

Office of the Registrar – General of Land

**CONSENT NOTICE PURSUANT TO:
SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991**

TO: Office of the Registrar – General of Land

In the Matter of a Consent Notice pursuant to Section 221 of the Resource Management Act 1991 in respect of a fee simple subdivision of Lot 200 DP 564485 and Lot 273 498135 lodged for deposit under Plan No 571061.

I, Stuart Smith, Senior Resource Consents Planner of the Porirua City Council, hereby certify that the following conditions (which were condition nos. 48, 54, 55, 73, 75 and 77 of the Subdivision RC8072), to be complied with on an ongoing basis, were imposed by the Porirua City Council on 12 May 2020 giving consent to the subdivision described herein:

The consent holder and future owners of Lots 1339 – 1373, 1408 and 1410 – 1418 shall be aware that:

1. *These Lots contain Specific Engineering Design (SED) Areas identified in the Tonkin + Taylor report 'Aotea Stage 14.3 Earthworks and Building Site Certification Report, dated June 2021, Ref: 85323.400 v2 (held on Council file RC7680 – SB0005/22), and the following shall be taken into account:*
 - a. *The Landowner(s) shall ensure that within the SED areas, identified as A-C, AA-AZ, BA-BZ and CA-CE, all foundations of any buildings or retaining walls and any earthworks shall be designed with input from a Chartered Professional Geotechnical Engineer or Engineering Geologist as listed on the Engineering New Zealand database (as available on their website); and*
 - b. *Any Building Consent Application which includes works within the SED areas, identified as A-C, AA-AZ, BA-BZ and CA-CE, must be accompanied by a report from a Chartered Professional Geotechnical Engineer or Engineering Geologist as listed on the Engineering New Zealand database (as available on their website) which shall confirm that the design for the works has taken into account the Tonkin + Taylor report above; and*
 - c. *Any Resource Consent Application which includes earthworks within the SED areas, identified as A-C, AA-AZ, BA-BZ and CA-CE, must be accompanied by a report prepared by a Chartered Professional Geotechnical Engineer or Engineering Geologist as listed on the Engineering New Zealand database (as available on their website) which shall confirm that the design for the works has taken into account the Tonkin + Taylor report above.*

Exempt from the above requirement is the installation of residential boundary fences, utilities services provision and any earthworks less than 300mm in height/depth.

2. *All temporary and permanent cuts exceeding 1.2 m in height, including cuts to be retained, shall be specifically investigated and designed by a Chartered Professional Engineer practicing in geotechnical engineering. The Engineer shall consider the effect of the earthworks on global stability, i.e. the effect of the works on the stability of the lot and adjacent land.*

Within the areas AJ, AK, AY and BJ all temporary or permanent cuts greater than 0.3m in depth including cuts to be retained, shall be specifically investigated and designed by a Chartered Professional Engineer practicing in geotechnical engineering. Retaining walls shall be specifically designed by the Engineer. The Engineer shall consider the effect of the earthworks on global stability, i.e. the effect of the works on the stability of the lot and adjacent land.

3. *Any fill greater than 0.8 m thick, and all fill proposed to be beneath structures (including hardstanding and driveway areas), shall meet the requirements of NZS 4431:1989, and shall include adequate stripping, benching, and underdrainage.*

Within areas AJ, AK, AY and BJ all fills greater than 0.3m in depth shall be investigated and designed by a Chartered Professional Engineer practicing in geotechnical engineering. The Engineer shall

consider the effect of the earthworks on global stability, i.e. the effect of the works on the stability of the lot and adjacent land.

- 4. All stormwater from roofs, hard-standing or impermeable areas, retaining wall drainage, surface drains and subsoil drains and from standing water such as swimming pools and ponds shall be collected and discharged in a controlled manner to the Porirua City Council stormwater system. All stormwater from other areas such as vegetated surfaces that discharge over the crest of a cut or fill slope shall be in a dispersed manner that will not give rise to concentrated stormwater flows and shall be limited to an individual lot area.*
- 5. Undeveloped batter slopes shall be maintained in vegetation or other cover that minimises erosion and enhances slope stability. Planting the batter slopes using shrubs that have good rooting systems will enhance stability. Where these batters are covered only in grass, there is an increased potential for surface scour occurring. These would be shallow slumps that will not affect the structural integrity of the building lot but may be unsightly until the area re-vegetates.*

The consent holder and future owners of Lots 1346, 1349, 1352, 1353 and 1366 – 1373 shall be aware that:

