View Instrument Details

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Status	Registered
Lodged By	Sundvick, Stephen Neil
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Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Records of Title	**Land District**
NA72A/940	North Auckland

Annexure Schedule	Contains 5 Pages

Signature

Signed by Stephen Neil Sundvick as Territorial Authority Representative on 24/03/2025 12:35 PM

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

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

A N D

IN THE MATTER of the subdivision of land shown in Deposited Plan **588234** (North Auckland Land Registration District) ("**Plan**")

CONSENT NOTICE
(Section 221 of the Act)

KAIPARA DISTRICT COUNCIL ("**Council**") being the territorial authority of the district within which the land described in the First Schedule below ("**Land**") is located has consented to the subdivision of the Land as shown in the Plan, subject to the conditions of the Second Schedule below to be complied with on a continuing basis by the Owner (as defined in the Act).

FIRST SCHEDULE
(Land)

ALL that parcel of land containing 4.5908 hectares more or less being Lot 1 Deposited Plan 123715 and being all the land comprised and described in RT NA72A/940 (North Auckland Land Registration District).

SECOND SCHEDULE
(Conditions)

The Owner (as defined in the Act) must, on a continuing basis, to the satisfaction of the Council, comply with the following conditions of the Council's Subdivision Consent RM**220059C**, namely:

1. In respect of Lots 1, 2, 3, 4, 5 and 6 on the Plan (each a "Lot"):

General

(i) Earthworks, the location of buildings, driveways, storm water disposal and wastewater disposal shall be subject to specific engineering design by a suitably qualified Chartered Professional Engineer having regard to any soil instability/saturation issues that may exist or arise as a result of the development. Design shall take into account the recommendations identified in the site suitability report prepared by Hawthorn Geddes (reference: 12610, rev: 2, dated 23/08/2022).

(ii) Further geotechnical assessment shall be undertaken prior to lodgement of the building consent for development on the Lot, requiring a qualified chartered engineer to assess foundation design in regard to ground stability.

(iii) All future dwellings on Lots 2, 5, and 6 must be located wholly within the identified building areas shown on the Plan, being Area "N" on Lot 2, Area "O" on Lot 5, Area "P" on Lot 6. Should the building sites differ from that depicted in the Plan, then further site-specific engineering assessment, analysis and design will be required by a suitably experienced geotechnical engineering professional, acting within the bounds of their competency.

Built Development/Design Guidelines

(iv) Any accessory buildings related to the dwelling and any ancillary infrastructure shall be located within 10 metres of the dwelling. Within Lots 3 and 6, a single accessory building is permitted (excluding accessory buildings of the dwelling. Within Lots 3 and 6, a single accessory building is permitted (excluding accessory buildings of <50m² in GFA.). All buildings are to comply with the reduced front yard setbacks approved being 5 metres on Lot 1 and 3 metres on Lots 2, 4 and 5.

(v) All new buildings and structures within proposed Lots 1, 2, 3, 4, and 5 shall not exceed 6 metres in height. The proposed building within Lot 6 shall not exceed 5m in height, with the exception of the areas that are shown to be over 5m in height on the elevation plans referenced in condition 1 above. All new buildings and structures within proposed Lot 6 shall not exceed 5 metres in height. The height of buildings and structures shall be measured using the rolling height limit (above existing ground level).

(vi) Glazing is to be non-mirrored.

(vii) All buildings on the Lot are to be finished in the colours found in BS2525 BS5252 complying with the following:

a. Hue (colour) - All the colours from 00-24 are acceptable.
b. Reflectance Value (RV) and Greyness Groups – The predominant wall colours shall have a RV rating of no more than 30% for greyness group A, B and C. Colours within greyness groups D and E are not permitted.
c. Roofs – A RV rating of no more than 20% for greyness groups A, B and C. Colours within greyness groups D and E are not permitted.

(viii) Any fencing shall be restricted to rural fencing typology - post and rail or post and wire fencing to complement the rural character of the site (aside from safety fencing typology around pools).

(ix) The use of spotlights and floodlights are prohibited. The spill from all exterior lighting shall be controlled so illumination and glare is contained within the lot in which the light is located.

(x) Water tanks shall be situated no more than 300mm above ground if ground conditions allow and shall be screened by vegetation.

(xi) Power and telecommunication infrastructure shall be underground.

(xii) Any retaining structures or walls shall be constructed of materials or finished in dark recessive colours or screened by vegetation.

(xiii) Driveways should follow the natural contour of the land and not be situated on any prominent ridgeline. Driveways shall suit the rural character of the site and be recessive in finish. Chip seal, metal or asphalt with natural swales is preferable, if concrete is used concrete with a black oxide additive or exposed aggregate finish is required.

