

View Instrument Details



Instrument No 10902552.5
Status Registered
Date & Time Lodged 21 December 2017 11:51
Lodged By Tan, Jacintha
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
795680	North Auckland
795681	North Auckland
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Affected Computer Registers	Land District
795721	North Auckland
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Affected Computer Registers	Land District
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795788	North Auckland

Annexure Schedule: Contains 5 Pages.

Signature

Signed by Jacintha Tan as Territorial Authority Representative on 21/12/2017 09:51 AM

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

In the matter	of the Housing Accords and Special Housing Areas Act 2013 (HASHAA) and
	Resource Management Act 1991 (The Act)
and	
In the matter	of a subdivision of land in the North Auckland Land Registration District shown on DP 513833

CONSENT NOTICE

(Pursuant to Section 44 of HASHAA and Section 221 of the Act)

I hereby certify that THE AUCKLAND COUNCIL (**Council**) granted its consent R/SUB/2015/3983 (SUB60227563), R/SUB/2015/4046 (SUB60229428), FVC90047926, SUB60229428-A to the subdivision of Lot 1 DP 351480 shown on DP 513833 subject to conditions, including the requirement of the owners of Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), 174 – 231 (inclusive) 4001 and 4004 DP 513833 to comply with the following conditions on a continuing basis at no cost to the Council.

Stormwater – Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), 174 – 231 DP 513833

Lots 6 – 9 (inclusive), 94, 107, 157 – 169 (inclusive), 223, 224, 230 and 231 DP 513833 that discharge to a stream without being routed through a detention basin

- (a) Stormwater runoff from impervious areas greater than 50m² shall be directed to an on-site device designed and sized to accommodate stormwater runoff from the site and achieve retention (volume reduction) of 5mm runoff plus detention (temporary storage) of 20.8mm of runoff with a drain down period of 24 hours.
- (b) Stormwater device/s on private land must be operated and maintained by the site owner in perpetuity.
- (c) A proposal may use more than one device to achieve compliance with (a).

Lots 133 – 156 (inclusive), 170, 171, 174 – 222, 225 – 229 (inclusive) DP 513833 that discharge to a stream after being routed through a detention basin at the head of a stream (Basins 1, 4 or 5)

- (d) Stormwater runoff from impervious areas greater than 50m² must be directed to an on-site device designed and sized to accommodate stormwater runoff from the site and achieve retention (volume reduction) of 5mm runoff.
- (e) Stormwater device/s on private land must be operated and maintained by the site owner in perpetuity.
- (f) A proposal may use more than one device to achieve compliance with (d).

Relative Affordable Dwellings – Lots 138, 139, 154, 155, 181, 182, 188, 190, 191, 194, 195, 204, 219 and 220 DP 513833

Lots 138, 139, 154, 155, 181, 182, 188, 190, 191, 194, 195, 204, 219 and 220 DP 513833 are identified as Relative Affordable dwellings under the HASHHA. Prior to the sale or transfer of each of these lots a statutory declaration from the purchaser of the lot shall be provided to the Council's Team Manager, Resource Consents Project Management that the purchaser meets all the following criteria:

- (a) The purchaser's gross household income, as at the date of the declaration, does not exceed 120% of the Auckland median household income;
- (b) The value of the finished dwelling and land shall not be more than that defined under Criteria A of the affordability criteria set out in the Housing Accords and Special Housing Areas (Auckland – New June 2015 Area) Order 2013 McLaren Road, Glenbrook SHA dated 29 June 2015;
- (c) The purchaser has the legal right to and intends to own and occupy the affordable dwelling exclusively as their residence for not less than 3 years after gaining title to the dwelling; and
- (d) The purchaser is a natural person and is purchasing the lot in their own name and not in the name of any other person.

This consent notice will cease to have effect three years after the date of transfer of title to the first purchaser following the construction of a dwelling.

Coastal and Wetland setbacks – Lots 6 – 9 (inclusive), 94, 107, 223, 224, 230 and 231 DP 513833

The owner(s) of Lots 6 – 9 (inclusive), 94, 107, 230 and 231 DP513833 shall comply with the requirement that no building shall be closer than three metres to the wetlands within the "Green Infrastructure Corridor" identified as 'Open Space' in the Glenbrook 3 Precinct of the Auckland Unitary Plan (Operative in Part).

Fencing – Lots 6 – 9 (inclusive), 94, 107, 223, 224, 230 and 231 DP 513833

The owners of Lots 6 – 9 (inclusive), 94, 107, 223, 224, 230 and 231 DP 513833 shall comply with the following conditions on an ongoing basis:

- (a) Any fencing/structure/planting on the boundary immediately adjacent to the reserves to be vested in the next stage of development (upon further subdivision of Lot 4004 DP 513833) shall be a minimum of 60% permeable to provide adequate surveillance to the reserves / future reserves. The owner(s) of Lots 6 – 9 (inclusive), 94, 107, 223, 224, 230 and 231 DP 513833 shall thereafter maintain the fence in perpetuity. Close-boarded fencing on the boundary immediately adjacent to the reserves / future reserves or between that boundary and any dwelling/building on the lot is prohibited.
- (b) Any vegetation/planting or structure between any building/dwelling and the fence on the boundary immediately adjacent to the reserves to be vested in the next stage of development (upon further subdivision of Lot 4004 DP 513833) shall be maintained to have a maximum height of no more than 1.2 metre at any time.

