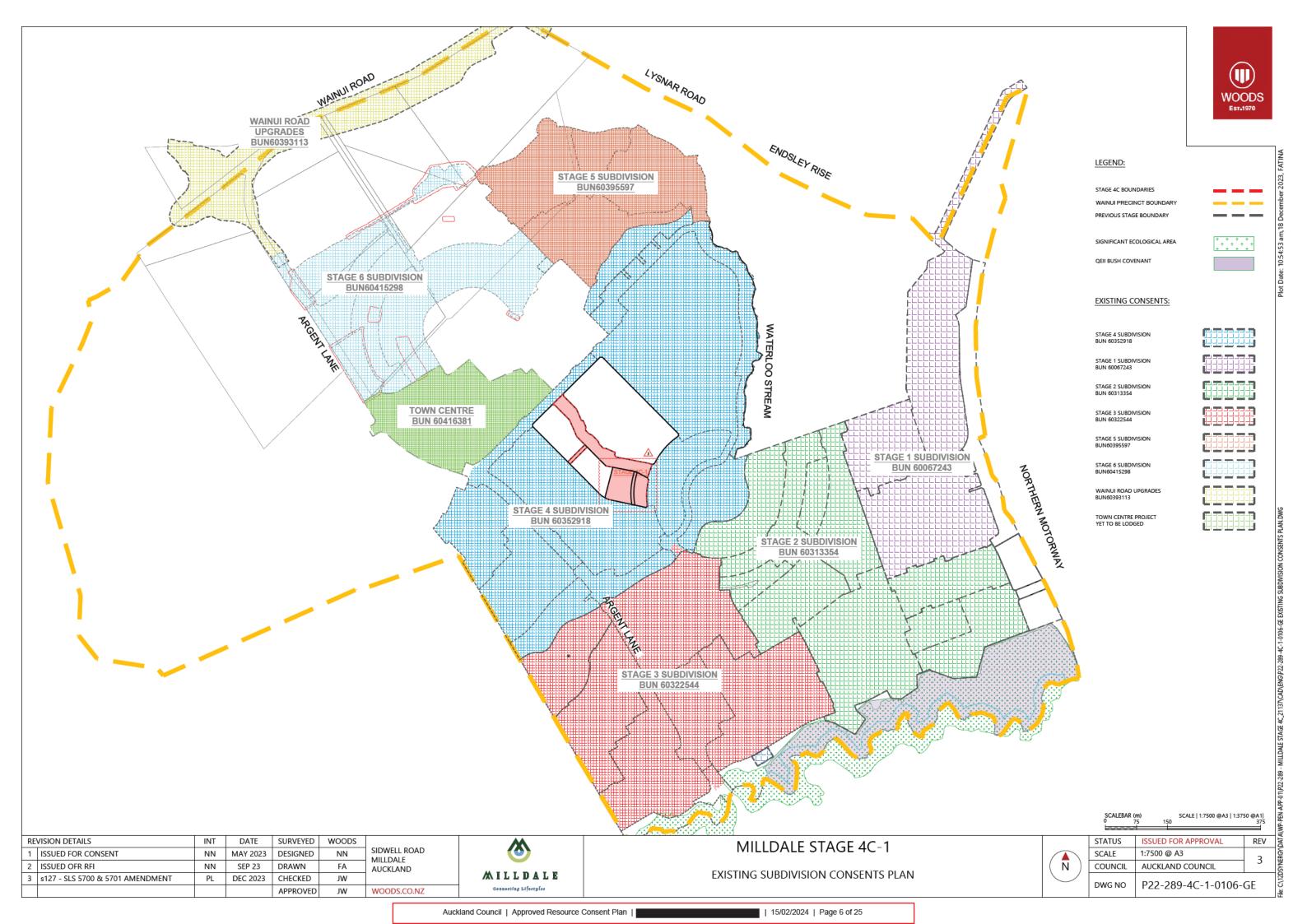




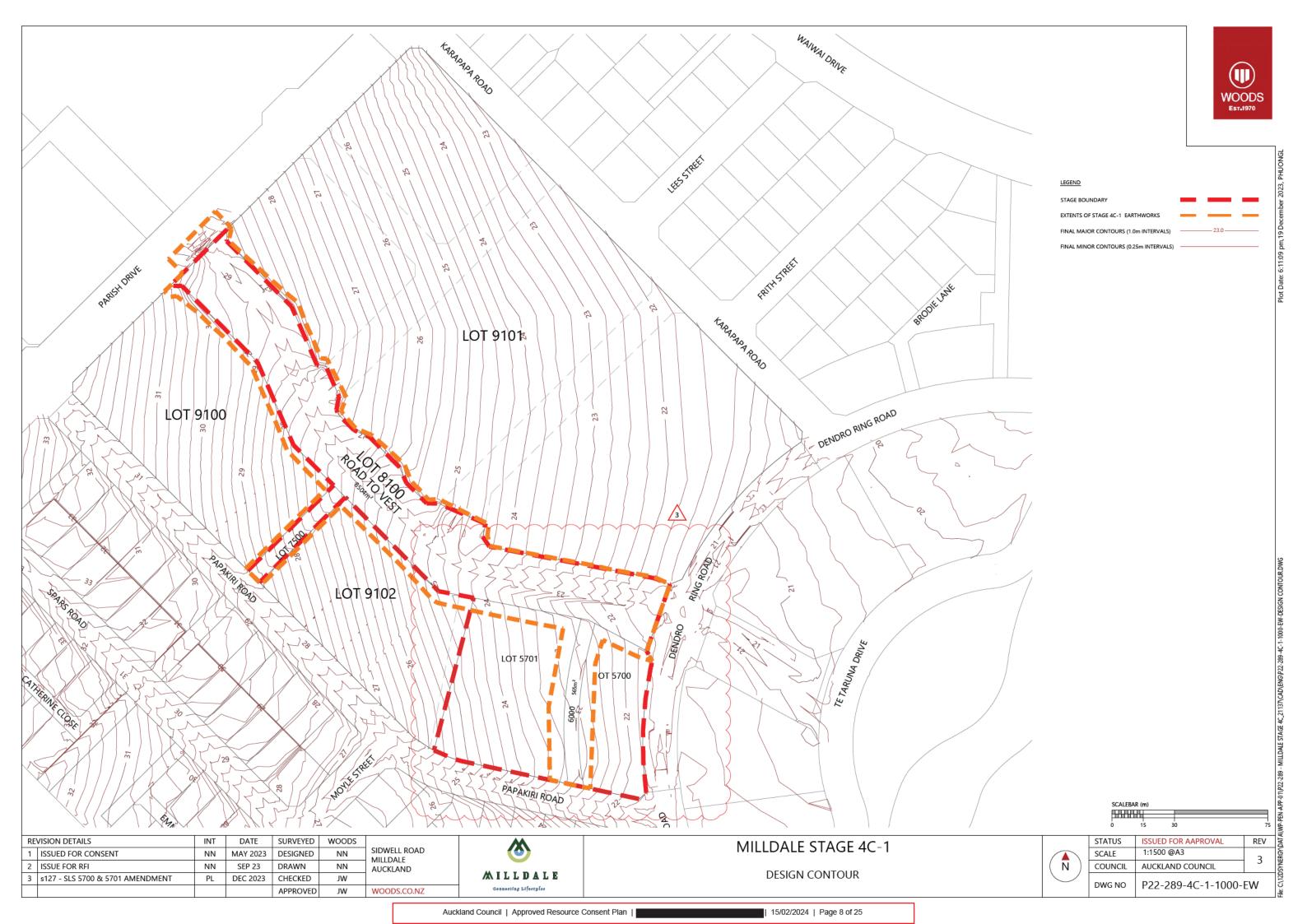




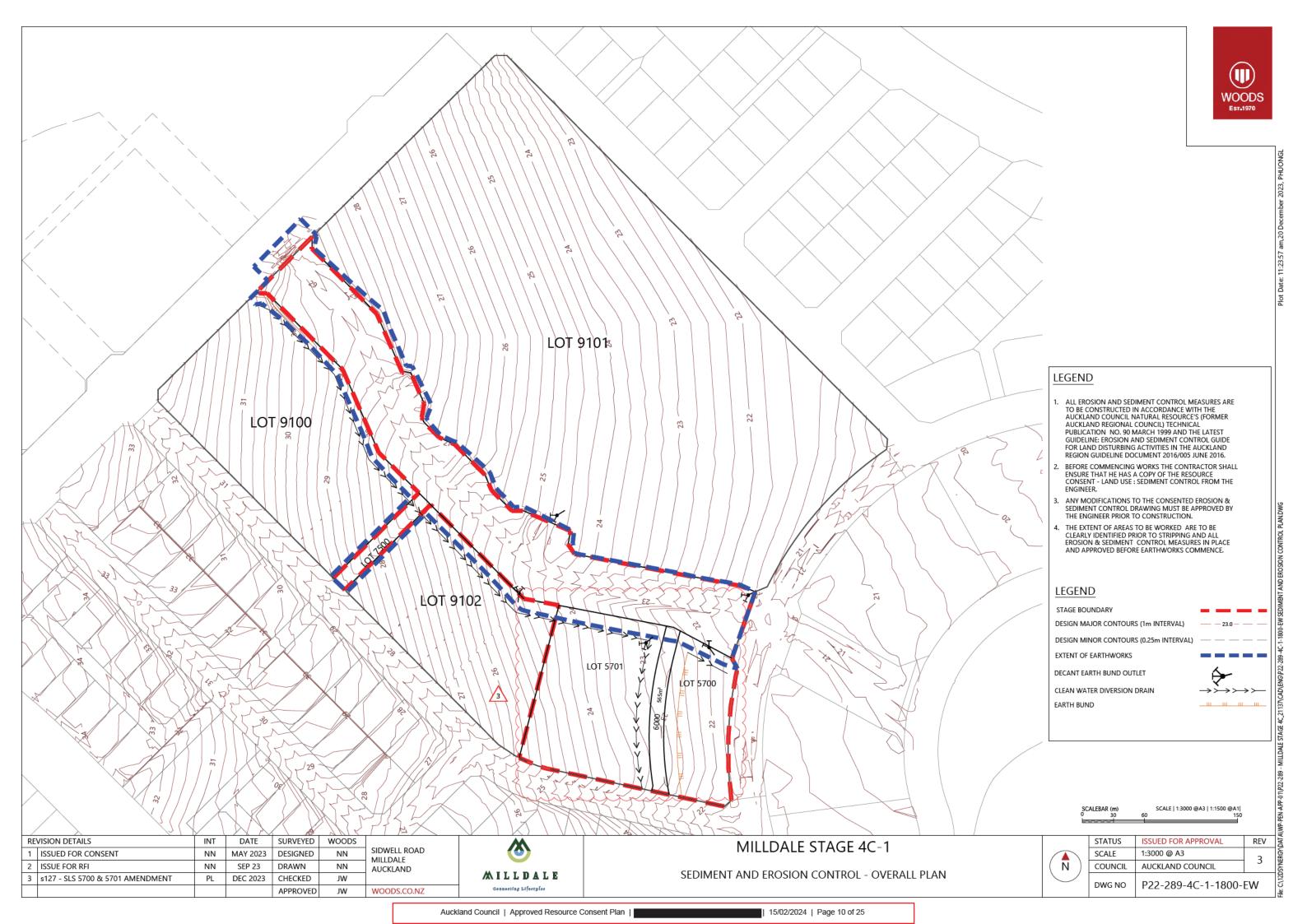


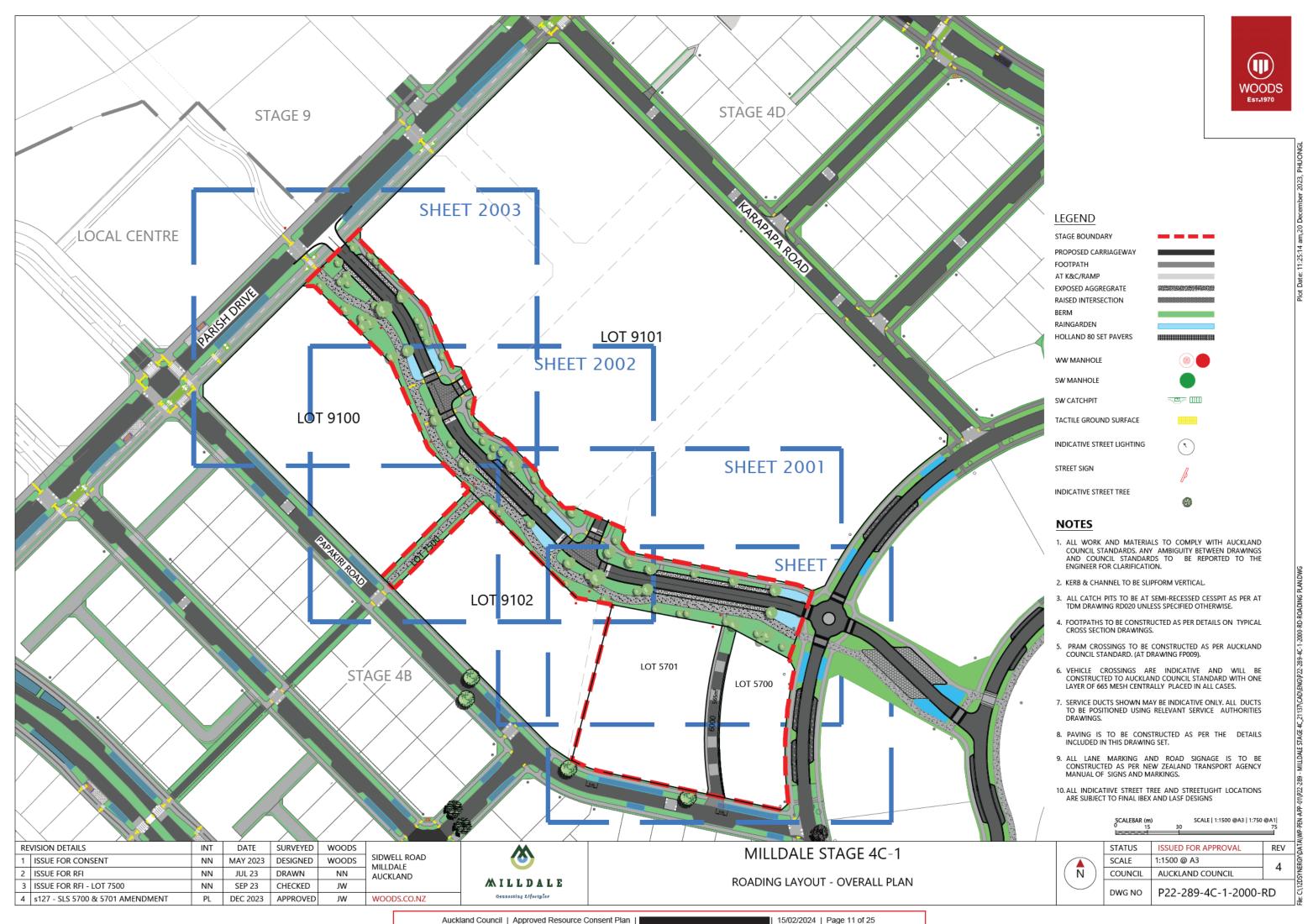


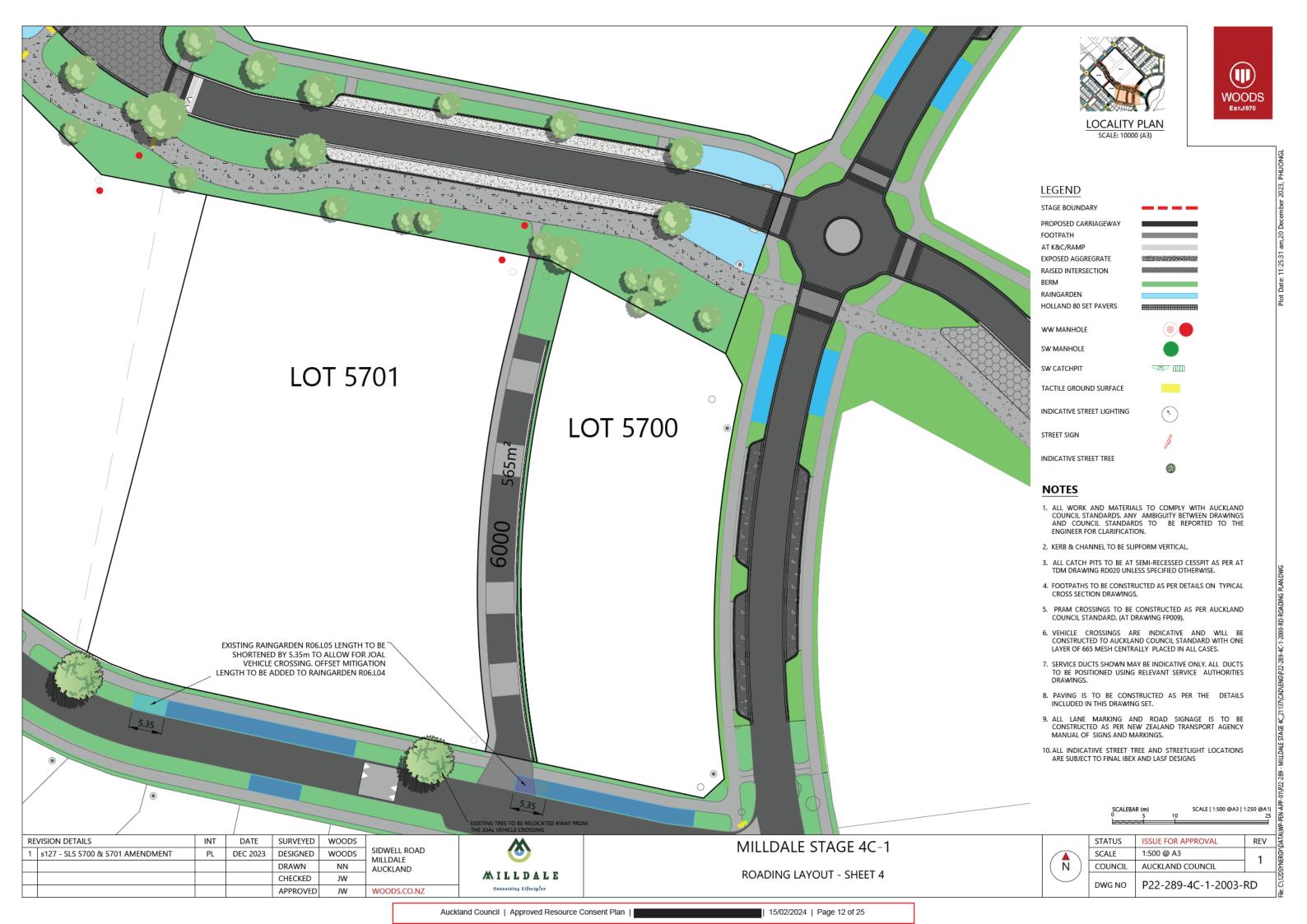








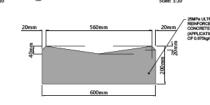






KERB DETAILS

AT TYPE 7 EXTRUDED KERB & NIB



AT TYPE 17 CAST INSITU V DISH CHANNEL

AT TYPE 3 EXTRUDED KERB & CHANNEL CONCRETE WITH 5kg/m3 BLACK OXIDE. EXPANSION JOINTS AT

CAST INSITU KERB

NOTE:

- CONTRACTOR TO CONFIRM TO ENGINEER INSITU SUBGRADE CBR PRIOR TO TRIMMING TO FINAL SUBGRADE LEVEL TO CONFIRM PAVEMENT DEPTHS.
