

View Instrument Details



Instrument No	12029791.1
Status	Registered
Date & Time Lodged	03 March 2021 09:09
Lodged By	Ewart, John Zohrab
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
554189	South Auckland

Annexure Schedule Contains 3 Pages.

Signature

Signed by John Zohrab Ewart as Territorial Authority Representative on 02/03/2021 03:39 PM

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

**CONSENT NOTICE PURSUANT TO
SECTION 221
RESOURCE MANAGEMENT ACT 1991**



0800 492 452 x www.waikatodistrict.govt.nz

The Registrar General of Land
South Auckland Land Registry

IN THE MATTER

of a Consent Notice pursuant to Section 221 of the
Resource Management Act 1991 ("the Act")

and

IN THE MATTER

of a subdivision Consent pursuant to Sections 104,
108, 220, and 221 of the Act

I, TONY GRANT WHITTAKER Chief Operating Officer of the WAIKATO DISTRICT COUNCIL, hereby certify that the Waikato District Council has granted its consent to the subdivision shown on Deposited Plan 545208, (and being the land described in the First Schedule), subject to certain conditions, including the requirement that the Owner (as defined in the Act) comply on a continuing basis with the conditions set out in the Second Schedule and that this Notice be registered against the Records of Title for Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62 and 201 on Deposited Plan 545208.

First Schedule

An estate in fee simple in all that parcel of land containing 5.8680 hectares more or less being Lot 2 on Deposited Plan 443331 comprised in Record of Title 554189.

Second Schedule

In respect of Lots 1, 2, 3, 4, 5 and 6

- I. The Owners of Lots 1, 2, 3, 4, 5, and 6 shall be advised of, and must comply with, the following conditions:
 - (a) A minimum of one specimen tree (pb95 or larger) shall be planted in the rear yard within the first planting season (April to September) following occupation of a dwelling within the Lot. If the specimen tree dies or is damaged or is removed then it shall be replaced within six weeks with a similar species of the same size by the Owner of the Lot and thereafter maintained by the Owner of that Lot.



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- (b) The existing post and rail fence (or pool style fence where there is a fall greater than 1m) and the hedge planted directly behind the fence located along the full length of the rear (north-western) property boundary shall be retained and maintained in perpetuity. The fence and hedge shall not exceed a height of 1.2m and 1.5m respectively. The hedge must have a minimum height of 1m.

In respect of Lots 2 and 3

- 2. The Owners of Lots 2 and 3 shall be advised that any fencing along the boundaries abutting the Local Purpose (Drainage) Reserve must be a maximum 1.2m in height and must be of a visually permeable construction.

In respect of Lot 201

- 3. The Owners of Lot 201 shall be advised of, and must comply with, the following condition:
 - (a) The existing post and rail fence (or pool style fence where there is a fall greater than 1m) and the hedge planted directly behind the fence located along the full length of the rear (north-western) property boundary shall be retained and maintained in perpetuity. The fence and hedge shall not exceed a height of 1.2m and 1.5m respectively. The hedge must have a minimum height of 1m.

In respect of Lots 7, 8, 9, 18, 20, 22, 24, 26 and 28

- 4. The Owners of Lots 7, 8, 9, 18, 20, 22, 24, 26 and 28 shall be advised that no building or part of any building shall be located within a 6m yard from the north-eastern site boundary

In respect of Lot 10

- 5. The Owners of Lot 10 shall be advised that no building or part of any building shall be located within a 6m yard from the north-eastern and south-eastern site boundaries.

In respect of Lot 11

- 6. The Owners of Lot 11 shall be advised that no building or part of any building shall be located within a 6m yard from the south-eastern site boundary.



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In respect of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62

7. The Owners of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62 must, at the time of application for building consent, ensure to the satisfaction of the Council that the restrictions and recommendations identified in the Geotechnical Investigation Report prepared by CMW Geosciences (NZ) Limited dated 20 October 2016, reference number HAM2016_0053AB, Revision 1 ("the Geotechnical Investigation Report") and the Geotechnical Completion Report prepared by CMW Geosciences dated 15 June 2020, reference number HAM2016_0053AK, Revision 2 ("the Geotechnical Completion Report") for earthworks, foundation design and on-site stormwater management design within the site are complied with, unless an alternative report, undertaken by a suitably qualified and experienced Engineer (Geo Professional), is approved in writing by the Council. A copy of the Geotechnical Investigation Report and the Geotechnical Completion Report can be obtained from the Waikato District Council.

In respect of Lots 1, 2, 3, 20, 22, 24, 28, 29, 30, 52, 53, 54, 55, 56, 57, 58 and 59

8. The Owners of Lots 1, 2, 3, 20, 22, 24, 28, 29, 30, 52, 53, 54, 55, 56, 57, 58 and 59 shall comply with the specific restrictions and recommendations with respect to the building restriction lines imposed for these Lots as set out in section 7.3 of the Geotechnical Completion Report.

General Condition

9. The Owners shall pay the Council's costs and disbursements in respect of the preparation, execution, registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of them.

DATED at Ngaruawahia this 22nd day of February 2021

SIGNED for the **WAIKATO DISTRICT COUNCIL** by Tony Grant Whittaker under delegated authority)
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Tony Grant Whittaker
Chief Operating Officer
SUB0107/17.03 – All Stages