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18 July 2025

Jeffrey Howe

LAND INFORMATION MEMORANDUM (LIM)

The attached LIM provides you with information about 5 - 53 Kotare Street, Waikanae.

The information provided in this LIM has been gathered from all the information the Council holds on this property, as at the date of your application.

It is important to note that the Council has not undertaken an on-site inspection of the property and there may be information which is not known to Council - for example, illegal or unauthorised building or works on the property.

If you have any future plans to develop this property, please contact us for advice about how to proceed and the process for obtaining the necessary approvals.

In addition to the information in this LIM you may be interested to find out more about the Kapiti Coast District. Information and advice on council services and our District Plan are available on our website: www.kapiticoast.govt.nz

Finally, if you have any questions about your LIM, please don't hesitate to contact us at kapiti.council@kapiticoast.govt.nz or 0800 486 486.



Steve Cody
Building Team Manager

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Land Information Memorandum (LIM)

Prepared by Kāpiti Coast District Council for the property located at:

5 - 53 Kotare Street, Waikanae

Document information

This Land Information Memorandum (LIM) has been prepared for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987 (LGOIMA). It is a summary of the information that we hold on the property. Each heading or 'clause' in this LIM corresponds to a part of section 44A of LGOIMA.

The information provided is based on a search of Council database records as at the date of your application and not an inspection of the property. There may be other information relating to the land which is unknown to Council, for example, illegal or unauthorised building or works on the property. Any person obtaining a LIM is solely responsible for ensuring that the land is suitable for a particular purpose.

Third party reports included in this LIM are for information only. We recommend independent advice before relying on them.

Application details

Applicant	Jeffrey Howe
LIM number	L250765
Application date	11/07/25
Issue date	18/07/25

Property details

Property address	5 - 53 Kotare Street, Waikanae
Legal description	LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2
Area (hectares)	0.1068

Valuation information

Valuation number	1496060805
Capital value	\$1,140,000
Land value	\$470,000
Improvements value	\$670,000

Please note that these values are intended for rating purposes only.

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Attachments

- Glossary of Terms and Maps
- Aerial Photograph
- Deposited Plan/Record of Title
- District Plan Zones
- District Plan Precincts and other overlays
- District Plan Features
- District Plan Natural Hazards – Active Faults
- District Plan Natural Hazards – Flooding
- Latest Flood Hazards
- Resource Consents - Maps and Summary Detail (if applicable)
- Health and Alcohol Licenses
- Services Network
- As Built Drainage Plan (if applicable)
- Resource Consent documents (if applicable)
- Earthquake-Prone Building documents (if applicable)

1. Rates

In this section: information relating to any rates owing in relation to the property.

Rates are charged in four instalments for the period commencing 1 July and ending 30 June each year. Amounts stated are inclusive of GST.

Current rates year Current Rates Year 2025 to 2026

Annual rates The estimated annual rates for 2025/26 rating year are \$6,643.26

This includes Greater Wellington Regional Council rates. The final figures will be available in early August when the Kapiti Coast District Council and Greater Wellington Regional Council rates are calculated.

Next instalment date 09/09/25

Arrears for previous years \$0.00

Water rates \$462.30 last year (2024/25)

For the 2025/2026 rating year, all water used is charged at a volumetric rate of \$1.72 (incl GST) per cubic metre (1000 litres) on the water rates invoice, and a fixed annual charge of \$318.60 (incl GST) per separately used or inhabited part of a rating unit, is charged on the property rates invoice.

Water balance due \$0.00

For further information on this section, contact the Rates Team on 0800 486 486.

2. Consents, Certificates, Notices, Orders or Requisitions affecting the land and buildings

In this section: information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by Council; information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004; and information concerning any certificate issued by a building certifier pursuant to the Building Act 1991 or the Building Act 2004.

Building Consents

17/11/04 BUILDING CONSENT 041339: New Dwelling
: Code Compliance Certificate issued 05/09/05

Engineer's report

Further building may require an Engineer's soil report and, if necessary, a foundation design.

Wind

Indicative wind zones can be found at [BRANZ Map](#). Wind zones should be determined in accordance with the New Zealand Building Code.

For further information on this section, contact the Building Team on 0800 486 486.

Swimming Pools: Compliance with the Building Act 2004

SW2304: The last inspection, completed on 16/07/2025, revealed the small, heated pool and cover (the barrier) meets the functional requirements of restricting unsupervised access by a child under 5 years of age, as detailed in the acceptable solutions F9/AS2 of the New Zealand Building Code. The pool is now exempt from the requirement to be periodically inspected under section 162D(1)(a) of the Act, and so will not require further inspection by Council.

For further information on this section, contact the Building Team on 0800 486 486.

Registered Environmental Health Premises and Licences

No information located.

For further information on this section, contact the Environmental Health Team on 0800 486 486.

3. Weathertightness

In this section: information notified to the Council under section 124 of the Weathertight Homes Resolution Services Act 2006.

The Council has received no correspondence from the Ministry of Business, Innovation and Employment in relation to this property.

4. Land use and Conditions

In this section: information relating to the use to which that land may be put, and conditions attached to that use.

Planning/Resource Management

District Plan Zone/Precinct/Development Area:

The District Plan maps provided with this LIM provide a useful visual overview of the planning information provided in this LIM. However, the planning information provided is not exhaustive and reference to the Operative District Plan (2021) is recommended.

Full details of the relevant zone, precinct or development area requirements are contained within the Operative District Plan (2021) on our website [Operative District Plan 2021 \(kapiticoast.govt.nz\)](https://www.kapiticoast.govt.nz/Operative-District-Plan-2021)

There may be policies or rules in the Greater Wellington Regional Council's Natural Resources Regional Plan (and/or a proposed change to that Plan) that regulate land use on this property. This Plan is available from the Greater Wellington Regional Council website www.gw.govt.nz/.

Questions about the impact of that Plan on this property should be made to the Greater Wellington Regional Council on 0800 496 734.

District Plan Features and Overlays

The Operative District Plan (2021) records which properties in the district have these special features and overlays located on them. Each feature and overlay are given a unique reference number or title. There are specific restrictions on development within or around many of these features. The District Plan Features Map provided with this LIM displays whether any of these features are on, or adjacent to, this property.

This property is zoned General Residential in the Operative District Plan (2021).

This property was created via subdivision in 2002 under resource consent number RM010345. A copy of the Decision, Deposited Plan (DP310492) and Record of Title is provided with this LIM.

This property is subject and/or appurtenant to a right to convey gas, electricity, telecommunications, water, right of way, and maintain water pump.

It is recommended that the Record of Title is checked for any interests registered against the property such as easements or covenants.

A Section 221 Consent Notice was imposed as part of this subdivision which requires certain conditions to be complied with on an on-going basis. For detail refer to the attachments provided with this LIM.

There is no record of any further resource consents for this property.

For information about any resource consents for surrounding properties refer to the Resource Consents map and Summary Details Report provided with this LIM.

If you are interested in reading the full resource consent file then these can be viewed at the Council administration building at 175 Rimu Road, Paraparaumu.

Note: some resource consent files may be archived offsite; however, these can be retrieved for you. Please call the Resource Consents Team on 0800 486 486 to check the availability of the files.

This property is adjacent to a property which contains a specific feature on it that is recorded in the Operative District Plan (2021).

This feature is:

Outstanding Natural Feature and Landscape - this is a highly prominent landform or landscape with restrictions on buildings and earthworks within the mapped area.

ONFL08 Hemi Matenga Escarpment Outstanding Natural Feature and Landscape (A distinct escarpment that extends from Reikorangi Road through to Te Hapua Road, in the foothills of the Tararuas).

There is no record of any identified cultural or archaeological sites contained on this site.

For further information on this section, contact the Resource Consents Team on 0800 486 486.

5. Special Features and Characteristics of the land

This section identifies information held by Council about:

- *natural hazards and the impacts of climate change that exacerbate natural hazards;*
- *potential natural hazards and potential impacts of climate change that exacerbate natural hazards; and*
- *information about other special features or characteristics of the land concerned, including information about the likely presence of hazardous contaminants that are known to Council, but are not apparent from its District Plan under the Resource Management Act 1991.*

Climate Change

Any available information regarding the potential impacts of climate change is currently contained in the natural hazard section.

Contaminated Sites

Greater Wellington Regional Council holds information on properties with a history of hazardous activity or industry. Refer to the Selected Land Use Register available on the Greater Wellington Regional Council website [Greater Wellington - Search Selected Land Use Register \(gw.govt.nz\)](https://www.gw.govt.nz/selected-land-use-register).

Natural Hazards

A Natural hazard is defined as any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affects human life, property, or other aspects of the environment.

If this property has been the subject of a Resource Consent or Building Consent since 1 July 2020 a geotechnical assessment may have been supplied with that application. A geotechnical report may contain advice about ground conditions at that site including liquefaction, slope stability assessment as well as commentary on ground bearing capacity. All available Building Consent geotechnical assessments are located in attached building files. Where available Resource Consent geotechnical assessments are referenced in attached resource consent decision documents, for further information contact the Resource Consents Team on 0800 486 486.

Coastal Erosion and Inundation Hazards

Council holds a number of reports that assess the possibility that areas of the Kāpiti Coast District shoreline may be susceptible to current and future coastal erosion and inundation. The available information on coastal hazards that are specific to the District are available on the following link: www.kapiticoast.govt.nz/coastal-science. The science of coastal erosion and inundation continues to develop as national and international best practice changes, and new information is released. The information received by Council will therefore outline different perspectives.

Currently, information specific to the Kapiti Coast District includes:

- Council-commissioned assessments by Jacobs NZ Ltd, including coastal area-specific risk assessments, a hazard and susceptibility assessment, and the coastal hazards GIS map viewer allowing you to assess how any particular property may be affected.
- A community commissioned coastal hazard risk assessment report by Dr Willem de Lange and related predicted shoreline maps.
- Advice from the Ministry for the Environment and the Department of Conservation on coastal hazard risk identification and management of coastal risks.

Council will consider the information and its possible impact on Kāpiti properties, as part of its review of coastal provisions in the Council's Operative District Plan. On 30 January 2025 Council resolved that this work is a priority to progress.

Earthquakes

Greater Wellington Regional Council holds information on earthquake risks in the Kapiti Coast District. This information, along with associated Earthquake Risk Maps, can be found on the Greater Wellington Regional Council website www.gw.govt.nz/.

Earthquake fault traces within the Kapiti Coast are mapped in the Operative District Plan (2021). These are shown (if applicable) on the District Plan Features Map provided with this LIM and are available on our website [Operative District Plan 2021 \(kapiticoast.govt.nz\)](http://Operative District Plan 2021 (kapiticoast.govt.nz)).

Fire

Due to its climate and geographical features, the Kapiti Coast District can be susceptible to risks of fire, including wildfire. More information on this risk can be found in the District Plan, while mapping of the rural wildfire fire risk across the Wellington Region on the Greater Wellington Regional Council website (GWRC rural wildfire risk).

Liquefaction

Due to its geographic location and soil typology, the Kapiti Coast District may be susceptible to liquefaction in the event of an earthquake. More information on this risk can be found in the District Plan, while mapping of combined earthquake risk including liquefaction, can be found on the Greater Wellington Regional Council website.

Tsunami Evacuation Zones

Tsunami Evacuation Zone Maps have been developed by the Greater Wellington Regional Council to assist emergency preparedness by identifying the areas residents may need to evacuate in the event of a tsunami.

Each map has three evacuation zones: red, orange and yellow. The updated tsunami evacuation maps for Kapiti can be viewed at the Council's website at www.kapiticoast.govt.nz/our-district/cdem/get-prepared/tsunami-zones/.

Other Information

Part of the property is shown to be subject to and adjacent to flood hazards in the Operative District Plan (2021), and the latest Flood Hazard Maps.

The flood hazard identified on the maps provided with this LIM is based on the projected future flooding risk to the property including climate change projections.

The maps show the projected flood extent arising from the 1% AEP or 1% Annual Exceedance Probability Flood Event (that is, a flood event that has a 1% probability of occurring in any one year, often referred to as a 1 in 100-year storm), incorporating the projected 2090 climate change impacts, in conjunction with a 20-year return period high tide.

The nature of the controls imposed by the District Plan depends on where individual sites are located within the 1 in 100-year flood extent, which flood hazard map (operative or latest) is referenced in legislation or the District Plan, and which flood hazard category applies.

The adjacent road carriageway (Kotare Street) is shown to be subject to an overflow path in the Operative District Plan (2021) Natural Hazard maps, and the latest Flood Hazard Maps.

Overflow paths generally occur in lower-lying areas on the floodplain which act as channels for flood waters. They can be natural, or artificially formed, and are often characterised by fast flowing water during a flood event. An overflow path is a direct hazard.

Part of the property is shown to be subject to and adjacent to a stream corridor on the Operative District Plan (2021) Natural Hazard Maps, and the latest Flood Hazard Maps.

A stream corridor flood hazard is the minimum area able to contain a flood of up to a 1% AEP event magnitude and enable flood water to safely pass to the stream confluence or the sea. It includes flood and erosion prone land immediately adjacent to the stream.

The adjacent road carriageway (Kotare Street) is shown to be subject to a shallow surface flow area which is affected by a direct flood risk on the Operative District Plan (2021) Natural Hazard Maps, and the latest Flood Hazard Maps.

Shallow surface flow areas are floodplain areas, typically on steeper catchments, where shallow moving flood waters could occur during a flood event. A shallow surface flow area is subject to a direct flood risk. This hazard is associated with high intensity rainfall that overwhelms the primary drainage paths resulting in shallow flows across the ground surface.

For further information on flood hazards please contact the Stormwater and Coastal Asset Manager on 0800 486 486.

Greater Wellington Regional Council holds flood hazard information relating to the major rivers and streams in the District. For further information on these flood hazards, please contact the Greater Wellington Regional Council (Flood Control Department) on 0800 496 734.

For information on minimum floor levels for buildings and the potential implications for building consents on this property please contact the Building Team on 0800 486 486.

This property is located adjacent to the Ohariu fault - 2 - uncertain - poorly constrained. earthquake fault avoidance zone.

For further information on this section, contact the Resource Consents Team on 0800 486 486.

6. Other land and building classifications

In this section: This is information which, in terms of any other Act, has been notified to the Council by any statutory organisation having the power to classify land or buildings for any purpose.

No information located.

7. Private and Public stormwater and sewerage drains

In this section: Information on private and public stormwater and sewerage drains as shown in the Council's records.

There is Council sewer reticulation available with a lateral. The location of the sewer lateral is shown on the services network plan. An as-built plan of private drainage is provided with this LIM.

Stormwater discharges are via the water re-use tank(s) installed in accordance with the Council District Plan Water Demand Management Solution. The overflow runs to a water course on site.

For further information on this section, contact the Plumbing & Drainage Team on 0800 486 486.

8. Drinking water supply

In this section: information on whether the land is supplied with drinking water and if so, whether the supplier is the owner of the land or a networked supplier; any conditions that are applicable; and any information the Council has about the supply.

