

# Sharalyn Fraser *Agency*

Statement of passing over information – This information has been supplied by the Vendor or the vendor's agents. Accordingly, Sharalyn Fraser Agency (Ownly Limited licensed (REA 2008) is merely passing over the information as supplied to us by the vendor or vendors agents.

We cannot guarantee its accuracy and reliability as we have not checked, audited, or reviewed the information and all intended purchasers are advised to conduct their own due diligence investigation into the same. To the maximum extent permitted by law Sharalyn Fraser Agency (Ownly Limited licensed (REA 2008) does not accept any responsibility to any person for the accuracy of the information herein

3 December 2025

Carol Thompson

### **LAND INFORMATION MEMORANDUM (LIM)**

The attached LIM provides you with information about 148 Field Way, Waikanae Beach.

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](http://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](mailto:kapiti.council@kapiticoast.govt.nz) or 0800 486 486.



Steve Cody  
**Building Team Manager**

This page is intentionally blank.

# Land Information Memorandum (LIM)

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

**148 Field Way, Waikanae Beach**



### 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

---

<b>Applicant</b>	Carol Thompson
<b>LIM number</b>	L251252
<b>Application date</b>	24/11/25
<b>Issue date</b>	01/12/25

### Property details

---

<b>Property address</b>	148 Field Way, Waikanae Beach
<b>Legal description</b>	LOT 57 DP 333393
<b>Area (hectares)</b>	0.0722

### Valuation information

---

<b>Valuation number</b>	1491075868
<b>Capital value</b>	\$960,000
<b>Land value</b>	\$510,000
<b>Improvements value</b>	\$450,000

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

## Contents

<a href="#">1. Rates</a>	3
<a href="#">2. Consents, Certificates, Notices, Orders or Requisitions affecting the land and buildings</a>	4
<a href="#">3. Weathertightness</a>	4
<a href="#">4. Land use and Conditions</a>	5
<a href="#">5. Special Features and Characteristics of the land</a>	7
<a href="#">6. Other land and building classifications</a>	10
<a href="#">7. Private and Public stormwater and sewerage drains</a>	10
<a href="#">8. Drinking water supply</a>	10
<a href="#">9. Network utility information</a>	10
<a href="#">10. Other information about the property</a>	11
<a href="#">Glossary of Terms and Maps attached</a>	12

## 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 annual rates for 2025/26 rating year are \$6,349.20  
This includes Greater Wellington Regional Council rates

**Next instalment date** 09/12/25

**Arrears for previous years** \$0.00

**Water rates** \$434.23 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

15/06/05      BUILDING CONSENT 055239: New Dwelling  
: Code Compliance Certificate issued 19/12/05

### 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

No pool registered to this property.

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/](https://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 is 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 2004 under resource consent number RM030081. A copy of the Decision is provided with this LIM.

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.

This property is shown to be appurtenant to a right of way, rights to drain sewage and stormwater, convey water, electricity and telecommunications easements.

Copies of the Deposited Plan (DP 333393) and Record of Title are provided with this LIM.

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

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 files 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.

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/search-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](https://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/](http://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 area's 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/](http://www.kapiticoast.govt.nz/our-district/cdem/get-prepared/tsunami-zones/).



### Other Information

The adjoining road carriageway (Field Way) is shown to be subject to a flood hazard 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 adjoining road carriageway (Field Way) is shown to be subject to ponding on the Operative District Plan (2021) Flood Hazard Maps, and the latest Flood Hazard Maps.

Ponding are areas where slower-moving flood waters could pond either during or after a flood event. A Ponding Area may be affected by a direct flood risk. Ponding can be associated with rivers and streams as well as the piped stormwater network. Ponding is a direct risk.

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.

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. Overflow from water re-use tank(s) is discharged via the kerb connection provided.

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 dual restricted metered water supply connection. Location of the Council service valve (manifold/toby) is shown on the services network plan provided with this LIM. One pipe goes to the dwelling; the second pipe is restricted and goes to top up the rainwater storage tank [600 litres/day].

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](http://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

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



0 10 20 Metres

Scale @ A4 - 1:500

Date Printed: November 25, 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** **136925**  
**Land Registration District** **Wellington**  
**Date Issued** 21 June 2004

**Prior References**  
15029

---

**Estate** Fee Simple  
**Area** 722 square metres more or less  
**Legal Description** Lot 57 Deposited Plan 333393  
**Original Registered Owners**  
Shane Jervis Treadwell, Alastair Jervis Treadwell and Mical Shane Jervis Treadwell

---

**Interests**

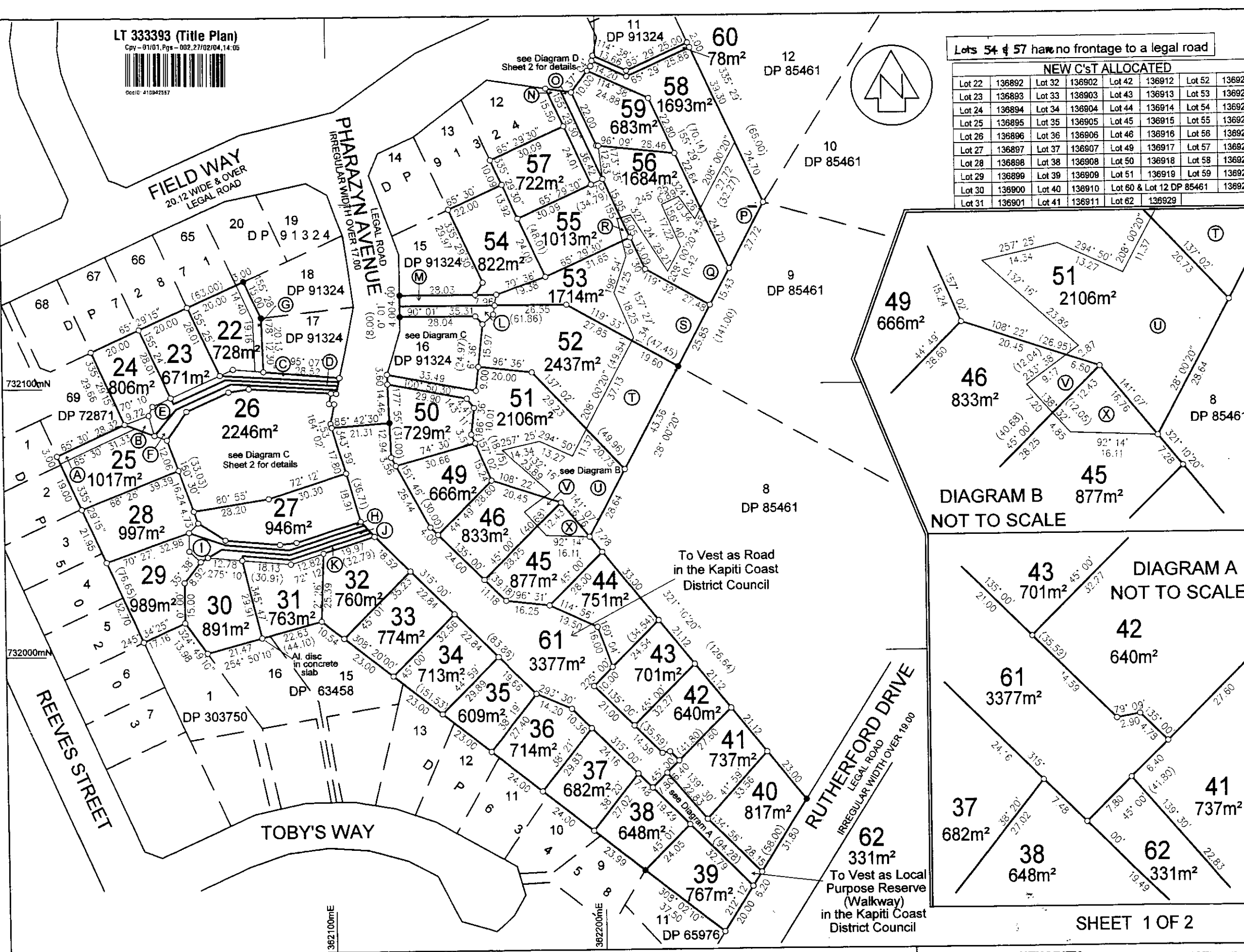
6050419.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 21.6.2004 at 9:00 am  
Appurtenant hereto is a right of way, rights to drain sewage & stormwater, convey water, electricity & telecommunications created by Easement Instrument 6050419.8 - 21.6.2004 at 9:00 am  
The easements created by Easement Instrument 6050419.8 are subject to Section 243 (a) Resource Management Act 1991  
6152606.1 Transfer to Michael Peter Burge, Debra Burge and Brian Keith Cunningham - 17.9.2004 at 9:00 am  
Land Covenant in Transfer 6152606.1 - 17.9.2004 at 9:00 am  
6152606.2 Mortgage to Westpac Banking Corporation - 17.9.2004 at 9:00 am  
6359114.1 Discharge of Mortgage 6152606.2 - 29.3.2005 at 9:00 am  
6359114.2 Transfer to John Treiving Heaton (1/2 share) and Barbara Mary Heaton (1/2 share) - 29.3.2005 at 9:00 am  
9080980.1 Transfer to Graham Alexander Thompson, Carol Thompson and PC Trustees Limited - 29.6.2012 at 12:39 pm  
9080980.2 Mortgage to Bank of New Zealand - 29.6.2012 at 12:39 pm  
9992942.1 Transmission to Carol Thompson and PC Trustees Limited as survivor(s) - 18.3.2015 at 10:45 am  
9992942.2 Transfer to Derek Alexander Thompson, Carol Thompson and PC Trustees Limited - 18.3.2015 at 10:45 am

