

View Instrument Details



Instrument No 10268001.2
Status Registered
Date & Time Lodged 19 January 2016 16:29
Lodged By Thomas, Andrew Edward Gareth
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Affected Computer Registers	Land District
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658755	Wellington
658756	Wellington
658757	Wellington
658758	Wellington
658759	Wellington
658760	Wellington
658761	Wellington
658762	Wellington
658763	Wellington
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658776	Wellington
658777	Wellington
658778	Wellington
582325	Wellington
582327	Wellington
582328	Wellington
669841	Wellington
669842	Wellington
669843	Wellington
669844	Wellington
669845	Wellington
669846	Wellington

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 9099897.6
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Annexure Schedule: Contains 8 Pages.

Signature

Signed by Suzanne June Learmonth as Territorial Authority Representative on 03/02/2016 10:29 AM

***** End of Report *****



**VARIATION TO CONSENT NOTICE
PURSUANT TO SECTION 221(3)
OF THE RESOURCE MANAGEMENT ACT 1991**

IN THE MATTER OF DPs 454080 and 476550

**FOR LOT 3 DP 454080 and Lots 201 and 202 DP 476550;
CTs 658777 and 658778
At Mahia Lane,
For VJ Limited**

To: the Regional Regulatory Titles Officer at Wellington

Please be advised that pursuant to Section 221(3) of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that, in relation to **Lot 3 DP 454080 only**, it has consented to a variation of the following consent notice conditions from the consent notices dated 9 August 2012 for DP 454080:

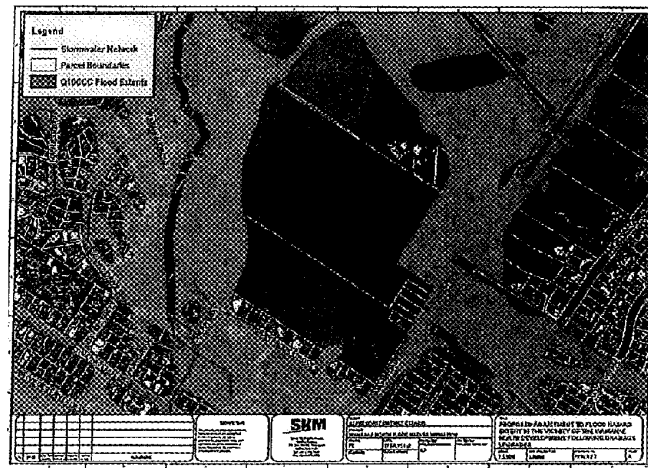
1. **With respect to Lots 2, 3, 5 and 107:** Foundation design and construction for any new building or addition or alterations to a building shall take into account:
 - The findings and recommendations within the document prepared by Landlink Limited, dated 24 May, 2012 and entitled "Statement of Professional Opinion as to Suitability of Land for Building Construction" together with associated documents which were submitted to Council in relation to application No. RM100229; and
 - The requirements and intent of the report entitled "Waikanae Plan Change Application, Assessment of Environmental Effects – Geotechnical" dated August 2006.

Copies of the above documents are available in the Kapiti Coast District Council Office at any time the office is open to the public.

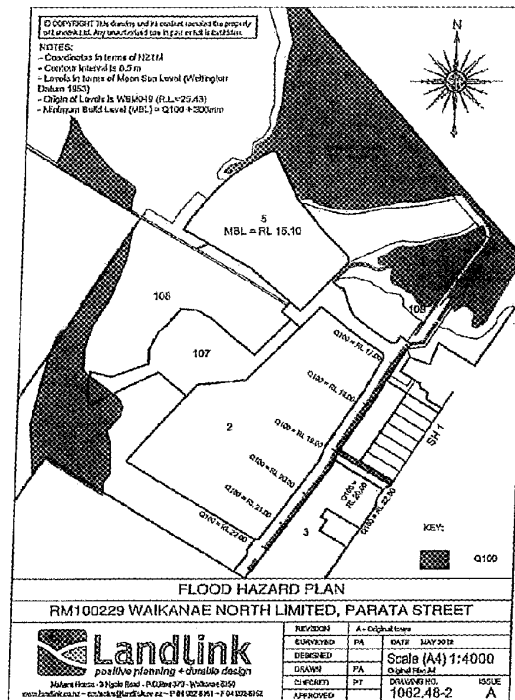
2. **With respect to Lots 3 and 5:** Any stormwater disposal design related to any development on the land must incorporate provision for and be constructed to the following design criteria to the satisfaction of the Kapiti Coast District Council:
 - provide all roads and vehicle carriageways with a primary system designed to convey the Q10 rainfall event and with a secondary overflow system designed to convey the Q100 rainfall event;
 - include appropriate control structures to ensure the stormwater discharging from lots 3 and 5 meet the parameters specified in the stormwater disposal designed approved under Condition 26;
 - protect and maintain existing overflow and natural drainage paths, unless otherwise altered during stage 1 as approved by the Kapiti Coast District Council Stormwater Engineer; and
 - be verified through hydraulic modelling by a suitably qualified hydrologist or hydraulic modelling specialist, and may be subject to peer review at the consent holder's expense.