- 2. CONTRACTOR TO USE ONLY AT APPROVED ASPHALT MIXES.
- MAXIMUM DEFLECTION (BB) & CURVATURE (CF) OF ROAD PAVEMENT TO BE:
- SUBURBAN & STREET EDGE: AT BASECOURSE: 1.2mm (BB)
- ALL WORKS AND MATERIALS ARE TO COMPLY WITH AUCKLAND TRANSPORT STANDARDS, ANY AMBIGUITY BETWEEN DRAWINGS AND COUNCIL STANDARDS ARE TO BE REPORTED TO THE ENGINEER FOR CLARIFICATION.
- PRAM CROSSINGS ARE TO BE CONSTRUCTED AS PER AUCKLAND TRANSPORT STANDARDS.
- VEHICLE CROSSINGS TO BE CONSTRUCTED AS PER DETAIL ON DWG P20-240-4D-2300-RD TO 2306-RD AND IN ACCORDANCE AUCKLAND COUNCIL STANDARD WITH ONE LAYER OF 665 MESH CENTRALLY PLACED IN ALL CASES.
- SERVICE TRENCHES SHOWN ARE INDICATIVE ONLY. ALL DUCTS/PIPES ARE TO BE POSITIONED AS PER RELEVANT SERVICE PROVIDER STANDARDS.
- STORMWATER AND WASTEWATER PIPES TO BE LAID WITH MINIMUM 1.00m COVER WITH HARDFILL BACKFILL UNDER ROAD CARRIAGEWAY.
- ALL LANE MARKING AND ROAD SIGNAGE IS TO BE CONSTRUCTED AS PER THE NEW ZEALAND TRANSPORT AGENCY (NZTA) MANUAL OF TRAFFIC SIGNS AND MARKINGS.
- ALL UNDERCHANNELS AND SUBSOIL DRAINSTO COMPLY WITH TNZ/F2 SPEC.