2. In respect of Lots 1, 2, 4, 5 and 6 on the Plan (each a "Lot"):

Ecological Planting Maintenance, Weed and Animal/Pest Control

(xiv) All ecological planting on site shall be maintained in accordance with the approved Ecological Management Plan prepared by Rural Design Ltd dated September 2024. Evidence of compliance with this requirement shall be provided to Council in writing from a suitably qualified ecologist five (5) years from the date of issue of the Section 224(c) certificate.

(xv) Ongoing weed and animal/pest control shall be undertaken in accordance with the approved Ecological Management Plan prepared by Rural Design Ltd dated September 2024. Evidence of compliance with this requirement shall be provided to Council in writing from a suitably qualified ecologist five (5) years from the date of issue of the Section 224(c) certificate.

(xvi) The keeping of cats, mustelids and rodents on the Lot is prohibited.

(xvii) Dogs shall not be kept on the lot unless the following conditions are complied with:

a. Any dog kept on the lot shall be secured/contained at all times to ensure that they cannot roam into the covenant area on the Lot. Containment shall be demonstrated to the

satisfaction of the Council's Team Leader Monitoring and Compliance and may be in the form of an "electronic pet containment fence" means a system installed or attached to the perimeter of a defined area (or wireless equivalent) which is designed to prevent dogs escaping by transmitting a digital or electronic signal to a receiver collar worn by the dog.

b. Ongoing compliance with this condition will be monitored by Council. There will be a Council charge for this monitoring payable by the Lot owner.

3. In respect of Lots 1, 2, 3, 5 and 6 on the Plan (each a "Lot"):

Landscape and Amenity Planting Maintenance

(xvii) All landscape and amenity planting on site (Shown as area F on Lot 1, areas G & H on Lot 2, area I on Lot 3, areas J & K on Lot 5 and area L on lot 6) shall be maintained in perpetuity in accordance with the Landscape Management Plan dated September 2024. Diseased, dying or dangerous plants must be removed and replaced in accordance with the approved Landscape Management Plan.

Evidence of compliance with this requirement shall be provided to Council in writing from a qualified landscape architect or tertiary qualified horticulturalist specialising in amenity horticulture five (5) years from the date of issue of the Section 224(c) certificate.

(xviii) Maintenance of planting will be monitored by Council for a period of five years from the date of issue of the Section 224(c) certificate. There will be a Council charge for this monitoring payable by the Lot owner.

4. In respect of Lots 2, 5 and 6 on the Plan (each a "Lot"):

Servicing

(xix) Future Lot owners are advised that no physical telecommunication connections are provided. Kaipara District Council will not be responsible for ensuring nor providing telecommunication connections to the Lot.

Firefighting Water Supply

(xx) Sufficient firefighting water supply shall be provided for any single residential dwelling on the Lot with a minimum volume of 10,000 litres and shall remain accessible and available all year round.

(xxi) Unless specifically authorised in writing by Fire and Emergency New Zealand, sufficient firefighting water supply shall be provided for any commercial or industrial land use on the Lot. Sufficient firefighting water supply is deemed to mean meeting full criteria of the Code of Practice for firefighting water supplies (SNZ PAS 4509 2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice).

5. In respect of Lots 1, 2, 5 and 6 on the Plan (each a "Lot"):

(xxii) At the time of building consent for a dwelling on the Lot an approved Stormwater assessment accompanied by a specific stormwater design by a suitably qualified person to mitigate adverse effects of the increase impermeable surfaces must be submitted to council for approval and be approved.

(xxiii) At the time of building consent for a dwelling on Lots 1 and 2, the applicant shall demonstrate that stormwater subsoil drainage is to be installed around the footprint of the building and have discharge points provided as per the site suitability report prepared by Hawthorn Geddes (reference: 12610, rev: 2, dated: 23/08/2022) and submitted to Council.

6. In respect of Lot 2 on the Plan ("Lot"):

Stormwater Pond

(xxiv) Maintenance of the Stormwater Pond, shown as "M" on the Plan, and associated Overland Flow Paths through the Lot, is the responsibility of the owners of the Lot. All ongoing maintenance costs shall be the owner's responsibility. The Stormwater Pond functions as a treatment device for road runoff before outflow to the local waterway. The owners of the Lot shall maintain the Pond in perpetuity (including the periodical desilting) and Overland Flow Paths as per the approved Stormwater Pond Operations and Maintenance Manual prepared by Geologix Consulting Engineers dated October 2024.

DATED the 28th day of November 2024

SIGNED by)
KAIPARA DISTRICT COUNCIL)
by its authorised signatory)

Dina Tetzner