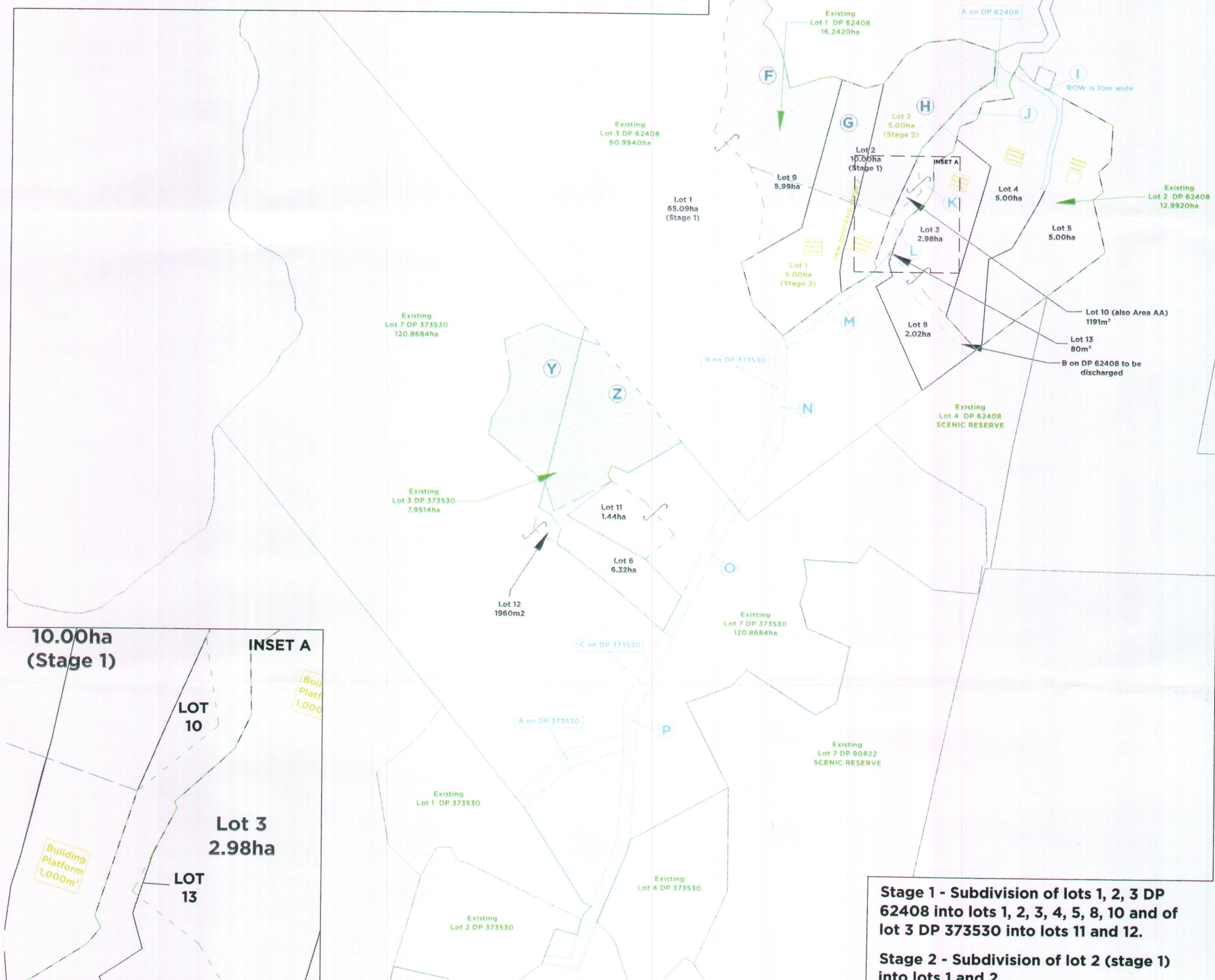


### EXISTING SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	SERVIENT TENEMENT	DOMINANT TENEMENT	NOTES
ROW	A ON DP 62408	LOT 3 DP 62408	LOT 7 DP 373530, LOTS 1, 2, 4 DP 373530	ROW A to be discharged and replaced with new ROW J and K
ROW	B ON DP 62408	Lot 3	Lot 4 DP 62408	ROW B to be discharged in its entirety
ROW	A ON DP 373530	Lot 7 DP 3735230	Lot 1 DP 373530	Retain
ROW	B on DP 373530	Lot 3 on DP 62508	Lots 1, 2, 3, 4 & 7 on DP 373530	ROW B to be discharged and replaced with new ROWS L, M AND N
ROW	C on DP 373530	Lot 7 DP 3735320	Lots 1, 2, 3, 4 on DP 373530	ROW C to be discharged on all lots and replaced with ROWS Q and P

