

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

**AND  
IN THE MATTER** of a subdivision consent as evidenced by Land Transfer Plan No. 549619

**AND  
IN THE MATTER** of a Consent Notice issued pursuant to Section 221 of the Act by WHANGAREI DISTRICT COUNCIL ("the Council")

IT IS HEREBY CERTIFIED that the following condition to be complied with on a continuing basis by the subdividing owner and subsequent owners was imposed by the Council as a condition of approval for the subdivision (file reference SL1800010) as effected by Land Transfer Plan No. 549619 ("the Plan"):

Lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 20, 24 & 25

1. Any development shall comply with the restrictions and recommendations (specific foundations design, wastewater treatment and disposal, storm water treatment, attenuation and disposal) identified in the Base Group Consulting Chartered Professional Engineers engineering suitability report reference 18009, revision 6, dated 24/08/2020 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.

2. The owners of proposed lots shall be responsible to ensure that any further development of the site including building sites, earthworks, drainage works, effluent disposal fields & vehicle access formations will be undertaken in such a manner that will not result in the obstruction or diversion of any existing overland flow path unless a specific design has been done by an IQP or Chartered Professional Engineer which mitigates potential adverse flooding effects on any neighbouring properties created by the obstruction or diversion and is approved in writing by the Whangarei District Council's Development Engineer or delegated representative.

Note: Overland flow paths are to be assessed in accordance with Section 4.9 of the Whangarei District Council's Environmental Engineering Standards 2010 Edition and are to be certified by an IQP/CPEng.

3. Mustelids, rodents and any other domestic animal, apart from cats and dogs, shall not be kept on any lot.

4. Two dogs to be de-sexed and registered shall be allowed to be kept on each lot.

5. Two cats which must be de-sexed and fitted with collars to avoid confusion with feral cats shall be allowed to be kept on each lot.

6. Any dog residing within the lots shall be kept under the following conditions, to the satisfaction of the Whangarei District Council Team Leader RMA Approvals and Compliance or their delegated representative:

a. Shall have completed Kiwi aversion training before being introduced to the lots.

b. Shall be prevented from roaming by securing them inside a building, or if retained outside shall be secured with an escape proof enclosure/ area.

- c. Working dogs should be kept in an escape proof enclosure / area when not working.
7. There shall be no more than one residential unit per lot.
  8. Except for the existing buildings located within the application site, building facade materials and finishes shall have a reflectance value of no more than 40%. Smaller architectural elements, such as joinery or other minor features, are excluded from this requirement. Windows shall not be mirror type glazing.
  9. Except for the existing buildings located within the application site, roof surfaces shall have a reflectance value of no more than 30%.
  10. Building heights shall be limited to 6.0m maximum in line with District Plan height meaning of words.
  11. Stone walls which may be present on the respective lots are not to be removed and shall be maintained to a good standard by the owner to the satisfaction of the Team Leader RMA Approvals and Compliance or their delegated representative.
  12. Any fence or barrier not being located on the roadside boundary shall be no higher than 1.80 metres.
  13. If a vehicle crossing was not constructed from the Road to the property, the property owner, at the time of building consent shall apply for a vehicle crossing permit. The vehicle crossing shall comply with Whangarei District Council's current Environmental Engineering Standards 2010 Edition. The works shall be completed to the satisfaction of Whangarei District Council's Roadway Corridor Coordinator or delegated representative prior to the Code Compliance Certificate being issued by Whangarei District Council for the first new building consent granted for subject Lots.
  14. The maintenance of the swale drains and vehicle crossings within the road reserve (directly adjacent to each Lot) shall remain the responsibility of the property owner. These structures shall be maintained in a state consistent with the relevant construction engineering drawings required and approved for this consent. Any modification to these swales or to vehicle crossings shall not be undertaken without the approval of Council's Roadway Manager. The constructions of any additional crossings require the approval of Council's Roadway Manager.

Specific Lot requirements:

15. On proposed Lots 1, 5, 14, 15, 20 & 25 a waste water treatment system capable of treating the domestic wastewater generated by the dwelling to a secondary standard certified by a Geo-Specialist with regard to stability, shall be installed and the treated waste water shall be discharged to land by way of pressure compensating dripper irrigation unless an alternative system certified by a Geo-Specialist with regard to stability is approved by Council's Development Engineer or delegated representative in writing. A detailed design report shall be prepared at building consent stage by a suitably qualified and experienced person that shall supervise the construction and commissioning of the system.

Note: Lot 25 is proposed for the option of either an individual on-site system or connection to the communal system contained within area "K". The communal system is designed to accommodate Lot 25 should this option be preferred however at the time of building consent the Lot 25 owner is to provide details of wastewater management for the site.

