

View Instrument Details



Instrument No	12704863.7
Status	Registered
Date & Time Lodged	10 July 2023 15:41
Lodged By	Ross, Janet Mary
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
1117470	North Auckland
1117471	North Auckland
1117472	North Auckland
1117473	North Auckland
1117474	North Auckland

Annexure Schedule Contains 5 Pages.

Signature

Signed by Vaughan Bevan Syers as Territorial Authority Representative on 07/07/2023 03:55 PM

*** End of Report ***

IN THE MATTER of the Resource Management Act 1991 ("**the Act**")

A N D

IN THE MATTER of a subdivision consent as evidenced by Land Transfer Plan No. 588121

A N D

IN THE MATTER of a Consent Notice issued pursuant to Section 221 of the Act by **WHANGAREI DISTRICT COUNCIL** ("**the Council**")

IT IS HEREBY CERTIFIED that the following conditions to be complied with on a continuing basis by the subdividing owner and subsequent owners were imposed by the Council as conditions of approval for the subdivision as effected by Land Transfer Plan No. 588121 ("**the plan**"), a copy of which is available at Council under file SL2200024.

A. The following conditions shall apply to Lots 4, 5, 6, 7 and Lot 8 ("the Lots") on the plan:

- (i) Any development shall comply with the restrictions and recommendations identified in the Hawthorn Geddes Engineers & Architects Limited engineering suitability report reference 12696 Rev 1 dated 24/03/2022 (a copy of which is available at Council under file SL2200024) unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.
- (ii) The location and foundations of any building shall be certified by a suitably experienced Chartered Professional Engineer prior to issue of any building consent, noting the location of instability and flood susceptible areas on Council's Geographic Information Systems maps.
- (iii) Water supply will be via roof collection to tanks in respect of all the Lots. Prior to occupation of any habitable building each Lot shall provide a minimum 25,000 litre tank with 5-micron filter, with 10,000 litres set aside for firefighting purposes.
- (iv) At the time of building consent provide suitable evidence/design to illustrate that, stormwater attenuation will be provided for all impervious surfaces to ensure compliance with Chapter 4 of Council's Engineering Standards 2022, to the satisfaction of the Building Officer.
- (v) The existing overland flow paths are to be maintained by the Lot owner. No modification of the existing ground profile, plantings, fencing or buildings/structures of any kind will be permitted within

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the overland flow path unless a specific design has been done by a Chartered Professional Engineer and is approved in writing by the Council.

- (vi) No Principal Residential Unit, Minor Residential Unit, Minor Building, Building or Major Structure shall be constructed, placed or stored outside the designated building area on the Lots, as defined on the scheme plan approved by the underlying subdivision consent (Ref: SL2200024).

NOTE:

- For the purposes of this condition, all areas outside the designated building area are considered to be "no-build areas".
- For the purposes of this condition, Principal Residential Unit, Minor Residential Unit, Minor Building, Building and Major Structure shall be as defined in the Whangarei District Council District Plan.

- (vii) Any built development shall be undertaken in accordance with the the Simon Cocker Landscape Architecture Limited (SCLA) report – Ref: 22013_01 – Revision 5 and dated 26 August 2022 (a copy of which is available at Council under file SL2200024), including the following development standards:

(a) LOCATION OF BUILT FORM

- (i) Buildings and structures shall be confined to the identified building area.
- (ii) No works shall occur in the "No-Build" areas.

(b) MASSING OF BUILT FORM

- (i) Ancillary buildings shall complement the design and materials of the primary residential unit and shall be located a maximum of 10 meters from the primary residential unit.

(c) MATERIALS

The colour selection for all buildings and structures must be made from the following indicators:

- (i) Hue (Colour): All the colours from 00–24 are acceptable Reflectance Value (RV) and Greyness Groups.

The predominant wall colours, have a RV rating of no more than 30% for greyness groups A and B and no more than 30% for greyness group C.

- (ii) Roofs: A RV rating of no more than 20% within greyness groups A, B and C.

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(iii) Mirrored glazing is not permitted.

(d) FENCING

All fences shall be constructed from materials and be of a design and scale that reflects a rural character. Timber post and rail, and post, wire and batten fences are appropriate, solid screen fences are not permitted.