### PROPOSED SCHEDULE OF EASEMENTS

PURPOSE	SHOWN AS	STAGE 1		STAGE 2	
		SERVIENT TENEMENT	DOMINANT TENEMENT	SERVIENT TENEMENT	DOMINANT TENEMENT
ROW, TELECOMMUNICATIONS, POWER	I	Lot 4	Lot 5	No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	J	Lot 1	Lots 2 (stage 1), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 4 (in respect of telecommunications and power only), 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4, 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	K	Lot 1	Lots 2 (stage 1), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and, 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 3, 6, 8, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	L	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and, 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 and 2 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	M	Lot 1	Lots 2 (stage 1), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and, 7 ON DP 373530	Lot 1 (stage 1)	Lots 1 (stage 2), 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and 7 ON DP 373530
ROW, TELECOMMUNICATIONS, POWER, RIGHT TO CONVEY WATER	N	Lot 1	Lots 6, 9, 10, 11, 12, 13 and Lots 1, 2, 4 and, 7 ON DP 373530	No change from Stage 1	
ROW, TELECOMMUNICATIONS, POWER	O	Lot 7 on DP 373530	Lot 6, 11 and 12 and Lots 1, 2 and 4	No changes from Stage 1	
ROW, TELECOMMUNICATIONS, POWER	P	Lot 7 on DP 373530	Lots 11 and 12 and Lots 1, 2 and 4 on DP 373530	No changes from Stage 1	





RC6818 – SL0001/15  
 Robinson Dembetembe  
 rdembetembe@pcc.govt.nz  
 237 5089

6 March 2015

**Pikarere Farm Ltd**  
 C/o- Land Matters Ltd  
 20 Addington Road  
 RD1  
 Otaki 5581  
**Attn. Anna Carter**

Dear Anna

**APPLICATION TO UNDERTAKE A SUBDIVISION AND A LAND USE CONSENT AT 320 - 380 PIKARERE STREET, COLONIAL KNOB (BEING LOTS 1- 3 DP 62408, LOT 3 DP 373530 & LOT 7 DP 373530).**

That the application by **Pikarere Farm Ltd** for subdivision and land use resource consents:

1. To Subdivide the properties at 320- 380 Pikarere Street, Colonial Knob (Being Lots 1- 3 DP 62408, Lot 3 DP 373530 & Lot 7 DP 373530) to create 3 additional titles with minimum area of 5 hectares in each title.
2. For Land Use for earthworks and dwellings on Lots 1 and 2 (stage 2 of the subdivision) and Lots 3-5 (stage 1 of the subdivision),

be considered as a non-notified application under sections 95A, 95D and 95E and that resource consent **be granted** for a non-complying activity pursuant to sections 104, 104B, 104D and 108 and 220 of the Resource Management Act 1991 for the following reasons:

1. It is considered that the activity will not - have or be likely to have adverse effects on the environment that are more than minor beyond the subject land and adjacent land.
2. The effects are considered to be less than minor such that no persons have been identified as potentially affected.
3. That due regard has been given to the objectives and policies of the District Plan and it is not inconsistent with those provisions.
4. The proposal meets both the gateway tests of Section 104D of the Resource Management Act.

**The Subdivision consent shall be subject to the conditions listed under A and the Land Use Consent shall be subject to the conditions listed under B below:**

**A-Subdivision Consent Conditions**

1. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots*

*3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04*), although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

2. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
3. In carrying out subdivision works, the consent holder shall follow all relevant recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.

**Prior to commencement of construction:**

4. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
5. Prior to the commencement of works, a services plan showing the layout and position of any services to be reticulated (eg roading), and any site works and construction (other than residential buildings), shall be submitted for Pre Engineering Acceptance to the satisfaction of the General Manager Asset Management and Operations. All works shall be carried out in accordance with the approved plan.