16. At the time of the building consent the owners of Lots 2-4, 7-13 and 24 shall arrange to supply and install (at its own cost) and be responsible for ongoing maintenance and associated costs for a private sewage treatment system and pumping pipeline connecting into the dedicated communal waste water disposal area.
17. The owners of Lot 1 shall be aware that the dedicated waste water disposal land application area is located within the area 'N' on proposed Lot 102 and must be maintained as recommended in the Base Group Consulting Chartered Professional Engineers engineering suitability report reference 18009 revision 6, dated 24/08/2020 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.
18. The owners of Lots 2-4 and 7-9 shall be aware that the communal waste water disposal land application area is located within the area 'L' on proposed Lot 200 and must be maintained as recommended in the Base Group Consulting Chartered Professional Engineers engineering suitability report reference 18009 revision 6, dated 24/08/2020 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council. In particular, the owners of Lots 2-4 and 7-9 shall:
  - (a) *each enter into a service agreement with Duracrete (or such other service provider approved by all lot owners together with the Whangarei District Council) to maintain the communal waste water disposal system and disposal land application area; and*
  - (b) *be equally responsible for the maintenance of the communal waste water disposal system and disposal land area owners; and*
  - (c) *acknowledge that these obligations will be regulated by way of a private easement to be registered on the titles to these Lots, to the effect that enforcement of the maintenance obligations will be a matter between the owners of these lots and not the responsibility of Whangarei District Council;*
  - (d) *ensure that the maximum design daily flow rate of 1,080 l/day per lot is not exceeded from their lot. Evidence is to be provided at building consent stage that this design maximum flow rate discharging to the communal disposal areas will not be exceeded per lot.*
19. The owners of Lots 10-13 shall be aware that the communal waste water disposal land application area is located within the area 'T' (and reserve area 'L') on proposed Lot 200 must be maintained as recommended in the Base Group Consulting Chartered Professional Engineers engineering suitability report reference 18009 revision 6, dated 24/08/2020 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council. In particular, the owners of Lots 10-13 shall:
  - (a) *each enter into a service agreement with Duracrete (or such other service provider approved by all lot owners together with the Whangarei District Council) to maintain the communal waste water disposal system and disposal land application area; and*
  - (b) *be equally responsible for the maintenance of the communal waste water disposal system and disposal land area owners; and*
  - (c) *acknowledge that these obligations will be regulated by way of a private easement to be registered on the titles to these Lots, to the effect that enforcement of the maintenance obligations will be a matter between the owners of these lots and not the responsibility of Whangarei District Council;*

*(d) ensure that the maximum design daily flow rate of 1,080 l/day per lot is not exceeded from their lot. Evidence is to be provided at building consent stage that this design maximum flow rate discharging to the communal disposal areas will not be exceeded per lot.*

20. The owners of Lots 24-25 shall be aware that the communal waste water disposal land application area is located within the area 'K' on proposed Lot 100 and must be maintained as recommended in the Base Group Consulting Chartered Professional Engineers engineering suitability report reference 18009 revision 6, dated 24/08/2020 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council. In particular, the owners of Lots 24-25 shall:

*(a) each enter into a service agreement with Duracrete (or such other service provider approved by all lot owners together with the Whangarei District Council) to maintain the communal waste water disposal system and disposal land application area; and*

*(b) be equally responsible for the maintenance of the communal waste water disposal system and disposal land area owners; and*

*(c) acknowledge that these obligations will be regulated by way of a private easement to be registered on the titles to these Lots, to the effect that enforcement of the maintenance obligations will be a matter between the owners of these lots and not the responsibility of Whangarei District Council;*

*(d) ensure that the maximum design daily flow rate of 1,080 l/day per lot is not exceeded from their lot. Evidence is to be provided at building consent stage that this design maximum flow rate discharging to the communal disposal areas will not be exceeded per lot.*

Note: Lot 25 is proposed for the option of either an individual on-site system or connection to the communal system contained within area "K". The communal system is designed to accommodate Lot 25 should this option be preferred, however at the time of building consent the Lot 25 owner is to provide details of wastewater management for the site.

21. The owners of Lots 2-5 and 24-25 shall be aware that the common water tank constructed as part of subdivision works within the easement 'X' on proposed Lot 100 is for the purposes of fire-fighting water supply and must be maintained full with a minimum water volume of 25m<sup>3</sup> in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

22. The owners of Lots 5 and 7-15 shall be aware that the common water tank constructed as part of subdivision works within the easement 'ZA' on proposed Lot 200 is for the purposes of fire-fighting water supply and must be maintained full with a minimum water volume of 25m<sup>3</sup> in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

23. The owners of Lots 7-15 and 20 shall be aware that the common water tank constructed as part of subdivision works within the easement 'Z' on proposed Lot 200 is for the purposes of fire-fighting water supply and must be maintained full with a minimum water volume of 25m<sup>3</sup> in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

24. Upon construction of any habitable dwelling on Lot 1, sufficient water supply for fire-fighting purposes is to be provided by way of tank storage or other approved means, and that this water supply be accessible by fire-fighting appliances in accordance with Whangarei District Council's Environmental Engineering Standards 2010 and more particularly with the 'NZFS Fire Fighting Code of Practice SNZ PAS 4509:2008'. Demonstration of achievement of an alternative

means of compliance with this standard will be considered to satisfy this requirement but note that written approval from the NZ Fire Service is required.

25. For Lots 2, 3, 4, 5, 7, 8, and 24 the minimum setback from the road boundary for any building shall be 10m.
26. For Lots 2, 3, 4, 5, 7, 8, and 24 the road boundary treatment (e.g. landscaping and fencing) shall be restricted to a maximum of 900mm and should not be of an urban form and not solid. Post and rail fencing would be appropriate. Hedging to a similar maintained height of 900mm would also be appropriate as an alternative.
27. For Lots 100, 102 and 200 no building may be erected within the 'no build areas' zone identified on the survey plans.

DATED at Whangarei this 19<sup>th</sup> day of NOVEMBER 2020

**SIGNED for WHANGAREI DISTRICT COUNCIL**  
pursuant to the authority of the council given pursuant  
to the Local Government Act 2002 and the Resource  
Management Act 1991

  
\_\_\_\_\_  
Authorised Signatory