Fences shall be a maximum of 1.2m in height.

(e) STONE WALLS

Dry stone walls are not to be removed or damaged.

Dry stone walls on any Lot boundary and on the adjoining road berm shall be maintained to a good standard by the owner.

Any earthworks or planting shall be undertaken in a location and in a manner that does not cause harm or damage to any stone wall.

Compliance with the above requirements shall be demonstrated at part of any building consent application.

B. The following conditions shall apply to Lots 4, 5, 6 and 7 ("the 4 to 7 Lots") on the plan:

- (i) The specimen planting undertaken in accordance with the defined planting areas and specimen tree schedule shown on the plan titled "Figure 2a: The Proposal" – Drawing No. 45265-DR-C-1200 – Revision B - dated 22/08/2022 – as provided under Appendix 1 of the Simon Cocker Landscape Architecture Limited (SCLA) report – Ref: 22013_01 – Revision 5 and dated 26 August 2022. (a copy of which is available at Council under file SL2200024) shall be maintained in perpetuity. In the event of any plantings undertaken becoming diseased, or dying, they must be replaced by the same or similar species provided in the table below:

Specimen Tree Schedule			
Species	Common Name	Grade	Additional Requirements
Alectryon Excelus	Titoki	Pb40	Drip zone to be mulched
Beilschmiedia Taraire	Taraire	Pb40	Drip zone to be mulched
Podocarpus Totara	Totara	Pb40	Drip zone to be mulched
Vitex Lucens	Puriri	Pb40	Drip zone to be mulched
NOTE: Trees along main access (Lot 9) (JOAW) to be single species (Puriri)			

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Where such replacement plants are required, the planting shall occur immediately within the next available planting season and maintained in perpetuity.

- (ii) The owners of the 4 to 7 Lots shall ensure the following conditions are adhered to:
 - (a) The owners are permitted to have one (1) dog per site. The dog must be micro-chipped and registered with the Council.
 - (b) That any dog within the 4 to 7 Lots is under effective control at all times.
 - (c) No cats shall be kept, or permitted to be kept, within the 4 to 7 Lots at all times.
 - (d) The owners shall ensure that the following is adhered to at all times:
 - (i) The dog residing on the site is kept within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area provided for within the subject site; and
 - (ii) Be kept under effective control at all times, day and night.
 - (e) The owners shall ensure that any visitors are made aware that no other dog(s) are allowed to visit the site, unless the following conditions are adhered to:
 - (i) The dog is kept within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area provided for within the subject site.
- (iii) The owner(s) are to be advised that there may be unrecorded archaeological sites within the 4 to 7 Lots. In the event of an "accidental discovery" of archaeological material during any earthworks and/or construction phase, the following steps shall be undertaken:
 - (a) All work on the site will cease immediately. The contractor/works supervisor will shut down all equipment and activity.
 - (b) The contractor/works supervisor/owner will take immediate steps to secure the site (tape it off) to ensure the archaeological remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside of the site area.
 - (c) The contractor/works supervisor/owner will notify the Area Archaeologist of Heritage New Zealand - Pouhere Taonga (Northland Office), tangata whenua and any required statutory agencies, if this has not already occurred.

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- (d) Heritage New Zealand - Pouhere Taonga advise the use of a qualified archaeologist who will confirm the nature of the accidentally discovered material.
- (e) If the material is confirmed as being archaeological, under the terms of the Heritage New Zealand Pouhere Taonga Act 2014, the landowner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from Heritage New Zealand - Pouhere Taonga before work resumes.

If burials, human remains/koiwi tangata are uncovered, steps (a) to (c) above must be taken and the Area Archaeologist of Heritage New Zealand -Pouhere Taonga, the New Zealand Police and the Iwi representative for the area must be contacted immediately. The area must be treated with discretion and respect and the koiwi tangata/human remains dealt with according to law and tikanga.

DATED at Whangarei this 30th day of March 2023.

SIGNED for **WHANGAREI DISTRICT COUNCIL**
pursuant to the authority of the Council given
pursuant to the Local Government Act 2002 and the
Resource Management Act 1991

K.T. Satherley
KT Satherley (Mar 30, 2023 12:45 GMT+13)

Authorised Signatory
Karen Toni Satherley
Post Approval RMA Officer