**During Construction:**

6. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.

**General – Applying to all Stages:**

7. Individual certifications pursuant to sections 223 and 224(c) of the RMA may be issued for this subdivision in a series of stages as follows:
  - Stage I – Lots 1-5, 8, 9 & 10 and subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 & 12. Then the following lots will be amalgamated to be held in one Computer Freehold Register: Lots 1, 9 and 10 in one CFR, Lots 3 & 8 in one CFR, and Lots 7, 11 & 12 in one CFR
  - Stage II– Subdivision of Lot 2 in Stage 1 into two Lots 1 & 2;

provided that:

- Each individual allotment must be consistent with the proposal as approved;

- All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage.

**Prior to certification under Section 223:**

8. Prior to approval under Section 223 of the Resource Management Act 1991, the easements specified on the approved scheme plan DP PIK1 Rev 04 shall be created or reserved for the purpose specified and endorsed in a memorandum on the Land Transfer Plan.
9. Prior to approval under section 223 of the Resource Management Act 1991 the identified development areas shown on Drawing Number SC Pik 1 Rev 02 dated 22/12 drawn by Land Matters Property Consultants shall be surveyed and marked on the Land Transfer Plan.
10. That pursuant to section 220(1)(b)(i) & (ii) of the Resource Management Act 1991, that;  
“Lots 1, 9 and 10 are held together in one CFR;  
Lots 3 and 8 are held together in one CFR;  
Lots 7, 11 and 12 are held together in one CFR.”  
(Request number in the condition is 1269838). This shall be recorded on the Transfer Plan submitted for this stage under Section 223 of the Resource Management Act.

**Conditions to be registered as consent notices**

11. The consent holder or future owners of Lots 1 & 2, Stage II and Lots 3, 4 and 5 (lot 3 being held together with lot 8), Stage I may construct future dwellings, accessory buildings, water tanks, car parking and associated earthworks without the need to apply a resource consent provided that:
  - They are proposed to be constructed wholly within the development areas identified on the Land Transfer Plan and;
  - Any such future development can be demonstrated to comply with all consent notice requirements that are imposed on the Computer Freehold Registers.

*Note: Full Rural Zone provisions will apply to any proposal to develop outside of an identified development area including the need to apply for a resource consent (if applicable at the time). Consent notices required by conditions 13 - 22 of RC6818 will still apply to any such development.*

**PROTECTION OF SKYLINE**

13. The consent holder or future owners shall ensure that within each lot, no part of any building shall extend at or above the relative contour levels described below for an area described as a ‘building exclusion zone’ for the purpose of avoiding

buildings being built on the skyline. The levels are relative to a recognised datum.

- i. within Lot 1 – stage II the skyline exclusion zone is RL190m
- ii. within Lot 2 – stage II the skyline exclusion zone is RL 185m
- iii. within Lot 3 & Lot 8 (to be amalgamated) – stage I the skyline exclusion zone is RL 176m
- iv. within Lot 4 – stage I the skyline exclusion zone is RL 167m
- v. within Lot 5 – stage I the skyline exclusion zone is RL 160m

and, at the time of building consent, plans are to be supplied to the satisfaction of the General Manager, Environment & Regulatory Service, that all parts of all buildings are located below the Skyline Exclusion zone relative to a recognised datum.

#### **BUILDING DESIGN CONDITION**

14. The consent holder or future owners shall ensure that buildings (and for the purpose of this condition buildings include water tanks and retaining walls) within Lots 1 and 2 – Stage II and Lots 3 (Lot 3 being held together with lot 8) and 4– Stage I shall be designed as follows:

- i. That no part of any building shall be higher than 6.5m above finished ground level and all buildings, shall be located below the building exclusion zone;

Note: finished ground level means the level of the ground after completion of all earthworks.

- ii. That the roof on any building, including a dwelling shall be of a low pitch with an angle of 30 degrees or less;
- iii. That a building, including a dwelling, any accessory building, and any retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% R<sub>V</sub> or less as per BS5252 colour chart, in muted tones within greyness Groups A to B. Roof to be of a generally darker shade than the walls and preference to be given to natural materials and colours found in the surrounding landscape such as timber, stone and earth.
- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by

vegetation that will grow to at least the height of the retaining wall within 5 years.

