

**WELLINGTON CITY COUNCIL
CONSENT NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar-General of Land at Wellington

In the matter of a consent notice issued pursuant to Section 221 of the Resource Management Act 1991 in respect of a Fee Simple subdivision of Lot 21 DP 414390, lodged for deposit under no. 425554.

I, Fiona Pocock, Subdivision Compliance, Wellington City Council, hereby certify that the following conditions, to be complied with on a continuing basis, were imposed by the Environment Court by a Consent Order dated 20th day of September 2007 and by Wellington City Council by a decision dated the 2nd day of March 2009 giving Resource Consent to the subdivision described herein:

- 1. Lots 3 to 12 inclusive must be provided with a new on-site sewage treatment and disposal system at the time of house construction. All construction must be completed in accordance with the approved construction plans.**

The owners of Lots 3 to 12 inclusive shall operate and maintain the on-site sewage treatment and disposal system in full working order at all times. Any disposal field and reserve area must be kept clear of any building, development or other impediment to ensure that it is able to be used for the purpose of on-site sewage treatment and disposal.

- 2. To meet the requirements of the NZFS Fire Fighting Water Supplies Code of Practice, the static domestic water supply for any new dwelling on Lots 3 to 12 inclusive must be no less than 45,000 litres per lot.**

3. The Council will not be held responsible for any liability for upgrading or maintaining the bridge structure or the extended section of South Makara Road which may be lost or damaged for any reason.
4. Placement of any utility services, if not underground, must conform with the requirements of the Rural Area Design Guide. Utility structures shall comply with the Permitted Activity rules of the Wellington City District Plan unless a resource consent has been obtained.
5. In the event that any koiwi (bones) or other artefacts are unearthed during works or construction, the contractor must cease work immediately and contact the Wellington Tenth Trust to allow appropriate rites and ceremonies to occur. The article(s) may be removed after such a ceremony, and agreement must be reached as to their final disposal with the Wellington Tenth Trust and any other relevant authority. This may involve contacting the Historic Places Trust.
6. In order to limit the potential adverse effects of allowing a higher density of development within the site than that envisaged by the District Plan, each rural residential allotment is restricted to a single household unit.
7. The consent holder shall create a pest management plan, a fire management plan, and a road maintenance plan (including provision for the new bridge across Karori Stream) and the allotment holders shall ensure these are reviewed periodically and effectively implemented.

8. (a) Where more than one building site is identified for an allotment, only one may be occupied.
- (b) An area envelope no greater than one hectare per allotment may be cleared or maintained cleared to contain a building with accessory buildings. The area envelope will be around one of the identified building sites. The maximum area of clearance is limited to the envelope area shown on the survey plan approved by the Council.
- (c) The allotment holders shall, outside the one hectare envelope [referred to in (b) above], not erect or place any buildings nor cut or disturb any natural vegetation, other than within identified rights of way. No soil disturbance or formation of new tracks shall be allowed in this area, except:
- (i) to allow for the establishment and maintenance of minor walking tracks
 - (ii) the maintenance of existing walking tracks
 - (iii) the construction of access roads to building sites
 - (iv) construction of discreet fences around natural springs and water holding tanks
 - (v) fencing around the following areas as marked on Plan 425554:
 - (i) the southernmost section of Lot 12 adjacent to the section marked Public Legal Road (area "F")

- (ii) the SE corner of Lot 12 (area "G")
 - (vi) the erection of power and telephone poles.
- (d) To further protect the flora and fauna in the area, the following conditions shall apply to the entire property:
- (i) No cats, mustelids, goats, sheep, cattle, horses, pigs, deer, ostriches, emus or other grazing animals or rodents or rabbits or hares, or any pest animals in terms of the Biosecurity Act 1993 or any subsequent legislation, shall be kept or allowed on the property. There shall be no horse trekking on the property except using horses grazed in Lots 1 or 2 on DP 414390, or in Lots 14, 18 or 19 on DP 366070, or in properties in South Makara Road.
 - (ii) Planting of any species listed in the following weeds list are prohibited from being planted anywhere on the property:

Plants banned under Sections 52 and 53 of the Biosecurity Act 1993, and:

Grasses

Bamboo *Pseudosasa japonica*

Palm Grass *Setaria Palmifolia*

Ground Covers

Agapanthus *Agapanthus praecox*

Arum lily *Zantedeschia aethiopica*

Artillery plant *Galeobdolon luteum*

Green goddess arum lily *Zantedeschia aethiopica*
'Green goddess'

