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

**IN THE MATTER OF A PLAN LODGED FOR DEPOSIT UNDER
NUMBER 383449
AND RESOURCE CONSENT NO. RM 060320**

**(BEING THE SUBDIVISION OF
LOTS 1 TO 4 DP 358409 AND LOTS 16 & 17 DP 342527),
AT 19 DUNSTAN STREET AND 10 & 12 BERTLESEN COURT, OTAKI
FOR DUNSTAN PROPERTY DEVELOPMENTS LIMITED**

The Regional Regulatory Titles Officer at Wellington

PURSUANT to Section 221 of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that it has consented to the subdivision and that the following conditions are to be complied with on a continuing basis:

1. **With respect to Lots 2, 4, 5 and 100:** Earthworks and the construction of any buildings, structures or additions to buildings or structures within the overflow path as defined below shall be prohibited and no fence constructed within the overflow path shall be of a solid structure or design which may dam water or trap debris. Fences shall be of an open nature and aside from posts shall not obstruct the area between the ground and the estimated 1% flood level of the overflow path. Any hedge that is planted within the overflow path area shall be kept so that the area between the lower branches and the ground are kept clear to allow for the free flow of water. Please note that the estimated flood levels are subject to change over time and may be obtained from the Greater Wellington Regional Council.

The overflow path is defined within each allotment on DP 383449 as follows:

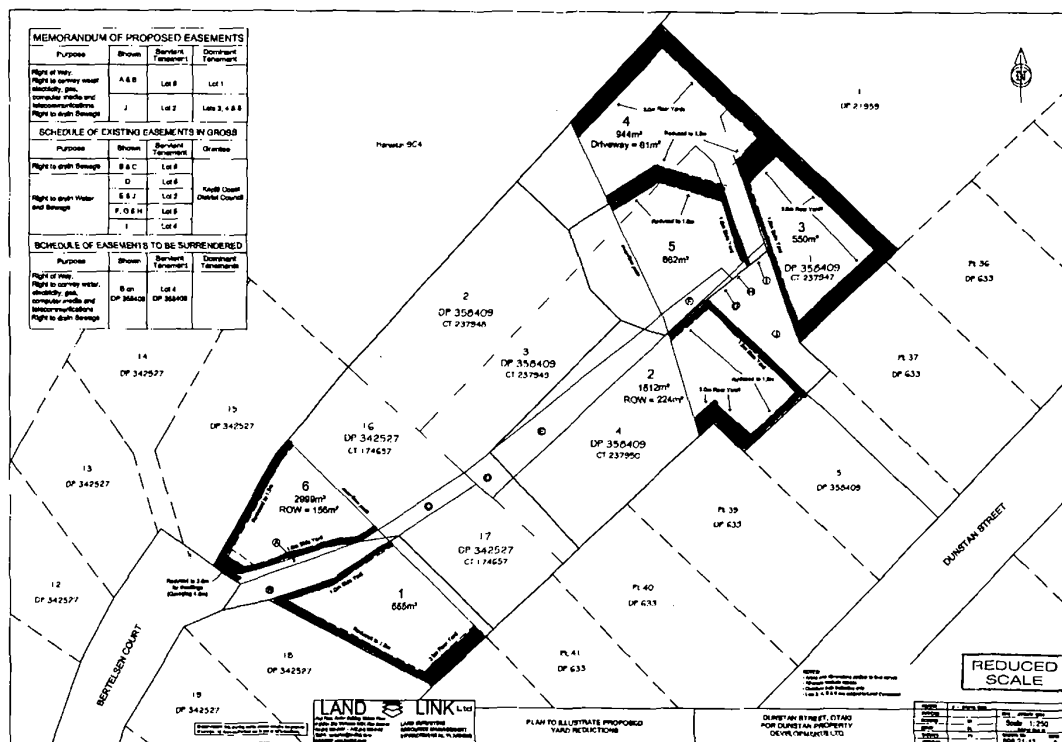
- Lot 2: areas P, E and N;
 - Lot 4: area L;
 - Lot 5: areas M and O;
 - Lot 100: areas C, D, Q and K.
2. **With respect to Lots 2, 3, 4 and 5:** Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the document titled "Statement of Professional Opinion as to Suitability of Land for Building Purposes" dated September 2005, prepared by Graeme Walker of Samcon Limited and held on Council file RM060320. A copy of the report is available in Council's Office at any time the office is open to the public.

Kapiti Coast District Council

Phone (04) 296 4700, Fax (04) 296 4830 175 Rimu Road, Private Bag 601, Paraparaumu 5254. Website www.kapiticoast.govt.nz

Me huri whakamuri, ka titiro whakamua

3. **With respect to Lot 100:** 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 Report on Soil Investigation and Testing for Duncan Estate (35 Dunstan Street, Otaki) prepared by Samcon Civil Engineers, dated November 1, 2004 and held on Council file RM060320. A copy of the report is available in Council's office at any time the office is open to the public.
4. **With respect to Lots 2, 3, 4, 5 and 100:** The design and construction for any on-site stormwater disposal shall take into account the findings and recommendations within the report prepared by Graeme Walker of Samcon Limited, headed "Stormwater Disposal – Proposed Residential Development, 19-35 Dunstan Street, Otaki" and dated 6 June 2004 and held on Council file RM060320. A copy of the report is available in Council's office at any time the office is open to the public. It is the ongoing responsibility of the owner of each of the Lots to maintain and monitor the on-site stormwater disposal system to ensure that any adverse effects on the environment are minor.
5. **With respect to Lot 100:** Any dwellings or accessory buildings to be erected on the lot shall be limited to a maximum of 20.2 metres above Mean Sea Level (Wellington Datum 1953).
6. **With respect to Lots 2, 3, 4, 5 and 100:** The yard requirements shall be as shown on Landlink Plan 898.21-13, a reduced copy of which is included below.



Plan 898.21-13 is available for inspection on file RM060320 in the offices of the Kapiti Coast District Council at any time the office is open to the public.

7. With respect to Lots 2, 3 and 4: The construction of any buildings, structures or additions to buildings or structures within the swales as defined below shall be prohibited. Any fence that is erected across the swale shall not be of a solid structure which may dam water or block debris.

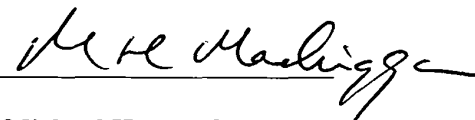
The swale areas subject to the above restrictions are depicted on DP383449 as follows:

- Lot 2 area U
- Lot 3 area T
- Lot 4 area S

Issued in respect of application No. RM 060320 on this 20th day of March, 2007.



David Wayne Gair
AUTHORISED OFFICER



Michael Heyes Mackiggan
AUTHORISED OFFICER