**CONDITIONS IN RESPECT OF LOT 5 – STAGE I**

**15. The consent holder or future owners shall ensure the following shall apply to any developments on proposed lot 5;**

- i. That no part of the dwelling shall be higher than 5m above finished ground level and broken down into differing heights (to reduce the visual bulk of the structure) and all parts of the building to be located below the Building Exclusion Zone.**

**Note: finished ground level means the level of the ground after completion of all earthworks.**

- ii. That the roof on any building, including a dwelling shall be of a low pitch and have an angle no greater than 30 degrees;**
- iii. That a building, including a dwelling and associated landscaping including retaining walls shall be finished in materials (including the exterior paint or stain) that has a reflectivity value of 60% RV or less as per BS5252 colour chart, using muted tones within greyness Groups A to B. Roof shall be of a generally darker shade than the walls and preference to be given to materials and colours found in the natural landscape such as timber, stone and earth. Non-permeable surfaces (such as driveway and parking areas) shall use low-reflective colours or materials;**
- iv. That any retaining wall greater than 1.5m in height which is not screened by a dwelling or accessory building, shall be screened by vegetation that will grow to at least the height of the retaining wall within 5 years.**
- v. A landscaping plan shall be submitted to the Council prior to the commencement of any works begun as part of a Building Consent issued under the Building Act on Lot 5, to mitigate any adverse visual effects that might result due to the proposed dwelling, buildings, earthworks including retaining walls and shall be subject to the approval of the Council's Landscape Architect. Planting and works related to the landscaping plan shall be undertaken as soon as seasonally practicable (April-September) after the construction works but must be within twelve months of the works associated with the Building Consent being completed. The objective of the landscape plan is to minimise the effect the development has on the surrounding rural landscape.**

**EARTHWORKS CONDITION (FOR LOTS 1 and 2 – STAGE II AND LOTS 3, 4 AND 5 – STAGE I)**

16. The consent holder or future owners shall ensure the following shall apply to any earthworks associated within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
- i. That all earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be stabilised with either metal (if it is for a right of way and/or access); or planted out with grass-seed or other suitable vegetation within 3 months of the earthworks being completed and stabilised within 12 months of the earthworks being undertaken;
  - ii. Earthworks construction shall ensure that safe batter slopes are formed. In the short term cut batters which are less than 3.0 metres high through very stiff silty soils shall not exceed 50 degrees to the horizontal. Higher short term cut batters will require specific engineering input and may require temporary support in the form of anchors. Long term cuts should be reduced to profiles of 40 degrees to horizontal.
  - iii. All fills shall be compacted in accordance with the Code of Practice for Earth Fill for Residential Development, NZS 4431:1989. Within 6 months of completion of the earthworks hereby consented, plans shall be supplied to the satisfaction of the General Manager, Environment & Regulatory Services showing the location of all compaction tests, together with a certificate prepared by an inspecting chartered engineer stating the suitability of the earthworks for residential development.
  - iv. Retaining walls, other than those not requiring building consent, shall be designed by a suitably qualified engineer and any design shall take into account appropriate surcharge loads and seismic loads as required. Depending on the proposed dwelling layout suitable retaining walls could comprise standalone timber pole walls, or concrete block walls which are incorporated as an integral part of any dwelling.

**PROTECTION OF DEVELOPMENT AGAINST SLOPE FAILURE**

17. The consent holder or future owners shall ensure the following shall apply to any developments within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I;
- i. No buildings or earthworks within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I shall be located within 4m (horizontally) from the crest of gully slopes that exceed 30 degrees to horizontal upon unless they have specific foundations (in respect of buildings) and/or retaining walls (in respect of both buildings and earthworks);

- ii. The suitability of any exposed foundation soils, within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, shall be confirmed by an experienced engineer who shall verify that actual ground conditions are consistent with the Abuild Consulting Engineers Ltd Report (titled, “Geotechnical investigation proposed subdivision Pikarere Elsdon, Porirua. Rev B” dated December 2014 Reference 9924)
- iii. Vegetation cover shall be maintained over sloping ground at the site to reduce erosion potential and the potential for slope instability. Sloping ground which is clear of vegetation during construction shall be replanted to bind surface soils together and reduce erosion and slip potential. A suitably qualified landscape gardener shall be consulted to select the most appropriate plant species for both the slope and soil conditions at the site.