Council has a potable water supply system available with an ordinary on demand metered water supply connection. The Council service valve (manifold/toby) is shown on the services network plan provided with this LIM.

For further information on this section, contact the Plumbing & Drainage Team on 0800 486 486.

9. Network utility information

In this section: information which has been notified to the Council by any network utility operator pursuant to the Building Act 1991 or the Building Act 2004.

Contact Electra for power availability and Vector for gas availability.

10. Other information about the property

In this section: information concerning the land and the property that the Council has the discretion to include if it considers it to be relevant.

Cultural and Archaeological

The settlement history of the Kapiti Coast suggests that there are still an unknown number of unidentified cultural and archaeological sites within the District and indeed these are still being discovered during earthworks from time to time. The Heritage NZ Pouhere Taonga Act 2014 provides for substantive penalties for unauthorised destruction or modification of an archaeological site.

More detail on what to look for and who to contact can be found on our website:
www.kapiticoast.govt.nz/Our-District/Tangata-Whenua

Development Impact Fees

Development Impact Fees consist of a combination of development contributions and financial contributions (including Reserves Contributions) from all new developments e.g. a new residential dwelling or a subdivision as well as new or expanded non-residential buildings.

Further information on the range of Development Impact Fees can be found on
[Development impact fees - Kāpiti Coast District Council \(kapiticoast.govt.nz\)](http://www.kapiticoast.govt.nz/Development-impact-fees-Kapiti-Coast-District-Council)

Glossary of Terms and Maps attached

Aerial Photograph

A birds-eye view in colour of the property and its surrounds.

Deposited Plan

Sometimes referred to as a 'Flats Plan' or 'Title Plan'. A Deposited Plan covers more than one lot (or property) and has a diagram showing the boundary distances and the land area. A Record of Title relates to a specific property and shows current owner and interests (such as mortgages, encumbrances and easements).

Building Information (if requested)

This includes any information Council holds about any structure that is on the lot (property), e.g. plumbing, drainage and floor plans and elevation drawings of the building and any alterations or additions to it, together with any code compliance certificates.

Services Network Map

Information on private and public stormwater and sewerage drains on the property as shown in Council's records.

Location of Health and Alcohol Licenses

This map shows the location of registered businesses in the neighbourhood that hold health and alcohol licenses.

Resource Consents

Included with this LIM are Reports and Maps of resource consents (if applicable that relate to the property) and a list of resource consents in the neighbourhood of the property that have been notified. The District Plan contains rules about different types of activities in different parts of the district. Anything not permitted by the Plan requires a resource consent. When a resource consent application is received the Council determines whether or not to notify it on the basis of the environmental effects under Section 95A-F of the Resource Management Act 1991.

Designation(s) (if applicable)

A designation is a planning technique used by Ministers of the Crown, councils and network utility operators approved as requiring authorities under section 167 of the Resource Management Act 1991. It provides for 'spot zoning' over a site, area or route in a district plan which authorises the requiring authority's work and activity on the site, area or route without the need for a land use resource consent.

District Plan

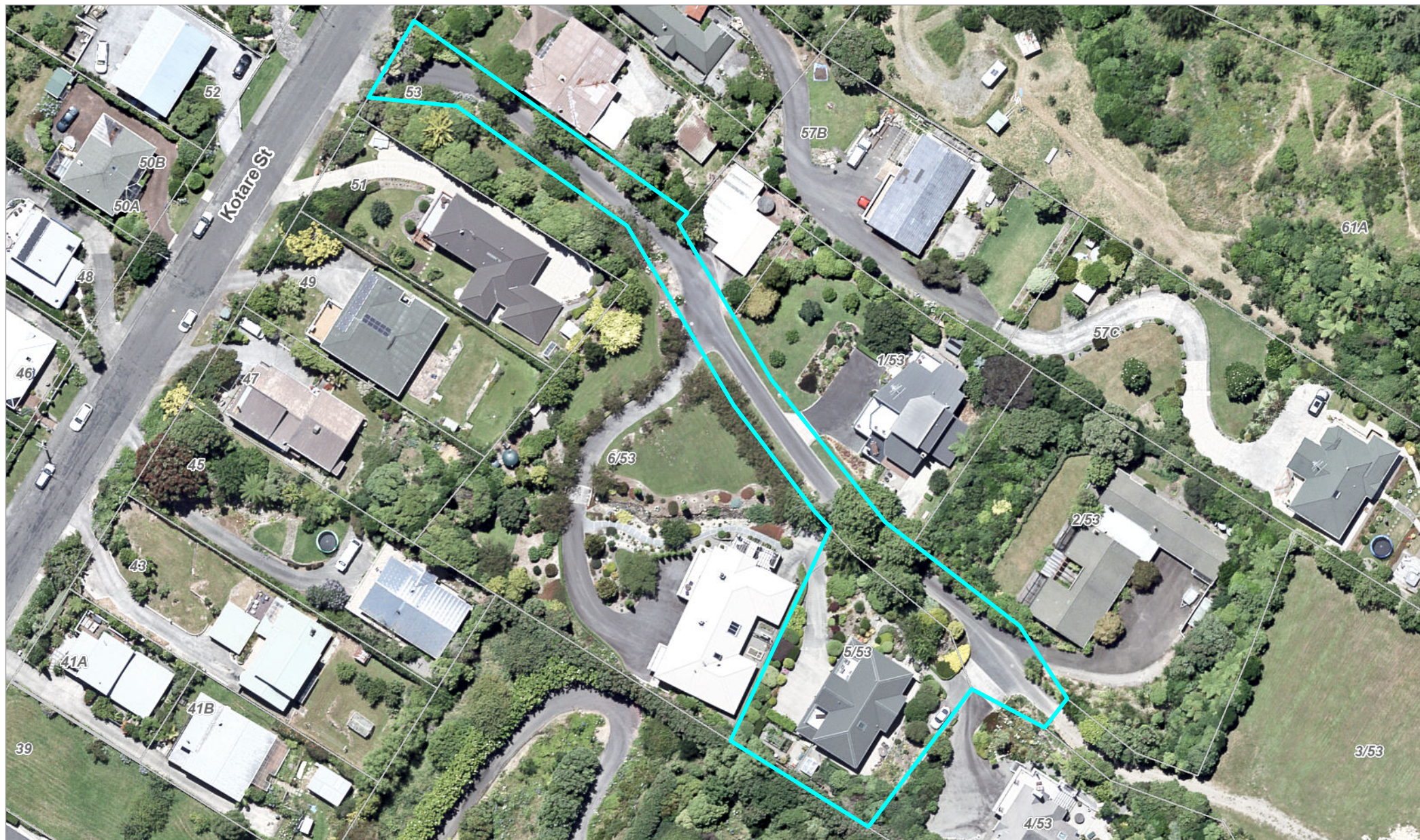
Every city and district council is required to have a District Plan under the [Resource Management Act 1991](#). The District Plan plays a big part in how Kapiti develops. The rules in the Plan determine what you can and can't do on your property without permission from Council - whether it be subdividing, renovating, building a new garage or deck, or starting a home business. This LIM includes maps which show the Zone, Precinct, or Development Area (if relevant), the Features, Overlays and the Natural Hazards that relate to the rules in the District Plan.

Latest Flood Hazards

To better understand the extent of the flood hazard risk in the District and to assist in the potential mitigation of this risk, Council has over the years undertaken a number of floodplain management investigations. This map shows the latest flood hazard information; these are not necessarily included in the Operative District Plan (2021). This information is particularly relevant if you are considering subdividing the land or constructing a building.

Aerial Photography

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



0 20 40 Metres

Scale @ A4 - 1:850

Date Printed: July 14, 2025

Kāpiti Coast District Council accepts no responsibility for incomplete or inaccurate information contained on this map. Use of this website is subject to, and constitutes acceptance of the conditions set out in our disclaimer. This publication is copyright reserved by the Kāpiti Coast District Council. Cadastral and Topographic information is derived from Land Information New Zealand, CROWN COPYRIGHT RESERVED.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Historical Search Copy**




R.W. Muir
Registrar-General
of Land

Constituted as a Record of Title pursuant to Sections 7 and 12 of the Land Transfer Act 2017 - 12 November 2018

Identifier **41140**
Land Registration District **Wellington**
Date Issued 24 January 2003

Prior References
WN23B/799

Estate Fee Simple
Area 1068 square metres more or less
Legal Description Lot 5 Deposited Plan 310492
Original Registered Owners
Peter John Hawker

Estate Fee Simple - 1/6 share
Area 1292 square metres more or less
Legal Description Lot 8 Deposited Plan 310492
Original Registered Owners
Peter John Hawker

Interests

5466989.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 24.1.2003 at 9:00 am(affects Lot 5 DP 310492)

Subject to Section 241(2) Resource Management Act 1991 (affects DP 310492)

SUBJECT TO SECTION 243(C) RESOURCE MANAGEMENT ACT 1991 (AFFECTS DP 310492)

Appurtenant to Lot 5 DP 310492 is a right to convey gas,electricity, telecommunications,water, right of way, convey water and Maintain water Pump easement created by Easement Instrument 5466989.5 - 24.1.2003 at 9:00 am

Subject to a right of way over part Lot 5 DP 310492 marked E and F DP 310492 created by Easement Instrument 5466989.5 - 24.1.2003 at 9:00 am

The easements created by Easement Instrument 5466989.5 are subject to Section 243 (a) Resource Management Act 1991
5466989.8 Land Covenant - 24.1.2003 at 9:00 am

Appurtenant to Lot 8 herein is a right to convey gas, electricity, water and telecommunications created by Easement Instrument 5579931.1 - 9.5.2003 at 9:00 am

The easements created by Easement Instrument 5579931.1 are subject to Section 243 (a) Resource Management Act 1991

The condition under Section 243 (C) Resource Management Act 1991 affecting the easement shown marked A on DP 310492 has been satisfied.

5594297.1 Transfer to Kevin James Pierre Metge and Robyn Joy Metge - 21.5.2003 at 9:00 am

5760069.3 Variation of the conditions of the land covenant created by Easement Instrument 5466989.8 - 10.10.2003 at 9:00 am

6126103.2 Variation of the conditions of the land covenant created by Easement Instrument 5466989.8 - 25.8.2004 at 9:00 am

6126103.3 Transfer to William Thomas Jaques and Norma Elizabeth Jaques - 25.8.2004 at 9:00 am

7015479.1 Mortgage to Bank of New Zealand - 4.9.2006 at 9:00 am

9360323.1 Discharge of Mortgage 7015479.1 - 18.4.2013 at 10:40 am

9360323.2 Mortgage to ASB Bank Limited - 18.4.2013 at 10:40 am

9390694.1 Discharge of Mortgage 9360323.2 - 15.5.2013 at 4:17 pm

9390694.2 Transfer to Anthony Ross Nichols and LH Trustee Services Limited (2/3 share) and Suzanne Dalise McPherson (1/3 share) - 15.5.2013 at 4:17 pm

9390694.3 Mortgage to ANZ Bank New Zealand Limited - 15.5.2013 at 4:17 pm

11438060.1 Discharge of Mortgage 9390694.3 - 6.6.2019 at 10:16 am

11438060.2 Transfer to Kevin Albert Sheppard (1/2 share) and Suzanne Carol Harris and Glen Alan Cooper (1/2 share) - 6.6.2019 at 10:16 am

11438060.3 Mortgage to Westpac New Zealand Limited - 6.6.2019 at 10:16 am

11864832.2 Discharge of Mortgage 11438060.3 - 6.10.2020 at 2:58 pm

12317312.1 Transfer to Jeffrey Craig Howe and Kitchariya Howe - 10.12.2021 at 2:53 pm

12739030.1 Transfer to Jeffrey Craig Howe (1/2 share) and Kitchariya Howe (1/2 share) - 30.5.2023 at 8:32 am



DocID: 41056730

629850mN

265300mE

Diagram B

DISTORTED

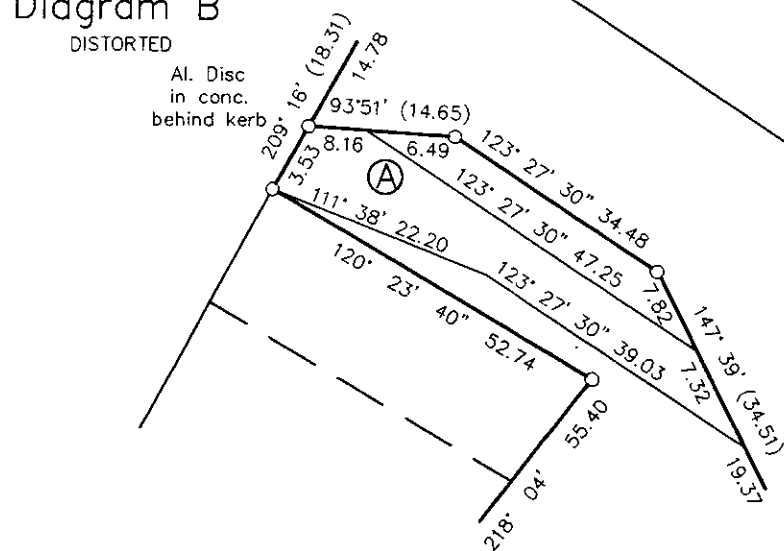
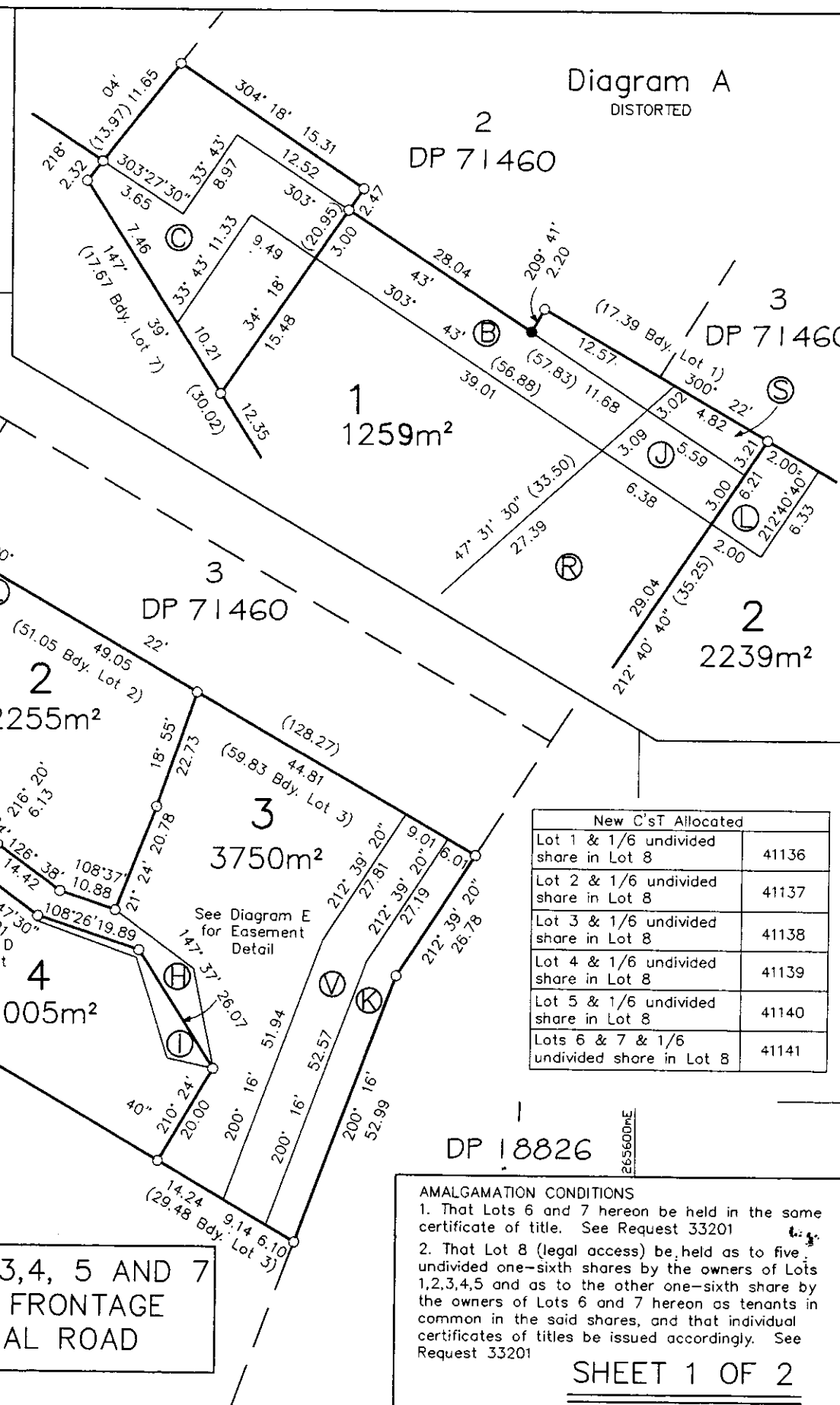
Al. Disc
in conc.
behind kerb