7.00m (minimum) LEGAL W DTH

175mm 25MPa EXPOSED

5m (OR LESS) INTERVALS

50mm AP20 ON 100mm GAP40 MINIMUM SUBGRADE CBR OF 3. CBR

TO BE CONFIRMED WITH ENGINEER

JOAL TYPICAL SECTION

PRIOR TO PLACING SUBBASE

1.35m

FOOTPATH

175mm 25MPa BROOM FINISH

5m (OR LESS) INTERVALS

Scale: 1:100

4.67m CARRIAGEWAY WIDTH

AGGREGATE/BROOM FINISH CONCRETE

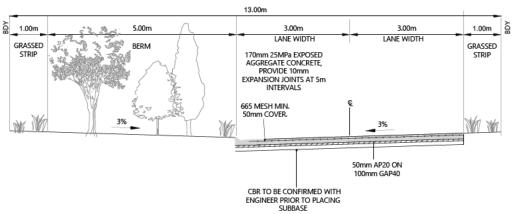
665 MESH MIN 50mm COVER

FXTRUDED MOUNTABLE KERB AND CHANNEL PROVIDE 10mm EXPANSION JOINTS AT

JOAL TYPICAL SECTION WITH CAR PARK

ON STREET PARKING

GRASSED



13.00m

LANE WIDTH

CBR TO BE CONFIRMED WITH ENGINEER PRIOR TO PLACING SUBBASE

170mm 25MPa EXPOSED

AGGREGATE CONCRETE.

EXPANSION JOINTS AT 5m INTERVALS

665 MESH MIN.

50mm COVER.

PROVIDE 10mm

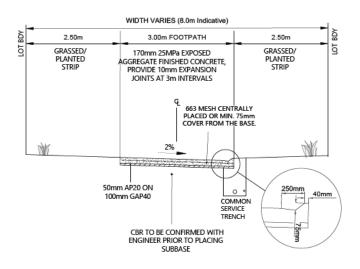
I ANE WIDTH

50mm AP20 ON

100mm GAP40

JOAL TYPICAL SECTION WITHOUT CAR PARK

Scale: 1:100



PEDESTRIAN WALKWAY DETAIL Scale: 1:100

RE	VISION DETAILS	INT	DATE	SURVEYED	WOODS	
1	ISSUE FOR CONSENT	NN	MAY 2023	DESIGNED	PL	SIDWELL ROAD MILLDALF
2	s127 JOAL DETAILS AMENDMENT	PL	DEC 2023	DRAWN	FA	AUCKLAND
				CHECKED	PL	
				APPROVED	JW	WOODS.CO.NZ



MILLDALE STAGE 4C-1

TYPICAL ROAD CROSS SECTIONS & KERB DETAILS - JOALS AND PEDESTRIAN WALKWAY

STATUS	ISSUED FOR APPROVAL	REV
SCALE	AS SHOWN	2
COUNCIL	AUCKLAND COUNCIL	
DWG NO	P22-289-4C-1-2203-	RD



LEGEND STAGE BOUNDARY

PROPOSED CARRIAGEWAY FOOTPATH AT K&C/RAMP EXPOSED AGGREGRATE RAISED INTERSECTION

BERM RAINGARDEN

HOLLAND 80 SET PAVERS

WW MANHOLE

SW MANHOLE SW CATCHPIT

TACTILE GROUND SURFACE

ALL WORK AND MATERIALS TO COMPLY WITH AUCKLAND COUNCIL STANDARDS. ANY AMBIGUITY BETWEEN DRAWINGS AND COUNCIL STANDARDS TO BE REPORTED TO THE ENGINEER FOR CLARIFICATION.

2. KERB & CHANNEL AND KERB A& NIB ARE TO BE SLIPFORM VERTICAL.

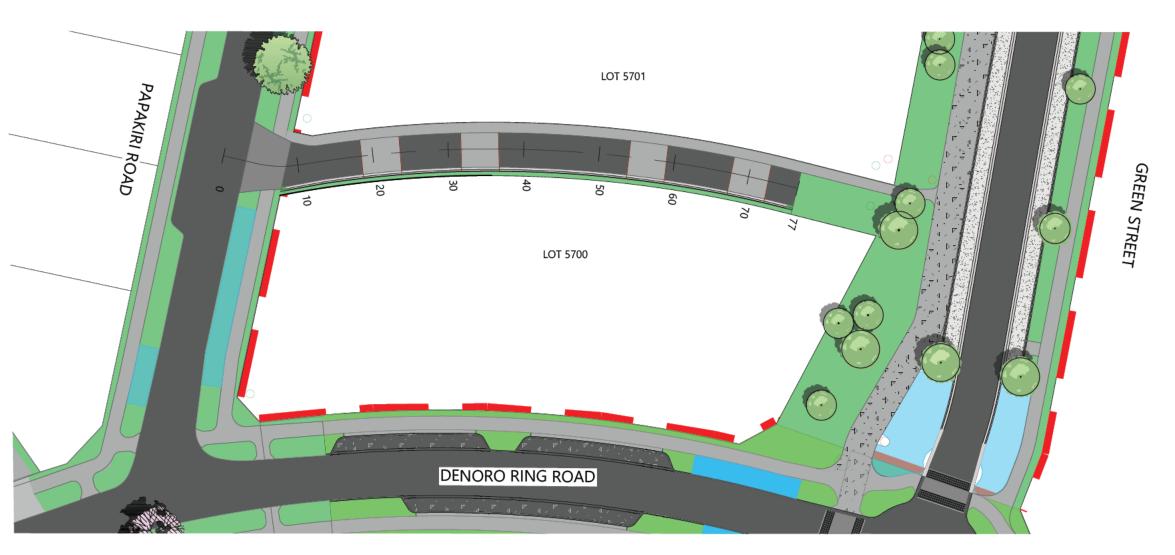
3. ALL CATCHPITS TO BE RECESSED 800X500 1.2m LINTEL UNLESS SPECIFIED OTHERWISE.

4. FOOTPATHS TO BE CONSTRUCTED AS PER DETAILS ON TYPICAL CROSS SECTION DRAWINGS.

5. PRAM CROSSINGS TO BE CONSTRUCTED AS PER AUCKLAND COUNCIL STANDARD.

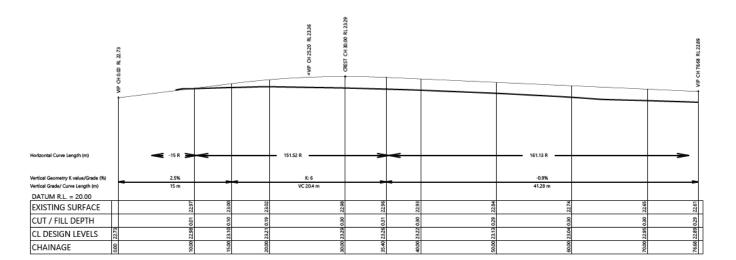
6. VEHICLE CROSSINGS ARE TO BE CONSTRUCTED AS PER THE DETAILS IN ACCORDANCE WITH AUCKLAND COUNCIL STANDARD WITH ONE LAYER OF 665 MESH CENTRALLY PLACED IN ALL CASES OR UNLESS DETAILED OTHERWISE. THE VEHICLE CROSSINGS ARE SHOWN AS FOR PLANNING PURPOSES ONLY AND WILL NOT BE CONSTRUCTED UNLESS OTHERWISE SHOWN.