Protection of existing native vegetation – Lots 4001 and 4004 DP 513833

The areas identified as 'P', 'Q', 'R', 'T' and 'U' on DP 513833 (**Covenant Areas**) shall be protected in perpetuity to the satisfaction of Council's Senior Compliance Advisor as follows:

- (a) Preserve the native vegetation, wildlife habitats and the natural landscape within the Covenant Areas;
- (b) Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) undertake any earthworks or land modifications within the areas of native vegetation protected;
- (c) Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) construct any impervious areas/surface, buildings or structures within the Covenant Areas;
- (d) Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the Covenant Areas;
- (e) Not do anything that would prejudice the health or ecological value of the areas of native vegetation protected, their long term viability and/or sustainability;
- (f) Control all invasive plants and control pest animals within the Covenant Areas in accordance with the report entitled '*Report on the Potential of an Area of Wetland to be Protected as the basis for an Environmental Lot Subdivision*' prepared by BFL Forestry and Environmental Services dated 31 July 2011 (a copy of the report is available on the Council's file for resource consents R/SUB/2012/4241 and SUB60230660;

- (g) Maintain the fence as approved by the Council around the perimeter of the Covenant Areas and keep stock out of these areas. Note: where demarcation fences or posts are applicable to also refer to maintenance under this section;
- (h) The Covenant Areas shall remain in single ownership and shall not be subdivided;
- (i) Not to be in breach of this consent notice if any of the native bush within the Covenant Areas die as a result of fire and/or natural causes not attributable to any act or default on their part for which they are not responsible; and
- (j) The exception to the above matters is that a boardwalk may be established across the vegetated areas in locations shown on the Precinct Plan and subject to the approval of the design and construction methodology by the Council and the Local Board, and endorsed by the cultural advisor.

Advice Note: Weed Control means that there are no fruiting and / or flowering individuals of weed species present within the covenant area and any mature weed species present are dead. In addition, there shall be no areas where weed species are smothering and / or out competing native vegetation including suppressing the natural regeneration processes. Control shall be demonstrated to the satisfaction of the Council's Senior Compliance Advisor or similar position.

Geotechnical – Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), and 174 – 231 (inclusive) DP 513833

All development works on Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), and 174 – 231 (inclusive) DP 513833 shall comply with the recommendations relating to foundation design, retaining walls, stormwater disposal and any additional restrictions contained in the Geotechnical Completion Report prepared by Lander Geotechnical titled "Geotechnical Completion Report – Stage 1A and 2A, Kahawai Point, McLarin Road, Glenbrook – For Kahawai Point Developments Limited", report reference J00147 and dated 14 November 2017 (a copy of the report is available on the Council's file for resource consent ~~R/SUB/2012/4241~~ and CCT90067458). Foundation designs shall take into account the depth of top soil located on the site and may require removal of excess topsoil.

EAP

Specific Design Foundations – Lots 107, 223 and 224 DP 513833

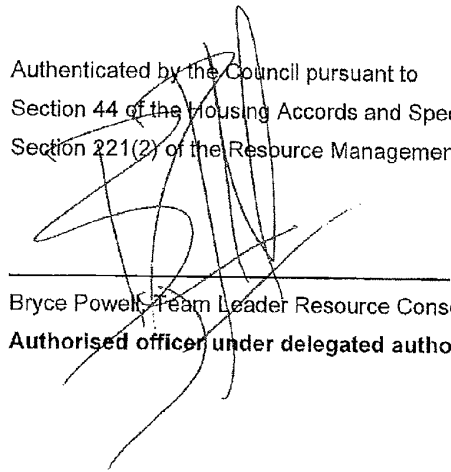
A specific geotechnical report shall be submitted as part of any building consent lodged for Lots 107, 223 or 224 DP 513833 to address the steeper than 1 in 4 gradient of the land.

Wastewater Discharges – Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), and 174 – 231 (inclusive) DP 513833

For the wastewater discharges from Lots 6 – 9 (inclusive), 94, 107, 133 – 171 (inclusive), and 174 – 231 (inclusive) DP 513833, a low pressure public wastewater system has been provided which will need connection through an onsite wastewater pump. The wastewater pump shall be installed in accordance with the requirements of Watercare Services Limited as part of a building consent application.

Dated at Manukau this 20th day of December 2017.

Authenticated by the Council pursuant to
Section 44 of the Housing Accords and Special Housing Areas Act 2013
Section 221(2) of the Resource Management Act 1991



Bryce Powell Team Leader Resource Consents
Authorised officer under delegated authority