LT 333393 (Title Plan)

Cpy - 01/01, Pgs - 002, 27/02/04, 14:06



DocID: 41094257



Lots 54 & 57 have no frontage to a legal road

NEW C'sT ALLOCATED							
Lot 22	136892	Lot 32	136902	Lot 42	136912	Lot 52	136922
Lot 23	136893	Lot 33	136903	Lot 43	136913	Lot 53	136923
Lot 24	136894	Lot 34	136904	Lot 44	136914	Lot 54	136924
Lot 25	136895	Lot 35	136905	Lot 45	136915	Lot 55	136925
Lot 26	136896	Lot 36	136906	Lot 46	136916	Lot 56	136926
Lot 27	136897	Lot 37	136907	Lot 49	136917	Lot 57	136927
Lot 28	136898	Lot 38	136908	Lot 50	136918	Lot 58	136928
Lot 29	136899	Lot 39	136909	Lot 51	136919	Lot 59	136929
Lot 30	136900	Lot 40	136910	Lot 60 & Lot 12	DP 85461	136930	
Lot 31	136901	Lot 41	136911	Lot 62	136929		

# APPROVALS

Registered Proprietor(s)

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 20th day of February 2004 subject to the granting or reserving of the easement(s) set out in the Memorandum hereon and subject to the Amalgamation Condition set out hereon.

Authorised Officer

## MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERV. TENEMENT	DOM. TENEMENT
Right of way	C	Lot 22	Lots 23, 24 & 25
Right to drain sewage	D	Lot 23	Lots 22, 24 & 25
Right to drain stormwater	E	Lot 24	Lots 22, 23 & 25
Right to convey electricity and telecommunications	F	Lot 25	Lots 22, 23 & 24
Right to convey water	H	Lot 28	Lots 29, 30 & 31
	I	Lot 29	Lots 28, 30 & 31
	J	Lot 30	Lots 28, 29 & 31
	K	Lot 31	Lots 28, 29 & 30
	L	Lot 52	Lots 53 & 54
	M	Lot 53	Lots 52 & 54
	N	Lot 55	Lots 56 & 57
	O	Lot 56	Lots 55 & 57

## MEMORANDUM OF EASEMENTS IN GROSS

PURPOSE	SHOWN	SERV. TENEMENT	GRANTEE
Right to drain Sewage	A	Lot 25	Kapiti Coast District Council
	B	Lot 24	Kapiti Coast District Council
Right to drain Sewage & Stormwater	C	Lot 22	Kapiti Coast District Council
Right to convey water	D	Lot 23	Kapiti Coast District Council
	E	Lot 24	Kapiti Coast District Council
	F	Lot 25	Kapiti Coast District Council
Right to convey water	H	Lot 28	Kapiti Coast District Council
	I	Lot 29	Kapiti Coast District Council
	J	Lot 30	Kapiti Coast District Council
	K	Lot 31	Kapiti Coast District Council
Right to drain Sewage	L	Lot 52	Kapiti Coast District Council
Right to convey water	M	Lot 53	Kapiti Coast District Council
	N	Lot 55	Kapiti Coast District Council
	O	Lot 56	Kapiti Coast District Council
Right to drain Stormwater	G	Lot 22	Kapiti Coast District Council

## AMALGAMATION CONDITION

That Lot 60 hereon be transferred to the owner of Lot 12 DP 85461 (CT WN53D/291) and that one certificate of be issued to include both parcels. See 176140 title.

NOTE: Areas marked P, Q, R, S, T, U, V and X are subject to land covenants

CLASS OF SURVEY: CLASS I

Total Area 3.9132 ha

Comprised in CT WN15029

I, Nicola Kate McHutchon of Waikanae being a person entitled to practise as a licensed cadastral 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 Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/1; (b) This dataset is accurate, and has been created in accordance with that Act and those Rules.

Signature: [Signature] Date: 17-02-04

Field Book . . . . . p . . . . . Traverse Book . . . . . p . . . . .

Reference Plans . . . . . DP's 50203, 51127, 62269, 63458, 65976, 72871, 85459, 85461, 91324 & 303750 & SO 33300

Examined . . . . . Correct . . . . .