Diagram A

DISTORTED



New C'sT Allocated	
Lot 1 & 1/6 undivided share in Lot 8	41136
Lot 2 & 1/6 undivided share in Lot 8	41137
Lot 3 & 1/6 undivided share in Lot 8	41138
Lot 4 & 1/6 undivided share in Lot 8	41139
Lot 5 & 1/6 undivided share in Lot 8	41140
Lots 6 & 7 & 1/6 undivided share in Lot 8	41141

DP 18826

AMALGAMATION CONDITIONS

- That Lots 6 and 7 hereon be held in the same certificate of title. See Request 33201
- That Lot 8 (legal access) be held as to five undivided one-sixth shares by the owners of Lots 1, 2, 3, 4, 5 and as to the other one-sixth share by the owners of Lots 6 and 7 hereon as tenants in common in the said shares, and that individual certificates of titles be issued accordingly. See Request 33201

SHEET 1 OF 2

Approvals

Registered Owner(s)

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to Convey Gas, Electricity, Telecommunications, and Water	A	Lot 6	Lots 1 - 5 Lot 7 Lot 8
Right to Drain Sewage	B	Lot 1	Lot 2
	C	Lot 7	Lot 2
	J	Lot 1	Lot 2
	D	Lot 6	Lot 5
Right of Way	E	Lot 5	Lot 6
	F	Lot 5	Lot 4
	G	Lot 4	Lot 5
Right to Convey and Store Water for Fire Fighting Purposes	H	Lot 3	Lot 4
Right to Convey Telecommunications	I	Lot 4	Lot 3
Right to Convey Water & Maintain Water Pump	L	Lot 2	Lot 3 DP 71460
	C	Lot 7	Lots 1 - 5

AREAS D, F, J, K, R, S, T, U, AND V TO BE SUBJECT TO A LAND COVENANT.

MEMORANDUM OF EASEMENT IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to Convey Water	K	Lot 3	Kapiti Coast District Council

I hereby certify that this plan was approved by the Kapiti Coast District Council pursuant to Section 223 of the Resource Management Act 1991 on the 27th day of September 2002 subject to the granting or reserving of the easement(s) set out in the Memorandum hereon, and subject to the Amalgamation Condition(s) set out hereon.

Authorised Officers *T. J. Lee**Trevor M. Gamett*

Total Area 1.5049 ha

Comprised in CT 23B/799

I, Paul William Turner of Waikanae being a person entitled to practise as a registered surveyor, certify that -
(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998;
(b) This dataset is accurate, and has been created in accordance with that Act and those Regulations.

Signature *Paul Turner* Date 9.10.02

Field book p Traverse Book p

Reference Plans DP's 18826, 20768, 29377, 35120, 49131, 52011, 53961, 64335, 71460

Examined Correct

Approved as to Survey

...../...../2002

Paul Turner
Approving Surveyor

Deposited this day of 20.....

Deposited by Land Information N.Z.

on 24.11.2003 for Registrar-General of Land

File 732.07

Received 15.10.02

Instructions

PLAN FORM APPROVED LM 97/2

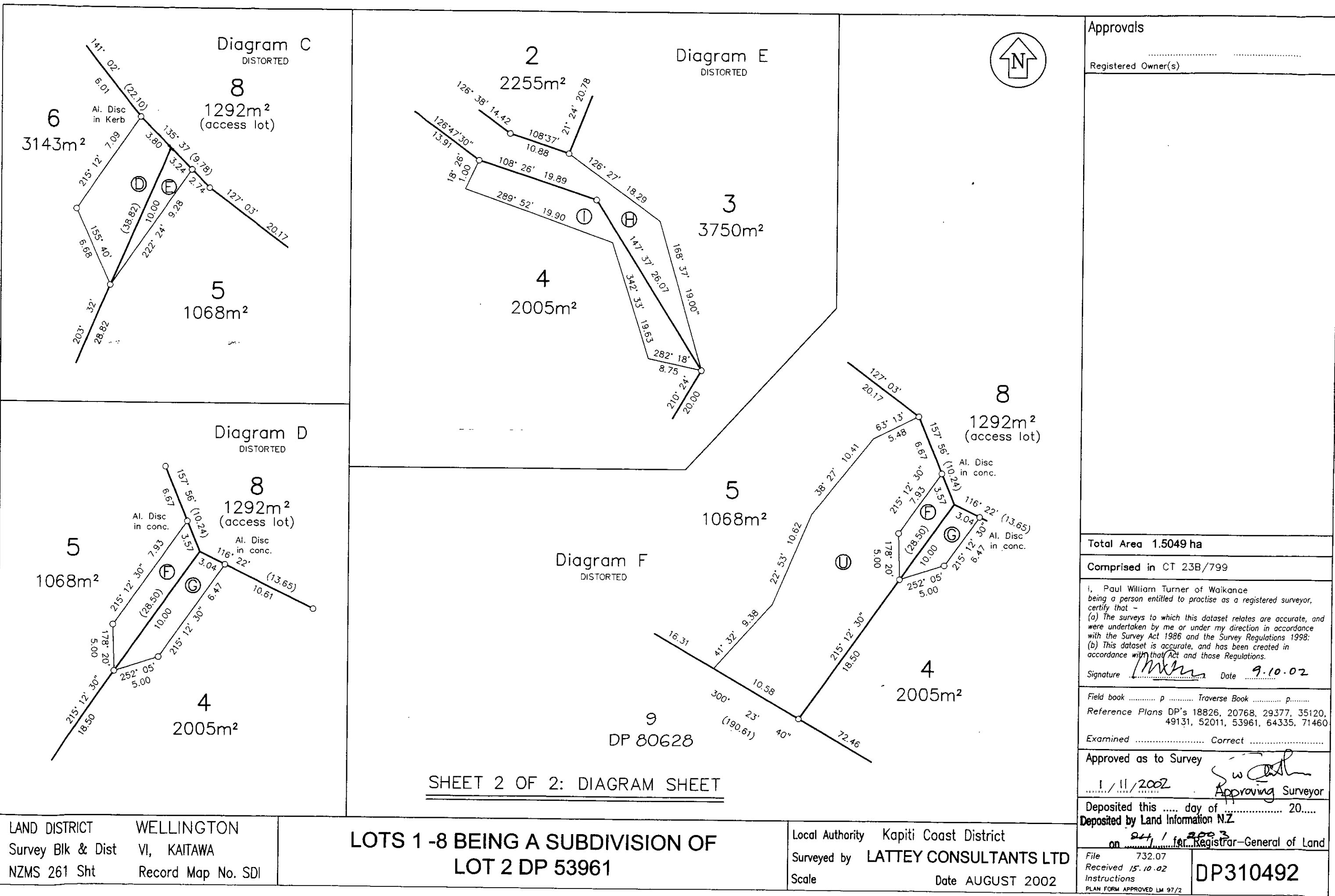
DP310492

010345

LAND DISTRICT WELLINGTON
Survey Blk & Dist VI, KAITAWA
NZMS 261 Sht Record Map No. SDI

LOTS 1-8 BEING A SUBDIVISION OF
LOT 2 DP 53961

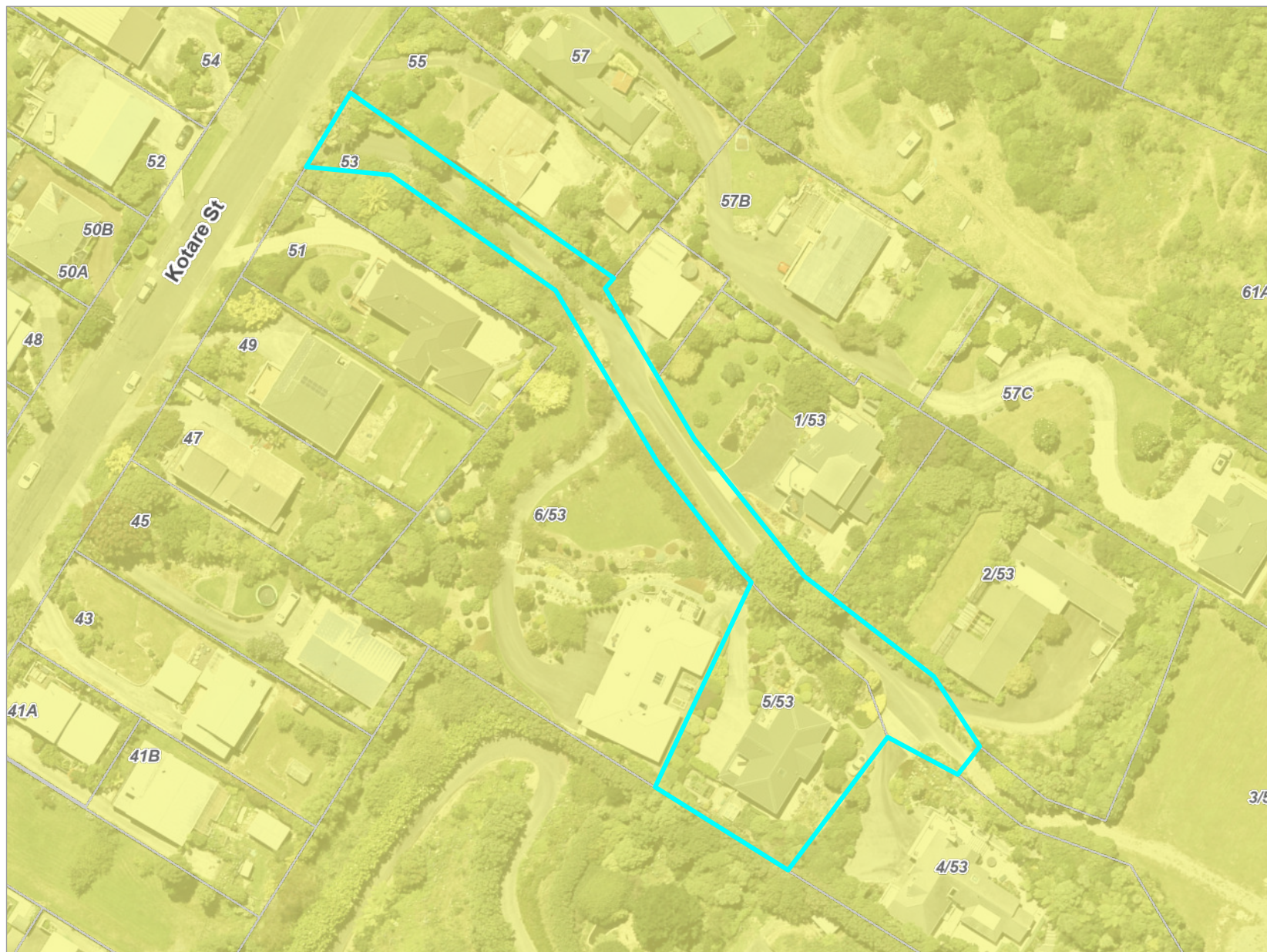
Local Authority Kapiti Coast District
Surveyed by LATTEY CONSULTANTS LTD
Scale 1 : 750 Date AUGUST 2002



Approvals	
Registered Owner(s)	
Total Area 1.5049 ha	
Comprised in CT 23B/799	
I, Paul William Turner of Waikanae being a person entitled to practise as a registered surveyor, certify that - (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998; (b) This dataset is accurate, and has been created in accordance with that Act and those Regulations.	
Signature <i>[Signature]</i>	Date 9.10.02
Field book p	Traverse Book p
Reference Plans DP's 18826, 20768, 29377, 35120, 49131, 52011, 53961, 64335, 71460	
Examined	Correct
Approved as to Survey <i>[Signature]</i>	
11/11/2002 Approving Surveyor	
Deposited this day of 20....	
Deposited by Land Information NZ	
on 24/1/2003 for Registrar-General of Land	
File 732.07	DP310492
Received 15.10.02	
Instructions	
PLAN FORM APPROVED LM 97/2	

Operative District Plan 2021 - Zones and Precincts

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

General Residential Zone



0 20 40 Metres

Scale @ A4 - 1:1,000

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Operative District Plan 2021 - Historical, Cultural, Infrastructure & Districtwide

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

 Coastal Environment

The 'Key to map symbols' column above will be empty if no relevant District Plan Features are present in the area shown on this map.