It shall be the ongoing responsibility of the owner of the land to maintain any on site system so that it continues to meet the above performance standard as it applied at the time of approval.

4. With respect to Lots 3 and 107: Any habitable buildings shall be established so that the underside of the floor joists and/or floor slab is above the minimum recommended building level, which is 300 millimetres above the modelled 1 in 100 year return period flood level (Q100) as determined by the Kapiti Coast District Council at the time of the construction of the relevant building. Details of the recommended build levels can be obtained by consultation with Kapiti Coast District Council Stormwater Engineer and are, at the date of issue of this consent notice, related to the flood risk shown on the Waikanae north Flood Hazard Mitigation plan prepared by SKM, dated 17 July, 2012 and entitled "Proposed Adjustment to Flood Hazard Extent in the Vicinity of the Waikanae Both Development following Drainage Updates", a copy of which is replicated below for purposes of identification:



Furthermore, the current modelled Q100 levels are, at the date of issue of this consent notice, recorded on Landlink Flood Hazard Plan number 1062.48-2 Issue A, a copy of which is replicated below for purposed of identification:



Note: The above plans are held on Kapiti Coast District Council file RM100029 and are available from Council's office at any time the office is open to the public.

The owners of Lot 3 DP 454080; VJ Limited and the Kapiti Coast District Council hereby agree to change the above so that it reads as follows:

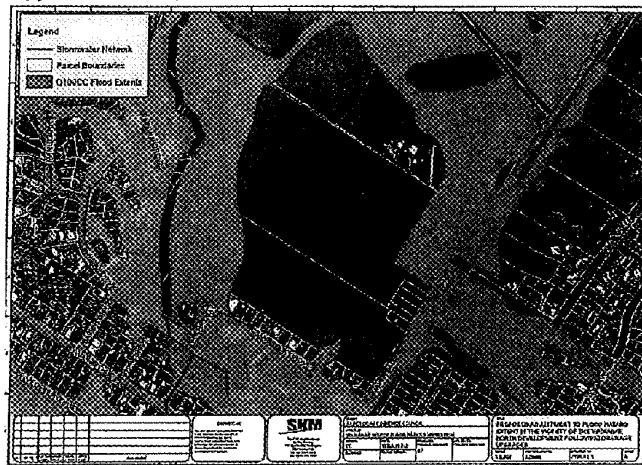
- With respect to Lots 2, 5 and 107: Foundation design and construction for any new building or addition or alterations to a building shall take into account:
 - The findings and recommendations within the document prepared by Landlink Limited, dated 24 May, 2012 and entitled "Statement of Professional Opinion as to Suitability of Land for Building Construction" together with associated documents which were submitted to Council in relation to application No. RM100229; and
 - The requirements and intent of the report entitled "Waikanae Plan Change Application, Assessment of Environmental Effects – Geotechnical" dated August 2006.

Copies of the above documents are available in the Kapiti Coast District Council Office at any time the office is open to the public.
- With respect to Lot 5: Any stormwater disposal design related to any development on the land must incorporate provision for and be constructed to the following design criteria to the satisfaction of the Kapiti Coast District Council:
 - provide all roads and vehicle carriageways with a primary system designed to convey the Q10 rainfall event and with a secondary overflow system designed to convey the Q100 rainfall event;

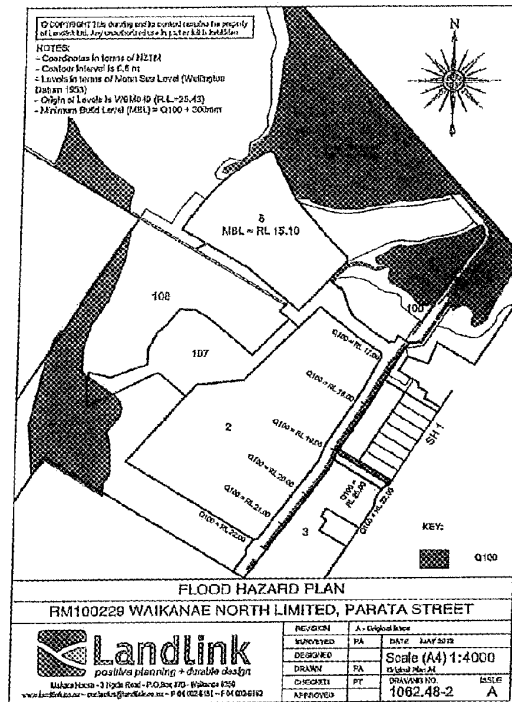
- Include appropriate control structures to ensure the stormwater discharging from lots 3 and 5 meet the parameters specified in the stormwater disposal designed approved under Condition 26;
- protect and maintain existing overflow and natural drainage paths, unless otherwise altered during stage 1 as approved by the Kapiti Coast District Council Stormwater Engineer; and
- be verified through hydraulic modelling by a suitably qualified hydrologist or hydraulic modelling specialist, and may be subject to peer review at the consent holder's expense.