Approved as to Survey by Land Information New Zealand

30 3 2004

Deposited by Land Information New Zealand

21 6 2004

File 107.87  
Received 27/2/2004  
Instructions

DP 333393

LAND DISTRICT WELLINGTON

LOTS 22 - 46 & 49-62 BEING A SUBDIVISION OF LOT 2 DP 303750

TERRITORIAL AUTHORITY KAPITI COAST DISTRICT

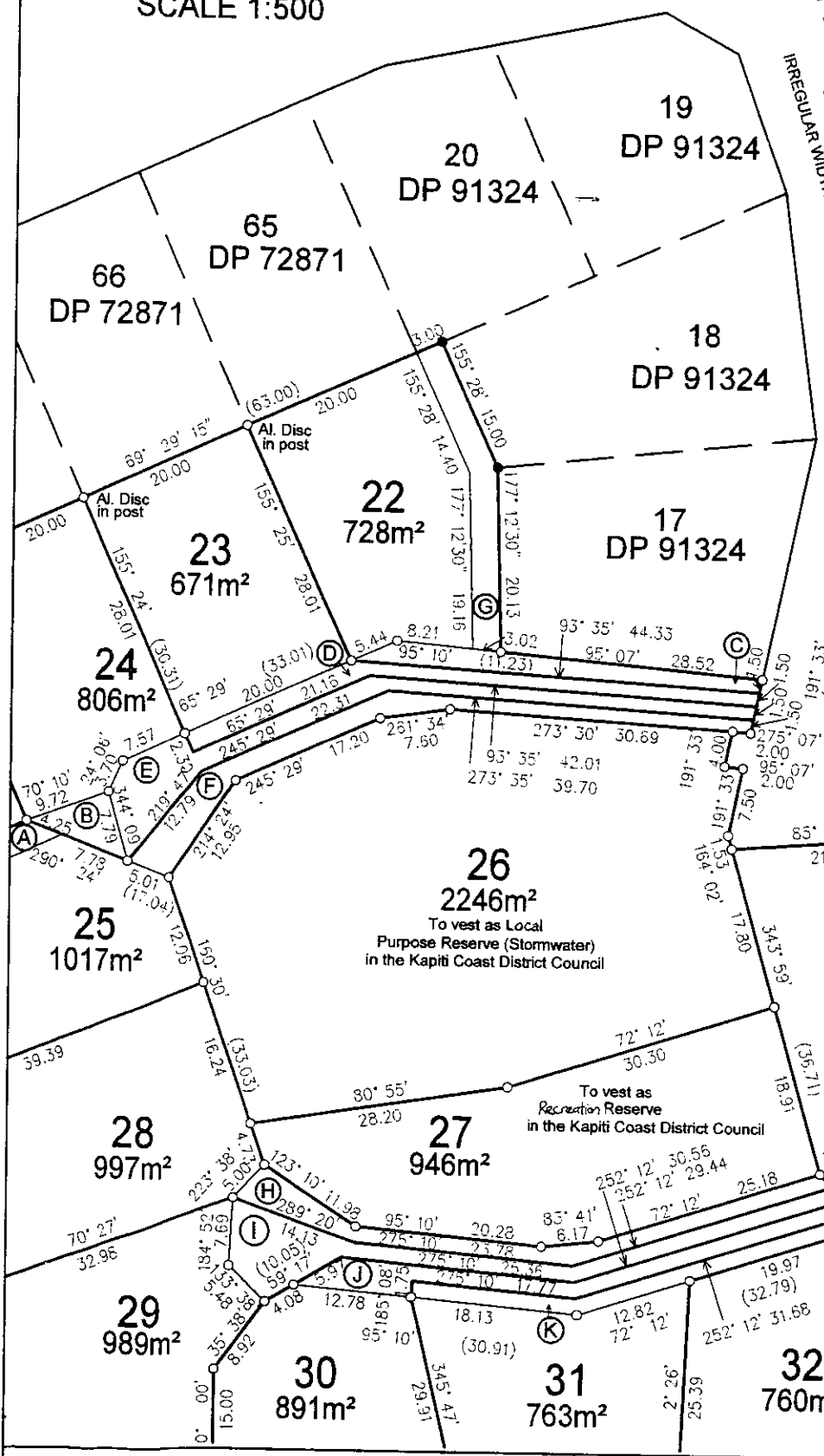
Surveyed by LANDLINK LTD

Scale 1:1000 Date February 2004

DIAGRAM C  
SCALE 1:500

FIELD WAY  
LEGAL ROAD  
20.12 WIDE & OVER

PHARAZYN AVENUE  
LEGAL ROAD  
IRREGULAR WIDTH OVER 17.00



13  
DP 91324



14  
DP 91324

15  
DP 91324

54  
822m<sup>2</sup>

53  
1714m<sup>2</sup>

16  
DP 91324

52  
2437m<sup>2</sup>

50  
729m<sup>2</sup>

51  
2106m<sup>2</sup>

49  
666m<sup>2</sup>

46  
833m<sup>2</sup>

45  
877m<sup>2</sup>

61  
3377m<sup>2</sup>

33  
774m<sup>2</sup>

32  
760m<sup>2</sup>

31  
763m<sup>2</sup>

30  
891m<sup>2</sup>

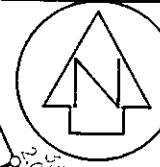
29  
989m<sup>2</sup>

28  
997m<sup>2</sup>

27  
946m<sup>2</sup>

26  
2246m<sup>2</sup>

FIELD WAY  
LEGAL ROAD  
20.12 WIDE & OVER



11  
DP 91324

60  
78m<sup>2</sup>

58  
1693m<sup>2</sup>

59  
683m<sup>2</sup>

57  
722m<sup>2</sup>

56  
1684m<sup>2</sup>

55  
1013m<sup>2</sup>

53  
1714m<sup>2</sup>

52  
2437m<sup>2</sup>

51  
2106m<sup>2</sup>

50  
729m<sup>2</sup>

49  
666m<sup>2</sup>

46  
833m<sup>2</sup>

45  
877m<sup>2</sup>

44  
833m<sup>2</sup>

43  
833m<sup>2</sup>

42  
833m<sup>2</sup>

41  
833m<sup>2</sup>

40  
833m<sup>2</sup>

39  
833m<sup>2</sup>

38  
833m<sup>2</sup>

37  
833m<sup>2</sup>

36  
833m<sup>2</sup>

35  
833m<sup>2</sup>

34  
833m<sup>2</sup>

33  
774m<sup>2</sup>

32  
760m<sup>2</sup>

31  
763m<sup>2</sup>

30  
891m<sup>2</sup>

29  
989m<sup>2</sup>

28  
997m<sup>2</sup>

27  
946m<sup>2</sup>

26  
2246m<sup>2</sup>

25  
1017m<sup>2</sup>

24  
806m<sup>2</sup>

23  
671m<sup>2</sup>

22  
728m<sup>2</sup>

21  
728m<sup>2</sup>

20  
DP 91324

19  
DP 91324

18  
DP 91324

17  
DP 91324

16  
DP 91324

15  
DP 91324

14  
DP 91324

13  
DP 91324

DIAGRAM D  
SCALE 1:500

SHEET 2 OF 2

APPROVALS

SEE SHEET ONE FOR DETAILS

CLASS OF SURVEY: CLASS I

Total Area 3.9132 ha

Comprised in CT WN15029

I, Nicola Kate McHutchon of Waikanae  
being a person entitled to practise as a licensed cadastral 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 Cadastral Survey  
Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/1;  
(b) This dataset is accurate, and has been created in accordance  
with that Act and those Rules.

Signature *N. McHutchon* Date 17-02-04

Field Book... Regs... p... Traverse Book... p...  
Reference Plans DP's 50203, 51127, 62269, 63458, 65976,  
72871, 85459, 85481, 91324 & 303750 & SO 33300

Examined... Correct...

