

IN THE MATTER of the Resource Management Act 1991

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 **WHAKATĀNE 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 548564 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")

FIRST 0.0474 hectares more or less being Lot 1 on Land Transfer Plan 548564 and being part of the land comprised in Record of Title SA2A/235 (South Auckland Registry).

SECOND 0.0449 hectares more or less being Lot 2 on Land Transfer Plan 548564 and being part of the land comprised in Record of Title SA2A/235 (South Auckland Registry)

SECOND SCHEDULE

("the Conditions")

The Owner(s) of Lot 2 referred to in the First Schedule shall, on a continuing basis:

- 1.0 Ensure that engineering plans, specifications and calculations providing for the disposal and control of stormwater from the site shall be submitted to the Whakatāne District Council General Manager Planning and Infrastructure for approval prior to the issue of any building consent in accordance with Section 4.1.7 of the Whakatāne District Council Engineering Code of Practice. The design shall take into consideration the provision of both primary and secondary disposal and control systems.
 - Primary – The primary system shall be required to provide an on-site containment or disposal system designed to cater for rainfall of a ten per cent probability of occurring annually.
 - Secondary – the secondary system capable of carrying surface water resulting from a storm with a 1% probability of occurring annually shall be

constructed to ensure that surface water shall not enter buildings. Secondary flow paths shall be shown on the design plans.

- 2.0 Ensure that a geotechnical investigation prepared by a suitably qualified and experienced practitioner, and to the satisfaction of the Whakatāne District Council, shall be submitted as part of any building consent application. The purpose of the geotechnical investigation is to ensure the site has good grounds to support a dwelling and any associated structures.
- 3.0 Pay the Council's legal costs and disbursements directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

The Owner(s) of Lot 1 referred to in the First Schedule shall on a continuing basis:

- 4.0 Ensure that engineering plans, specifications and calculations providing for the disposal and control of stormwater from the site shall be submitted to the Whakatāne District Council General Manager Planning and Infrastructure for approval prior to the issue of any building consent in accordance with Section 4.1.7 of the Council's Engineering Code of Practice. The design shall take into consideration the provision of both primary and secondary disposal and control systems.
- Primary— The primary system shall be required to provide an on-site containment or disposal system designed to cater for rainfall of a ten per cent probability of occurring annually.
 - Secondary— The secondary system capable of carrying surface water resulting from a storm with a 1% probability of occurring annually shall be constructed to ensure that surface water shall not enter buildings. Secondary flow paths shall be shown on the design plans.
- 5.0 Ensure that a geotechnical investigation undertaken by a suitably qualified and experienced practitioner, and to the satisfaction of the Whakatāne District Council, shall be submitted as part of any building consent application. The purpose of the geotechnical investigation is to ensure the site has good ground to support a dwelling and any associated structures.
- 6.0 Ensure that where a fence or landscape planting (in place of a fence) is proposed within the front yard of Lot 1 it must be not exceed 1 metre in height for the first 2 metres distance as measured in a westerly direction from the western edge of the right-of way, and from the south eastern corner of the right of way in a northerly direction.
- 7.0 Pay the Council's legal costs and disbursements directly attributable to the enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

DATED at Whakatāne this 24th day of August 2020

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


(Authorised Officer)

CONSENT NOTICE

(Pursuant to Section 221 of the Resource Management Act 1991)

GIVEN by: **BARRY RAYNES**

IN FAVOUR of: **WHAKATĀNE DISTRICT COUNCIL**

DATED: This 24th day of August 2020

PROPERTY: Lot 2 and Lot 1
Deposited Plan 548564

SUBJECT: Consent Conditions

COUNCIL REFERENCE: RC SS-2019-9001-00

HAMERTONS
LAWYERS LIMITED
(B N Carter)
Telephone No. 07 307 0680
Fax No. 07 307 0225
PO Box 601
DX JA31519
WHAKATĀNE
954372/403
Ref: 376220