

View Instrument Details



Instrument No	12513672.8
Status	Registered
Date & Time Lodged	19 July 2022 16:46
Lodged By	Gray, Amy Frances
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
981695	North Auckland
981696	North Auckland
981697	North Auckland
981698	North Auckland
981699	North Auckland
981700	North Auckland
981701	North Auckland
981702	North Auckland
981703	North Auckland
981704	North Auckland
981705	North Auckland
981706	North Auckland
981707	North Auckland
981708	North Auckland

Annexure Schedule Contains 4 Pages.

Signature

Signed by Javlyn Deidre Swan as Territorial Authority Representative on 19/07/2022 02:24 PM

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

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
558688 (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 of the land legally described Lot 103 Deposited Plan 541551 comprised in
Record of Title 910303

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 number RM170414.1 ("**Subdivision Consent**"), namely:

In respect of Lot 65 on the Plan ("**the Lot**")

1. Earthworks, the location of buildings, building foundations, stormwater and wastewater disposal to 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. Any design shall take into account any existing investigations undertaken within the site suitability report prepared by TMC Consulting

Engineers Ltd, dated 5th May 2017, and submitted to Kaipara District Council with the Subdivision Consent.

2. Future owners of the Lot are advised that the Lot contains a communal effluent disposal system servicing Lots 50 – 63 DP 558688. Development on the lot, including any land modification and buildings, must not compromise the operation of the communal effluent disposal system.
3. Compliance with the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 or alternative means of fire-fighting water supply with the approval of the New Zealand Fire Service where deviations are required.
4. Future owners of the Lot 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 upon future development of the Lot.
5. Future owners of the lot are advised that no physical electricity connections are provided. Kaipara District Council will not be responsible for ensuring nor providing electricity connections to the Lot upon future development of the lots.
6. The landowner shall conform with the Te Uri o Hau Accidental Discovery Protocol at all times including without limitation:
 - (a) If archaeological remains or buried cultural deposits are encountered elsewhere in the project area during development, such as layers of shell midden, charcoal rich or burned soils, oven stones, artefacts, etc, the Consent Holder should cease work in the immediate vicinity and Environs Holdings Ltd and Heritage New Zealand are contacted for advice on how to proceed.

In cases other than suspected human remains:

- (b) The contractor must shut down all machinery, immediately, secure the area and advise the Consent Holder or proponent and Kaipara District Council of the occurrence. The Consent Holder or proponent must then notify Heritage New Zealand Pouhere Taonga office so that the appropriate Consent procedure can be initiated.
- (c) The Consent Holder or proponent must consult with an iwi representative (Te Uri o Hau Kaitiaki and Environs Holdings Ltd office) to determine what further actions are appropriate to safe guard the site.

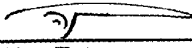
Where human remains are suspected:

- (d) The contractor must take steps immediately to secure the area in a way that ensures human remains are not further disturbed. The contractor shall advise the Consent Holder or proponent of the steps taken.
 - (e) The contractor shall notify the Police, Heritage New Zealand, Environs Holdings Ltd (who will in turn, notify the Taumata Kaunihera) and Te Uri o Hau Kaitiaki (if not present for cultural monitoring) within 12 hours of the suspected human remains being disturbed, or otherwise as soon as practically possible.
 - (f) Excavation of the site shall not resume until the Police, Heritage New Zealand, Environs Holdings Ltd, and Te Uri o Hau representatives have each given the necessary approvals for excavations to proceed.
7. At the time of residential development of the Lot the owner shall at its cost construct stormwater detention devices on the Lot specifically designed by an appropriately qualified competent engineer to the approval of Kaipara District Council to ensure that the peak stormwater runoff from the Lot will be no greater than that which would have occurred prior to development of the Lot.
8. The owner of the Lot must ensure that concentrated sources of stormwater are directed to the stormwater detention device installed in compliance with clause 7 of this consent notice. Also, that overflows from stormwater detention devices are led to the stormwater connection for the property.
9. The owners, occupiers and visitors to the Lot surrender the right to make a complaint to the relevant consent authority or the Environment Court about any reverse sensitivity effects associated with the adjoining land zoned "Rural" (Lot 100 DP 541551) which are expressly allowed by a Rule in a Regional or District Plan, a resource consent, a designation or Regulations made under the Resource Management Act 1991.
10. In the absence of the existence of any entity formed in a compliance with condition 7(j) of the Subdivision Consent, the Owners of each Lot are jointly and severally liable for the ongoing compliance with the terms of the consent which may otherwise have been complied with by that entity.

DATED the 30th day of June 2022

SIGNED by
KAIPARA DISTRICT COUNCIL
by its authorised signatory

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Dina Tetzner