Approved as to Survey by Land Information New Zealand

30 3 2004

Deposited by Land Information New Zealand

21 6 2004

File 107.67  
Received 27/2/2004  
Instructions

DP 333393

PM030081

LAND DISTRICT WELLINGTON

LOTS 22 - 46 & 49-62 BEING A SUDIVISION  
OF LOT 2 DP 303750

TERRITORIAL AUTHORITY KAPITI COAST DISTRICT

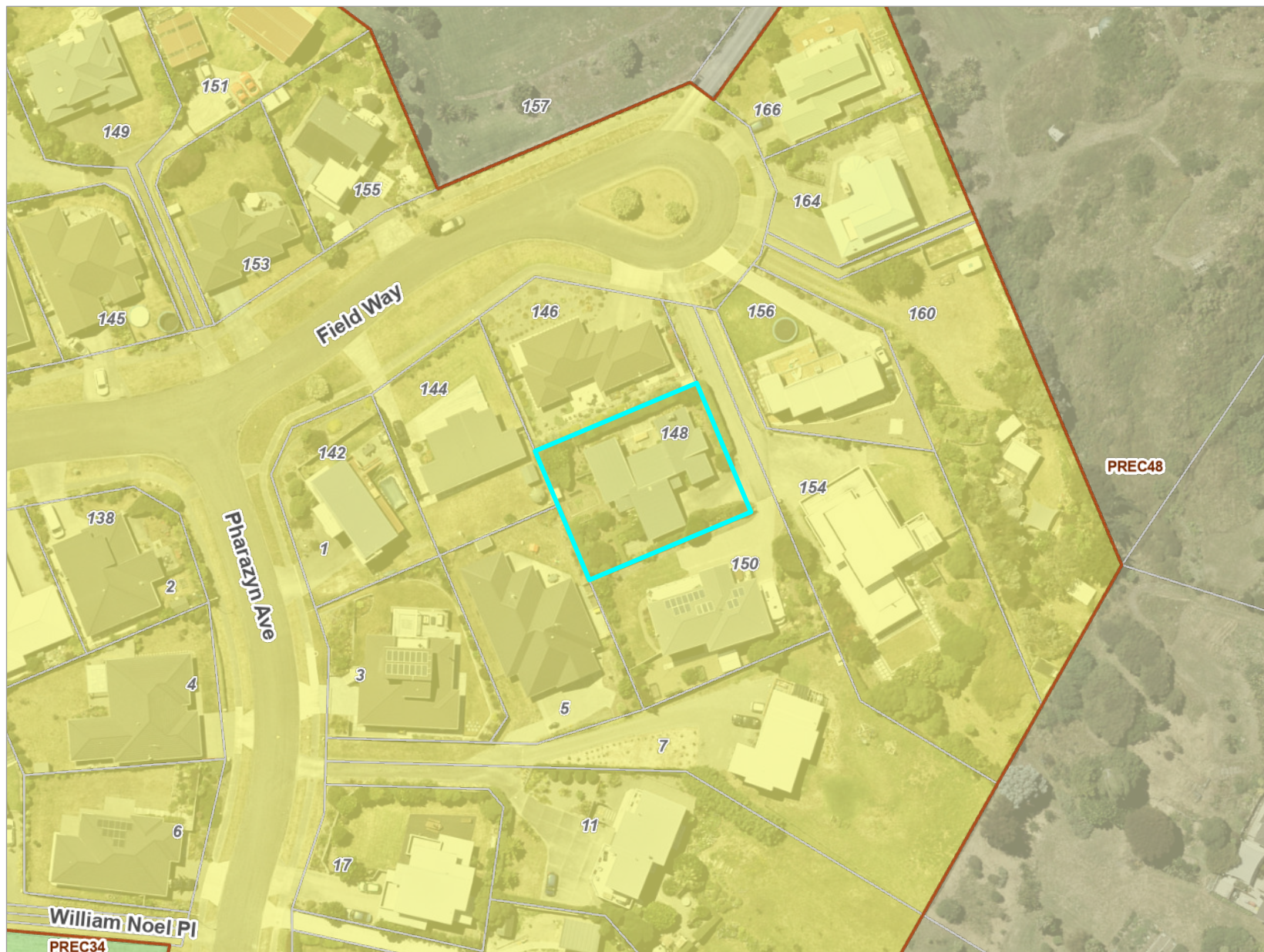
Surveyed by LANDLINK LTD

Scale 1:500 Date February 2004







# Operative District Plan 2021 - Zones and Precincts

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

-  Precinct
-  General Residential Zone
-  General Rural Zone
-  Open Space Zone



0 20 40 Metres

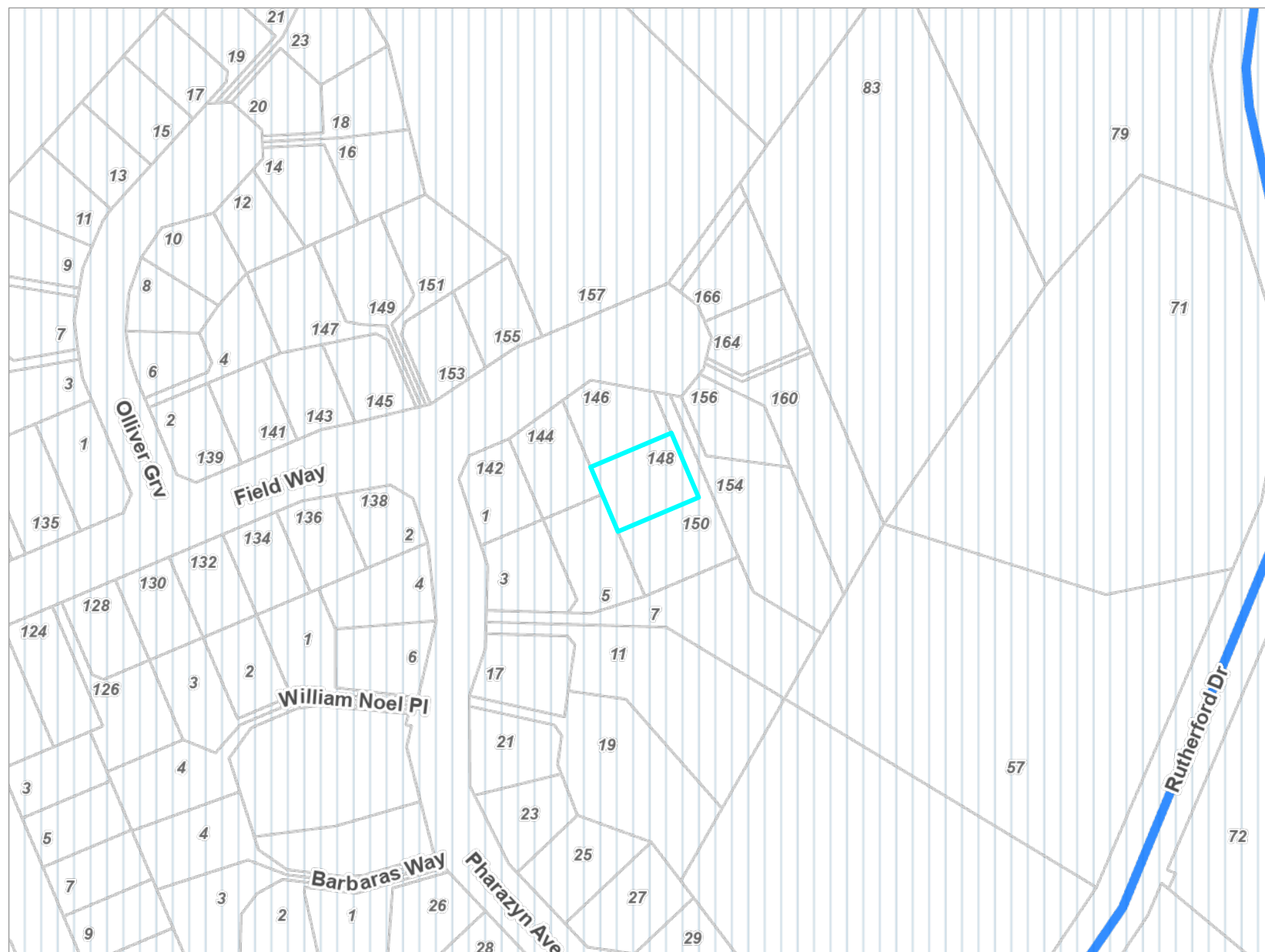
Scale @ A4 - 1:1,000

Date Printed: November 25, 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.

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

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

-  Local Community Connectors
-  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.



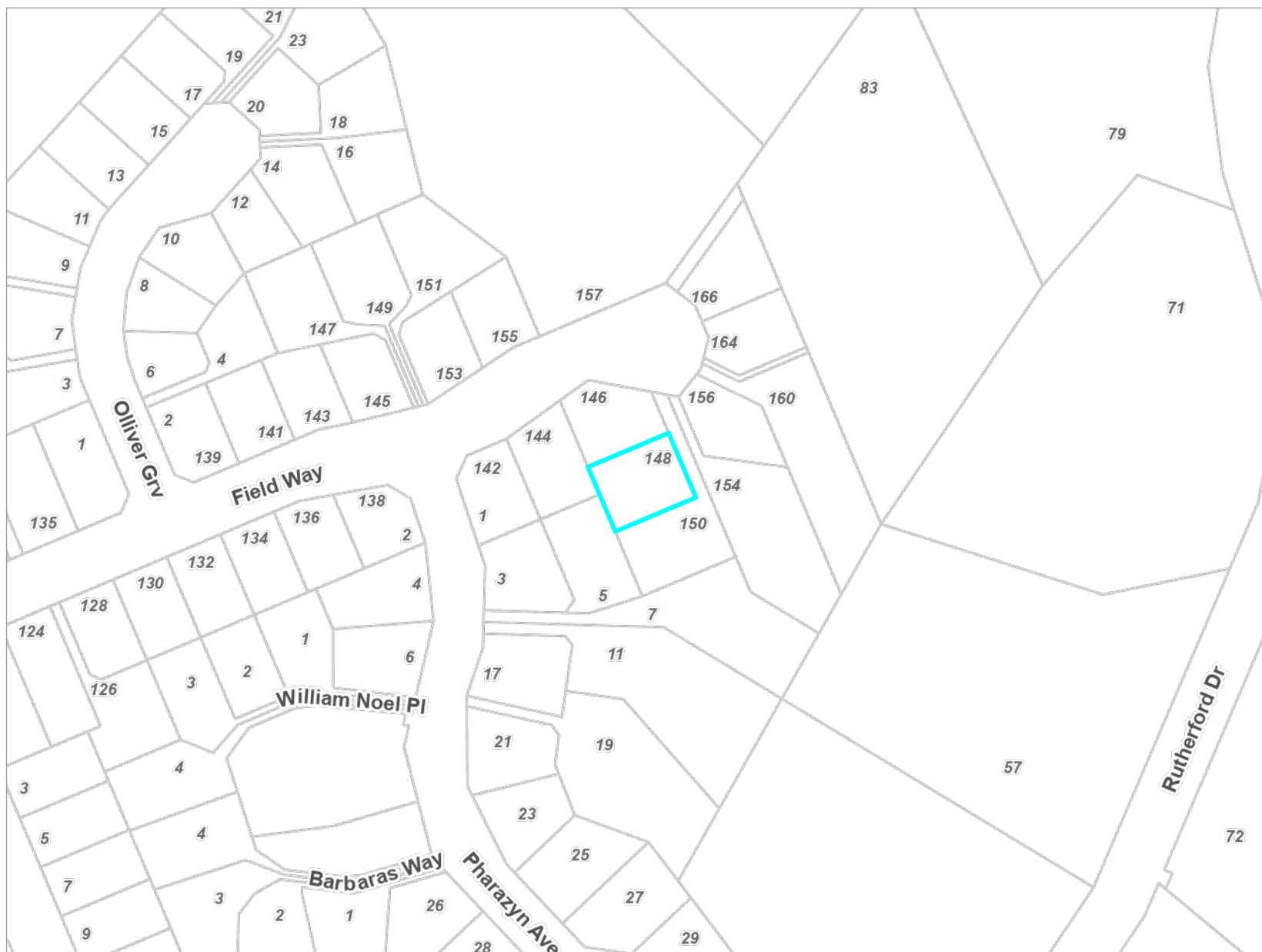
0 40 80 Metres  
Scale @ A4 - 1:2,000

Date Printed: November 25, 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.