0 40 80 Metres
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Operative District Plan 2021 - Designations & Miscellaneous Features

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

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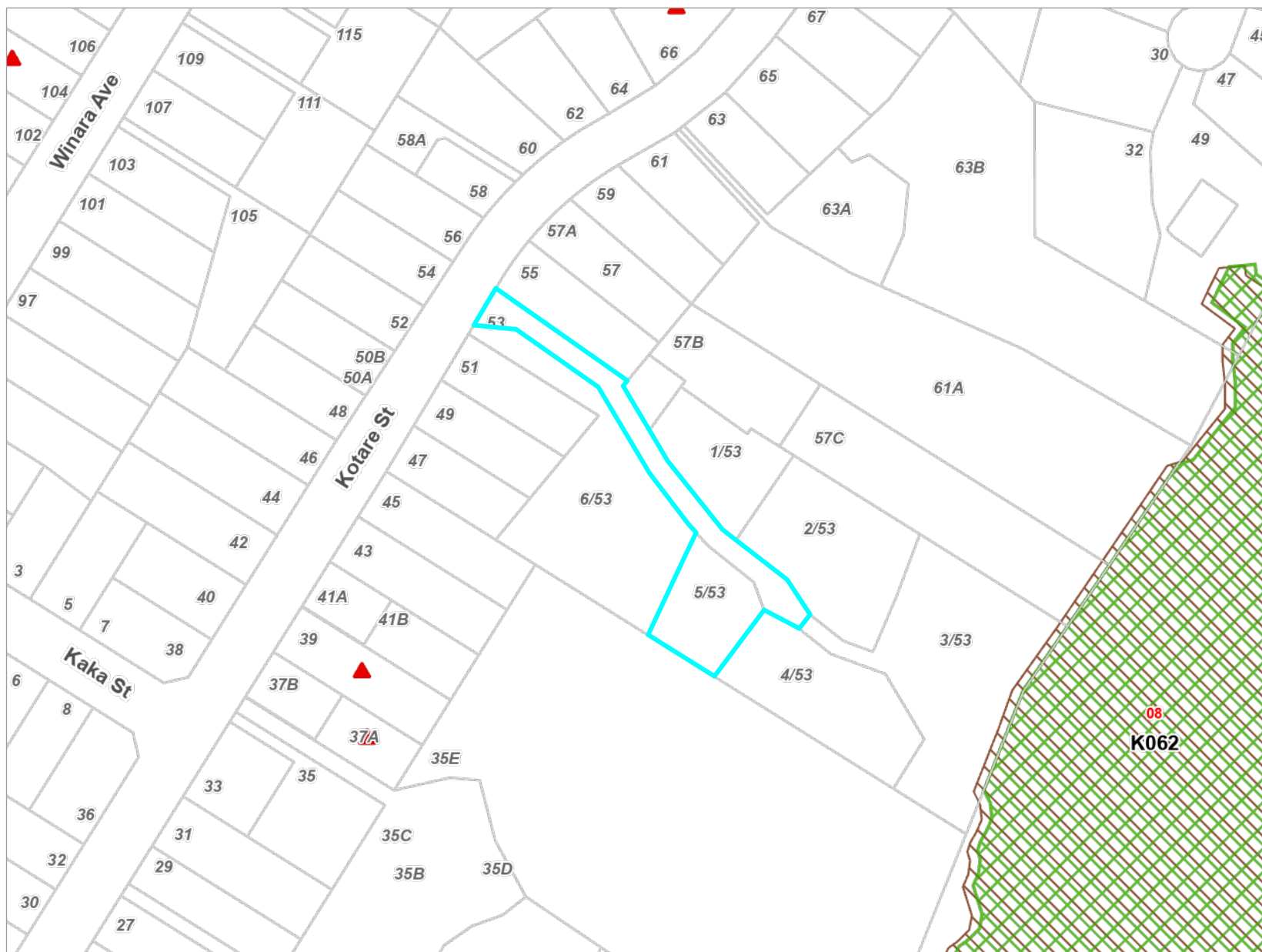
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5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)

-  Ecological Sites
-  Outstanding Natural Features and Landscapes
-  Key Indigenous Trees



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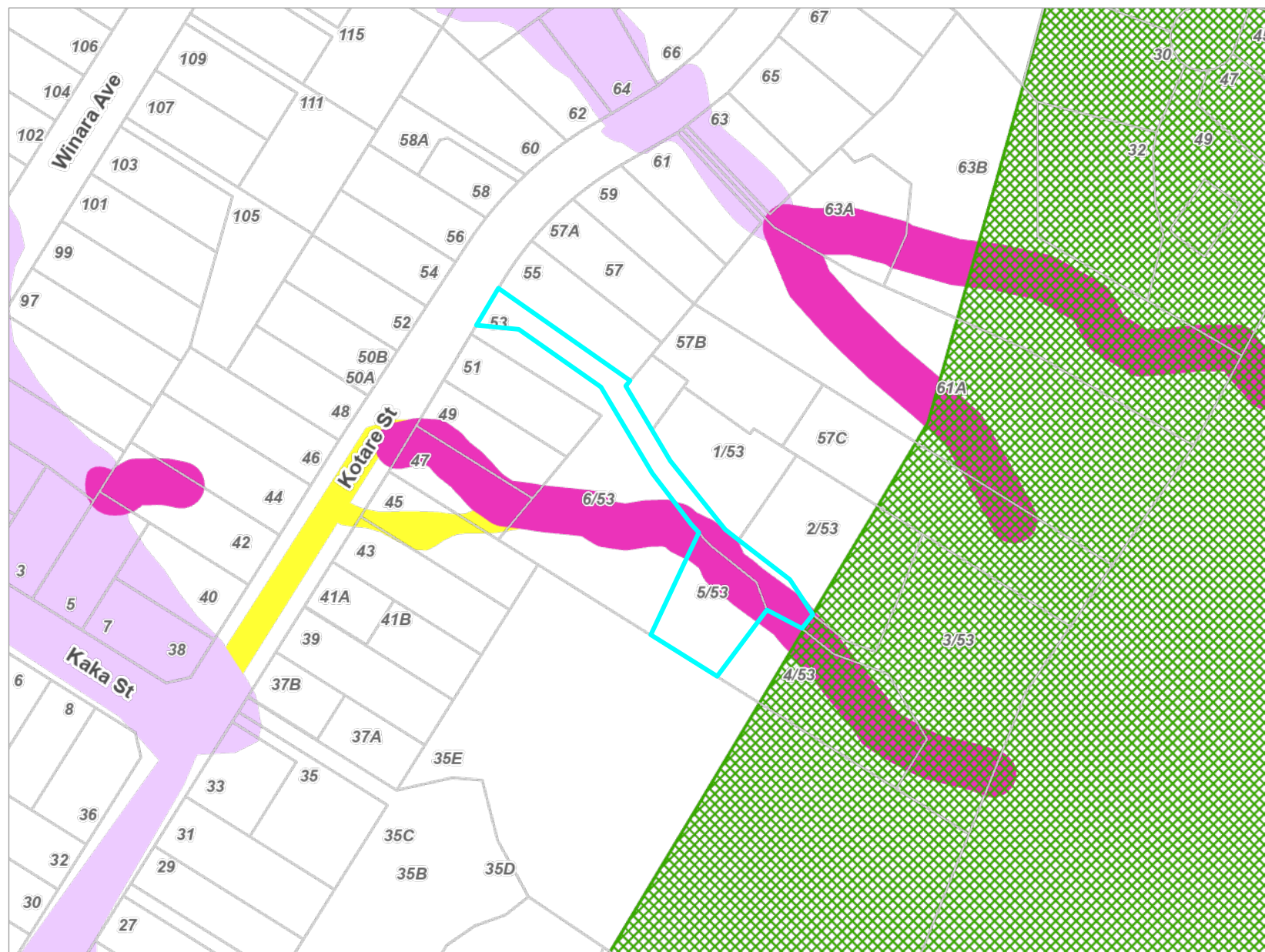
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Operative District Plan 2021 - Natural Hazards

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

- Uncertain Poorly Constrained
- Stream Corridor
- Overflow Path
- Shallow Surface Flow

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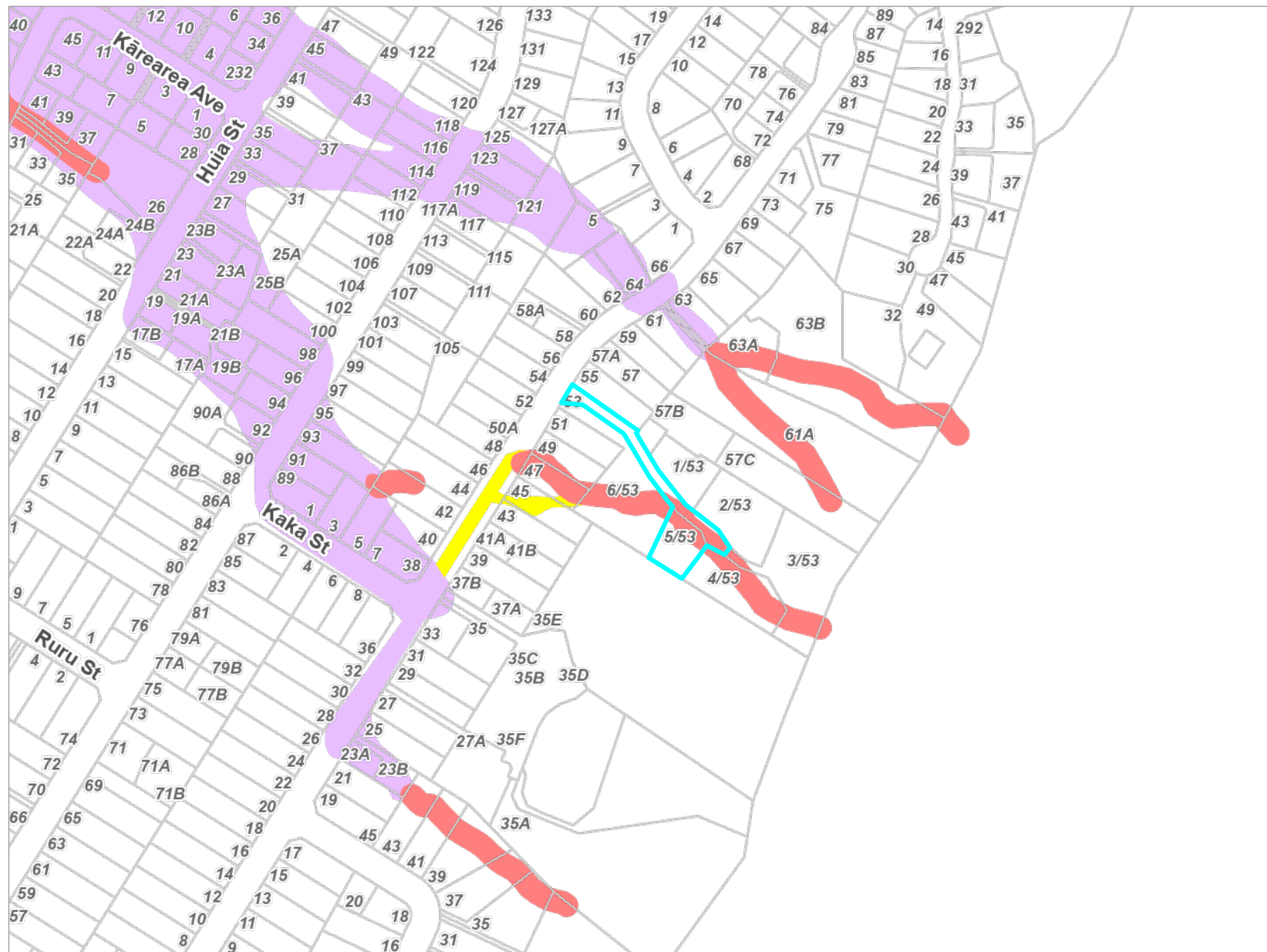
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Latest Flood Hazards

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

- Stream Corridor
- Overflow Path
- Shallow Surface Flow

The 'Key to map symbols' column above will be empty if no Flood Hazards are present in the area shown on this map.



0 90 180 Metres
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Resource Consents Map

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

 Resource Consents

The 'Key to map symbols' column above will be empty if no Resource Consents are present in the area shown on this map.



0 10 20 Metres

Scale @ A4 - 1:750

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Resource Consents Report

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
000123	57C Kotare Street, Waikanae	1496060502	LOT 3 DP 71460 CT 41A/96	LD	EARTHWORKS FOR NEW HOUSE, HEIGHT ENVELOPE ENCROACHMENT	N	N	Decision Issued	17/5/2000	5/4/2000
010345	1 - 53 Kotare Street, Waikanae	1496060800	LOT 2 DP 53961	SD	PROPOSED SUBDIVISION AND EARTHWORKS - SIX RESIDENTIAL LOTS	N	N	s.224 Issued	7/3/2002	21/11/2001
030365	6 - 53 Kotare Street, Waikanae	1496060806	LOTS 6 7 DP 310492 - EACH HAVING 1/6SH IN	LC	NEW DWELLING TO ENCROACH BOUNDARY AND DECK WITHIN	N	N	Decision Issued	1/3/2004	2/12/2003
040040	4 - 53 Kotare Street, Waikanae	1496060804	LOT 4 DP 310492 - HAVING 1/6SH IN LOT 8	LD	Proposed new house, balconies and courtyard	N	N	Decision Issued	29/3/2004	3/3/2004
200135	3 - 53 Kotare Street, Waikanae	1496060803	LOT 3 DP 310492 - HAVING 1/6SH IN LOT 8	LDR	To undertake earthworks that does not comply with the	N	N	Decision Issued	14/8/2020	14/7/2020
210139	58 Kotare Street, Waikanae	1496053601	LOT 1 DP 570939	SC	Undertake a two-lot residential subdivision	N	N	s.221 Consent Notice	10/8/2021	23/6/2021
950232	51 Kotare Street, Waikanae	1496060900	LOT 88 DP 29377 CT 6A/156	LC	PROPOSED NEW RESIDENCE	N	N	Decision Issued	3/10/1995	24/7/1995
950132	35E Kotare Street, Waikanae	1496061600	LOT 7 DP 64335 LOTS 8-9 DP 8062 8	SC	BOUNDARY ADJUSTMENT	N	N	Decision Issued	28/6/1995	12/5/1995

Health and Alcohol Licenses

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

The 'Key to map symbols' column above will be empty if no Health and Alcohol Licences are present in the area shown on this map.