### **FENCING**

- 18. The consent holder or future owners shall ensure that boundary fences (excluding right of way boundaries) shall be restricted to standard 7 wire farm fencing or up to 2m deer fencing, with any temporary wind cloth only to be used as required for plant establishment.
- 19. Prior to approval under Section 224 of the Resource Management Act, the consent holder shall enter into a registerable agreement with the Council, specifying that the Porirua City Council shall only contribute to the cost of erecting or maintaining any fence along a boundary of any land owned by the Council to the rural standard specified in the Fencing Act 1978.

### **SERVICES**

- 20. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

*“Any on-site water supply (which may be from roof rainwater collection) including treatment systems for individual dwellings, shall be to the satisfaction of the General Manager, Environment & Regulatory Services. A minimum of 2 x 25,000 litre water tanks per dwelling shall be installed prior to the occupation of any dwelling on each allotment. These tanks shall meet internationally recognised standards for use as a potable water storage vessel and shall be located such that there is driving access to the tanks to provide access by fire fighting appliances and water supply delivery trucks.”*

- 21. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

*That any dwelling erected on the land shall be connected to its own individual and specifically designed system for the treatment and disposal of household sewage and waste water which shall prior to its installation be supported by the submission to the Porirua City Council of the site investigation information on soil suitability for the type of effluent disposal system proposed*

22. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following:

*"At the time of application for building consent for a new dwelling on Lots 1& 2 (stage 2) Lots 3 – 5 (stage 1), details of the proposed method of stormwater disposal from the lot shall be submitted for approval to Council's General Manager, Environment and Regulatory Services. The information submitted shall show by way of an appropriate design carried out by a suitably qualified engineer experienced in stormwater disposal that the lot is capable of complying with Building Code E1 – On-site Storm Water Disposal. Stormwater disposal shall then be in accordance with the approved method.*

23. The consent holder or future owners of proposed Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1) shall comply with the following site's development criteria as outlined in Section 9.3 – 9.9 of the Abuild held on Council File RC6818;

- a) Proposed development of sites
- b) Foundations and Settlement
- c) Earthworks and safe batter slopes
- d) Retaining
- e) Subsoil Permeability
- f) Right of Ways and Driveways
- g) Drainage and Erosion

24. Conditions 12 - 23 above shall be the subject of consent notices under Section 221 of the Resource Management Act registered against the new Certificate of Title for Lots 1-5 inclusive as appropriate and will be prepared by Council at the cost of the consent holder. All costs associated with the preparation and registration of the consent notices shall be met by the consent holder.

**Prior to certification under Section 224:**

**GENERAL 224 CONDITIONS**

25. All conditions pertaining to the specific allotments shown in the particular stage on the survey plan must be satisfied prior to the execution of a certificate pursuant to section 224(c) of the RMA in respect of that stage of the subdivision as follows:
- a. All utility services shall be installed underground and the consent holder shall provide confirmation from the service providers of energy and communication services to the subdivision stating that their requirements have been met.
  - b. All related works shall comply with New Zealand Standard: Land Development, Subdivision Engineering NZS 4404:2004, and the PCC Code of Land Development and Subdivision Engineering 2010 and the Wellington Water Regional Standard for Water Services 2012.
  - c. Proposed Right of Ways identified as "I" on Land Matters plan DPPik1 Rev 03 shall be formed and drained in accordance with the PCC Code of Land Development and Subdivision 2010, Land Development and

**Subdivision Infrastructure - NZS 4404: 2010, and Part H of the District Plan.**

- d. Due to the age and condition of the existing access A on DP 32408, the formation shall be reconstructed where required in order to achieve uniform, consistent continuous surface, and then metalled in compliance with the Land Development and Subdivision Engineering - NZS 4404: 2004, PCC's Code of Land Development and Subdivision 2010 and all works shall be to the satisfaction of the General Manager, Environment and Regulatory Services.
26. The consent holder shall construct a new vehicle crossing at the end of Pikarere Street entrance to ROW "I" with a sealed formation between the existing cul de sac seal and a point 5m inside the lot all in compliance with PCC's Code of Land Development and Subdivision 2010 and PCC specification 12b as outlined at <http://www.pcc.govt.nz/DownloadFile/A-Z-Services/Roading/Vehicle-Crossing-Specifications>.
27. The lapsing period pursuant to section 125 of the RMA for stage I of the subdivision shall be 5 years from the date of the consent being granted;
28. That the lapsing period pursuant to section 125 of the RMA for stage II of the subdivision shall be 10 years from the date of the consent being granted.