# Operative District Plan 2021 - Designations & Miscellaneous Features

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

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

Scale @ A4 - 1:2,000

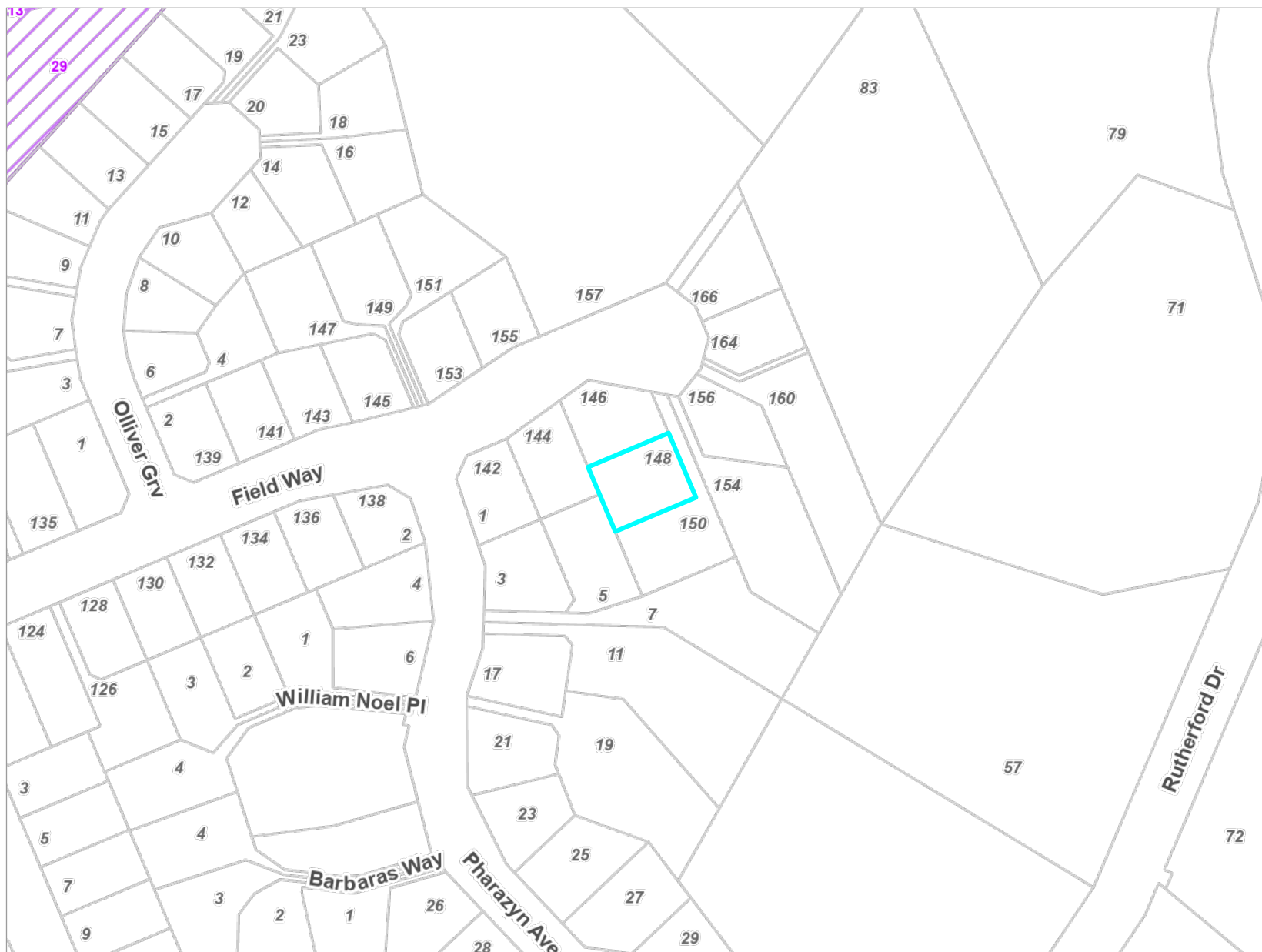
Date Printed: November 25, 2025

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.




# Operative District Plan 2021 - Natural Features

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

 Special Amenity Landscapes

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

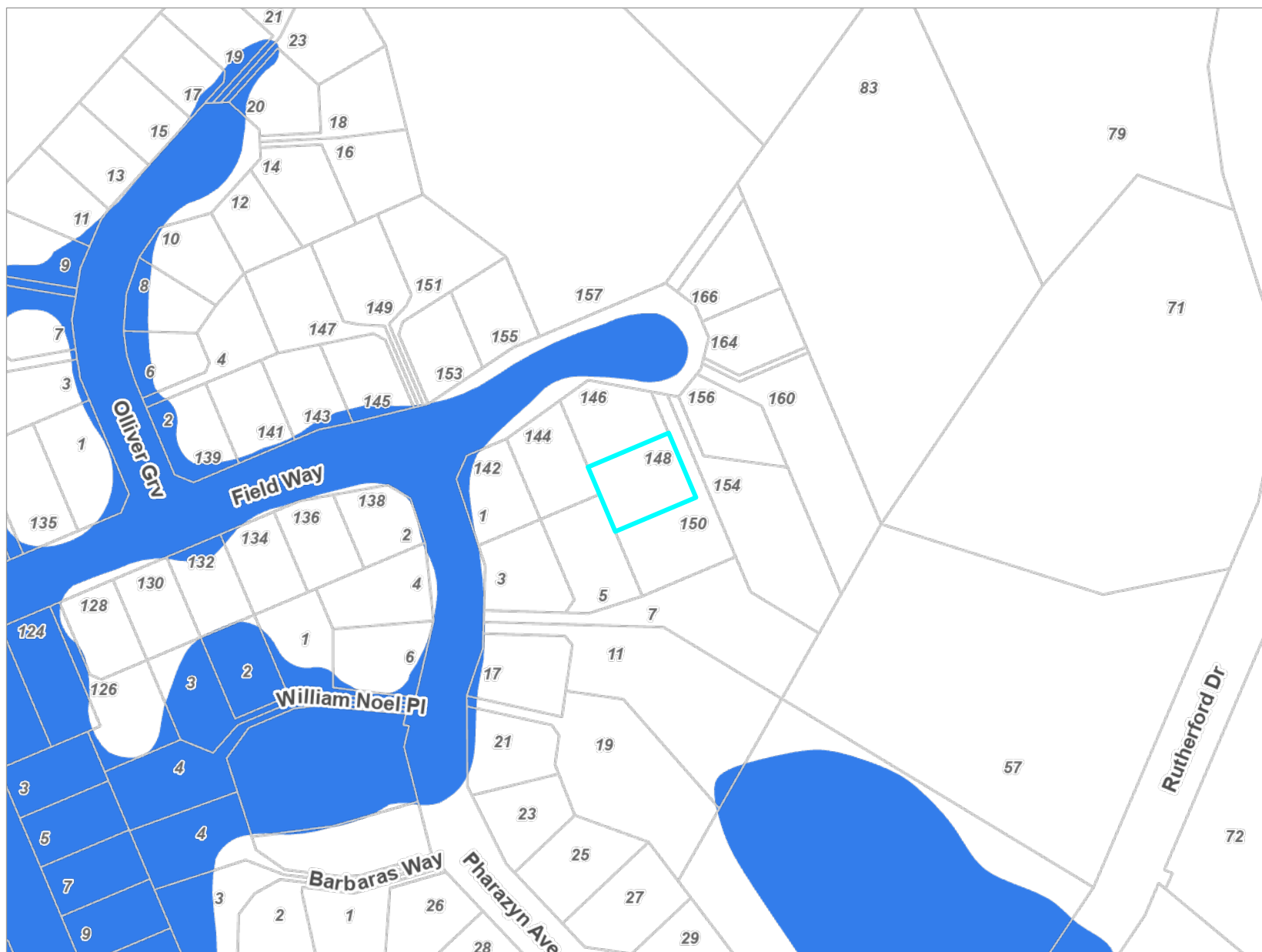
Scale @ A4 - 1:2,000

Date Printed: November 25, 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.

# Operative District Plan 2021 - Natural Hazards

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

 Ponding Area

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

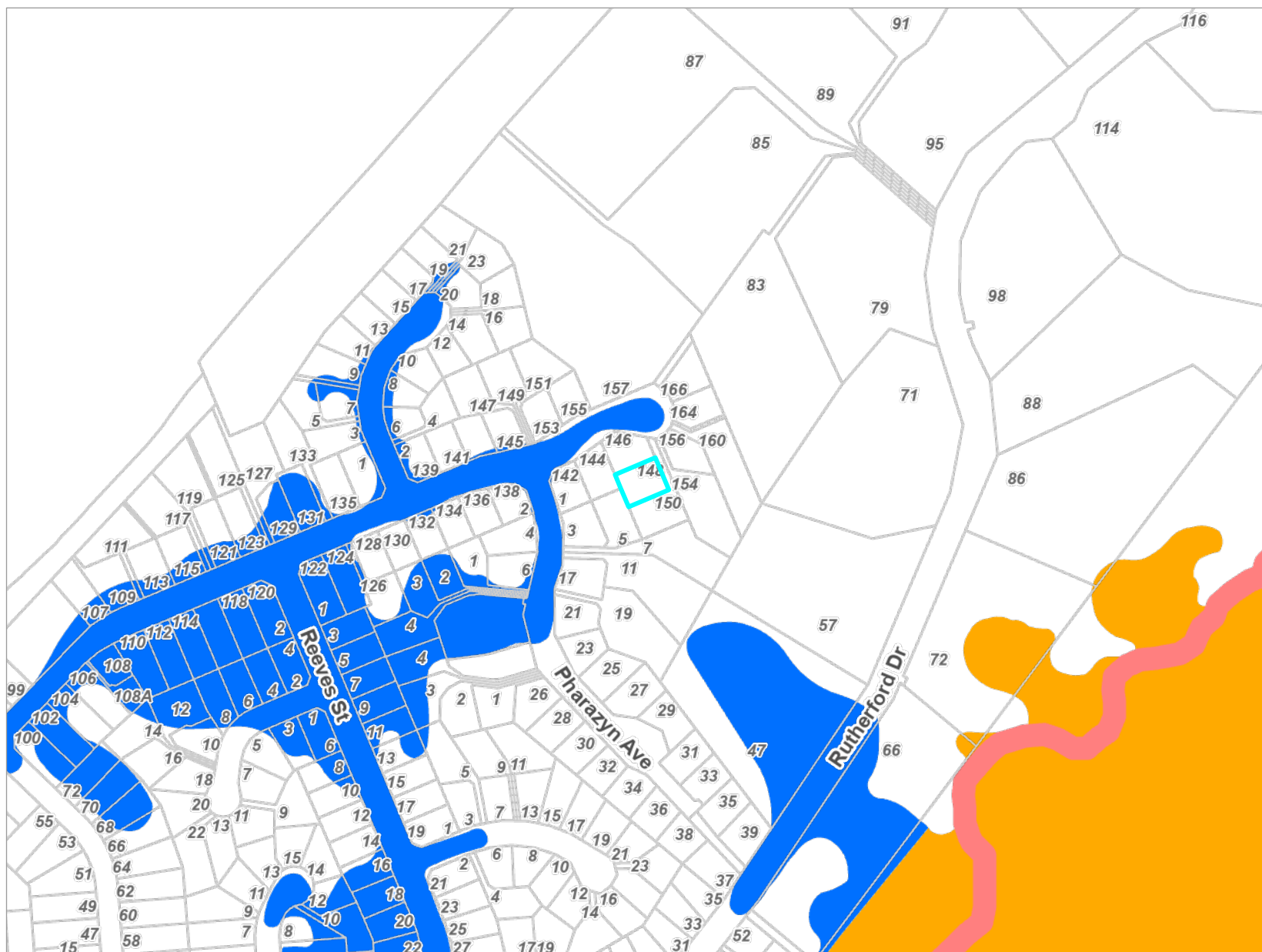
Scale @ A4 - 1:2,000

Date Printed: November 25, 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.