It shall be the ongoing responsibility of the owner of the land to maintain any on site system so that it continues to meet the above performance standard as it applied at the time of approval.

4. **With respect to Lot 107:** Any habitable buildings shall be established so that the underside of the floor joists and/or floor slab is above the minimum recommended building level, which is 300 millimetres above the modelled 1 in 100 year return period flood level (Q100) as determined by the Kapiti Coast District Council at the time of the construction of the relevant building. Details of the recommended build levels can be obtained by consultation with Kapiti Coast District Council Stormwater Engineer and are, at the date of issue of this consent notice, related to the flood risk shown on the Waikanae north Flood Hazard Mitigation plan prepared by SKM, dated 17 July, 2012 and entitled "Proposed Adjustment to Flood Hazard Extent in the Vicinity of the Waikanae Both Development following Drainage Updates", a copy of which is replicated below for purposes of identification:



Furthermore, the current modelled Q100 levels are, at the date of issue of this consent notice, recorded on Landlink Flood Hazard Plan number 1062.48-2 Issue A, a copy of which is replicated below for purposed of identification:



Note: The above plans are held on Kapiti Coast District Council file RM100029 and are available from Council's office at any time the office is open to the public.

Please be advised that pursuant to Section 221(3) of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that, in relation to Lot 3 DP 454080 and Lots 201 and 202 DP 476550 only, it has consented to a variation of the following consent notice conditions from the consent notices dated 9 August 2012 for DP 454080 and 17 April 2015 for DP 476550:

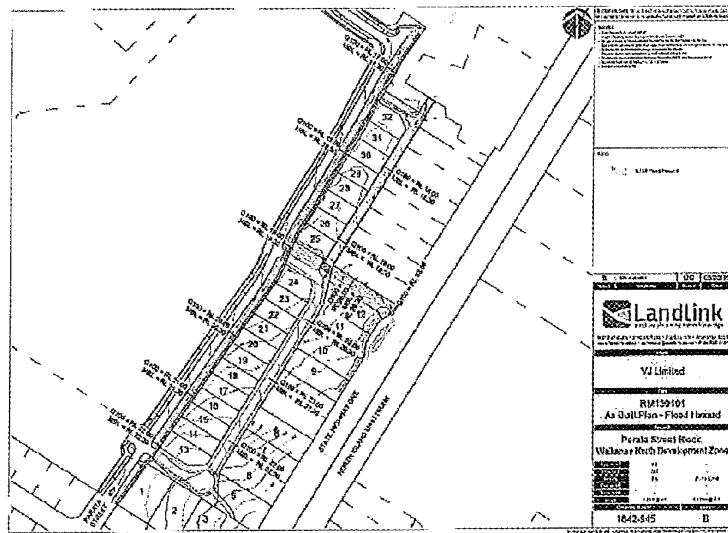
1. With respect to Lots 1, 13 to 32 and Lots 201 and 202: Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the following documents:
 - The Design Report for Parata St Block Waikanae north dated 8 October 2013 and prepared by J D Bell of Landlink; and
 - The report on Foundations, Roading and As Built Earthworks dated 13 November 2014 and prepared by DJ Munro of Landlink Limited

which were submitted to Council in relation to application No. RM130101. Copies of the above documents are available from file RM130101 in Council's Office at any time the office is open to the public and are also stored electronically under e-docs reference nos. 555006 and 555011 respectively.

2. With respect to Lots 1, 13 to 32 inclusive and Lots 201 and 202: The owner of the land has an ongoing responsibility for the construction and subsequent management and maintenance

of any on site stormwater disposal system to meet the performance standards given in the certified stormwater disposal design as set out in the document entitled "RM130101 – Subdivision of Lot 3 DP 454080 On site attenuation requirements for residential lots" dated 20 March 2015. This document is stored by Kapiti Coast District Council on file RM130101 and also electronically under e-docs reference no. 555042. Both documents are available in Council's office at any time the office is open to the public.

