

18-Apr-2013

Brian Phillip Morrison
6 Brick Bay Drive
RD 2
Warkworth 0982

Building consent number: ABA-1014136
Address: 1334 Sandspit Road, Sandspit 0982
Description Replacement of an existing ablution block with a new modern system for the Sandspit Holiday Park.

With reference to your application received on for a building consent at the above site. The land on which the building work is to take place is subject to a natural hazard, namely inundation as determined in report entitled "Assessment of Potential Sea Levels due to Storms and Climate Change along Rodney's East Coast by Tonkin & Taylor dated July 2005. Under Section 72 of the Building Act 2004, a building consent can only be issued if:

- (a) The building work to which an application for a building consent relates will not accelerate, worsen, or result in a natural hazard on the land on which the building work is to be carried out or any other property; and
- (b) The land on which the building work is to take place is subject to, or likely to be subject to a natural hazard; and
- (c) It is reasonable to grant a waiver or modification of the Building Code in respect of the natural hazard concerned
- (d) The applicant is the owner of the land and he or she has acknowledged that Legal and Technical advice has been sought and that the associated risks are acceptable by the owner.

Under Section 73 of the Building Act, the Council must impose a condition when the building consent is issued. That condition requires the Council to notify the District Land Registrar that a building consent has been issued for building work on land which is the subject of a natural hazard. The District Land Registrar will then make an entry or memorial on the certificate of title for the above site. A fee of \$170.00 will be charged to cover the costs of registering this notice. Attached to this letter is an extract from the Building Act 2004 Sections 71, 72 and 73. If after receiving both Legal advice as to the implications of the Section 73 Notice and Technical advice in relation to the risk associated with the Natural hazard, you wish to continue with the building consent application please complete the attached form and forward it to Council.

Please note that this application is suspended until the attached form is completed and received by Council.

Yours faithfully

Garry Peters
Consulting Engineer
BUILDING CONTROL – NORTHERN

Attachment:

- Application to continue with a Building Consent application subject to section 73 notice pursuant to the Building Act 2004 form BC 8.7F