**B-Land Use Consent Conditions**

29. That the development be in general accordance with the information and plans submitted with the application stamped Approved Plans for Resource Consent RC6818 and held on Council file RC6818 (*Development Plan Rural Residential Subdivision and Boundary adjustment, Drawing No. SC Pik1 Rev 02, and Stage 1: Subdivision of Lots 1, 2, & 3 DP 62408 into Lots 3-5, 8, 9 & 10 Subdivision of Lots 3 & 7 DP 373530 into Lots 6, 7, 11 and 12, Drawing Number DP Pik1 Rev 04*) although minor alterations may be approved upon request providing the development is not materially different, the scale and intensity of adverse effects will be no greater, and no approval from affected persons is needed.

**Prior to commencement of construction for the land use consents:**

30. That the consent holder shall contact the Council's compliance monitoring officer at least 48 hours prior to any physical work commencing on the site and advise the officer of the date upon which such works will commence.
31. Prior to the commencement of any works on the site, the applicant shall provide evidence to the Resource Consent Monitoring and Enforcement Team that a suitably qualified chartered engineer has been appointed to carry out the design and supervision of earthworks.
32. The consent holder shall provide a copy of this consent and any documents referred to in this consent to each operator or contractor undertaking works authorised by this consent, before that operator or contractor starts any works.

33. The consent holder shall ensure that a copy of this consent is kept in the office on site at all times and presented to any Porirua City Council officer on request.
34. Prior to the commencement of the earthworks, the consent holder shall submit an Erosion and Sediment Control Plan to the satisfaction of the General Manager, Environment and Regulatory Services. The consent holder and agents shall comply with the plan submitted. The plan shall include:
  - i) Details of methods proposed to treat sediment on site,
  - ii) Erosion control; and
  - iii) Details of proposed monitoring measures.

***Building sites***

35. That any development within Lots 1 and 2 – stage II and Lots 3, 4 and 5 – Stage I, associated with the construction of a building/dwelling, which includes earthworks, an accessory building, water tanks or retaining walls will be limited to that area identified on the Land Matters Ltd Plan titled, ‘Development Plan Pikarere Land Use Consent.

*“Any dwelling/building on the above allotments shall be located within the development areas identified as areas (insert letters for Lots 1 & 2 (stage 2), Lots 3 – 5 (stage 1) identified on Land Transfer Plan as required by Condition 9) identified on Deposited Plan (insert DP number).”*

**During construction of the subdivision works:**

36. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Geotechnical Report prepared by Abuild Consulting Engineers Ltd, REF 9924; dated December 2014 REV B held on Council File RC6818.
37. During construction of the subdivision, the consent holder shall follow all the recommendations contained within the Pikarere Farm Landscape and Visual Assessment Report dated December 2014 prepared by Linda Kerkmeester held on Council File RC6818.
38. The consent holder shall ensure that all culvert outlets are attached to an outlet sock. The socks are to help to reduce water velocities and erosion at the culvert outlet.
39. Mufflers shall be used on all earthworking machinery to reduce the noise emanating from these machines and thus the effect on residents.
40. The consent holder shall take all practicable steps to ensure that all storm water run-off from the site is treated so that sediment is retained on site and the discharge does not cause adverse effects on the environment by entering a natural watercourse.

41. All fills shall be designed and constructed under the supervision of a suitably qualified chartered engineer. The consent holder shall follow all the recommendations contained within Abuild Report (Abuild Report Ref 9924 dated December 2014 Rev B) held on Council File RC6818.

If accordance with the earthworks design is achieved and/or limitations need to be raised with future property owners the consent holder shall apply for consent notices at the time of Section 224 certification. The limitations and ability to identify the limitations on consent notices will be considered by Council at the time of Section 224 certification and the General Manager, Environment and Regulatory Services shall retain discretion of whether consent notices are applicable in this regard.

**After construction of the subdivision works:**

42. Upon completion of the earthworks (or, if deemed necessary by Council, during the earthworks period) the consent holder shall provide to the satisfaction of the General Manager, Environment & Regulatory Services, a report from a chartered engineer with geotechnical experience addressing the stability of the constructed cut and fill batters. This report shall give specific reference to section C2.6 of Porirua City Council's Code of Land Development 2010.
43. If cuts are stabilised by a retaining wall within 6 months of completion of the earthworks hereby consented or application for Section 224 certification whichever occurs first then the requirement for a report from a chartered engineer with geotechnical experience shall not apply (as per condition 20). Where retained cuts are over 1.5m in height, a producer statement – construction review PS4 for the retaining wall shall be provided to the satisfaction of the General Manager- Environment and Regulatory Services.
44. Land disturbed by earthworks, trenching or building activities shall be regularly wetted to ensure that dust nuisance is maintained within the site.
45. All areas exposed by earthworks, trenching or building activities are to be re-grassed/hydro-seeded at the earliest possible opportunity following excavation or at the latest within 3 months after completion of the earthworks.
46. The consent holder shall generally conform to the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region, September 2002, when designing sediment control options for the earthworks on this site.

***General land use***

47. Prior to the commencement of construction of each of the proposed dwellings on Lots 1 & 2 (stage 2) Lots 3 – 5 (stage 1), the consent holder shall pay to Council a Recreation and Civic Development contribution of \$ 1621.48 incl GST pursuant to Part E1.3.2 (a)(ii) of the Porirua City District Plan (being 25% of the maximum amount under this clause of the District Plan).

## **6.0 CONCLUSION AND RECOMMENDATION UNDER SECTION 243 OF THE RESOURCE MANAGEMENT ACT**

**As discussed in Section 5 of this report it is appropriate to cancel easement identified as 'B' on DP 62408. It is therefore recommended that Council grants approval to surrender an easement identified as 'B' on DP 62408, and sends a Notice of Cancellation to the District Land Registrar advising that the easement has been partially cancelled.**

### **Section 357**

Under section 357 of the Resource Management Act 1991 you have the right to object in writing to all or part of this decision. Notice of this objection must be received by the Council within 15 working days of your receipt of this decision letter.

### **Building Act**

This is NOT a Building Consent. The Building Act 2004 contains provisions relating to the construction, alteration, and demolition of buildings. The Act requires building consents to be obtained where relevant, and for all such work to comply with the building code.

### **Section 125**

This consent is subject to section 125 of the Resource Management Act 1991 which states that a resource consent lapses on the expiry of 5 years after the commencement of the consent, unless an extension on time is granted by the Council prior to lapsing of the consent.

### **Earthworks**

The consent holder should generally conform with the Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region September 2002, when designing sediment control options for any earthworks on the site.

### **Traffic Management Plan**

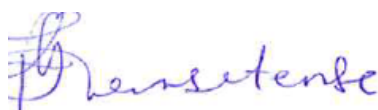
If the intended work that is covered by this consent includes any activities within the road reserve, then a Temporary Traffic Management Plan is to be prepared by a person who is certified in accordance with 'Temporary Traffic Management for Local Roads – Supplement to NZTA COPTTM', and submitted to the Manager Roading – Asset Management and Operations Group for review and approval before any physical works within the road reserve are started.

### **Fees and charges**

Should any additional fees charged for the processing of this application or any financial contributions, levies or bonds required by conditions of this consent not be paid within the deadlines set either through invoicing or consent conditions, this could ultimately lead to Council seeking to recover money owed through the debt collection agency. Should the need arise to use a debt collection agency then the consent holder will be liable for and charged any extra expense that the debt collection service incurs.

All relevant documents can be viewed at the Council's office, please find the full planning report attached.

Yours Sincerely



Robinson Dembetembe  
**RESOURCE CONSENT PLANNER**  
for **GENERAL MANAGER**  
**ENVIRONMENT AND REGULATORY SERVICES**