

View Instrument Details



Instrument No	11589318.3
Status	Registered
Date & Time Lodged	15 January 2020 16:26
Lodged By	Hema, Jacqueline Kaya
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
854717	South Auckland

Annexure Schedule Contains 8 Pages.

Signature

Signed by Peter Ian Attewell as Territorial Authority Representative on 06/01/2020 09:52 AM

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

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

AND

IN THE MATTER of a subdivision of
land in the South Auckland Land
Registration District

CONSENT NOTICE
(Pursuant to Section 221 of the Act)

THE WHAKATANE DISTRICT COUNCIL ("the Council") being the territorial authority for the district within which the Land described in the First Schedule of this Notice is situated has, pursuant to Part X of the Act, granted its consent to the subdivision shown on Land Transfer Plan 542066 subject to certain conditions, including the requirement in respect of the Land that the Owner (as defined in the Act) complies on a continuing basis with the conditions set out in the Second Schedule of this Notice.

FIRST SCHEDULE
("the Land")

- | | |
|---------------|--|
| <u>FIRST</u> | 0.0656 hectares more or less being Lot 6 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry). |
| <u>SECOND</u> | 0.0617 hectares more or less being Lot 12 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry). |
| <u>THIRD</u> | 0.0738 hectares more or less being Lot 17 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry). |

<u>FOURTH</u>	0.0739 hectares more or less being Lot 18 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>FIFTH</u>	0.0483 hectares more or less being Lot 20 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>SIXTH</u>	0.0539 hectares more or less being Lot 21 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>SEVENTH</u>	0.0539 hectares more or less being Lot 22 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>EIGHTH</u>	0.0539 hectares more or less being Lot 23 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>NINTH</u>	0.0540 hectares more or less being Lot 24 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TENTH</u>	0.0487 hectares more or less being Lot 37 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>ELEVENTH</u>	0.0542 hectares more or less being Lot 38 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TWELFTH</u>	0.0468 hectares more or less being Lot 39 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).

<u>THIRTEENTH</u>	0.0667 hectares more or less being Lot 40 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>FOURTEENTH</u>	0.0665 hectares more or less being Lot 41 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>FIFTHTEENTH</u>	0.0665 hectares more or less being Lot 42 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>SIXTEENTH</u>	0.0665 hectares more or less being Lot 43 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>SEVENTEETH</u>	0.0665 hectares more or less being Lot 44 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>EIGHTEENTH</u>	0.0665 hectares more or less being Lot 45 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>NINETEENTH</u>	0.0665 hectares more or less being Lot 46 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>TWENTIETH</u>	0.0665 hectares more or less being Lot 47 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>TWENTY FIRST</u>	0.0665 hectares more or less being Lot 48 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

<u>TWENTY SECOND</u>	0.0665 hectares more or less being Lot 49 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TWENTY THIRD</u>	0.0651 hectares more or less being Lot 50 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TWENTY FOURTH</u>	0.0650 hectares more or less being Lot 51 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TWENTY FIFTH</u>	0.0514 hectares more or less being Lot 52 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>TWENTY SIXTH</u>	0.0423 hectares more or less being Lot 53 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>TWENTY SEVENTH</u>	0.0629 hectares more or less being Lot 54 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).
<u>TWENTY EIGHTH</u>	0.0652 hectares more or less being Lot 55 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>TWENTY NINTH</u>	0.0648 hectares more or less being Lot 56 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).
<u>THIRTIETH</u>	0.0684 hectares more or less being Lot 57 on Land Transfer Plan 542066 and being part of the land comprised in Record of Titles 854717 (South Auckland Registry).

THIRTY FIRST

0.0662 hectares more or less being Lot 58 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY SECOND

0.0654 hectares more or less being Lot 59 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY THIRD

0.1062 hectares more or less being Lot 60 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY FOURTH

0.1094 hectares more or less being Lot 61 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY FIFTH

0.0593 hectares more or less being Lot 62 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY SIXTH

0.0511 hectares more or less being Lot 63 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

THIRTY SEVENTH

0.0434 hectares more or less being Lot 64 on Land Transfer Plan 542066 and being part of the land comprised in Record of Title 854717 (South Auckland Registry).

