

View Instrument Details



Instrument No	11863174.2
Status	Registered
Date & Time Lodged	18 September 2020 10:27
Lodged By	Braatvedt, Robin Lynn
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Toitū Te Whenua
Land Information
New Zealand

Affected Records of Title	Land District
929707	South Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Brian Charles Braatvedt as Territorial Authority Representative on 17/09/2020 04:52 PM

***** End of Report *****

**CONSENT NOTICE PURSUANT TO
SECTION 221
RESOURCE MANAGEMENT ACT 1991**



0800 492 492 • www.waikatodistrict.govt.nz

The Registrar General of Land
South Auckland Land Registry

IN THE MATTER

of a Consent Notice pursuant to Section 221 of the
Resource Management Act 1991 ("the Act")

and

IN THE MATTER

of a subdivision Consent pursuant to Sections 104,
108, 220, and 221 of the Act

I, TONY GRANT WHITTAKER, Chief Operating Officer of the WAIKATO DISTRICT COUNCIL, hereby certify that the Waikato District Council has granted its consent to the subdivision shown on Deposited Plan S46273, (and being the land described in the First Schedule), subject to certain conditions, including the requirement that the Owner (as defined in the Act) comply on a continuing basis with the conditions set out in the Second Schedule and that this Notice be registered against the Record of Title for Lot 1 on Deposited Plan S46273.

First Schedule

An estate in fee simple in all those parcels of land containing 37.7153 hectares more or less being Part Lot 7 on Deposited Plan S86769 and Section 19 on Survey Office Plan 416124 comprised in Record of Title 662173.

Second Schedule

1. Any earthworks, foundation design, wastewater and stormwater management for a building consent application on Lot 1 shall be undertaken either in accordance with the restrictions and recommendations of the Preliminary Geotechnical Report prepared by HD Geo Limited dated 3 September 2019, Project No: HD1110, Reference: PGR/1 ("the Preliminary Geotechnical Report") or in accordance with an alternative report, undertaken by a suitably qualified and experienced Engineer (Geo Professional), approved in writing by Waikato District Council; and in either case, all works must be undertaken to the entire satisfaction of the Council.
2. Any new dwelling or other noise sensitive location* on the site in or partly within 100m of the edge of the State Highway 39 carriageway must be designed, constructed and maintained to achieve:
 - (a) Road-traffic vibration levels complying with class C of NS 8176E: 2005.
 - (b) An indoor design noise level of 40 dBAeq(24hr) inside all habitable spaces.



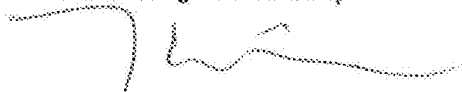
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*Noise sensitive location means buildings or parts of buildings used for, or intended to be used for the following purposes: residential activity (including visitor accommodation and retirement accommodation); education; healthcare; and/or places of worship/marae.

3. If windows must be closed to achieve the design noise levels required by the conditions in Clause 2 above, the building must be designed, constructed and maintained with ventilation and cooling system. For habitable spaces the system must achieve the following:
 - (a) Ventilation must be provided to meet clause G4 of the New Zealand Building Code. At the same time, the sound of the system must not exceed 30 dBAeq(30s).
 - (b) The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. At the same time, the sound of the system must not exceed 35 dBAeq(30s) when measured 1m away from the grille or diffuser.
 - (c) The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25 degrees Celsius. At the same time, the sound of the system must not exceed 35dBAeq(30s) when measured 1m away from the grille or diffuser.
4. A design report prepared by a suitably qualified and experience acoustic specialist must be submitted to Waikato District Council demonstrating compliance with conditions in Clauses 2 and 3 of this consent notice prior to construction or alteration. The design shall take into account the future permitted use of the state highway; for existing roads this is achieved by the addition of 3 dB to existing measured or predicted noise levels.
5. The Owners shall pay the Council's costs and disbursements in respect of the preparation, execution, registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of them.

DATED at Hamilton this 26th day of August 2020

SIGNED for the **WAIKATO DISTRICT COUNCIL** by Tony Grant Whittaker under delegated authority)
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Tony Grant Whittaker
Chief Operating Officer
SUB0051/20