# Latest Flood Hazards

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

- Stream Corridor
- Storage
- Ponding

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

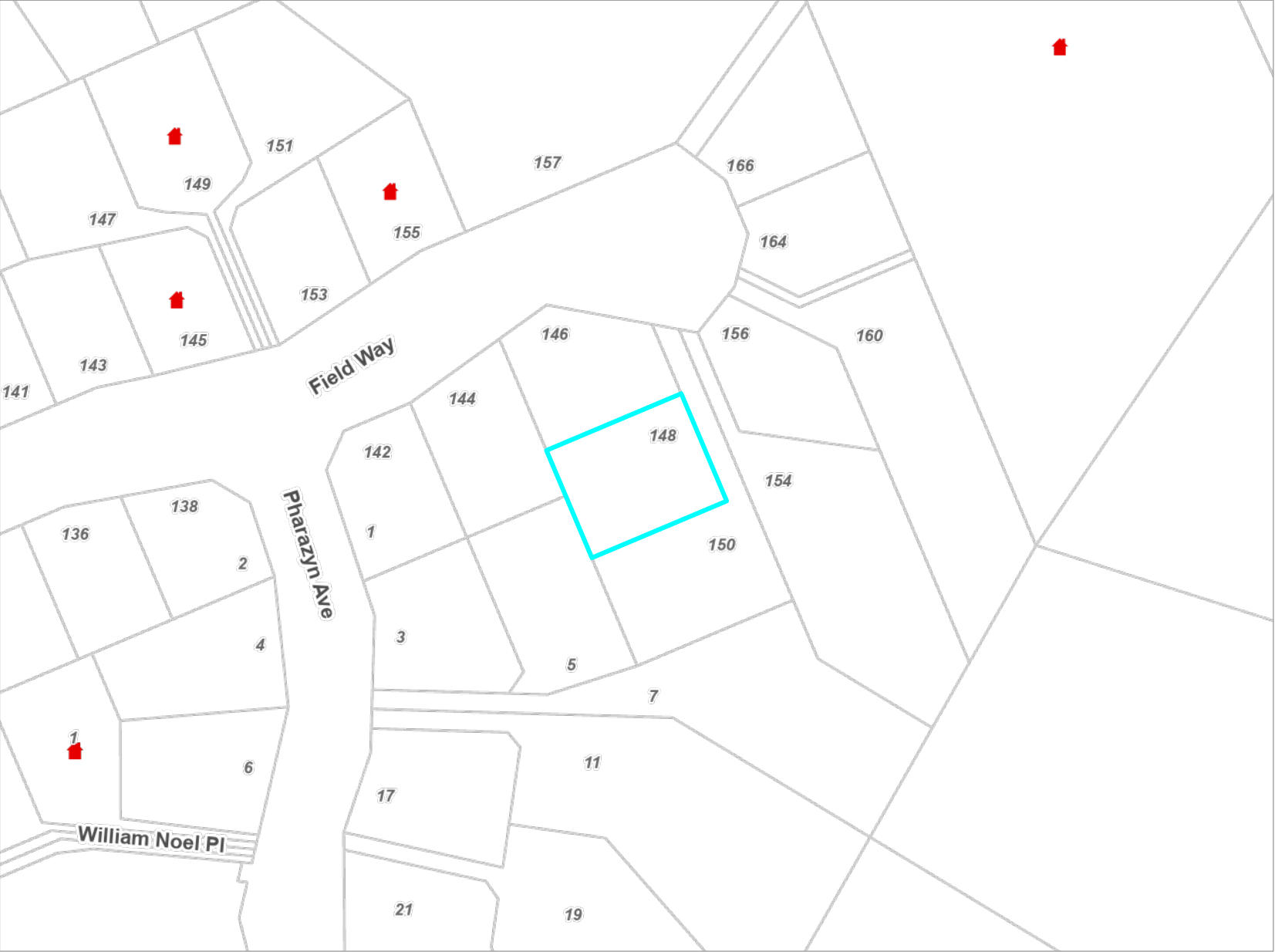
Scale @ A4 - 1:4,000

Date Printed: November 25, 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.

# Resource Consents Map

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## 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 25 50 Metres

Scale @ A4 - 1:1,200

Date Printed: November 25, 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.

## Resource Consents Report

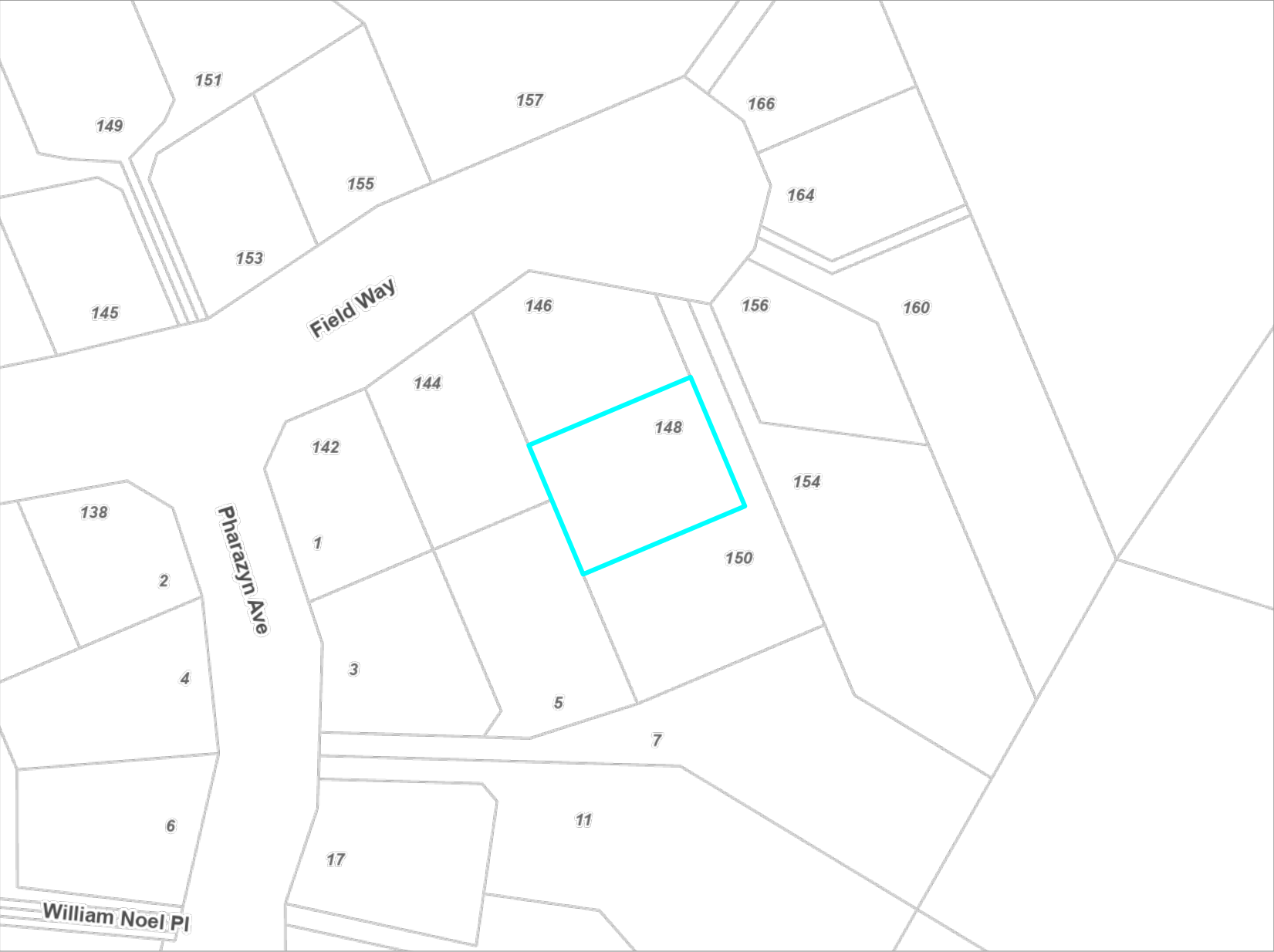
Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
000194	83 Rutherford Drive, Waikanae	1491075813	LOT 12 DP 85461	LD	BUILD DWELLING ON ALTERNATIVE SITE FROM NOMINATED HOUSE SITE	N	N	Decision Issued	29/11/2000	30/11/2000
030081	1 William Noel Place, Waikanae Beach	1491075815	LOT 2 DP 303750	SC	Stage 6 of Pharazyn subdivision - 34 residential	N	N	s.221 Consent Notice	17/9/2003	27/3/2003
110142	155 Field Way, Waikanae Beach	1491075828	LOT 8 DP 91324	LD	Additions to dwelling encroaching height in relation to	N	N	Decision Issued	30/9/2011	9/9/2011
090154	149 Field Way, Waikanae Beach	1491075831	LOT 5 DP 91324 - SUBJ TO and INT IN R/W and	LD	Proposed new garage with side and rear boundary	N	N	Decision Issued	16/9/2009	2/9/2009
160137	19 Pharazyn Avenue, Waikanae	1491075862	LOT 51 DP 333393 CT 136919	LD	Construction of new dwelling with associated earthworks	N	N	Decision Issued	22/7/2016	4/7/2016
150010	141 Field Way, Waikanae Beach	1491075835	LOT 1 DP 91324	LD	Additions to existing dwelling and new detached garage/storage	N	N	Decision Issued	26/8/2015	9/2/2015
900113	1 William Noel Place, Waikanae Beach	1491075815	LOT 34 DP 85461	SC	PROPOSED RESIDENTIAL SUBDIVISION, 30 LOTS	N	N	Decision Issued	19/12/1990	20/11/1990



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
CE220029	145 Field Way, Waikanae Beach	1491075833	LOT 3 DP 91324	LD	Installation of an in-ground swimming pool with associated	N	N	Decision Issued	10/10/2022	22/9/2022

# Health and Alcohol Licenses

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## 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.