- 6. Specific attention shall be given to boundaries between fill and cut/natural ground because weaker ground and groundwater seepage may occur in these areas. Fill and cut/natural ground boundary locations are shown on the Cuttriss Drawing 27516E Sheet 1 (held on Council file RC8072) and are specifically addressed in Table 3-2 of the Tonkin + Taylor report 'Aotea Stage 14.3 Earthworks and Building Site Certification Report, dated June 2021, Ref: 85323.400 v2. Where these boundaries occur under or adjacent to building foundations, specific subsurface testing may be required. It may be required to locally deepen foundations where weak ground is encountered.*

The consent holder and future owners of Lots 1346, 1349, 1352, 1353 and 1366 – 1373 shall be aware that:

- 7. All building and site development works shall be planned to preserve and protect the subsoil drains. Subsoil drain locations are shown on the Cuttriss Drawing 27516E Sheet 2 (held on Council file RC8072) and are specifically addressed in Table 3-2 of the Tonkin + Taylor report 'Aotea Stage 14.3 Earthworks and Building Site Certification Report, dated June 2021, Ref: 85323.400 v2. Foundations that are located within 1 m horizontal distance from the underlying subsoil drains shall not extend more than 1 m below the existing ground surface unless they are specifically investigated and designed by a Geotechnical Engineer.*

The consent holder and future owners of Lots 1412 – 1418 shall be aware that:

- 8. The planting established on the batters shown as areas BY, BZ, CA, CB, CC, CD and CE DP 571061 has been established to mitigate the visual effects of earthworks. This planting is to be maintained for a minimum period of 4 years from the date of initial establishment and shall be retained in perpetuity. This planting shall not be removed or destroyed and other species, other than those identified in the approved (Stage 14 Planting Plan dated May 2016 approved in accordance with condition 8, Council Ref #4896384) held on resource consent file (RC7139), shall not be introduced onto the areas identified in this condition. No structures or buildings shall be placed or earthworks undertaken in the areas identified in this condition except for a post and wire fence will be permitted as a boundary fence in the planting area. Timber board fencing is not permitted due to the visual impact of this fencing.*

The consent holder and future owners of Lots 1339 – 1373, 1408 and 1410 – 1418 shall be aware that:

- 9. On all lots, bare galvanised, zinc aluminium coating or unpainted metal that would lead to contamination of stormwater runoff upon corrosion is not to be used for roofing or building materials.*

The consent holder and future owners of Lots 1339 – 1342, 1345 – 1351, 1361, 1362, 1365 – 1370, 1410, 1416 and 1417 shall be aware that:

- 10. As part of the approval of this subdivision consent, landuse consent has been issued for future residential activities on certain allotments to be allowed to exceed certain Porirua City District Plan permitted activity standards. These are as follows:*

- (a) To allow the construction of buildings, excluding that portion which is garage where the garage door faces out to the Road, to be closer than 5 metres to the Front Boundary on certain allotments identified as follows:

Lot #	3m Front Yard setback
1339	Western boundary (John Burke Drive Extension)
1352	Western corner of lot – (John Burke Drive Extension and Te Arapito Close)
1354 - 1357	Western boundary (Te Arapito Close)
1358	Northern boundary (Te Arapito Close)
1359	North-Eastern boundary (Te Arapito Close)
1360 - 1364	Eastern boundary (Te Arapito Close)
1374, 1375	North-Western boundary (John Burke Drive Extension)
1382	Eastern boundary (John Burke Drive Extension)
1411	Eastern boundary (John Burke Drive Extension)
1412	South-Eastern boundary (John Burke Drive Extension)

Advice Notes:

- (i) Attaching eaves and gutters may encroach a further 0.6m + 0.15m respectively into the Front Yard from the distance specified above.
- (ii) Those parts of Buildings to be closer than 5m to the Front Boundary as identified above shall comply with a Height Recession Plane of 3 metres + 45° when measured from the Front Boundary.
- (b) To allow the construction of buildings to exceed Site Coverage to a certain level on various allotments as follows:

Lot #	Approved Site Coverage (%)
1348, 1361, 1362, 1365, 1375, 1377-1380, 1387-1395, 1410.	37.5%
1339-1342, 1345-1347, 1349-1351, 1366-1370, 1385, 1386, 1416, 1417.	40%

The consent holder and future owners of Lots 1339 – 1350, 1353 – 1359, 1372, 1373 and 1410 – 1418 inclusive shall comply with the following:

11. The Porirua City Council shall not be responsible for the cost of erecting or maintaining any fence along a boundary of any land vested in the Council as reserve or any other land owned by the Council.

PURSUANT TO Section 221(4)(b) of the Resource Management Act 1991, these conditions are to be registered as a covenant running with the land under the Land Transfer Act 2017.

Dated at Porirua the 17th day of March 2022.

Yours faithfully



Stuart Smith
SENIOR RESOURCE CONSENTS PLANNER
POLICY, PLANNING & REGULATORY SERVICES
 under Delegated Authority