SECOND SCHEDULE
("the Conditions")

The Owners of Lots 6, 12, 17, 18, 20, 21, 22, 23, 24, 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, 63 and 64 referred to in the First Schedule shall, on a continuing basis:

- 1.0 Ensure that any habitable building constructed on the lot is constructed with a minimum platform level of 3.2 m RL Moturiki 1953, or above the 1% AEP flood level as determined by the Whakatāne District Council in consultation with the Bay of Plenty Regional council at the time of building consent, whichever is higher.
- 3.0 Pay the Council's legal costs and disbursement directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or collation of such conditions.

The Owners of Lots 6, 12, 20, 21, 22, 23, 24, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 56 referred to in the First Schedule shall, on a continuing basis:

- 4.0 Install a vehicle crossing at the time that each Lot is developed, such crossing to be constructed in accordance with Standard Drawing R08 of the Council's Engineering Code of Practice.
- 5.0 Pay the Council's legal costs and disbursement directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or collation of such conditions.

The Owners of Lot 39 referred to in the First Schedule shall, on a continuing basis:

- 6.0 Ensure that no further earthworks are undertaken within 3.60 metres of the face of the piles of the retaining wall constructed along the northern or eastern boundary of the Lots. This retaining wall was constructed as part of the subdivision development. The extent of this area is generally shown as Areas S and Y on LT Plan 542066.
- 7.0 Pay the Council's legal costs and disbursement directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or collation of such conditions.

The Owners of Lots 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 57, 58, 59 and 60 referred to in the First Schedule shall, on a continuing basis:

- 8.0 Maintain the 10m metre wide landscape buffer and planting area in accordance with the approved planting and landscape plan within the

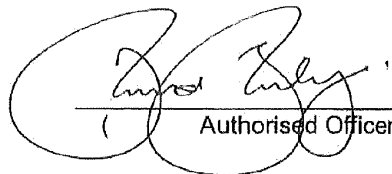
areas marked U, Z, UA, ZA, UB, ZB, UC, ZC, UE, ZE, UF, ZF, UG, ZG, UH, ZH, UI, ZI, UJ, ZJ, UL, ZL, UM, ZM, UN, ZN, UO and ZO identified on LT Plan 542066.

A copy of the approved planting and landscape plan may be inspected at the offices of the Council at Commerce Street, Whakatane between the hours of 8.00am and 5.00pm on any day that the Council's office is open to the public.

- 9.0 Not place, build or allow to be erected any building within 10 metres of the northern boundary of the Lot (which adjoins Allotment 28B6A Rangitaiki Parish), and shown as areas marked U, Z, UA, ZA, UB, ZB, UC, ZC, UE, ZE, UF, ZF, UG, ZG, UH, ZH, UI, ZI, UJ, ZJ, UL, ZL, UM, ZM, UN, ZN, UO and ZO identified on LT Plan 542066.
- 10.0 Recognise that the property is located in a rural area where the predominant use of land is typically rural production and other rural based activities. The effects of these activities, including fertiliser and chemical spray applications may from time to time result in the occupier experiencing effects such as dust, noise, lighting, or increased traffic volumes and types of vehicles. The owners of the land acknowledge that these effects are typical of the rural environment they live within and will therefore not make complaints to the Whakatane District Council or the Bay of Plenty Regional Council or any other party concerning such effects arising from rural activities that are being carried out lawfully
- 11.0 Pay the Council's legal costs and disbursement directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or collation of such conditions.

DATED at Whakatane this 20th day of December 2019.

SIGNED by DAVID BEWLEY
the General Manager Planning)
and Infrastructure of the Council)


(Authorised Officer)

CONSENT NOTICE
(Pursuant to section 221 of the Resource Management Act 1991)

GIVEN by: PAG ENTERPRISES LIMITED

IN FAVOUR of: THE WHAKATANE DISTRICT COUNCIL

DATED: day of 2019

PROPERTY: 6, 12, 17, 18, 20, 21, 22, 23, 24, 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, 63 and 64 Deposited Plan
542066

SUBJECT: Consent conditions

COUNCIL REFERENCE: SS-2017-8579-00
SS-2017-8579-01

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