7. ALL LANE MARKING AND ROAD SIGNAGE IS TO BE CONSTRUCTED AS PER NEW ZEALAND TRANSPORT AGENCY MANUAL OF SIGNS



JOAL 6000 - PLAN Scale: 1:500 @A3

SCALEBAR (m) SCALE | 1:500 @A3 | 1:250 @A1|



JOAL 6000 - LONGITUDINAL SECTION

HORZ 1:500 @A3 VERT 1:100 @A3

	LEBAR (m)		SCALE 1:500 @A3 1:250 @A1
HOR. 0	5	10	25
VERT.	1	2	SCALE 1:100 @A3 1:50 @A1

RE	VISION DETAILS	INT	DATE	SURVEYED	WOODS	
1	s127 - SLS 5700 & 5701 AMENDMENT	PL	DEC 2023	DESIGNED	WOODS	SIDWELL ROAD MILLDALE
				DRAWN	NN	AUCKLAND
				CHECKED	JW	
				APPROVED	JW	WOODS CO N7

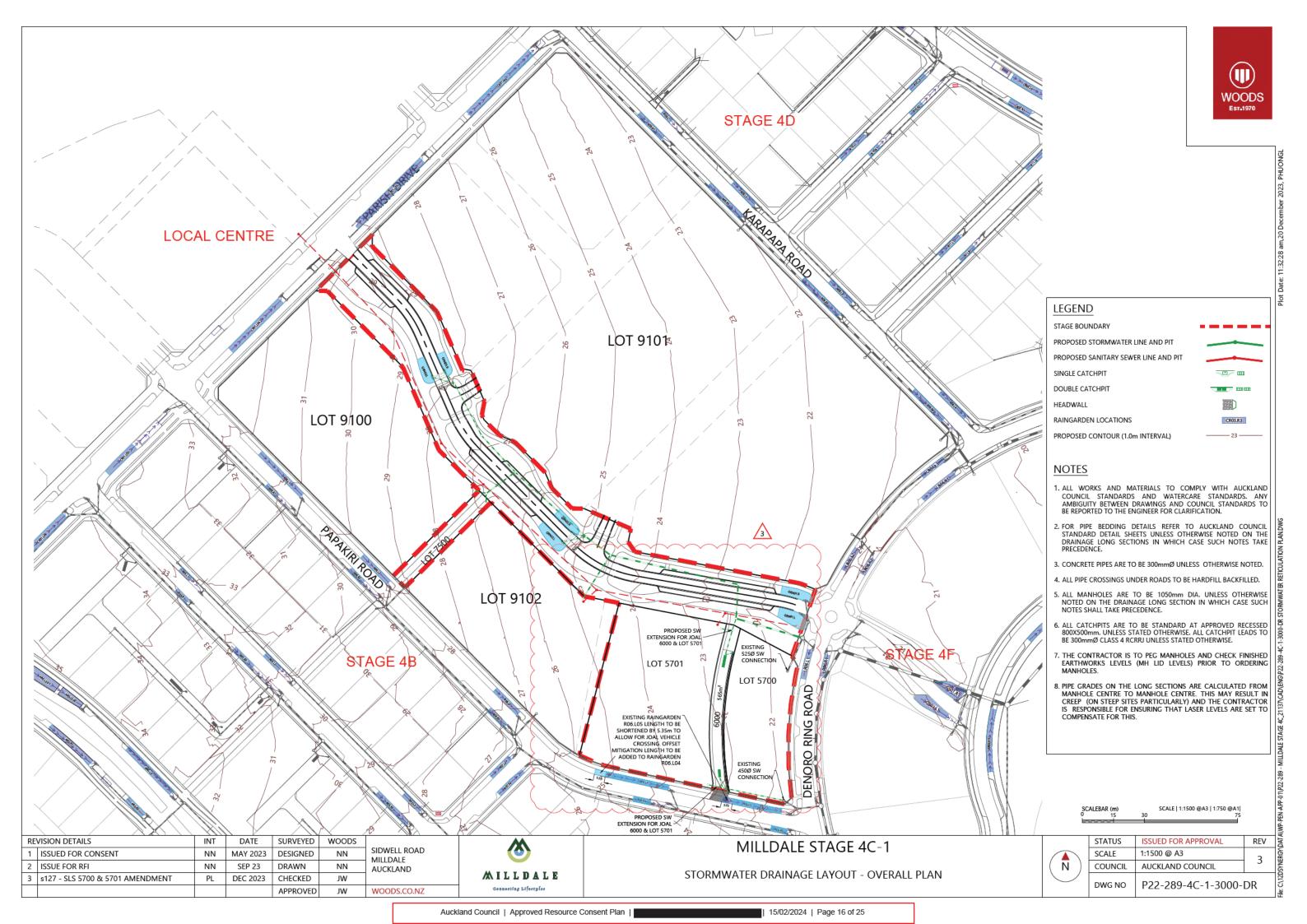


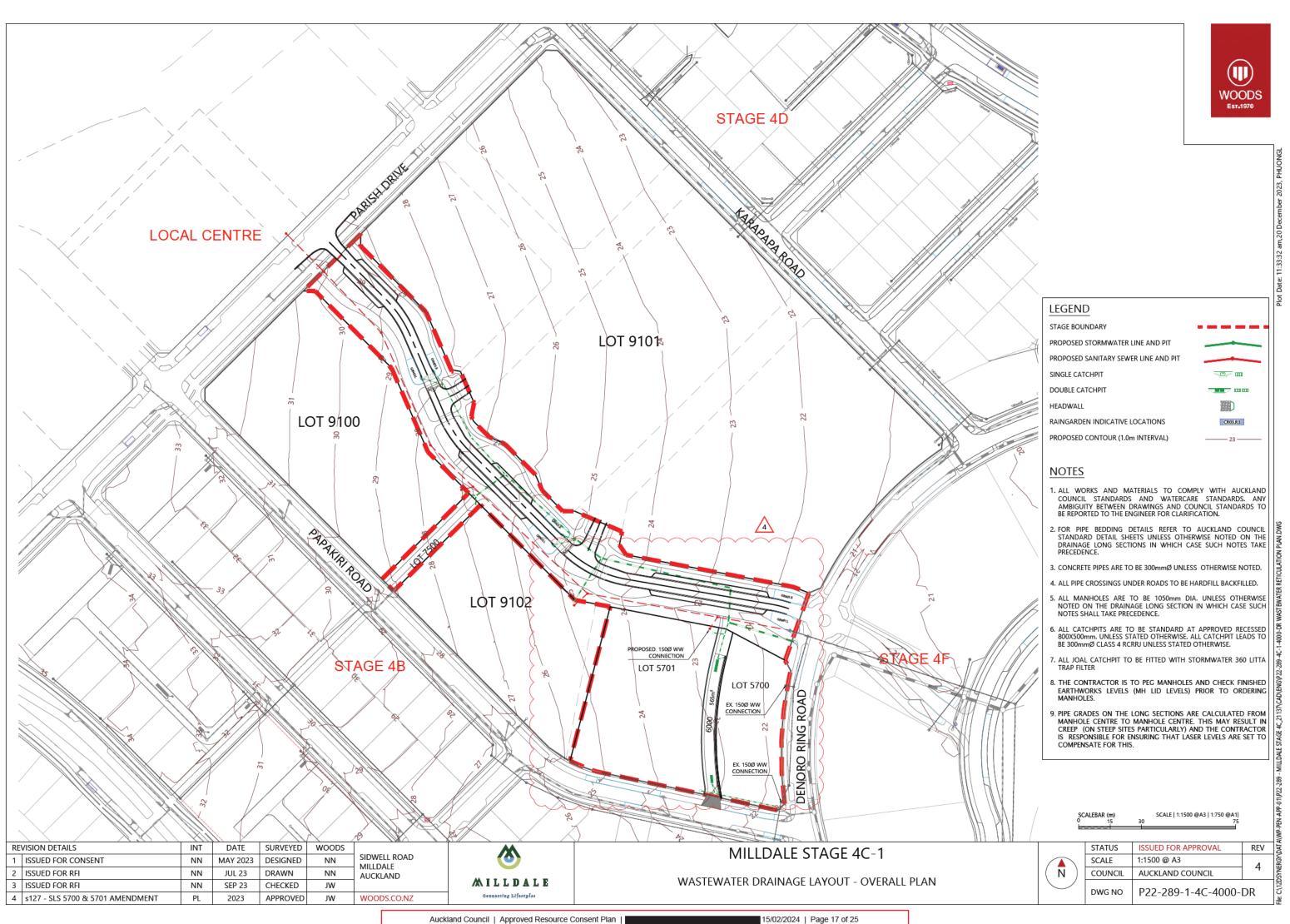
MILLDALE STAGE 4C-1

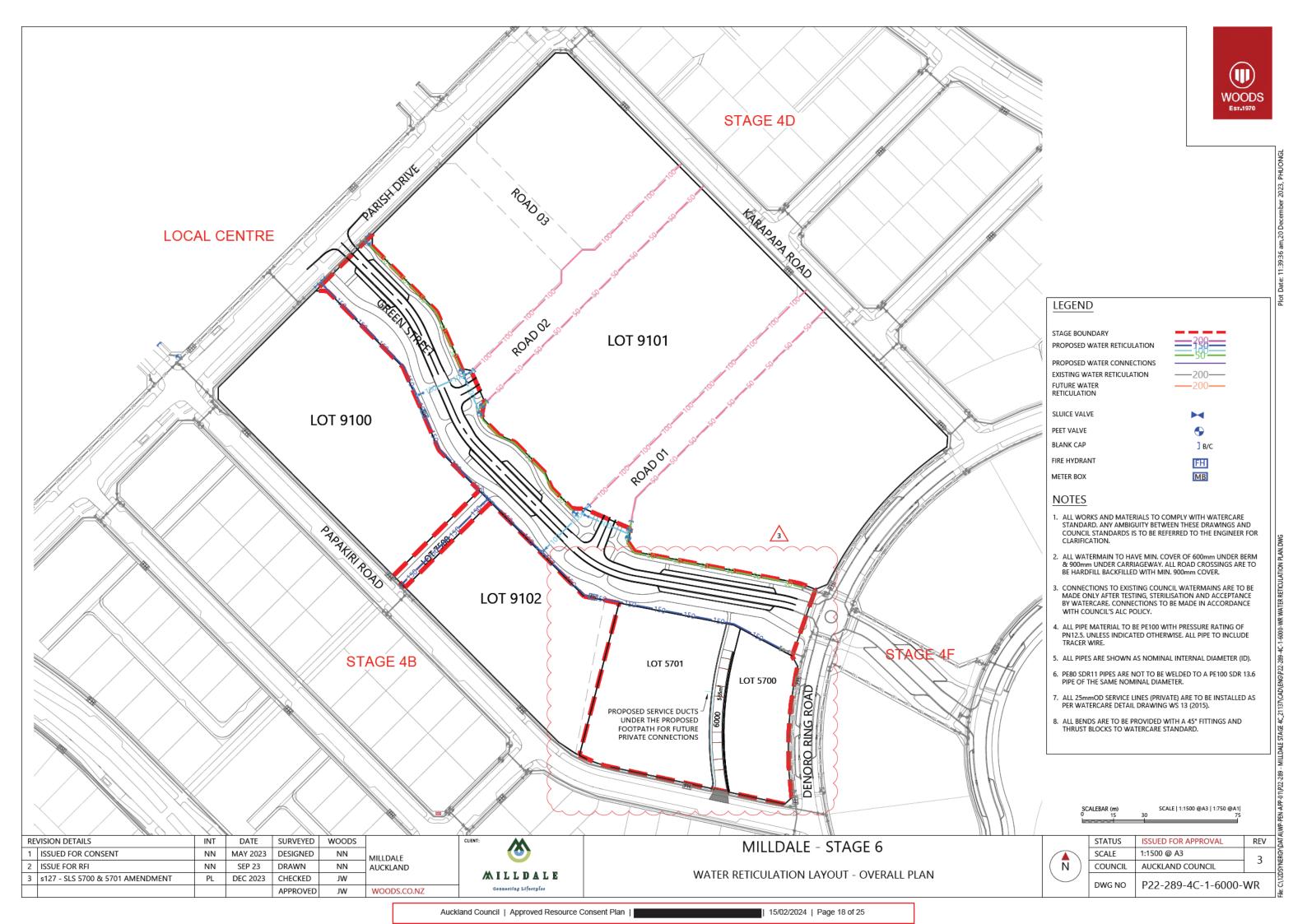
JOAL 6000 LONGSECTION

	SIAIU
	SCALE
ZÞ)	COUN
	DWG N

	STATUS	ISSUED FOR APPROVAL	REV
	SCALE	AS SHOWN	1
)	COUNCIL	AUCKLAND COUNCIL	-
	DWG NO	P22-289-4C-1-2402-	RD



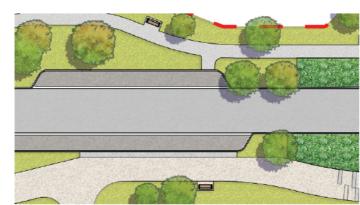




MILLDALE STREETSCAPE - STAGE 4C-1

MILLDALE DEVELOPMENT, AUCKLAND







REVISED CONCEPT DESIGN FOR RESOURCE CONSENT

December 2023







LEGEND