Montbretia *Crocasmia x crocosmiiflora*

Periwinkle *Vinca major*
Stinking iris *Iris foetissima*

Shrubs and Trees

Alder *Alnus glutinosa*
Asiatic knotweed *Reynoutria japonica*
Barberry *Berberis glaucocarpa*
Brush wattle *Paraserianthes lophantha*
Buddleia *Buddleja davidii*
Cotoneaster *Cotoneaster glaucophyllus*, *C. francheti*
Elderberry *Sambucus nigra*
Hawthorne *Crataegus monogyna*
Himalayan honeysuckle *Leycesteria Formosa*
Holly *Ilex aquifolium*
Karo *Pittosorum crassifolium*
Pohutukawa *Metrosideros excelsa*
Spanish heath *Erica lusitanica*
Spindle tree *Enonymus japonica* (Japanese spindle tree)
Enonymus europaeus (European spindleberry)
Sycamore *Acer pseudoplatanus*
Sydney golden wattle *Acacia sopharae*
Sweet cherry *Prunus avium*
Velvet groundsel *Senecio petasitis* syn. *Roldana petasitis*

Vines

Greater bindweed *Calystegia silvatica*
Bomarea *Bomarea caldasii*
Cape ivy *Senecio angulatus*
German ivy *Senecio mikanooides*
Climbing dock *Rumex sagittatus*
Elaeagnus *Elaeagnus x reflexa*

Ivy *Hedera helix*

Jasmine *Jasminum polyanthum*

Any other plant species which from time to time shall be notified by the Department of Conservation, Wellington City Council, or Wellington Regional Council to the allotment holders; and

Cultivars and hybrids of the above species; and

Any indigenous species from outside the Wellington Ecological District or the North Island part of the Cook Strait Ecological District.

(e) Vegetation outside the building envelope areas

To encourage the regeneration of local indigenous species within the Area, allotment holders shall not plant, sow or scatter any trees, shrubs or plants or the seeds or parts thereof outside the building envelope areas, except for indigenous species which occur naturally within the Wellington Ecological District or the North Island part of the Cook Strait Ecological District. Any indigenous trees, shrubs or plants planted, sown or scattered on the land outside the building envelope areas shall be sourced as follows:

- (i) For Lots 10, 11 and 12, they must in all cases be sourced from the North Island part of the Cook Strait Ecological District.

(ii) For Lots 3 to 9 they must be sourced from within the Wellington Ecological District or the North Island part of the Cook Strait Ecological District.

(iii) Subject to the above requirement, the plant material and seeds of all indigenous trees, shrubs and plants planted anywhere on the property must be sourced from the nearest practicable naturally growing populations of the ecotypes naturally growing on the property (including populations already present on the site) within the genetic ranges of those ecotypes. This is subject to the proviso that indigenous podocarp species which occur naturally in the Wellington Ecological District and are ecologically sourced from naturally growing trees within that Ecological District may be planted on the property, notwithstanding that those species may no longer be naturally growing on the property.

(f) Vegetation within the building envelope areas

Allotment holders shall not plant, sow or scatter any trees, shrubs or plants or the seeds thereof within the building envelope areas, other than:

(i) Indigenous species on the same basis as is required under paragraph (e); or

(ii) Introduced (i.e., non-indigenous) species which have not been prohibited in terms of paragraph (d).

(g) External Boundary Fencing

External fences will be built/rebuilt and maintained on an ongoing basis to exclude cattle and sheep from land outside of the application site.

- (h) The areas in Lots 11 and 12 shown as Areas 11E and 12D, subject to a Conservation Covenant and an escarpment Covenant, shall be called 'Te Wai Komaru' after the name of the Pa site situated in this area.
- (i) The external faces and roofs of all buildings and other structures erected on the property shall be finished in recessive colours (subdued natural tones) with low reflectivity, with a RV value of no more than 25 percent.

Conditions 1 to 8 are to be registered against the Computer Freehold Registers to issue in respect of **Lots 3 to 12 inclusive** of this subdivision.

DATED at Wellington this *14th* day of *January* 2010

Signed by Fiona Pocock,)
Development Planning and Compliance,)
Wellington City Council,)
on behalf of, and by the delegated authority of,)
the Council under Clause 32(4), Schedule 7,)
of the Local Government Act 2002.)

F Pocock

**WELLINGTON CITY COUNCIL
NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar-General of Land at Wellington

In the matter of a consent notice pursuant to Section 221 of the Resource Management Act 1991 registered under number 8318069.10 and issued in respect of DP 414390.

I, Fiona Pocock, Subdivision Compliance, Wellington City Council, hereby advises that the condition specified in the above Consent Notice 8318069.10 has been cancelled pursuant to the provisions of Section 221(3) of the Resource Management Act 1991, by a decision of Wellington City Council, dated the 7th day of January 2010. The condition states:

If the subdivision is undertaken in 2 stages as provided for by condition (a) of the subdivision consent as amended by the change of condition application SR 188027, no new residential buildings are to be constructed on Lots 1, 16 and 21 until such time as Stage 2 of the subdivision is complete, as all weather access is contingent upon additional roading works, including bridge construction, being completed as required by Resource Consent Service Request No. 146187 as subsequently amended by Environment Court Consent Order No. ENV-WLG – 000532.

The Council requests that the condition be cancelled from the Computer Freehold Registers issued in respect of **Lots 1, 16 and 21 of DP 414390 (CT references 453963, 453965 & 453966).**

DATED at Wellington this 14th day of January 2010

Signed by Fiona Pocock,
Development Planning and Compliance,
Wellington City Council.

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