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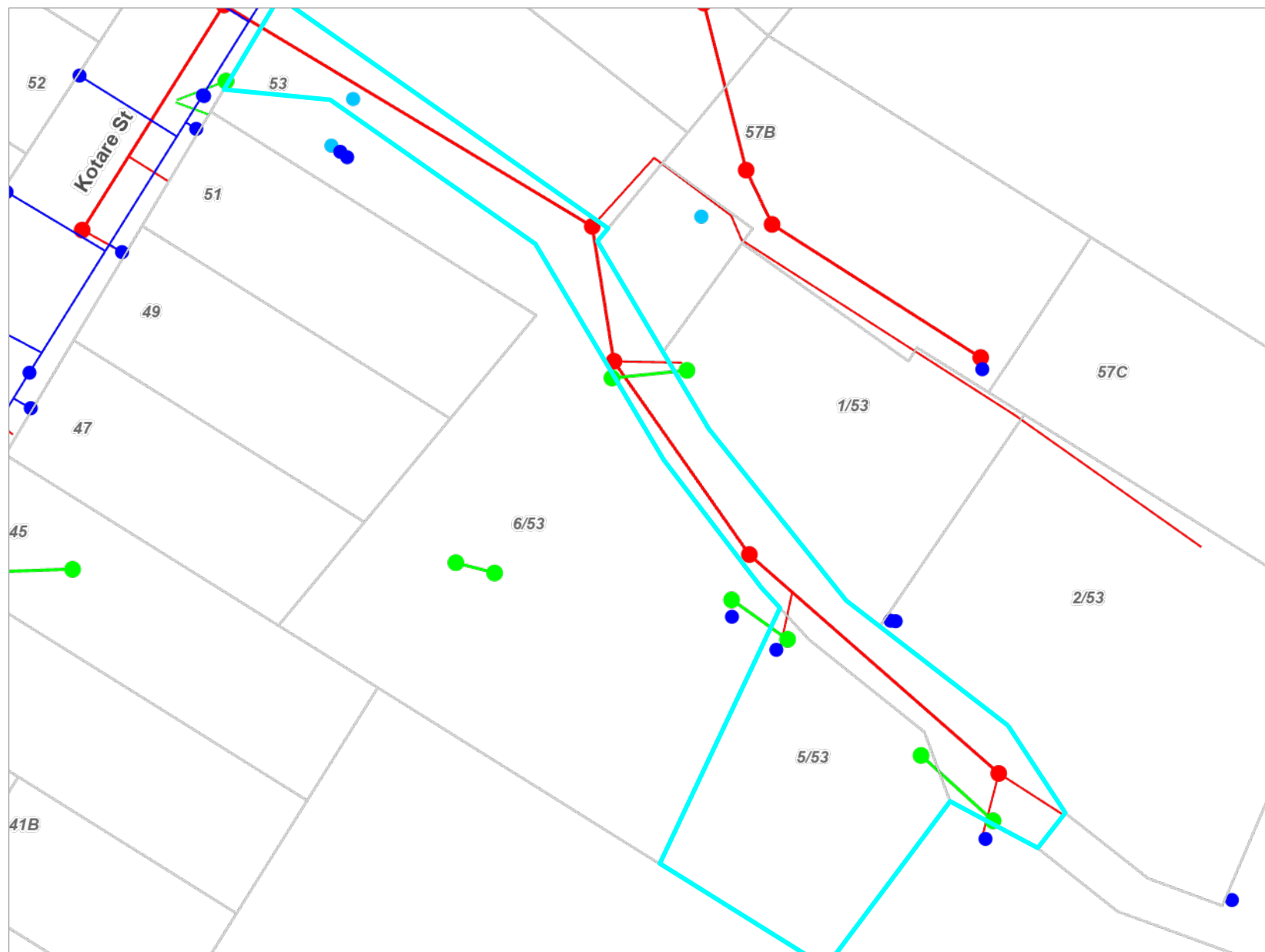
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Services Network

5 - 53 Kotare Street, Waikanae (LOT 5 DP 310492 - HAVING 1/6SH IN LOT 8 DP 310492 BEING 1292M2)



Key to map symbols

- WS Node
- Non-KCDC WS Node
- WS Pipe
- SW Point
- SW Pipe
- SW Lateral
- WW Point
- WW Pipe
- WW Lateral

The 'Key to map symbols' column above will be empty if no Services are present in the area shown on this map.

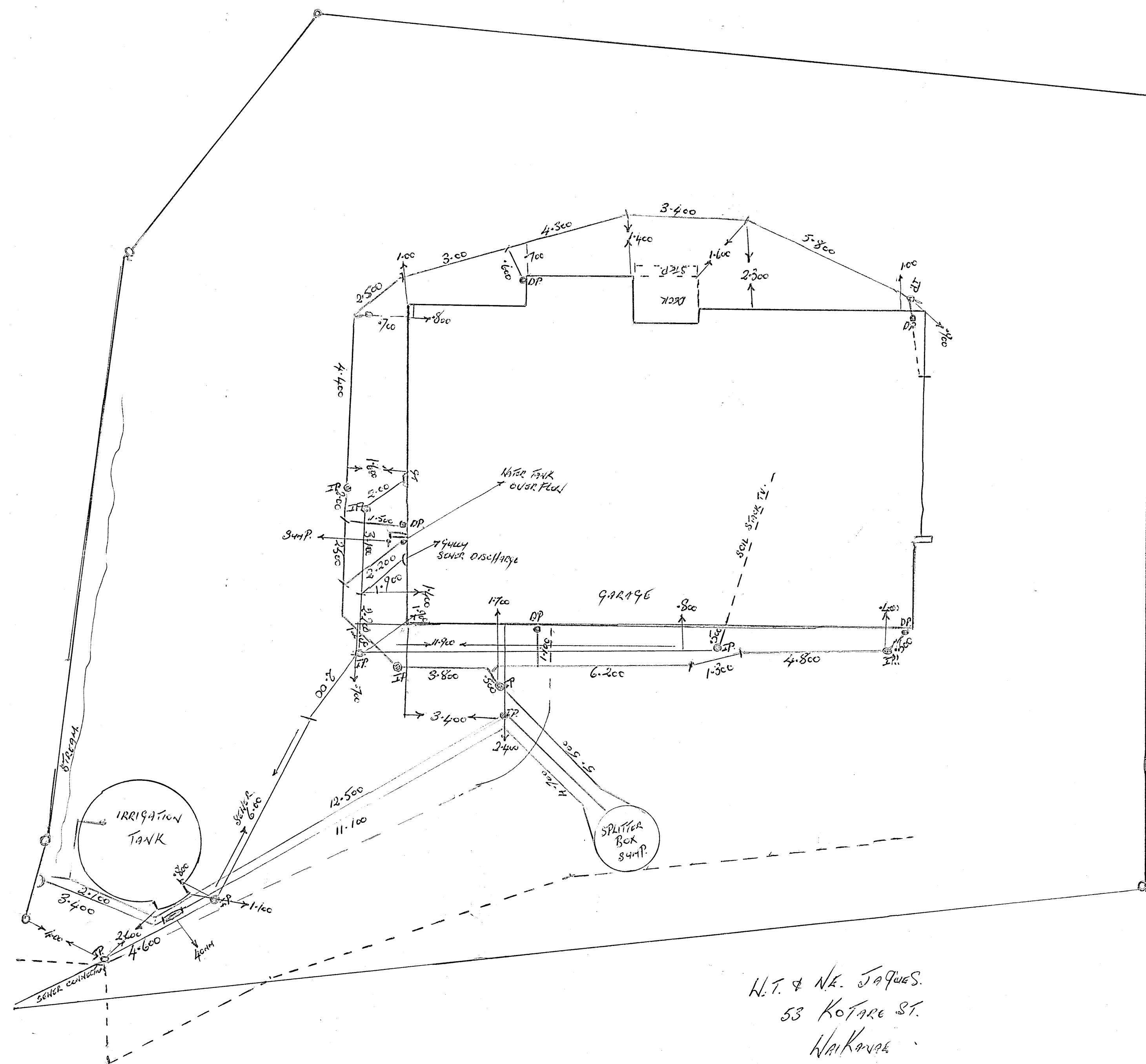


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H.T. & N.E. JAGUES.
53 KOTARE ST.
WAIKANAHA

17 December 2001

RM 010345

REPORT ON
APPLICATION FOR SUBDIVISION AND LAND USE CONSENTS
PURSUANT TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT
1991

SCHEME PLAN: Lattey Consultants Ltd: 732.02-1
Issue C

APPLICANT: Peter & Prue Hawker
c/- Lattey Consultants Ltd

LOCATION: 53 Kotare Street, Waikanae

LEGAL DESCRIPTION: Lot 2 DP 53941 CT 23B/799

OWNER: Peter & Prue Hawker

ZONE: Residential

ACTIVITY STATUS OF PROPOSAL: Subdivision: Discretionary
Landuse: Discretionary

DATE APPLICATION CONSIDERED: 17 December 2001

PERSON WHO DETERMINED APPLICATION AS NON-NOTIFIED:

Tineke Kolff and Dan Rodie

SITE DESCRIPTION

The site is relatively steep and rises above Kotare Street at a relatively constant grade of 1 in 5. The site is rectangular shaped apart from where it has street frontage to Kotare Street. The residential lot fronting Kotare Street was bought and held with the rear lot for the purposes of providing access directly from the street.

An un-named stream runs through the property from the southeastern corner through the middle of the site and exits at the southwestern corner. The stream is free-flowing and at some points, particularly on the western side of the site, is deeply incised to a depth of approximately 2m.

An existing house is located in the centre of the site towards the northern boundary (proposed lot 2). An implement shed and garage is located to the north of the right-of-way where the site expands to its full width. A sealed driveway approximately 3m wide travels up the centre of the site to the existing house and is lined with medium sized exotic trees. Directly to the west of the house between the house and the garage is an established garden, and above the house is an embankment with established garden that provides a natural separation between Lot 2 and Lot 3. The remainder of

the site has been used for grazing cattle and consists of paddock and exotic trees that act as a shelter belt. In particular, a cluster of large pine trees is situated in the southeastern corner of the property that will be cleared to allow a building site on Lot 4. Macrocarpas and silver gum trees lining the western boundary will be removed as will the trees lining the southern boundary. This vegetation is to be replanted.

A number of native trees have been identified and listed in the application. The trees are located in the northeastern corner of the site and on the embankment separating Lot 2 from Lot 3 which will be part of the garden within Lot 2. A Rimu is also located to the east of the garage. The trees are of varying height between 1.5m and 8.0m high.

The Hemi Matenga Memorial Park is located to the east of the site. The Park is listed in the Heritage Register as an Ecological Site of 400 hectares of lowland forest owned by the Department of Conservation. It is also listed as Outstanding Landscape in the District Plan.

To the west of the site are a number of residential properties ranging from 800m² – 900m². To the north are two sites, 1371m² and 2980m² respectively. The property to the south is 2.8055 hectares. All sites are zoned Residential.

Transmission Lines of 110 kV cross the property at the western end from a north-south direction. They will overhang proposed Lots 6, 7, 8 and the western-most part of Lot 1.

PROPOSAL:

Subdivision

It is proposed to subdivide the 1.5048 hectare site (Lot 2 DP 53941) into six residential allotments, an access lot and a lot with accessory buildings that will be held with one of the residential lots. The proposed development is as follows:

Lot 1	1503m ²
Lot 2	1860m ²
Lot 3	3799m ²
Lot 4	2152m ²
Lot 5	1085m ²
Lot 6	3085m ²
Lot 7	276m ² (to be held with Lot 6)
Lot 8	1289m ² (access lot)

The access lot will be splayed at Kotare Street to have a width of 14.8m. The rest of the access lot will generally be 7.5m wide with a passing bay at the top end. The lot will provide access to the 6 residential allotments and will be held in 6 undivided one-sixth shares by the owners of Lots 1, 2, 3, 4, 5, and (6 and 7).

The existing driveway will be retained and a nib kerb and sumps will be installed to control the run-off of stormwater. Passing bays will be created at the entry to the site, at the southern side of Lot 7 and at the eastern end of the access lot adjoining Lots 2, 3, 4 and 5.

All lots will be provided with mains electricity supplies and telecommunications connections. The existing sewage pipe that extends from Lot 2 along the northern boundary to Kotare Street will be utilised to serve the subdivision, and will remain in private ownership. A manhole will be installed over the pipe connection at the main in Kotare Street and another over the line near the south west corner of Lot 7. The existing line continues to the north and will remain in use for Lot 2. All other lots will use a new main that will be installed in the access lot.

It is proposed to continue to discharge stormwater to the watercourse as currently occurs from the existing house. The remaining stormwater run-off is to be held in storage tanks which will have a capacity that exceeds the existing levels of run-off. Run-off generated at peak flow will be held in storage for irrigation/gardening purposes and also utilised for temporary stormwater retention.

The Wellington Regional Council has granted a resource consent to install culverts to control the flow of the stream. The culverts will also allow access to be provided over the waterway to several allotments.

The existing water supply pipe from Kotare Street will be upgraded to a 40mm main to feed a private pumping system consisting of an existing tank and a new pressure pump. Each individual house will be supplied with water via a 25mm pipe from the existing tank to individual tanks with a recommended minimum capacity of 4550 litres for each site. The system will be capable of supplying the 6 allotments simultaneously and of delivering 60 litres/minute.

It is proposed to install a fire hydrant within Lot 8 some 18m from the Kotare Street frontage. As the sites are unable to meet the NZ Fire Service Code of Practice requirement that each site is within 135m of a hydrant, it is proposed that consent notices are placed on Lots 3 and 4 to indicate that these lots are not serviced as required by the code.

Earthworks

It is proposed to undertake earthworks at the eastern end of the access lot to enable the creation of access over the stream and into lots 3, 4 and 5, and to provide a turning head at the right of way. Minor earthworks will also be involved at the entry to Lots 5 and 6 where a culvert is to be installed. It has been proposed that boulders will line the culverts after the earthworks have been completed.

As mentioned above, a resource consent from the Wellington Regional Council has been obtained for the installation of the culverts. It is anticipated that the earthworks will exceed more than 50m³ and given that the culverts will be 700mm, the alteration of the ground level will be in the vicinity of 1m. The exact details of the earthworks including volume and depth will be determined and demonstrated within the engineering plans that are to be submitted as part of the subdivision consent conditions.

OPERATIVE DISTRICT PLAN

The relevant objectives and policies of the District Plan are as follows:

C.7.1 RESIDENTIAL SUBDIVISION

OBJECTIVE 1.0 – DENSITY

ENSURE THAT EXCEPT FOR HIGHER DENSITY DEVELOPMENT AT APPROPRIATE LOCATIONS, SUBDIVISION AND DEVELOPMENT MAINTAINS AND ENHANCES THE LOW DENSITY ENVIRONMENTAL CHARACTER AND ASSOCIATED AMENITY VALUES OF RESIDENTIAL AREAS AND AVOIDS OR MINIMISES ADVERSE IMPACTS ON THE NATURAL AND PHYSICAL ENVIRONMENT.

Policy 1 – Low Density Character

Maintain and enhance the low density of dwellings and associated amenity values of the residential environment (except where high density development is appropriate).

OBJECTIVE 2.0 – ECOSYSTEMS

THE PATTERN OF SUBDIVISION PROVIDES FOR THE HEALTHY FUNCTIONING OF ECOSYSTEMS THROUGHOUT THE DISTRICT AND PROTECTS THE REMAINING FLORA, FAUNA AND HABITATS.

Policy 1 – Natural Environment

Ensure that subdivision avoids adverse effects on the natural features (including landscapes and ecosystems) which contribute to the Kapiti Coast's natural environment.

The proposal complies with the controlled activity subdivision standards for minimum lot sizes (Lot 7 is to be held with Lot 6) and therefore this proposal is for a low density residential development. All residential lots are able to meet the 18m diameter circle, although building within this circle on Lot 6 is impeded by the building setback from the transmission lines. However, the permitted activity standard requires a lot to be capable of accommodating an 18m diameter circle for each lot, and this requirement can be met. All other controlled activity subdivision standards can be met.