Indicative future connection to Stage 4B

HARDSCAPE



Exposed aggregate concrete with Peter Fell oxide, to match Stage 4F



1.8m Footpath and Pedestrian Crossing

Broom finish concrete with 5kg/m³ black oxide, to match Stage 4F



Intersection

Vehicular grade Firth Holland Set pavers



Band Treatment to Shared Path Nodes

Coloured concrete band treatment to key shared path nodes



Carpark Buffer Strip

Coloured concrete band to provide buffer between carpark and shared path

INDICATIVE STREET FURNITURE

 ${\sf SFNZ\,Sandringham\,accessible\,picnic\,set}$



SFNZ Portland seat with backrest and armrest

Subject to Local Board approval at EPA

PLANTING



Grassed areas



Raingarden Planting Mix, refer to Planting Schedule



Specimen Trees, refer to Planting Plan





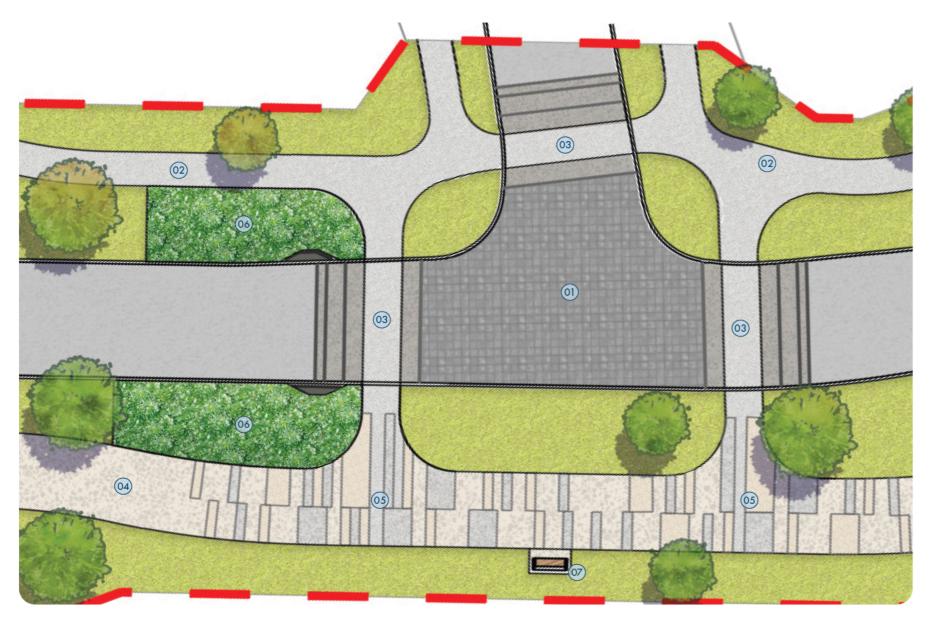
LANDSCAPE PLAN 1:850 at A3



MILLDALE STAGE 4C-1 Milldale, Auckland

s127 REVISION 21 / 12 / 2023

01



DETAIL PLAN A TYPICAL GREEN STREET INTERSECTION

1:200 at A3

- 01 Intersection with vehicular grade cobblestone sets
