

View Instrument Details



Instrument No	12963059.2
Status	Registered
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Lodged By	Sundvick, Stephen Neil
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Toitū Te Whenua
Land Information
New Zealand

Affected Records of Title	Land District
916921	North Auckland

Annexure Schedule Contains 6 Pages.

Signature

Signed by Stephen Neil Sundvick as Territorial Authority Representative on 13/05/2024 02:32 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
593547 (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 12.7300 hectares more or less being Lot 4 DP 543146 and being all the land comprised and described in RT 916921 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 210437A, 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, building foundations and stormwater 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 report titled "Geotechnical Investigation Report for Proposed Residential Subdivision", reference 15727, dated 28 October 2021, prepared by Land Development and Engineering Ltd, and submitted to Council with subdivision consent RM210437.
- (ii) No more than one residential dwelling is permitted per Lot.
- (iii) No commercial or industrial activities are permitted on the Lot.

Water Supply

- (iv) Future owners are required to provide a minimum of 50,000 litres of on-site potable water storage at the time of building consent for a dwelling.
- (v) 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.

Servicing

- (vi) Future 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.

Animal/Pest Control

- (vii) The keeping of cats, mustelids and rodents on the Lot is prohibited.
- (viii) Dogs shall not be kept on the Lot unless the following conditions are complied with:
 - (a) Prior to the keeping of a dog on the Lot, the owner shall provide details of the dog, including registration number, to the Council's Team Leader Monitoring and Compliance for ongoing monitoring purposes; and
 - (b) 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 or beyond the boundaries of 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", secure fenced area or dog run. For the purposes of this condition, "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; and
 - (c) Ongoing compliance with this condition will be monitored by Council. There will be a Council charge for this monitoring payable by the Lot owner

Built Development/Design Guidelines

- (ix) All buildings must be located predominantly within the identified building areas shown as Areas 'E', 'X', 'H', 'I', 'J' and 'K' on the Plan.
- (x) The following design guidelines shall apply to development on the Lot and shall be confirmed via a design statement from a suitably qualified and experienced landscape architect in support of a building consent application:

Building:

- (a) The maximum height of all buildings and structures (not including chimneys) within Lots 1, 2 3 and 6 shall not exceed 5.0m. The height shall be measured using the rolling height method.
- (b) The maximum height of all buildings and structures (not including chimneys) within Lots 4 and 5 shall not exceed 6.0m. The height shall be measured using the rolling height method.
- (c) All glazing is to be non-mirrored.
- (d) Any building on the Lot is to be finished in the colours found in BS2525 complying with the following:
 - (I) Hue (colour) – all the colours from 00-24 are acceptable.
 - (II) 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.
 - (III) Roofs – a RV rating of no more than 25% for greyness groups A, B and C. Colours within greyness groups D and E are not permitted.

Earthworks

- (e) Cut and fill batters shall be shaped to feather naturally into the natural angle of slope. All cut and fill batters shall be grassed or otherwise vegetated to ensure complete coverage of exposed soils.

Infrastructure Services

- (f) All services and utilities are to be either located below ground or screened. External service areas should be integrated within the building area so that rubbish, storage and similar items are not visible from outside the house site.
- (g) Water tanks shall be buried to a minimum of half of their total height. The visible portion of all tanks shall be screened with plants/vegetation or shall be coloured a dark natural and recessive colour.
- (h) Materials used for fencing may be post and wire or timber railing and it shall be either left unpainted or stained a recessive colour. There shall be no solid timber fences or walls other than within five metres of the dwelling.
- (i) No pole lights or floodlights are permitted. Exterior light sources on buildings shall not be visible from beyond the house site lot boundaries and no tennis court lighting is permitted.

Retaining Structures/Walls

- (j) Retaining structures, if higher than 1.2m, shall be stepped, and the steps planted to screen the faces.
- (k) Any retaining structures that are visible from any location beyond the boundaries of the Lot on which it/they are situated shall be constructed from materials or painted/finished in dark recessive and natural colours.

Accessways

- (l) All vehicle driveways and manoeuvring areas shall be formed with recessive materials – e.g. blue metal, concrete with aggregate exposed or concrete with a black oxide additive

2. In respect of Lots 1, 2, 4, 5 and 7 on the Plan (each a "Lot"):

Landscape and Amenity Planting Maintenance

- (i) All landscape and amenity planting on site within areas 'N', 'P', 'Q', and 'R' shall be maintained in perpetuity in accordance with the approved Landscape & Planting Management Plan prepared by Simon Cocker Landscape Architecture dated November 2023. 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.
- (ii) 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.