The permitted activity standards for the Residential Zone require buildings to be set back at least 20m from the centre line of high voltage transmission lines (110/220 KV). The proposed building site on Lot 6 does not allow a dwelling to be built 20m from the centre line of the transmission lines on the site. The possible building site for Lot 6 is approximately 7.2m from the centre line and therefore the construction of a dwelling within this site is a discretionary activity.

The applicant has submitted that the earthworks required to install a culvert and construct a passing bay will be more than 50m³ and possibly more than 1m deep. Although the details of the earthworks will be determined at a later date, it is certain that the earthworks will be within 20m of a waterbody and therefore the proposed earthworks is a discretionary activity.

The District Plan Objective 1 addresses earthworks and Policy 1 provides some useful assessment criteria:

OBJECTIVE 1.0

TO MAINTAIN THE DISTRICT'S NATURAL LANDFORMS BY ENSURING ANY ADVERSE EFFECTS OF EARTHWORKS ON THE NATURAL, PHYSICAL AND CULTURAL ENVIRONMENT ARE AVOIDED, REMEDIED OR MITIGATED.

To achieve this objective Council will implement the following policies:

POLICY 1 - GENERAL ASSESSMENT CRITERIA

Ensure the adverse effects of earthworks on the environment are avoided, remedied or mitigated when considering applications for resource consents for earthworks by taking into account the following:

- The extent to which any earthworks may impact on prominent or visually sensitive landforms, including the coastal marine area, ridgelines, dunes, escarpments, native vegetation, wetlands and waterbodies and the effects of earthworks on water quality;
- The extent to which any cut or fill can be restored or treated to resemble natural landforms. Council will seek to avoid the creation of unnatural scar faces;
- The extent of screening by vegetation;
- The extent to which any cut or fill will remove existing vegetation, alter existing landforms, affect water quality through siltation or affect existing natural features such as waterbodies;
- The provision of acceptable roading gradients, practicability of drainage systems, minimum site building levels, drive on access to all lots and creation of practical reserve areas;
- The necessity for carrying out the works; and
- Whether the earthworks proposed increase or decrease flood hazards

- The outcome of consultation with Tangata Whenua in accordance with the requirements contained in the Fourth Schedule of the Resource Management Act 1991.

Although the proposed development meets the controlled activity subdivision standards, the location of the building on Lot 6 within 20m of the centre line of the transmission lines and the proposed earthworks makes the proposal a discretionary activity subdivision.

SECTION 94 ANALYSIS

Pursuant to Section 94 of the Act, the application can be considered on a non-notified basis provided that any adverse effects on the environment will be minor and that the written approval of all parties that would adversely effected has been obtained.

As the proposal meets the controlled activity subdivision standards and therefore is permitted in the District Plan, our assessment in terms of notification involved the effects resulting from the proposed earthworks and the location of a building within 20m of the centre line of the transmission lines passing through Lot 6.

In terms of the proposed earthworks, the works are of a minor nature and will not affect any adjoining parties or have a more than minor effect on the environment. A resource consent has been granted from the Wellington Regional Council for the installation of culverts. It was concluded in the Officer's report that the effects of the works will be minor and any disturbance caused by the works should be temporary and any siltation or turbidity arising from the works should clear quickly. In addition, conditions of the consent should ensure that any effects from the works and associated activities will be less than minor.

The applicant will undertake the installation of the culverts and the construction of the turning area at the same time to avoid prolonged disturbance of the stream.

The effects resulting from the inability to locate a dwelling 20m from the centre line of the transmission lines will not affect any parties other than the occupiers of the dwelling. The owner of the property has indicated that they will own and occupy Lot 6 and is aware and comfortable with living within 20m of the transmission lines. The applicant has consulted with Transpower, who own and operate the overhead transmission lines. They have indicated that they do not require easements over the land, as they have a right under Section 23 of the Electricity Act 1992 to perform any act or operation necessary to inspect, maintain and operate the transmission line. Providing any buildings conform with the setback distances in accordance with the NZECP34 requirements, Transpower have no concerns. The proposed building on Lot 6 will conform with these requirements. Therefore the effects from locating a dwelling within 20m of the transmission lines will not affect any party beyond the site.

Having regard to the permitted baseline test, I consider that the effects of the proposed development on the environment are less than minor and the proposed lots are in character with the surrounding residential environment. No parties beyond the site

will be affected by the proposal. Public notification of this application is therefore not warranted.

ASSESSMENT

Subdivision

The site is on the eastern side of Kotare Street, Waikanae. There are a number of very large residential lots on the eastern side of Kotare Street adjoining the Hemi Matenga Memorial Park. These lots range from 1-2 hectares. The proposal meets the District Plan requirements for lot sizes, and therefore is consistent with the appropriate density for the area.

There are potential effects on the adjoining reserve in terms of household pets and impacts from general human activity. In particular there is a concern about fire effects. The Department of Conservation has viewed the application and agree that a setback for fire mitigation may be appropriate. Council Officers have considered the creation of a 15m building setback from the boundary adjoining the reserve to help mitigate any potential effects, such as fire and household pests. In addition, Council's Subdivisional Engineer has required a 6m wide easement to be provided along this boundary in favour of Council for a future high-level water supply pipeline. This will be addressed as a condition of this consent.

In terms of fire-fighting issues, the applicant has proposed that Council issue a consent notice on the titles of Lots 3 and 4 to record that fire-fighting volumes and flow-rates in accordance with the New Zealand Fire Service Codes of Practice is not available for these lots. Discussions with Council's Emergency Response Manager has resulted in confirmation that this is not an acceptable measure to mitigate the unavailability of fire fighting services to the rear lots. The area is residential with surrounding dwellings and a conservation reserve adjoining the boundaries. On this basis it is essential to provide fire-fighting supplies to all lots. These potential adverse effects need to be addressed and Council can not use a consent notice for this purpose.

In accordance with the KCDC code and the NZ Fire Service Code of Practice, a hydrant can be installed at RL77.48m at the highest point, which is approximately 18m up the driveway of the development. The fire code requires a hydrant within 135m of the furthest risk, and as Lots 3 and 4 are 150m and 190m respectively from the hydrant, the lots cannot be serviced for fire fighting water supplies. An alternative is to install a minimum of 90,000 litres of storage dedicated to fire-fighting supplies within tanks on the site. Discussions have since taken place on site with the applicant, the Department of Conservation, Council's Emergency Response Manager, and a visit by the local head of fire-fighting to determine whether or not a fire truck could access the sites.

The outcome of this consultation was an agreement to mitigate fire hazards by requiring the owners of Lots 3 and 4 to:

- install a sprinkler system within their homes

- having a 15m separation between the dwelling on Lot 3 and the rear boundary
- prepare a landscaping plan for the area within the 15m separation which is to restrict vegetation to a height of 1.2m and which is to be approved by the Department of Conservation and Kapiti Coast District Council
- install a 20,000 litre tank to provide fire-fighting supplies to both Lots 3 and 4

These provisions would be included as a condition of this consent and a section 221 notice would require the on-going maintenance of this provision.

Council's Subdivisional Engineer has assessed the application and has no other concerns with the application. A plan is to be submitted which provides details of the proposed water supply to the lots.

He has recommended a standard condition be imposed that will require the right-of-way to be formed and metalled and provided with a kerb and channel on one side and perimeter nib kerbs on the other side. A 6 metre wide easement is required by the Council on the uphill boundary (eastern) of Lot 3, in favour of the Kapiti Coast District Council for a future high-level water supply pipeline.

Power and telephone services can be provided to each lot. The proposed water supply system, sewage system and stormwater disposal systems are acceptable to Council's subdivisional engineer. A condition of the consent will require that stormwater retention of not less than 5000 litres is to be available and maintained on each lot and will be recorded on each title by way of a section 221 notice.

As the proposed subdivision will create five new residential allotments, a reserve contribution is required.

The proposed subdivision is in accordance with the subdivision provisions of the Operative District Plan for the residential zone. However, the location of the building site on Lot 6 that will be within 20m of the transmission lines is not in accordance with the permitted activity standards. The applicant has consulted with Transpower. They have indicated that they do not require easements over the land, and they have outlined separation distances between the lines and buildings. Their recommendations in accordance with NZECP are that the setback distances from the outer conductor should be 6.2m. A building site has accordingly been designed for Lot 6 (see 732.03-1 Issue B).

The applicant has indicated that they will occupy this site and are comfortable with the location of the proposed building site in relation to the transmission lines.

Earthworks

The proposal involves earthworks that are to be undertaken within 20m of a waterbody, that may alter the ground level by more than 1m and involve earthworks more than a metre deep. As mentioned above, the details of the works will be

submitted as part of the engineering plans to be provided as a condition of this consent.

The earthworks are necessary to provide vehicle access to the lots over the stream. The works will not impact on a prominent or visually sensitive landform as they will be located within the vicinity of the eastern end of the right-of-way. They are required to install culverts within the un-named stream that flows through the site. The works also involve providing a turning-area within the right-of-way. The applicant has indicated that they will line the culverts with boulders to help screen the works. No vegetation other than grass will be removed as part of the works. Potential siltation of the waterway and mitigation measures has been outlined in the section 94 analysis above. Conditions from the resource consent that has been obtained from the Wellington Regional Council will mitigate any adverse effects of siltation that will affect the water quality of the stream.

The District Plan

In terms of the Objective 1 of the District Plan for the Residential Zone and in particular Policy 1, I consider that the proposal is a suitable residential development as it is retaining the low-density character of the residential environment and will not cause a decline in the amenity values of the area. The lots are large enough to ensure that the amenity values outlined in Residential Zone Policy 1 are maintained.

Lot 6 has a leg leading to the road parallel to Lot 7. The applicant who will own Lot 6 is keen to maintain the visual amenity values of the site and consequently will have the responsibility for the upkeep of the garden area adjoining the driveway.

The development will have no adverse effect on the natural features of the area as there is no significant native vegetation on the site that will be affected by the proposal. Due to the residential zoning of the site the visual effects of the additional dwellings is to be expected. The site has already been modified for residential use and some hobby farming. The natural features that will be modified are the stream running through the site and the removal of a cluster of pine trees. The removal of the pine trees in the south-eastern corner of Lots 3 and 4 and other trees along the southern and western boundaries of Lot 6 will to a certain extent change the character of the site. However, as previously mentioned, the site is zoned Residential and some modification is required for residential development. The applicant has indicated that replacement planting will take place along the western and southern boundaries.

Conditions of the consent will ensure that any adverse effects are mitigated, such as adverse effects on Hemi Matenga Reserve from the construction of any dwellings close to the boundary, and any associated fire risk.

I conclude that the potential adverse effects of the proposal are no more than minor as this residential subdivision is harmonious with that of the surrounding environment. The proposal complies with the District Plan in all respects except for earthworks and the location of a building within 20m of the transmission lines. Mitigation measures have been proposed to address these issues and effects emanating from development adjoining a conservation reserve. Compliance with the NZ Fire Service Code of Practice can be addressed through the provision of a sufficient volume of stored

water. It is considered that the granting of this consent would not be contrary to C.7.2 Objective 1 and C.7.1 Objective 1 and Policy 1.

5.0 CONCLUSION

The proposal has no more than minor adverse effects on the environment of the site location. The proposal is not inconsistent with the objectives and policies of the District Plan.

6.0 RECOMMENDATION

That officers acting under Delegated authority from Council and pursuant to section 105 of the Resource Management Act 1991, GRANT Subdivision and Landuse Consents for the proposal to create 5 additional lots, and carry out earthworks and to locate a dwelling within 20m of the centre line of the transmission lines at 53 Kotare Street, Waikanae (Lot 2 DP 53941) as shown on plans and other information submitted to Council with Application No. RM 010345, subject to the following conditions:

1. The proposal shall proceed generally in accordance with the application documents and as shown on the approved plans Lattey Consultants Ltd: 732.02-1 Issue C submitted to Council with application No. RM 010345 and date stamped as approved by Council on 27-12-01.
2. All buildings are to be set back 15m from the eastern boundary adjoining the Department of Conservation Hemi Matenga Memorial Park Reserve to mitigate any effects from occupation of the lots in respect to the reserve. This condition shall be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991 and is to be defined on the Land Transfer Plan as a Restricted Covenant. ✓
3. No building, structure, scaffolding or vegetation shall exist within 6.2 metres in any direction of the MHO-PKK Lines A and B that crosses the property as required by Transpower. ✓
A

A Consent Notice noting the requirements of this condition will be issued pursuant to Section 221 of the Resource Management Act 1991.

4. The land transfer plan of the subdivision will be endorsed with the following amalgamation conditions:

“That Lots 6 and 7 hereon be held in the same certificate of title. See Request 33201”

“That Lot 8 hereon (legal access) be held as to five undivided one-sixth shares by the owners of Lots 1, 2, 3, 4, 5 and as to the other one-sixth share by the owners of Lots 6 and 7 hereon as tenants in common in the said shares, and that individual certificates of title be issued accordingly. See Request 33201”

5. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of Manager, Consents and Compliance.
6. a) A tank which will provide a minimum of 20,000 litres of water at any time dedicated to fire-fighting is to be located in the vicinity of lots 3 and 4 to serve these lots for fire fighting purposes. In addition, 75mm camelot fittings are to be installed on the storage tank. ✓
- b) A sprinkler system shall be designed and installed by a recognised industry operator within the dwellings located on Lots 3 and 4 and is to be maintained on an on-going basis. ✓
- c) A landscaping plan is to be prepared for the area within the 15m separation between the dwelling on Lot 3 and the rear boundary. This landscaping plan will restrict any vegetation included within the plan to a maximum height of 1.2m. The Plan is to be approved by the Resource Consents Manager, Kapiti Coast District Council, in consultation with the Council's Emergency Response Manager and the Department of Conservation (Waikanae Office). ✓

A Consent Notice noting the requirements of this condition will be issued pursuant to Section 221 of the Resource Management Act 1991.

7. Plans for engineering development of the subdivision (or development) shall be submitted to Council. No work shall commence until the Council has authorised in writing that it is permitted. Engineering plans which are acceptable to Council shall be supplied in triplicate and as-built plans supplied in duplicate. Plans shall also specifically provide details of the water supply and the stormwater disposal retention system.
8. The payment of Council engineering fees of \$211.50 (GST inclusive) per new residential lot created plus a one only fee of \$90.00 (GST inc) for site inspection and internal reporting, but refer to notes 1 to 7 of the engineering fees adopted by Council as from the 1 July 1998.
9. The Developer shall either:
- (a) Certify that a building site is available on lots 1, 3, 4, 5 and 6 on which buildings of the type permitted may be erected using foundations not requiring specific design in terms of the Building Act 1991.

This certification shall be in the form of Appendix B NZS 4404:1981 Code of Practice for Urban Subdivision and confirm that a safe bearing pressure of soil supporting foundations is not more than 600 mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report of the Soils Engineer.

or

- (b) Supply to Council a report detailing site investigation work and findings together with recommendations for foundation design whether or not for buildings not requiring specific design in terms of the Building Act 1991. ✓

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 shall be issued by Council noting the soil conditions, site investigation details and foundation recommendations.