- 02) 1.8m wide footpath
- 03 Pedestrian crossing
- 04) 4m wide shared path
- 05) Coloured concrete bands
- 06) Rain garden
- 07 Bench (indicative only)

MATERIAL PALETTE









Shared Path

Exposed aggregate concrete with Peter Fell oxide, to match Stage 4F

Footpath and Pedestrian Crossing

Broom finish concrete with 5kg/m³ black oxide, to match Stage 4F

Vehicular grade Firth Holland Set pavers







Shared Path Nodes

Exposed aggregate concrete with varying Peter Fell oxides

Carpark Buffer Strip

Exposed aggregate concrete with varying Peter Fell oxides

INDICATIVE STREET FURNITURE PALETTE

Subject to Local Board approval at EPA





Picnic Set

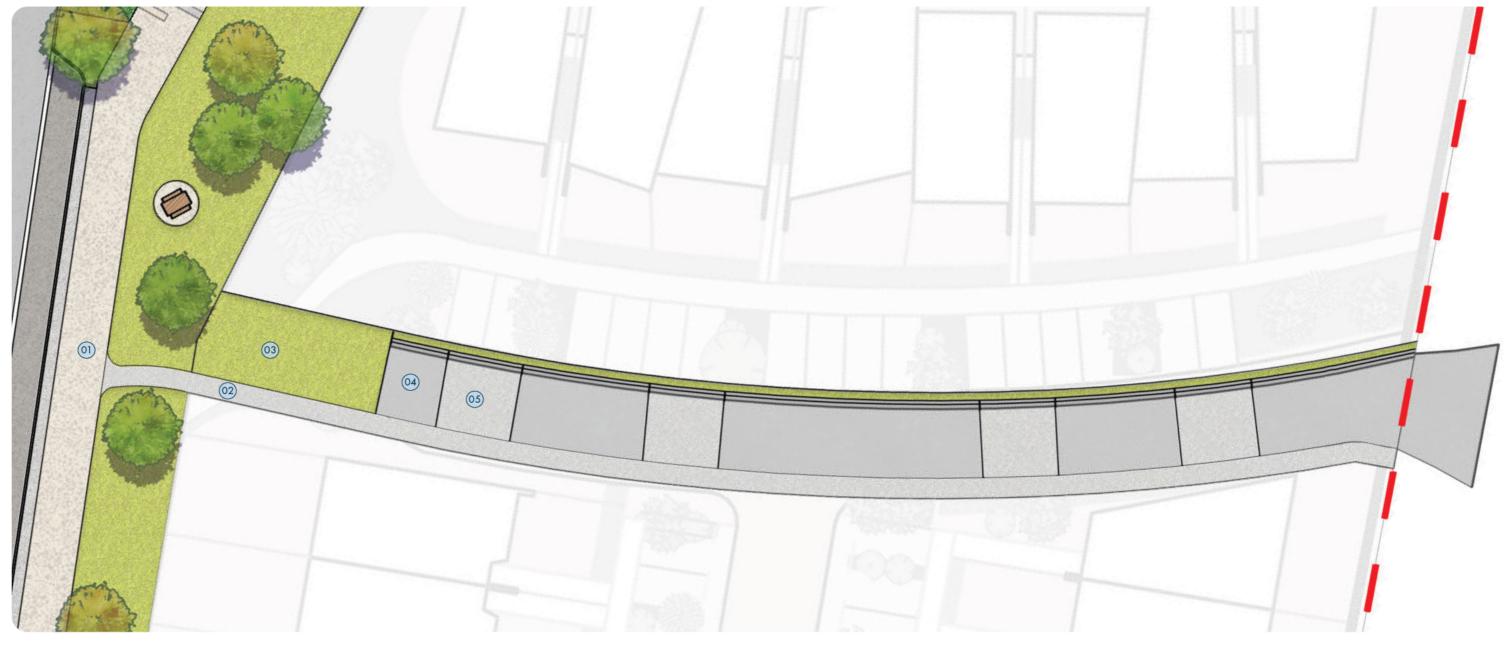
SFNZ Sandringham accessible picnic set

Bench

SFNZ Portland seat with backrest and armrest





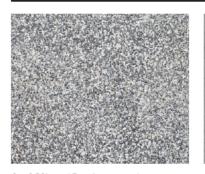


DETAIL PLAN B JOAL CARRIAGEWAY

1:250 at A3

- 01) 4m wide shared path
- 02 Joal Footpath
- 03 Area for private amenity planting
- 04 Joal Mix 1
- 05 Joal Mix 2

MATERIAL PALETTE



Joal Mix 1 (Carriageway)

