

In the matter of the Resource Management
Act 1991 (The Act)

in the matter of a subdivision of land in the
North Auckland Land
Registration District shown on
DP 605251

CONSENT NOTICE

(Pursuant to Section 221 of the Act)

I hereby certify that THE AUCKLAND COUNCIL granted its consent SUB60409223 to the subdivision of Lot 3 DP 523000, comprised in Record of Title 831091, as shown on DP 605251, subject to conditions, including the requirement of the owners of Lots 1 to 28 to comply with the following conditions on a continuing basis at no cost to the Council.

A. Geotechnical All development of Lots 1 to 28, including the construction of all buildings, any redevelopment and any temporary works, must take full account of the recommendations and limitations set out in the Geotechnical Investigation Report by CMW referenced AKL2022-0088AB Rev. 2, dated 16 November 2022 and the certified Geotechnical Completion Report provided at section 224(c) stage and any subsequent reports, to ensure that geotechnical stability is maintained. Copies of the said plan and report(s) will be held at the offices of the Council.

B. Stormwater Management Stormwater runoff from new and/or redeveloped impervious areas must be managed in accordance with Engineering Infrastructure Design Report prepared by Aspire Consulting Engineers, ref: 1725-1, dated September 2022 to ensure that the hydrology mitigation requirements specified in Table E10.6.3.1.1 Hydrology mitigation requirements of the Auckland Unitary Plan (Operative in part) are achieved.

C. On-site Water Supply At the time a building consent application is submitted for the dwelling, it must be demonstrated that potable water supply by means of rain water collection and storage re-use tanks providing a minimum of 45 m³ storage is provided for the water supply for the dwelling.

D. Landuse Development Each lot is restricted to a maximum of one dwelling and one minor dwelling.

E. Landuse Development Lots 3 and 4 The height of any dwelling (and minor dwelling if applicable) is restricted to 1.5 m lower than the maximum applicable Auckland Unitary Plan zone Building height Standard.

F. Landuse Development Lot 9 The height of any dwelling (and minor dwelling if applicable) is

restricted to being single storey only.

G. Fire-fighting Water Supply Lots 6 to 9 and 18 and 23 The lots are served or serviced by common firefighting water tanks, which are located within easement 'H' on Lot 8. For so long as they are a registered proprietor of that Lot, the owners of Lots 6 – 9 and 18 – 23 will be jointly responsible and liable for the ongoing operation, maintenance and repair of the firefighting water tanks.

H. Fire-fighting Water Supply Lots 10 to 17 The lots are served or serviced by common firefighting water tanks, which are located within Lot 202. For so long as they are a registered proprietor of that Lot, the owners of Lots 10 to 17 will be jointly responsible and liable for the ongoing operation, maintenance and repair of the firefighting water tanks.

I. Fire-fighting Water Supply Lot 8 The firefighting tanks on Lot 8 within easement H must remain accessible at all times. No fences are to be installed between the firefighting tanks' outlets and the road that may impede the access to the outlets for firefighting purposes.

J. Raingardens Lots 9 to 17 The lots are served or serviced by common raingardens and related infrastructure, which is located within Lot 202. For so long as they are a registered proprietor of that Lot, the owners of Lots 9 – 17 will be jointly responsible and liable for the ongoing operation, maintenance and repair of the common raingardens and related infrastructure.

K. Raingardens Lots 20 to 22 The lots are served or serviced by common raingardens and related infrastructure, which is located within Lot 201. For so long as they are a registered proprietor of that Lot, the owners of Lots 20 – 22 will be jointly responsible and liable for the ongoing operation, maintenance and repair of the common raingardens and related infrastructure.

L. Stormwater Management Lots 7 to 19 The lots in addition to **B** above, detention must be provided for stormwater runoff from new and/or redeveloped impervious areas exceeding 200m² to ensure that the peak flows are attenuated to pre-development levels for the 10% AEP.

Advice Note: It is anticipated that this attenuation will be achieved on each of these lots by providing detention in their water storage tanks.

M. Fencing adjacent to Public Walkway or Shared Path in relation to Lots 4 and 5 Any fencing, hedging or planting along boundaries or within 2m of boundaries of Lots 4 and 5 adjoining the pedestrian or shared accessway (Lot 203) must be either low height (1.2m) or at least 50 per cent visually permeable 'pool type' fencing with black paint finish (maximum height 1.8m). Landscape planting may be implemented on either side of the fence and must be maintained to ensure a minimum of 50% visual permeability. The Council is exempt from sharing costs.

N. Protection of Riparian Areas In relation to Lots 10, 15, 16 and 17 The areas of enhancement riparian planting, to be protected on Lots 10, 15, 16 and 17 (Areas D, G, F & E respectively) as shown on DP 605251 must be protected in perpetuity to the satisfaction of the Council. The owners or their successors in title of Lots 10, 15, 16 and 17 must:

- i. Preserve the enhancement riparian planting to be protected (D, E, F & G).
- ii. Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) undertake any earthworks or land modifications within the areas to be protected.
- iii. Not (without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the natural areas to be protected.

- iv. Not do anything that would prejudice the health or ecological value of the natural areas to be protected, their long term viability and/or sustainability.
- v. Control all invasive plants and control pest animals within the natural areas to be protected in accordance with the approved Pest Management Plan under subdivision consent SUB60409223.
- vi. Not to be in breach of this covenant if any of the areas of vegetation to be protected die as a result of fire and / or natural causes not attributable to any act or default on their part for which they are not responsible.
- vii. Submit a Monitoring Report for their protected area prepared by a suitably qualified and experienced ecologist to the Council for certification 6 monthly for the first 18 months then annually thereafter for a minimum period of five years. The reporting period commences on the date council certified the planting completion report. The Monitoring Report must include but is not to be limited to the following information:
 - a) Success rates, including growth rates and number of plants lost (including an analysis of the distribution of losses).
 - b) Canopy closure, beginnings of natural ecological processes - natural regeneration in understorey, use by native birds.
 - c) A running record of fertilisation, animal and weed pest control and replacement of dead plants.
 - d) Details on the condition of, and recommendations for maintenance of, the demarcation posts.
 - e) Recommendations for replacement of dead plants and implementation of these recommendations (remediation work). Any recommended remediation work shall include a start date for replanting.
- viii. If remediation work is recommended, the consent holder must:
 - Undertake this remediation work within six months from the start date as recommended in accordance with Condition (vii) e) above.
 - Provide the Council with a report confirming the remediation work has been undertaken. This report shall be submitted to Council within 6 months after the remediation work has been undertaken.

Dated this 20th day of December 2024.

Authenticated by the Auckland Council pursuant to
Section 221(2) of the Resource Management Act 1991



Signed by KEN BERGER

Senior Subdivision Advisor

Authorised officer under delegated authority.

References: CCT90119546, SUB60409223 & BUN60409221.