10. A financial contribution of \$403.50 (GST inclusive) for every new lot created towards a Community Facilities fund.
11. A financial contribution of \$702.00 (GST inclusive) for every new lot created towards a Water Services Fund (Water Supply \$328.50, Sewerage \$373.50).
12. Payment of \$35,775 (including G.S.T.) being the reserves contribution liable for Lots 1, 2, 4, 5 and 6. The reserves contribution has been calculated as 7.5% of the market value for the allotment, plus GST.
13. A heavy duty concrete vehicle crossing shall be provided to serve the right-of-way.
14. Stormwater disposal shall be to the satisfaction of the Subdivisional Engineer. Council will issue consent notices pursuant to Section 221 of the Resource Management Act to record on the title of the lots that stormwater retention capacity of not less than 5000 litres is available in accordance with the report by Samcon Limited entitled "Stormwater disposal", received by Council on 20 November 2001. Stormwater discharge from the development of the six lots, including buildings and paved areas, shall not exceed the discharge from the existing buildings and paved areas. The proposed sump at the road frontage shall be located within private property. ✓
15. Where the existing land form or vegetative cover is disturbed, ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the wind erosion of soil, sand or other material does not become a nuisance.
 - (ii) Encroachment onto adjacent land owned by others, is not permitted without having first obtained their written consent. This evidence shall be provided to Council prior to the commencement of any earthworks.
 - (iii) The removal of soil support from adjacent lots is not permitted.
 - (iv) All batters shall be self-supporting.
 - (v) Testing and certification of compaction/filling and the stability of batter slopes shall be carried out by a suitably qualified person experienced in soils engineering.
 - (vi) The natural drainage patterns shall be preserved.

- (vii) If any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging, then a separate application must be made for a building consent.
 - (viii) The Soils Engineer is to confirm in writing that all conditions of this landuse consent have been met.
 - (ix) If there is any likelihood of water courses or ground water being contaminated or diverted, discussions are to be entered into with the Wellington Regional Council to ascertain whether or not a resource consent is required.
16. Drive on access shall be provided to all residential lots. In some cases (lots 3, 4 and 5) this will require culverts complete with inlet and outlet structures.
17. Underground power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer.
18. The subdivision shall be reticulated for sewage disposal and public water supply. All lots shall be provided with individual service connections.

A plan shall be submitted which provides details of the proposed water supply system to the lots. The details shall generally comply with the evidence submitted in Lattey Consultants Ltd report entitled "Application for resource consent", item 5.6.

19. Rights-of-way are to be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerbs on the other sides. The Developer shall arrange for the second-coat seal to be completed at a time acceptable to the Subdivisional Engineer. Alternatively, a prime/seal coat and asphaltic concrete paving or other acceptable surfacing may be approved by the Subdivisional Engineer.

Any defects in the existing pavement shall be repaired. Surface water run-off shall be controlled and all work shall be to the satisfaction of the Subdivisional Engineer. Two passing bays and a turning area shall be provided within the right-of-way designation.

20. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through the lots in the subdivision.

Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.

A 6 metre wide easement shall be provided on the uphill boundary of lot 3, in favour of the Kapiti Coast District Council for a future high-level water supply pipeline.

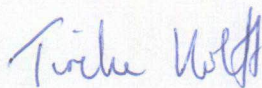
21. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the Developer and to the approval of the Subdivisional Engineer.
22. The Developer shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development except as otherwise provided by these conditions.
23. The Developer's Representative is required to provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council.
24. All costs arising from any of the above conditions shall be at the expense of the Developer.

REASONS FOR DECISION:

1. The proposal would not be contrary to Council's objectives and Policies of the District Plan.
2. There are considered to be little or no adverse affects relating to the proposal.

**Report Prepared by
Tineke Kolff**

DECISION: APPROVED



**Tineke Kolff
Resource Consent Planner**



**Dan Rodie
Senior Resource Consent Planner**

7 March 2002

Peter & Prue Hawker
c/- Lattey Consultants Ltd
PO Box 370
WAIKANAE

Dear Mr and Mrs Hawker

RM010345: SUBDIVISION AND LANDUSE CONSENT TO SUBDIVIDE THE SITE INTO SIX RESIDENTIAL ALLOTMENTS AND UNDERTAKE EARTHWORKS, AT 53 KOTARE STREET, WAIKANAE

We are pleased to enclose your Resource Consent for the above planning application.

As you will see from the Resource Consent there are a number of conditions that need to be complied with.

If you do not agree with the conditions of your consent you may object and have the matter considered by Hearing Commissioners. This is done by lodging an objection in accordance with Section 357 of the Resource Management Act 1991. Please note that, if you do wish to object, you must advise the Resource Consents Manager within 15 working days from the date of receiving this consent.

The deposit for an objection is \$370 (including GST) plus an extra \$90 if Council's Subdivisional Engineer will be involved. Other staff time and costs will also be charged unless waived by the Hearing Commissioners. If an objection is upheld the deposit will be refunded in full; if upheld in part then half the deposit will be refunded.

Please note also that this consent will expire unless your representative submits a survey plan to Council within 2 years (unless a longer period is specified in the consent conditions). Alternatively, you have until 3 months after the expiry of the consent to apply for an extension of the consent. Council may grant an extension if it is satisfied that the criteria set out in Section 125 of the Resource Management Act 1991 are met.

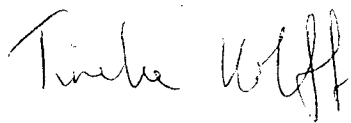
Once Council has approved the survey plan, you then have 3 years to deposit the survey plan with Land Information New Zealand. Before the plan can deposit, your representative will have to obtain a certificate from Council which states that you have complied with all the conditions of the consent. Again, the consent will expire unless this timetable is met.

You are also advised that before development can take place, you will need to obtain all other necessary consents and permits, including those under the Building Act 1991, and comply with all relevant Council Bylaws.

If you have any concerns or enquiries about the conditions please do not hesitate to contact the writer on 9045-814.

Thank you for dealing with the Kapiti Coast District Council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tineke Kolff', written in a cursive style.

Tineke Kolff
RESOURCE CONSENTS PLANNER



RESOURCE CONSENT NUMBER: RM010345

That pursuant to section 105 of the Resource Management Act 1991, the Kapiti Coast District Council (hereinafter called "the Council") does hereby grant a Subdivision Resource Consent and Land use Resource Consent to:

PETER AND PRUE HAWKER, 53 KOTARE STREET, WAIKANAЕ

to create 5 additional lots, and carry out earthworks and to locate a dwelling within 20m of the centre line of the transmission lines at 53 Kotare Street, Waikanae (Lot 2 DP 53941) as shown on plans and other information submitted to Council with Application No. RM 010345, subject to the following conditions:

1. The proposal shall proceed generally in accordance with the application documents and as shown on the approved plans Lattey Consultants Ltd: 732.02-1 Issue C submitted to Council with application No. RM 010345 and date stamped as approved by Council on 27-12-01.
2. All buildings are to be set back 15m from the eastern boundary adjoining the Department of Conservation Hemi Matenga Memorial Park Reserve to mitigate any effects from occupation of the lots in respect to the reserve. This condition shall be included in a consent notice to be issued by Council pursuant to section 221 of the Resource Management Act 1991 and is to be defined on the Land Transfer Plan as a Restricted Covenant.
3. No building, structure, scaffolding or vegetation shall exist within 6.2 metres in any direction of the MHO-PKK Lines A and B that cross the property as required by Transpower.

A Consent Notice noting the requirements of this condition will be issued pursuant to Section 221 of the Resource Management Act 1991.
4. The land transfer plan of the subdivision will be endorsed with the following amalgamation conditions:

"That Lots 6 and 7 hereon be held in the same certificate of title. See Request 33201"

"That Lot 8 hereon (legal access) be held as to five undivided one-sixth shares by the owners of Lots 1, 2, 3, 4, 5 and as to the other one-sixth share by the owners of Lots 6 and 7 hereon as tenants in common in the said shares, and that individual certificates of title be issued accordingly. See Request 33201"
5. The Developer's Representative is to supply a copy of the title and survey data plans and is to list and indicate how each condition has been met to the satisfaction of Manager, Consents and Compliance.

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 shall be issued by Council noting the soil conditions, site investigation details and foundation recommendations.

10. A financial contribution of \$403.50 (GST inclusive) for every new lot created towards a Community Facilities fund.
11. A financial contribution of \$702.00 (GST inclusive) for every new lot created towards a Water Services Fund (Water Supply \$328.50, Sewerage \$373.50).
12. Payment of \$35,775 (including G.S.T.) being the reserves contribution liable for Lots 1, 2, 4, 5 and 6. The reserves contribution has been calculated as 7.5% of the market value for the allotment, plus GST.
13. A heavy duty concrete vehicle crossing shall be provided to serve the right-of-way.
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15. Where the existing land form or vegetative cover is disturbed, ground cover is to be established immediately following earthworks and with a minimum of delay to ensure the wind erosion of soil, sand or other material does not become a nuisance.
 - (ii) Encroachment onto adjacent land owned by others, is not permitted without having first obtained their written consent. This evidence shall be provided to Council prior to the commencement of any earthworks.
 - (iii) The removal of soil support from adjacent lots is not permitted.
 - (iv) All batters shall be self-supporting.
 - (v) Testing and certification of compaction/filling and the stability of batter slopes shall be carried out by a suitably qualified person experienced in soils engineering.
 - (vi) The natural drainage patterns shall be preserved.
 - (vii) If any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging, then a separate application must be made for a building consent.
 - (viii) The Soils Engineer is to confirm in writing that all conditions of this landuse consent have been met.

- (ix) If there is any likelihood of water courses or ground water being contaminated or diverted, discussions are to be entered into with the Wellington Regional Council to ascertain whether or not a resource consent is required.

- 16. Drive on access shall be provided to all residential lots. In some cases (lots 3, 4 and 5) this will require culverts complete with inlet and outlet structures.
- 17. Underground power and telecommunication services shall be provided to the satisfaction of the Subdivisional Engineer.
- 18. The subdivision shall be reticulated for sewage disposal and public water supply. All lots shall be provided with individual service connections.

A plan shall be submitted which provides details of the proposed water supply system to the lots. The details shall generally comply with the evidence submitted in Lattey Consultants Ltd report entitled "Application for resource consent", item 5.6.

- 19. Rights-of-way are to be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerbs on the other sides. The Developer shall arrange for the second-coat seal to be completed at a time acceptable to the Subdivisional Engineer. Alternatively, a prime/seal coat and asphaltic concrete paving or other acceptable surfacing may be approved by the Subdivisional Engineer.

Any defects in the existing pavement shall be repaired. Surface water run-off shall be controlled and all work shall be to the satisfaction of the Subdivisional Engineer. Two passing bays and a turning area shall be provided within the right-of-way designation.

- 20. Any easements required by Council for drainage or other services shall be shown on the land transfer title plan. Easements are to be shown over any communal services where these pass through the lots in the subdivision.

Any easement that is required by the Subdivisional Engineer is to be prepared by solicitors at the owner's expense.

A 6 metre wide easement shall be provided on the uphill boundary of lot 3, in favour of the Kapiti Coast District Council for a future high-level water supply pipeline.

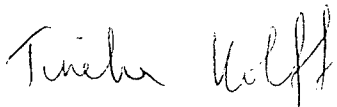
- 21. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the Developer and to the approval of the Subdivisional Engineer.
- 22. The Developer shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development except as otherwise provided by these conditions.
- 23. The Developer's Representative is required to provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council.

24. All costs arising from any of the above conditions shall be at the expense of the Developer.

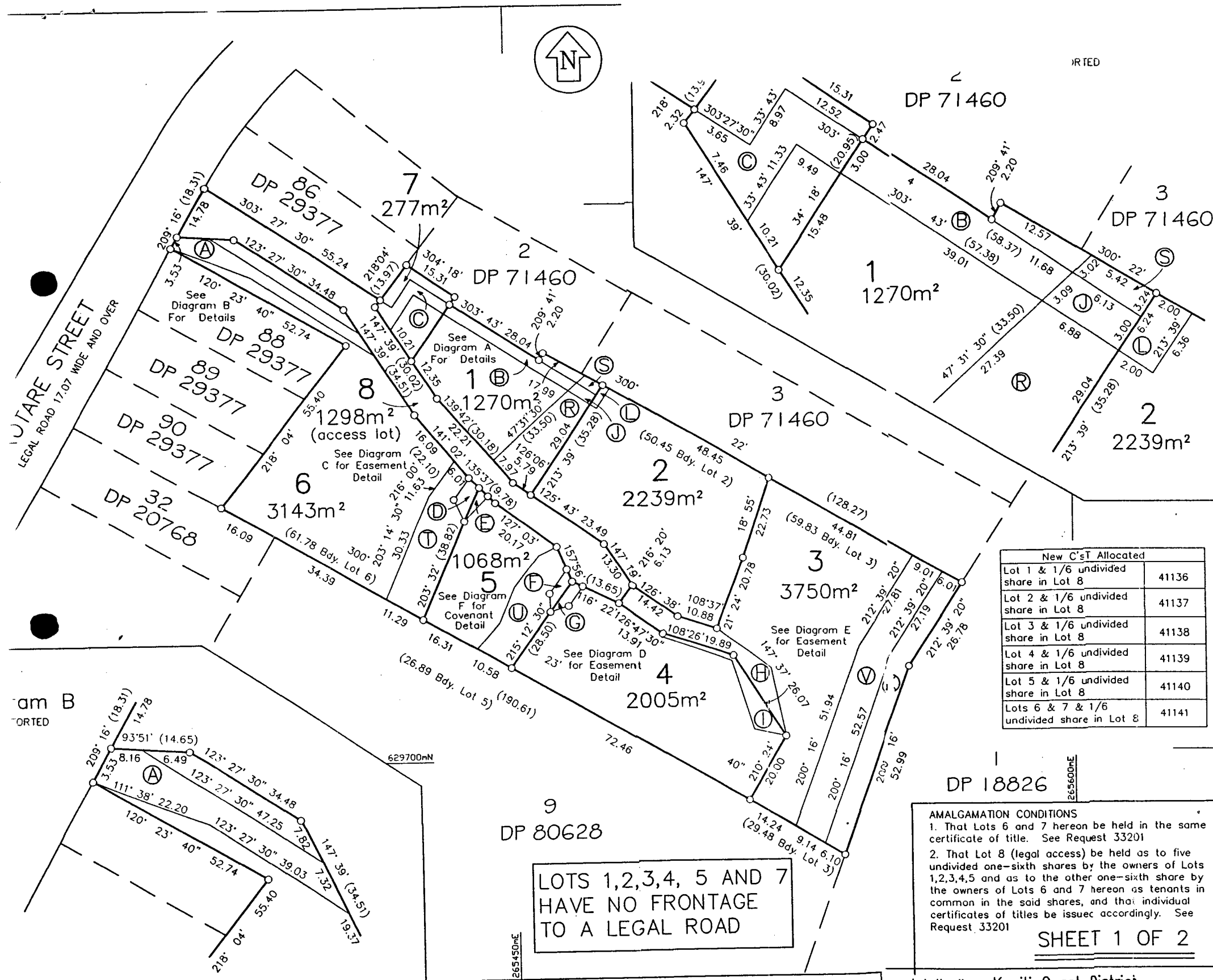
REASONS FOR DECISION:

1. The proposal would not be contrary to Council's objectives and Policies of the District Plan.
2. There are considered to be little or no adverse affects relating to the proposal.