3. In respect of Lots 6 and 7 on the Plan (each a "Lot"):

Ecological Planting Maintenance, Weed and Animal/Pest Control

- (i) All ecological planting on site shall be maintained in accordance with the approved Ecological Planting and Weed Control Management Plan (EPWCMP), produced by Rural Design dated October 2019.

Evidence of compliance with this requirement shall be provided to Council in writing from a suitably qualified ecologist five (5) years and ten years from the date of issue of the Section 224(c) certificate.
- (ii) Maintenance of planting will be monitored by Council for a period of 5 years from the date of completion of planting. There will be a Council charge for this monitoring payable by the Lot owner.

- (iii) Ongong weed and animal/pest control shall be undertaken in accordance with the approved EPWCMP in perpetuity.
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.
- (iv) Weed and pest plant control will be monitored by Council for a period of 5 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.
- (v) The keeping of cats, mustelids and rodents on the Lot is prohibited.
- (vi) Dogs shall not be kept on the lot unless the following conditions are complied with:
 - (a) Prior to the keeping of a dog on the Lot, the owner shall provide details of the dog, including registration number, to the Council's Team Leader Monitoring and Compliance for ongoing monitoring purposes; and
 - (b) 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 or beyond the boundaries of 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", secure fenced area or dog run. For the purposes of this condition, "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; and
 - (c) Ongoing compliance with this condition will be monitored by Council. There will be a Council charge for this monitoring payable by the Lot owner.

Landscape and Amenity Planting Maintenance

- (vii) The planting undertaken in accordance with the approved Landscape and Amenity Planting and Management Plan ("the LAPM Plan") dated 17th February 2020 and prepared by Simon Cocker Landscape Architecture shall be maintained in perpetuity to the satisfaction of Council or their delegated authority. Should the vegetation in the areas shown as 'D' or 'F' on the Plan be removed or die off, equivalent landscape planting is to be undertaken immediately for the purposes of softening the overall effect of the development and protecting rural amenity values in the area.
Note: the approved LAPM Plan includes details of species, planting methodology, watering, monitoring and maintenance. No plants listed in Section 6 of the Northland Regional Pest and Marine Pathway Management Plan 2017-2027 7 are permitted.
- (viii) Prior to the construction of a building on the Lot, all works within area 'C' described in the approved LAPM Plan, dated 17th February 2020 and prepared by Simon Cocker Landscape Architecture shall be implemented to the satisfaction of Council or their delegated

representative. Evidence shall be prepared by a qualified and experienced landscape architect that the planting required has been implemented to the satisfaction of Council or their delegated representative.

Further Subdivision

- (ix) No further subdivision of the Lot is permitted.

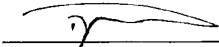
- 4. In respect of Lots 3, 4 and 5 on the Plan (each a "Lot"):
 - (i) The landscape planting within areas 'S', 'T', 'U' and 'V' on the Plan as detailed in the approved Landscape Planting and Management Plan prepared by Reyburn & Bryant and dated 31 March 2023 must be implemented within the first planting season (May to September) prior to the construction of a building commencing on the Lot. All works within areas 'S', 'T' 'U' and 'V' on the Plan must be as described in the approved Landscape Planting and Management Plan and must be implemented to the satisfaction of Council or their delegated representative.

- 5. In respect of Lot 1 on the Plan ("Lot"):
 - (i) The landscape planting as detailed in the approved Landscape Planting and Management Plan prepared by Reyburn & Bryant and dated 31 March 2023 within area 'L' on the Plan must be implemented prior to occupation of a building on the Lot. All works within area 'L' must be as described in the approved Landscape Planting and Management Plan and must be implemented to the satisfaction of Council or their delegated representative.

- 6. In respect of Lots 1, 3, 4, and 5 on the Plan (each a "Lot"):
 - (i) The planting undertaken in areas 'L', 'S', 'T', 'U' and 'V' on the approved Landscape Planting and Management Plan prepared by Reyburn & Bryant dated 31 March 2023 must be monitored and maintained for a period of 3 years from receipt from the Council of written confirmation that the planting has been implemented in accordance with the requirements of the conditions to the satisfaction of the Council.

DATED the 19th day of March 2024

SIGNED by
KAIPARA DISTRICT COUNCIL
by its authorised signatory

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Dina Tetzner