3. With respect to Lot 201 and 202: It is the ongoing responsibility of the landowner to protect and maintain any existing and proposed flow paths and natural drainage paths unless otherwise certified by Council's Development Engineer. One method of compliance with this requirement is the construction and maintenance of any vehicular access across any stormwater swale in general accordance with the design shown on Landlink Plan number 1642-E2-150 issue A. A copy of this plan is held on file RM130101 and is also stored electronically at the Kapiti Coast District Council under e-docs reference no. 555609 and is available at any time the office is open to the public.
4. With respect to Lots 1, 13 to 32 inclusive and Lots 201 and 202: All residential buildings shall be established so that the underside of the floor joists and/or floor slab is above the minimum build level as shown on the Flood Hazard map prepared by Landlink Limited and identified as Drawing Number 1642-945 issue B. A copy of this plan is held on file RM130101 and is also stored electronically at the Kapiti Coast District Council under e-docs reference no. 555529 and is available at any time the office is open to the public. For ease of identification, an image of the Flood Hazard map is set out below:



5. With respect to Lot 202: the following are prohibited within area "X" as shown on DP 476550 unless otherwise approved by the Kapiti Coast District Council Stormwater Engineer:
 - The construction of an buildings or other works other than decks supported on poles;
 - The erection of any fences;
 - Earthworks of any nature;
 - Any other activity that may disturb the satisfactory operation of the secondary overflow

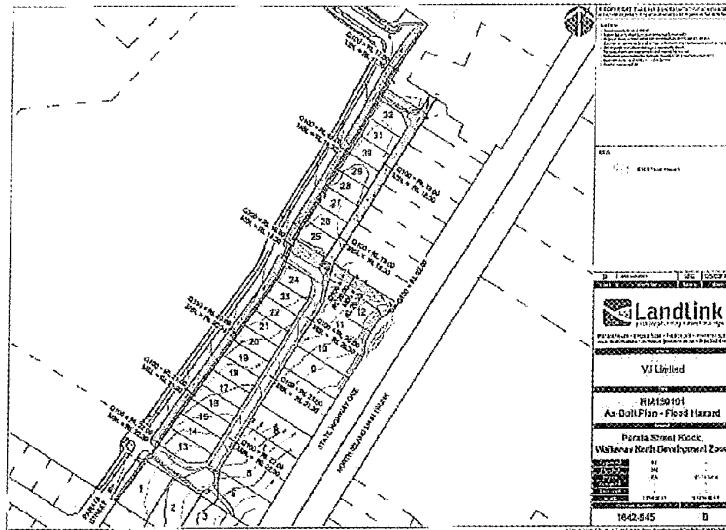
path and/or bund area which lies within area "X" on DP 476550.

The owners of Lots 201 and 202 DP 476550; VJ Limited and the Kapiti Coast District Council hereby agree to change the above so that it reads as follows:

1. With respect to Lots 1 and 13 to 32: Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the following documents:
 - The Design Report for Parata St Block Waikanae north dated 8 October 2013 and prepared by J D Bell of Landlink; and
 - The report on Foundations, Roading and As Built Earthworks dated 13 November 2014 and prepared by DJ Munro of Landlink Limited

which were submitted to Council in relation to application No. RM130101. Copies of the above documents are available from file RM130101 in Council's Office at any time the office is open to the public and are also stored electronically under e-docs reference nos. 555006 and 555011 respectively.

2. With respect to Lots 1 and 13 to 32 inclusive: The owner of the land has an ongoing responsibility for the construction and subsequent management and maintenance of any on site stormwater disposal system to meet the performance standards given in the certified stormwater disposal design as set out in the document entitled "RM130101 – Subdivision of Lot 3 DP 454080 On site attenuation requirements for residential lots" dated 20 March 2015. This document is stored by Kapiti Coast District Council on file RM130101 and also electronically under e-docs reference no. 555042. Both documents are available in Council's office at any time the office is open to the public.
3. Condition 3 will be removed in its entirety.
4. With respect to Lots 1 and 13 to 32 inclusive: All residential buildings shall be established so that the underside of the floor joists and/or floor slab is above the minimum build level as shown on the Flood Hazard map prepared by Landlink Limited and identified as Drawing Number 1642-945 issue B. A copy of this plan is held on file RM130101 and is also stored electronically at the Kapiti Coast District Council under e-docs reference no. 555529 and is available at any time the office is open to the public. For ease of identification, an image of the Flood Hazard map is set out below:



5. Condition 5 will be removed in its entirety.

Issued by the Kapiti Coast District Council in respect of RM140222A
this 15th day of January, 2016

Marnie Shayne Rydon
Authorised Officer

Rita Louise O'Brien
Authorised Officer

On Behalf of VJ Limited
Date: