

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

and

in the matter of a subdivision of land in the North
Auckland Land Registration District
shown on DP 565298

CONSENT NOTICE

(Pursuant to Section 221 of the Act)

I hereby certify that THE AUCKLAND COUNCIL granted its consent BUN60364944, SUB60364945 (CCT90096632) to the subdivision of Lots 800 and 801 DP 492446 shown on DP 565298 subject to conditions, including the requirement of the owners of Lots 1 – 35 (inclusive) DP 565298 to comply with the following conditions on a continuing basis at no cost to the Council.

Condition 57 – Future Developments – Lots 1 – 35 (inclusive) DP 565298

Any future development on Lots 1 – 35 (inclusive) DP 565298 shall consist only of one dwelling per lot and related accessory buildings and structures, such as driveways (including vehicle crossings within the adjacent road reserve), fences and service infrastructure.

Condition 58 – Future Developments – Lots 1 – 35 (inclusive) DP 565298

Any future development on Lots 1 – 35 (inclusive) DP 565298 shall comply in full with the following standards of the Auckland Unitary Plan Operative in Part:

- a. Standard D24.6.3 Auckland International Airport, to the extent that this standard applies to dwellings.
- b. Standard H4.6.4 Building Height.
- c. Standard H4.6.5 Height in relation to boundary, unless provided for by Conditions 70, 89 or 90 of this consent and consent notice.
- d. Standard H4.6.7 Yards.
- e. Standard H4.6.9 Building coverage.
- f. Standard H4.6.8 Maximum impervious area.
- g. Standard H4.6.10 Landscaped area.
- h. Standard H4.6.11 Outlook space.
- i. Standard H4.6.12 Daylight.
- j. Standard H4.6.13 Outdoor living space.
- k. Standard H4.6.14 Front, side and rear fences and walls; and
- l. Standard H4.6.15 Minimum dwelling size.

Condition 60 – Geotechnical Stability Controls – Lots 6 – 11 (inclusive) and 15 – 18 (inclusive) DP 565298

Lot owners of Lots 6 – 11 (inclusive) and 15 – 18 (inclusive) DP 565298 must ensure that any future development on the lot is undertaken in accordance with the recommendations of the Geotechnical Investigation Report prepared by Coffey Services titled, Proposed Subdivision of Residential Superlot 800 Castlebane Drive and Superlot 901 Hughs Way, Flat Bush, dated 28 July 2020 and referenced GENZAUCK16856AG, to ensure that geotechnical stability of the lot is maintained in perpetuity.

Condition 65 – Overland Flow – Lot 10 DP 565298

The lot owner of Lot 10 DP 565298 must provide and maintain a means of conveying unobstructed overland flow through the lot in accordance with the Technical Memo titled 'Donegal Stage 17 Castlebane Drive Flat Bush – Lot 800 & 801 – Stormwater Management Report', prepared by Harrison Grierson, dated 28th September 2020, and must not obstruct the overland flow through the property with any fencing, object, impermeable landscaping, building, or structure.

Condition 69 – Vehicular Access – Lots 4, 5, 9, 10, 13 – 15 (inclusive) and 19 DP 565298

For Lots 4, 5, 9, 10, 13 – 15 (inclusive) and 19 DP 565298:

A single vehicle crossing no greater than 3.0m in width (at the property boundary) serving a single dwelling may be constructed within 10m of the adjacent road intersection. On-site reverse manoeuvring is not required to be provided. The infringement of Standards E27.6.3.4(1)(c) and E27.6.4.1(3)(a) of the AUP(OP) by this activity is authorised by land use consent LUC60364944.

Condition 70 – Future Buildings – Lots 1 – 19 (inclusive) DP 565298

Future buildings on Lots 1 – 19 (inclusive) DP 565298 may infringe Standard H4.6.5 Height in relation to boundary if the following requirements are instead met:

- a. The following height in relation to boundary controls apply, subject to the exceptions provided for in Standard I412.6.1.3(1)(f) of the Auckland Unitary Plan (Operative in Part):
 - (i) 5m and 45 degrees from side boundaries where within 18m from the road boundary; and
 - (ii) 2.5m and 45 degrees from side boundaries where further than 18m from the road boundary.

Except that this height in relation to boundary control does not apply to a boundary or part of a boundary adjoining the following sites:

- (iii) Lot 805 DP 492446 – Local Purpose (Drainage) Reserve.

If development on Lots 1 – 19 (inclusive) DP 565298 does not comply with any of the condition listed above, application for land use consent will be required against all relevant provisions of the Auckland Unitary Plan Operative in Part, including section I412 Flat Bush Precinct.

Condition 71 – Boundary Treatment – Lots 1 – 19 (inclusive) DP 565298

For Lots 1 – 19 (inclusive) DP 565298, any future fencing along boundaries or within 1 metre of boundaries of:

- a. Lot 805 DP 492446 – Local Purpose (Drainage) Reserve.
- b. Lot 200 DP 565298 – Local Purpose (Drainage) Reserve.
- c. Lot 201 DP 565298 – Vest in lieu of reserve.

Must not exceed the height specified below, measured from the ground level at the boundary:

- d. 1.2m in height, or
- e. 1.8m in height for no more than 50 per cent of the site boundary and 1.4m for the remainder, or 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the site boundary.

Condition 75 – Vehicle Access Restriction – Lot 29 DP 565298

Direct vehicle access to Lot 29 DP 565298 from Hughs Way shall be prohibited.

Condition 80 – Geotechnical Stability Controls – Lot 28 DP 565298

The lot owner of Lot 28 DP 565298 must retain and maintain the inground pile wall in perpetuity as shown in the memo prepared by Coffey Services titled, 'Donegal Stud Subdivision, Flat Bush, Stage 7, Superlot 801 – Palisade and Gabion Wall Design', dated 5 October 2020 and referenced GENZAUCK16856AG, to ensure that geotechnical stability of the lot is maintained in perpetuity.

Condition 81 – Geotechnical Stability Controls – Lots 27 and 28 DP 565298

The lot owner of Lots 27 and 28 DP 565298 must ensure that any future development on the lot is undertaken in accordance with the recommendations of the Geotechnical Investigation Report prepared by Coffey Services titled, 'Proposed Subdivision of Residential Superlot 800 Castlebane Drive and Superlot 801 Hughs Way, Flat Bush', dated 28 July 2020 and referenced GENZAUCK16856AG, to ensure that geotechnical stability of the lot is maintained in perpetuity.

Condition 82 – Flooding – Lots 26 and 27 DP 565298

The lot owner of Lots 26 and 27 DP 565298 must maintain (provide) the function of the 1 in 100-year floodplain on the site in accordance with the recommendations of Technical Memo titled, 'Donegal Stage 17 Castlebane Drive Flat Bush – Lot 800 & 801 – Stormwater Management Report', prepared by Harrison Grierson, dated 28th September 2020.

Condition 88 – Vehicular Access – Lot 20 DP 565298

For Lot 20 DP 565298:

A single vehicle crossing no greater than 3.0m in width (at the property boundary) serving a single dwelling may be constructed within 10m of the adjacent intersection. On-site reverse manoeuvring is not required to be provided. The infringement of Standards E27.6.3.4(1)(c) and E27.6.4.1(3)(a) of the AUP(OP) by this activity is authorised by land use consent LUC60364944.

Condition 89 – Future Buildings – Lot 20 DP 565298

Future buildings on Lot 20 DP 565298 (corner site) may infringe Standard H4.6.5 Height in relation to boundary if the following requirements are instead met:

- a. The following height in relation to boundary controls apply, subject to the exceptions, provided for in Standard I412.6.1.3(1)(f) of the Auckland Unitary Plan (Operative in Part):
 - i) 5m and 45 degrees from eastern boundary with Lot 21 DP 565298 rather where within 18m of the road boundary with Hughs Way.
 - ii) 2.5m and 45 degrees from eastern boundary with Lot 21 DP 565298 where further than 18m of the road boundary with Hughs Way; and
- b. Buildings within 6m of the boundary with Lot 26 DP 565298 shall not exceed a maximum height of 5m.

If development on Lot 20 DP 565298 does not comply with any of the conditions listed above, application for land use consent will be required against all relevant provisions of the Auckland Unitary Plan Operative in Part, including section I412 Flat Bush Precinct.

Condition 90 – Future Buildings – Lots 21 – 25 (inclusive) DP 565298

Future buildings on Lots 21 – 25 (inclusive) DP 565298 (front sites) may infringe Standard H4.6.5 Height in relation to boundary if the following requirements are instead met:

- a. The following height in relation to boundary controls apply, subject to the exceptions provided for in Standard I412.6.1.3(1)(f) of the Auckland Unitary Plan (Operative in Part):
 - i) 5m and 45 degrees from side boundaries where within 18m from the road boundary; and
 - ii) 2.5m and 45 degrees from side boundaries where further than 18m from the road boundary; and
- b. Buildings shall be set back at least 3m from the rear boundary (with Lots 26 – 28 (inclusive) DP 565298).
- c. Buildings within 8m of the rear boundary (with Lots 26 – 28 (inclusive) DP 565298) shall be limited to being a single storey and shall not exceed a maximum height of 5m.

If development on Lots 21 – 25 (inclusive) DP 565298 does not comply with any of the conditions listed above, application for land use consent will be required against all relevant provisions of the Auckland Unitary Plan (Operative in Part), including section I412 Flat Bush Precinct.

Condition 91 – Reserve Interface – Lots 25 – 28 (inclusive) and 32 – 35 (inclusive) DP 565298

For Lots 25 – 28 (inclusive) and 32 – 35 (inclusive) DP 565298, any future fencing on along boundaries or within 1 metre of boundaries of:

- a. Lot 806 DP 492446 – Local Purpose (Drainage) Reserve.
- b. Lot 1 DP 69592 (RT 632525) – Recreation Reserve.
- c. Part Lot 1 DP 69592 (RT 632526) – Scenic Reserve; and/or
- d. Lot 202 DP 565298 – Local Purpose (Drainage) Reserve.

Must not exceed the height specific below, measured from the ground level at the boundary:

- e. 1.2m in height.
- f. 1.8m in height for no more than 50 per cent of the site boundary and 1.4m for the remainder, or 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the site boundary.

Condition 92 – Reserve Interface – Lots 29 – 35 (inclusive) DP 565298

For Lots 29 – 35 (inclusive) DP 565298 which have a share in Lot 301 DP 565298, any future fencing along boundaries or within 1 metre of boundaries of Part Lot 1 DP 69592 (RT 632525) – Recreation Reserve – must not exceed 1.2m in height, measured from the ground level as viewed perpendicular to the site boundary.

Geotechnical Requirements – Lots 1 – 35 (inclusive) DP 565298

Any development(s) on Lots 1 – 35 (inclusive) DP 565298 shall adhere to the recommendations contained within the report titled '*Lots 800 and 801 Donegal Stud Residential Subdivision, Stage 17 Flat Bush Geotechnical Completion Report Hugh Green Limited*' prepared by Tetra Tech Coffey referenced GENZAUCK16856AG and dated 17 February 2022.

Minimum Floor Levels – Lots 10 and 11 DP 565298

Any developments on Lots 10 and 11 DP 565298 shall be subject to a minimum floor level of RL39.00m. Any details, please refer to the report titled '*Donegal Glen Stage 17 A&B stormwater Minimum Floor Levels Report Hugh Green Limited*' prepared by Harrison Grierson referenced 1050-147692-01 and dated 5 April 2022.

Dated at Manukau this 23rd day of May 2022.

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



Authorised officer under delegated authority