ISSUED: 7 March 2002



Tineke Kolff
RESOURCE CONSENTS PLANNER



ORTED

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to Convey Gas, Electricity, Telecommunications, and Water	A	Lot 6	Lots 1 - 5 Lot 7 Lot 8
Right to Drain Sewage	B	Lot 1	Lot 2
	C	Lot 7	Lot 2
	J	Lot 1	Lot 2
	D	Lot 6	Lot 5
Right of Way	E	Lot 5	Lot 6
	F	Lot 5	Lot 4
	G	Lot 4	Lot 5
Right to Convey and Store Water for Fire Fighting Purposes	H	Lot 3	Lot 4
Right to Convey Telecommunications	I	Lot 4	Lot 3
Right to Convey Water & Maintain Water Pump	L	Lot 2	Lot 3 DP 71460
	C	Lot 7	Lots 1 - 5

AREAS D, F, J, K, R, S, T, U, AND V TO BE SUBJECT TO A LAND COVENANT.

MEMORANDUM OF EASEMENT IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to Convey Water	K	Lot 3	Kapiti Coast District Council

I hereby certify that this plan was approved by the Kapiti Coast District Council pursuant to Section 223 of the Resource Management Act 1991 on the day of 2002 subject to the granting or reserving of the easement(s) set out in the Memorandum hereon, and subject to the Amalgamation Condition(s) set out hereon.

Authorised Officers

Total Area 1.5050 ha

Comprised in CT 23B/799

I, Paul William Turner of Waikanae being a person entitled to practise as a registered surveyor, certify that -
(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998:
(b) This dataset is accurate, and has been created in accordance with that Act and those Regulations.

Signature Date

Field book p Traverse Book p
Reference Plans DP's 18826, 20768, 29377, 35120, 49131, 52011, 53961, 64335, 71460

Examined Correct

Approved as to Survey

...../...../..... Chief Surveyor

Deposited this day of 20....

for Registrar-General of Land

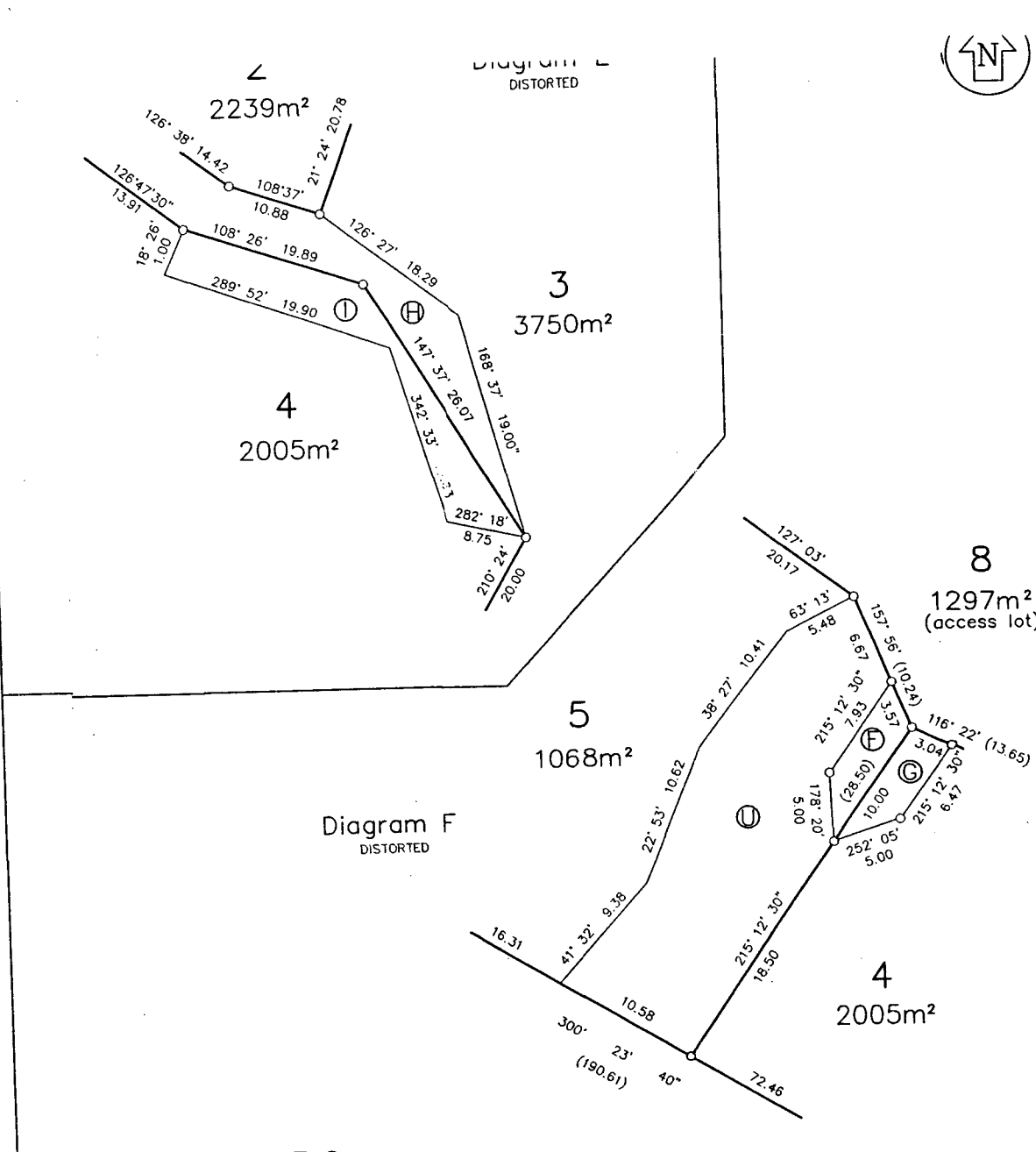
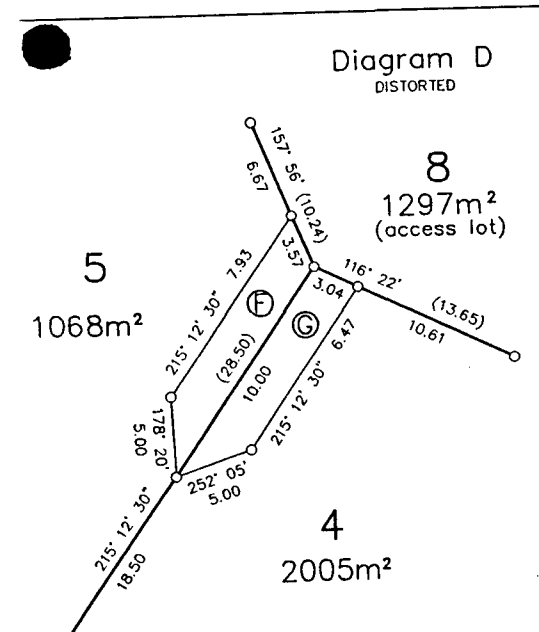
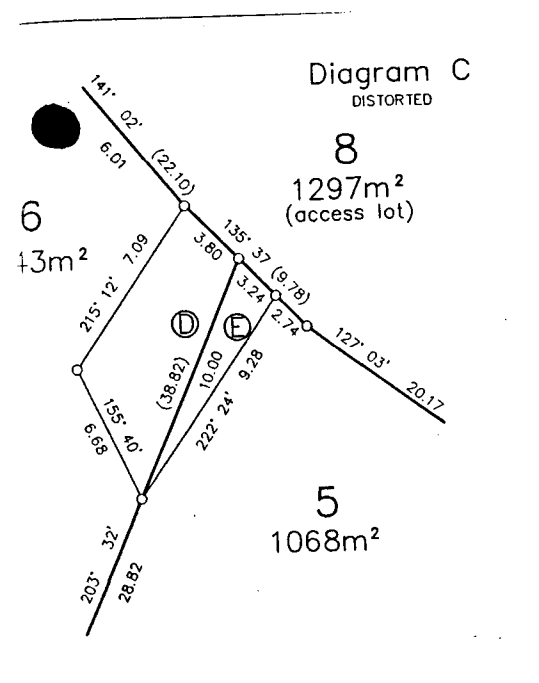
File 732.07
Received

310492

Local Authority Kapiti Coast District
Surveyed by LATTEY CONSULTANTS LTD

AMALGAMATION CONDITIONS
1. That Lots 6 and 7 hereon be held in the same certificate of title. See Request 33201
2. That Lot 8 (legal access) be held as to five undivided one-sixth shares by the owners of Lots 1,2,3,4,5 and as to the other one-sixth share by the owners of Lots 6 and 7 hereon as tenants in common in the said shares, and that individual certificates of titles be issued accordingly. See Request 33201

SHEET 1 OF 2



SHEET 2 OF 2

Registered Owner(s)

Total Area 1.5048 ha

Comprised in CT 23B/799

I, Paul William Turner of Waikanae
being a person entitled to practise as a registered surveyor,
certify that -
(a) The surveys to which this dataset relates are accurate,
were undertaken by me or under my direction in accordance
with the Survey Act 1986 and the Survey Regulations 1998;
(b) This dataset is accurate, and has been created in
accordance with that Act and those Regulations.

Signature Date

Field book p Traverse Book p

Reference Plans DP's 18826, 20768, 29377, 35
49131, 52011, 53961, 64335, 71

Examined Correct

Approved as to Survey

...../...../..... Chief Survey

Deposited this day of 20..

..... for Registrar-General of L

AND DISTRICT WELLINGTON

LOT'S 1-8 BEING A SUBDIVISION OF
LOT 2 DP 53961

Local Authority Kapiti Coast District
Surveyed by LATTEY CONSULTANTS LTD
Scale 1 : 750 Date FEBRUARY 2002

File 732.07
Received
Instructions
310492



KAPITI COAST DISTRICT COUNCIL

CONSENT NOTICE PURSUANT TO SECTION 221

OF THE RESOURCE MANAGEMENT ACT 1991

FOR THE DEPOSIT OF LAND TRANSFER PLAN 310492

THE SUBDIVISION OF LOT 2 DP 53961,

53 KOTARE STREET, WAIKANAЕ,

FOR P HAWKER (RM010345)

To The Regional Regulatory Titles Officer at Wellington

PURSUANT to Section 221 of the Resource Management Act 1991 the Kapiti Coast District Council hereby gives notice that it has consented to the subdivision and the following conditions are to be complied with on a continuing basis:

In relation to Lot 1:

- (1) No building, structure, scaffolding or vegetation is permitted within 6.2 metres in any direction of the MHO-PKK Lines A and B that cross the property as required by Transpower.
- (2) That foundation design and construction for any new building or additions and alterations to a building on the land shall be in accordance with the recommendations within the Soil Investigation report prepared by Samcom Limited, dated 6 September 2002, submitted to Council in relation to application No. RM010345. A copy of the Soil Test report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.
- (3) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcon Limited entitled "Stormwater disposal" received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.

In relation to Lot 2:

- (1) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcon Limited entitled "Stormwater disposal", received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.

In relation to Lot 3:

- (1) All buildings are to be set back 15m from the eastern boundary adjoining the Department of Conservation Hemi Matenga Memorial Park Reserve to mitigate any effects from occupation of the lots in respect to the reserve.
- (2) A tank which provides a minimum of 20,000 litres of water at any time dedicated to fire-fighting is located along the mutual boundary of lots 3 and 4 to serve these lots for fire fighting purposes, and must be maintained for this purpose.
- (3) Any dwelling built, erected or sited on the land shall contain a sprinkler system designed and installed by a recognised industry operator and this system is to be maintained on an on-going basis.
- (4) Planting in the 15m separation area between any buildings on the land and the Department of Conservation Hemi Matenga Memorial Park is restricted to those species that will achieve a maximum height of 1.2m. Suitable species are listed in the Hawker and Son Limited letter dated 6 November 2002 amended by facsimile by Landlink Limited dated 3.12.02 held on the file RM010345. A copy of this letter is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.
- (5) That foundation design and construction for any new building or additions and alterations to a building on the land shall be in accordance with the recommendations within the Soil Investigation report prepared by Samcom Limited, dated 6 September 2002, submitted to Council in relation to application No. RM010345. A copy of the Soil Test report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.
- (6) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcom Limited entitled "Stormwater disposal", received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.

In relation to Lot 4:

- (1) Any dwelling built, erected or sited on the land shall contain a sprinkler system designed and installed by a recognised industry operator and this system is to be maintained on an on-going basis.
- (2) A tank which provides a minimum of 20,000 litres of water at any time dedicated to fire-fighting is located along the mutual boundary of lots 3 and 4 to serve these lots for fire fighting purposes, and must be maintained for this purpose.
- (3) That foundation design and construction for any new building or additions and alterations to a building on the land shall be in accordance with the recommendations within the Soil Investigation report prepared by Samcom Limited, dated 6 September 2002, submitted to Council in relation to application No. RM010345. A copy of the Soil Test report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.

- (4) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcon Limited entitled "Stormwater disposal", received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public

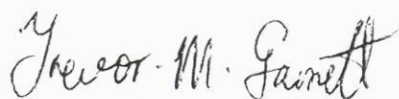
In relation to Lot 5:

- (1) That foundation design and construction for any new building or additions and alterations to a building on the land shall be in accordance with the recommendations within the Soil Investigation report prepared by Samcom Limited, dated 6 September 2002, submitted to Council in relation to application No. RM010345. A copy of the Soil Test report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.
- (2) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcon Limited entitled "Stormwater disposal", received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public

In relation to Lot 6:

- (1) No building, structure, scaffolding or vegetation is permitted within 6.2 metres in any direction of the MHO-PKK Lines A and B that cross the property as required by Transpower.
- (2) Stormwater retention capacity of not less than 5000 litres is available for the land as described within the report by Samcon Limited entitled "Stormwater disposal", received by Council on 20 November 2001. A copy of the report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public
- (3) That foundation design and construction for any new building or additions and alterations to a building on the land shall be in accordance with the recommendations within the Soil Investigation report prepared by Samcom Limited, dated 6 September 2002, submitted to Council in relation to application No. RM010345. A copy of the Soil Test report is held on the file RM010345 in the Kapiti Coast District Council's Resource Consents Office and can be viewed at any time the office is open to the public.

Issued in respect of application No. RM 010345 on this 3rd day of December 2002.



Trevor Garnett
AUTHORISED OFFICER



Hermione Blair
AUTHORISED OFFICER