Exposed aggregate concrete with
Peter Fell oxide

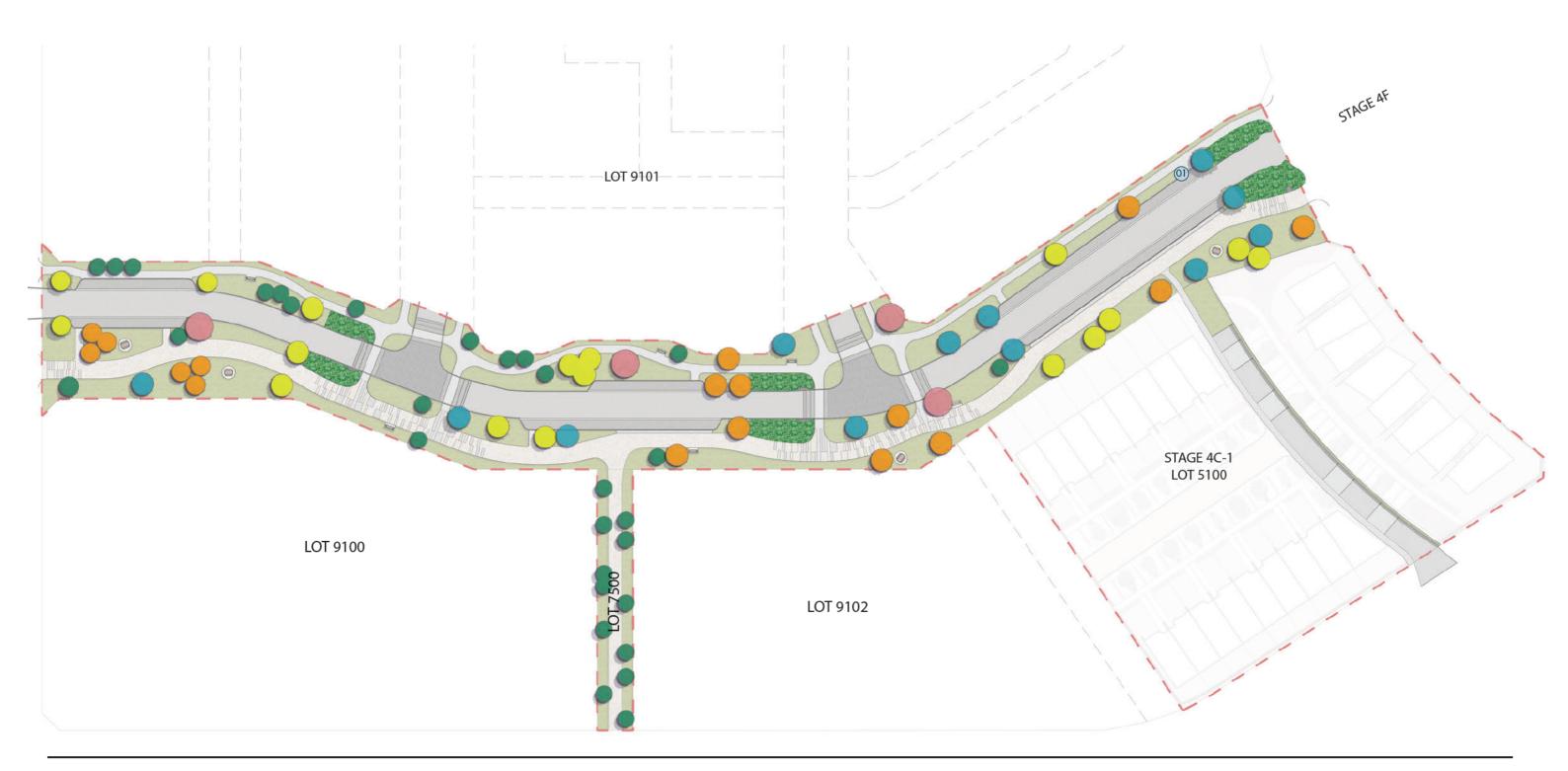


Joal Mix 2 (Carriageway and Joal Footpath)

Broom finish concrete with 5kg/m³ black oxide







SHRUB PLANTING AND GRASSED AREAS



Grassed Areas

TREE PLANTING



Tānekaha Phyllocladus trichomanoides









04

GREEN STREET TREES

Titoki Alectryon excelsus



Tawapou Planchonella costata



Tānekaha Phyllocladus trichomanoides



Mānatu, ribbonwood Plagianthus regius



Puriri Vitex lucens



RAIN GARDEN MIX

Sand coprosma Coprosma acerosa 'Hawera'



Wiwi / knobby club rush Ficinia nodosa



Lomandra Tanika

Lomandra 'Tanika'

PLANTING SCHEDULE

GREEN STREET SPECIMEN TREES

BOTANICAL NAME	COMMON NAME	Mix (%)	Area	GRADE	Min. Size at		Size at Maturity		Spacing	Estimated		
BOTANICAE NAME	COMMONITAME	WIIX (70)	(m2)	GINADE	Planti	Planting (m)		ting (m)		(m)		Quantity
Height x Width							Height	x Width				
Alectryon excelsus	Titoki	-	-	45L	2.2	0.8	7	4	As shown	17		
Planchonella costata	Tawapou	-	-	45L	2.0	0.8	6	3	As shown	30		
Phyllocladus trichomanoides	Tānekaha	-	-	45L	2.3	0.8	12	4	As shown	17		
Plagianthus regius	Mānatu, ribbonwood	-	-	45L	2.0	0.6	12	4	As shown	12		
Vitex lucens	Pūriri	-	-	45L	1.7	0.8	8	6	As shown	4		
									TOTAL	68		

RAIN GARDEN MIX

BOTANICAL NAME	COMMON NAME	Mix (%)	Area	Area (m2) GRADE	Size at Planting		Size at Maturity		Spacing	Estimated
	COMMON NAME		(m2)		(r	n)	(m)		(m)	Quantity
367			Height	x Width	Height	x Width				
Coprosma acerosa 'Hawera'	Groundcover coprosma	52	191	2L	0.05	0.15	0.2	1	1	191
Ficinia nodosa	Wiwi / Knobby club rush	15	55	2L	0.3	0.15	0.7	1	0.7	112
Lomandra 'Tanika'	Lomandra Tanika	33	121	2L	0.4	0.15	0.7	0.7	0.5	484
									TOTAL	788

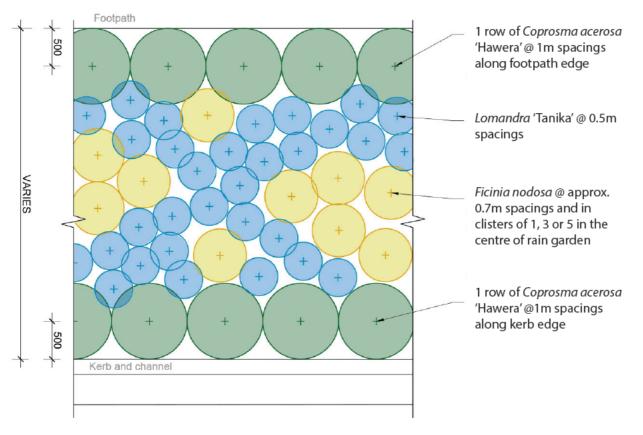
GENERAL NOTES

- The Contractor is to ensure all plants are of a healthy and consistent stock which meet the requirements outlined in the Schedule and Landscape Specification. If alternatives are required to meet any of these conditions then the contractor shall propose accordingly to the Landscape Architect for approval.
- All nursery stock shall be reviewed and approved by the Landscape Architect for health and structure prior to installation. Notification for inspection must be provided at least one (1) month prior to planned installation.

The following inspections are required prior to installation of mulch and planting:

- 1. Review of excavation to formation levels where applicable
- 2. Topsoil samples prior to installation
- 3. Garden bed/grass area profiling





TYPICAL RAIN GARDEN PLANTING LAYOUT

1:50 at A3

SHRUB PLANTING NOTES

- A minimum 400mm soil media layer shall be achieved with an additional 100mm layer of approved mulch applied to all areas of shrub planting.
- The Landscape Architect shall approve the sample planting layout(s)prior to implementation. The Contractor shall notify the Landscape Architect minimum 48 hours in advance so that joint site inspection(s) can be arranged.
- All planted and grassed areas shall be excavated to formation levels and/or as required to ensure no
 impervious surfaces occur beneath and required topsoil depths are achieved as applicable.
- All planting should be planted individually or in clusters of 3 or 5, unless otherwise stated.