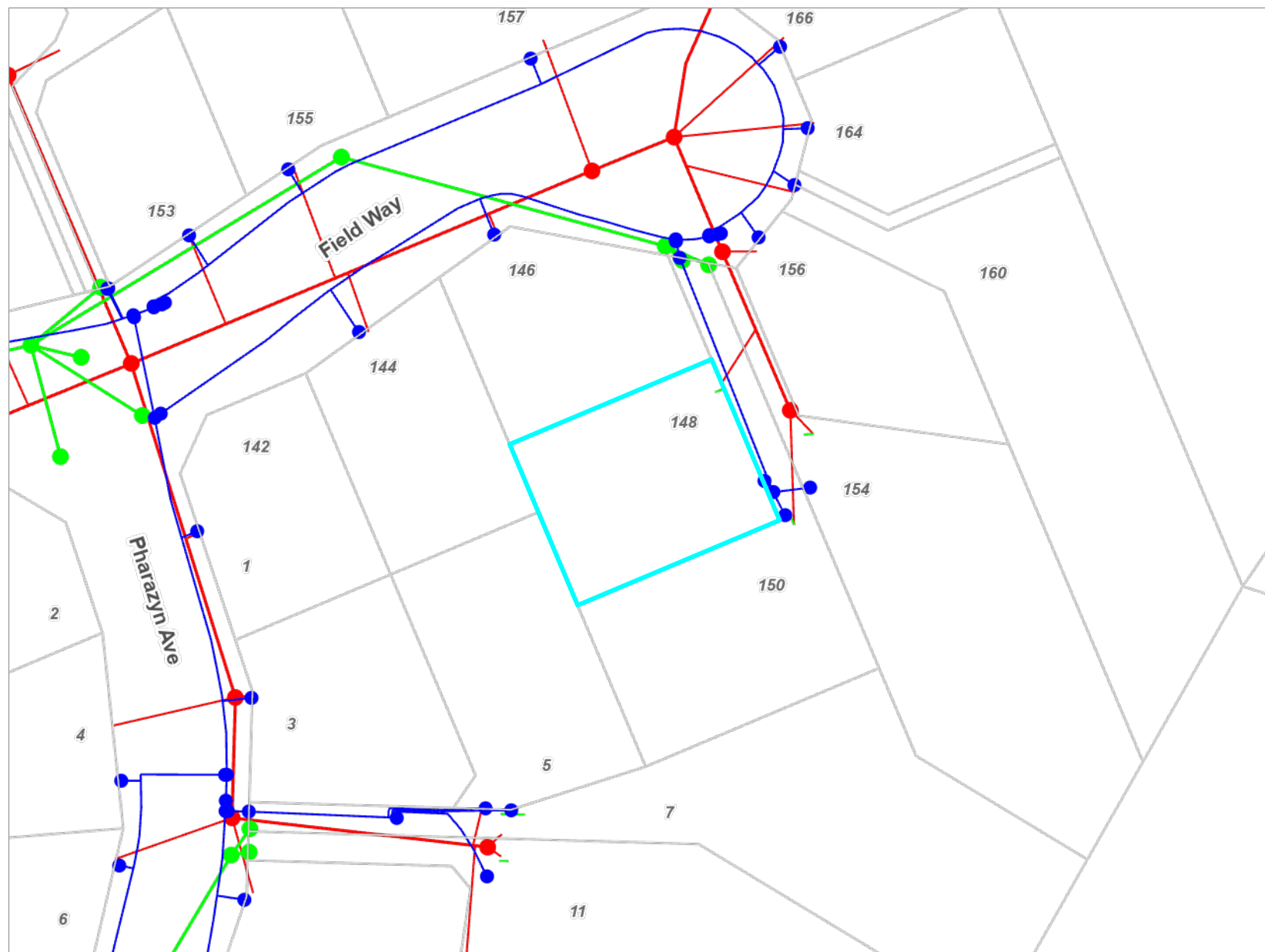
0 20 40 Metres  
Scale @ A4 - 1:1,000

Date Printed: November 25, 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.

# Services Network

148 Field Way, Waikanae Beach (LOT 57 DP 333393)



## Key to map symbols

- 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.



0 10 20 Metres

Scale @ A4 - 1:800

Date Printed: November 25, 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.



CHECK P.I.M INFORMATION FOR SERVICE CONNECTIONS  
PROVIDED IN THE PLUMBING @ DRAINAGE PACK.

B.C 055239

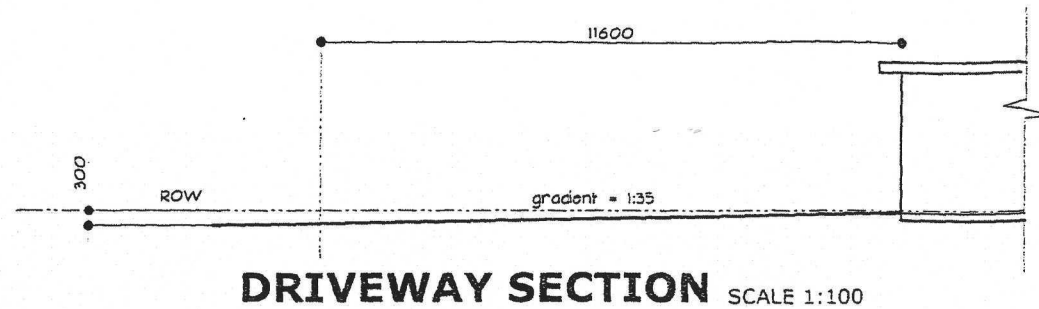
REVISIONS:

APPROVED  
BY P & D

Simon Copp  
Officer

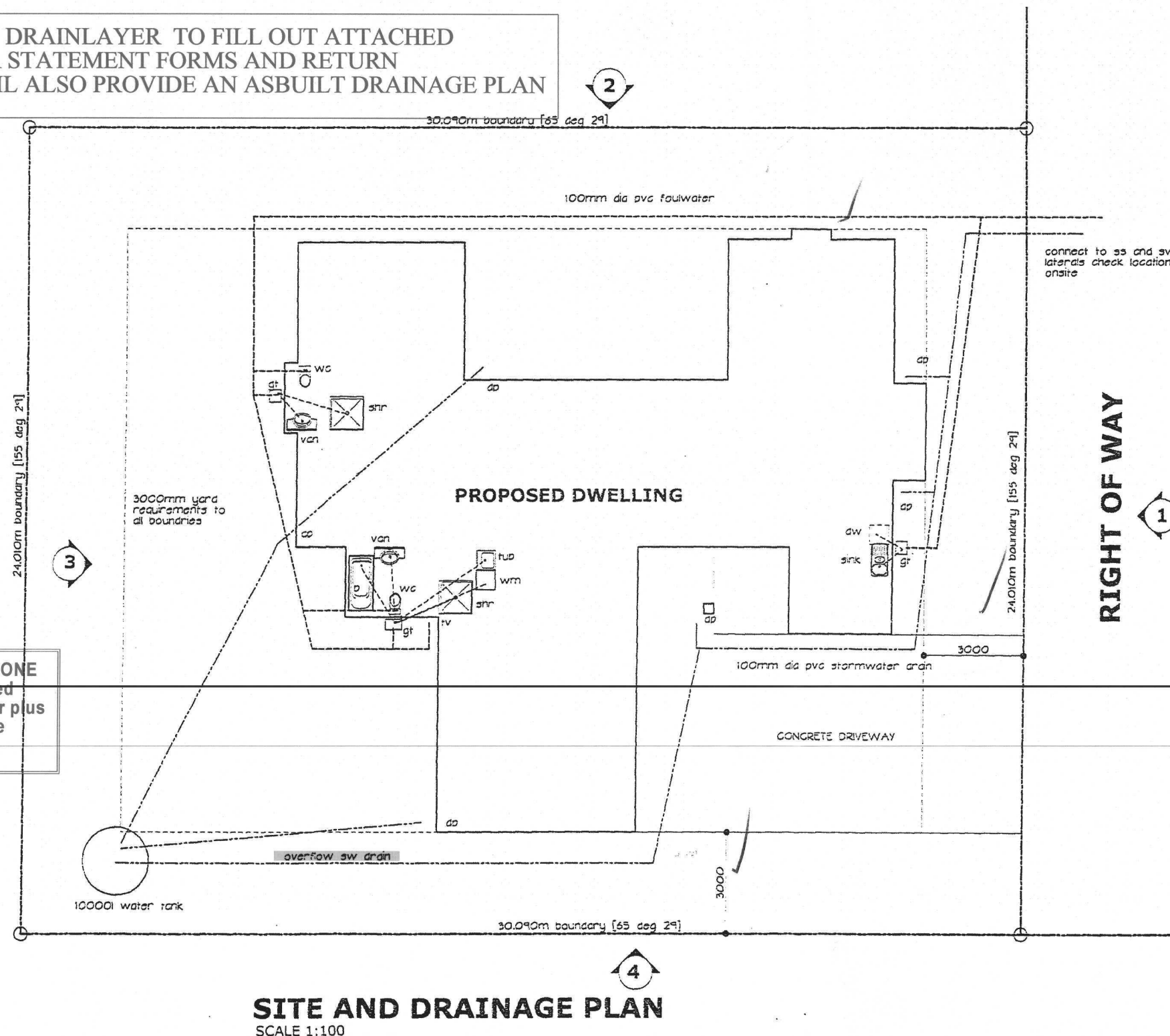
31/05/2005

Plumbing to be installed as shown on the approved plan.  
If a deviation is made an ammended plan is to be provided  
at the time of the preslab plumbing inspection.



DRIVEWAY SECTION SCALE 1:100

PLUMBER / DRAINLAYER TO FILL OUT ATTACHED  
PRODUCER STATEMENT FORMS AND RETURN  
TO COUNCIL ALSO PROVIDE AN ASBUILT DRAINAGE PLAN



SITE AND DRAINAGE PLAN  
SCALE 1:100

SEVERE COASTAL ZONE  
All proprietry or bolted  
fixings exposed to air plus  
cladding fixings to be  
stainless steel.

RIGHT OF WAY

APPROVED  
BY BUILDING  
Peter Wilkinson  
Officer

01/06/2005

BRANCH DRAINS LONGER THAN 10.M  
IN LENGTH ARE TO BE VENTED

102 Ratanui Road  
Paraparaumu  
Kapiti Coast

Telephone 04 298 1487  
Facsimile 04 298 1488  
Mobile 027 233 9840  
Email:  
greighayward@xtra.co.nz

Greig Hayward  
Architectural Designer

DATE: APRIL 2005

DRAWN: GREIG

CAD REF: 0508.WORKING

CONTRACTOR TO VERIFY ALL DIMENSIONS ON  
SITE PRIOR TO COMMENCING WORK.  
ALL WORK TO COMPLY WITH NZS3604:1999  
AND NZ BUILDING CODE.  
THESE DRAWINGS ARE COPYRIGHT.  
DO NOT SCALE DRAWINGS.  
DRAWINGS TO BE READ IN CONJUNCTION WITH  
STRUCTURAL ENGINEERS DRAWINGS.

JOB/SHEET No:

0508/1

(A2 original) OF 7

BUILDER TO ENSURE THAT  
PROPOSED FOUNDATION  
HEIGHT WILL ALLOW A  
SATISFACTORY DRAINAGE  
CONNECTION TO THE  
SEWER MAIN

MIKE BURGE BUILDERS  
LOT 57 FIELDWAY, WAIKANA BEACH.

greig hayward architecture

**KAPITI COAST DISTRICT COUNCIL  
DECISION REPORT FOR SUBDIVISION RESOURCE CONSENT  
Non-Notified Application**

<b>APPLICANT/OWNER:</b>	<b>Pharazyn Charitable Trust</b>
<b>LOCATION:</b>	<b>Pharazyn Ave, Waikanae Beach</b>
<b>SCHEME PLAN:</b>	<b>107.62.2 Issue C dated 18 November 2002</b>
<b>LEGAL DESCRIPTION:</b>	<b>Lot 2 DP 303750</b>
<b>ZONE:</b>	<b>Residential</b>
<b>PROPOSAL:</b>	<b>a) The subdivision of residential land into 34 residential lots with associated roads and reserves to vest and a lot to provide pedestrian access to Rutherford Drive. b) Earthworks to establish building sites, access, drainage and roading.</b>
<b>ACTIVITY STATUS:</b>	<b>Discretionary</b>

**Delegated Authority to Process Application without Public Notification Pursuant To Section 94 Exercised By: Paul Lowe & Wayne Gair**

**TRANSITIONAL PROVISIONS**

This consent was formally received before 1 August 2003 and therefore the transitional provisions contained in Part II of the Resource Management Amendment Act 2003 apply.

**SITE DESCRIPTION**

The site is a 3.9 hectare block of vacant residential land at the end of Pharazyn Avenue, Waikanae Beach. Part of the site was rezoned residential (from rural) under plan change 53 on 19 December 2002.

The site is located adjoining existing residential development at the northern end of Waikanae Beach. The lot has access to Field Way, Pharazyn Avenue and Rutherford Drive. Land to the north, west and south has been developed for residential purposes. Land to the north and east is zoned rural and is in the coastal dune environment development area. Lots are typically between 1 ha to 2 ha in size.

The block is characterised by modified sand dunes. The most significant sand dune complex on the site is along the north east boundary.

There is no significant vegetation on the site. Most vegetation consists of grasses, bracken and blackberry. The site is occasionally used for horse grazing.

The west area of the site represents a low lying area that is covered by an existing stormwater easement. This area acts as a retention basin for surface water both within the site and for adjoining properties. An overflow intake was installed during stage five of an earlier Pharazyn Trust subdivision to remove excess stormwater.

## **PROPOSAL**

### **Subdivision Design**

The proposal is for a low density subdivision. The subdivision is known as Stage 6 of Pharazyn Charitable Trusts subdivision of land in this locality. The proposal will create 34 low density residential lots. The subdivision design is shown on the LandLink drawing 107.62-2 Issue C dated 29/08/2003. Other lots shown in the scheme plan include:

- Lot 26 – To be vested as local purpose reserve (stormwater).
- Lot 27 – Adjoins Lot 26 and is to be vested as local purpose reserve (recreation).
- Lot 60 – To be amalgamated with a lot to the north east (Lot 12 DP 85461) to provide pedestrian access. An amalgamation condition will be required.
- Lot 61 – Is the extension of Pharazyn Ave and is to be vested as road. Pharazyn Ave will be a cul-de-sac.
- Lot 62 – Is to be used as a pedestrian walkway from Pharazyn Avenue to Rutherford Drive.

### **Earthworks**

Earthworks are proposed to shape the land for building sites, roading and drainage as shown in earthworks drawing no. 107.62-3 Issue B dated 3 February 2003. Generally the earthworks have been kept to under 1 metre of fill and under 1 metre of cut. Most earthworks will occur in the western and southern parts of the site. A smaller quantity of earthworks is proposed in the north east corner of the site.

### **Roading**

The applicant has provided a roading plan for Pharazyn Drive which is shown in the scheme plan. The streetscape is to be developed as part of the subdivision and is intended to include landscaping along the berms and public parking areas. Landscaping will include both appropriate planting and paved pedestrian paths. The footpath on the west side of Rutherford Drive will be extended through the local purpose reserve.

### **Services**

The development can be serviced for stormwater. Provision has been made for water saving devices on several lots. The new allotments will be connected to the reticulated sewer system. The applicant has consulted with service providers for telecommunications, electricity and gas.

## DISTRICT PLAN

### Activity Status

The site is within the residential zone of the Kapiti Coast District Plan. The application is for both subdivision and landuse consent. The proposal is for a discretionary activity due to the landuse aspect of this proposal.

### Subdivision:

The applicant has submitted that the subdivision is a controlled activity pursuant to rule D.1.1.2(iv) SUBDIVISION (below). I concur with this assessment. The applicant has detailed how the subdivision meets controlled activity standards D.1.2.2 Subdivision.

#### D.1.1.2 Controlled Activities

The following are controlled activities, provided they comply with the controlled activity standards:

##### (iv) SUBDIVISION

Subdivision (including boundary adjustments) where:

- Public roads, public water supply systems, sanitary drainage systems and surface water drainage systems are available to serve the subdivision.
- All the controlled activity standards for subdivision are complied with (refer to D.1.2.2).

The matters over which Council reserves control are:

- The design and layout of the subdivision including earthworks.
- The installation of water saving devices to land rezoned from rural to residential from 1 July 2002
- The imposition of financial contributions in accordance with Part E of this Plan.
- The imposition of conditions in accordance with Section 220 of the Resource Management Act.

### Landuse:

The applicant has submitted that the landuse aspect of this subdivision is discretionary. I concur with this assessment. Pursuant to rule D.1.1.3(i) all activities which are not listed as non-complying or prohibited and which do not comply with one or more of the permitted activity standards are discretionary. The earthworks will not meet permitted activity standard D.1.2.1 Earthworks. The earthworks will involve about 6000m<sup>3</sup> of earth. There will be up to just over 2 metres of cut and over a metre of fill.

### Objectives and Policies

The applicant has assessed several key objectives. I concur that these are relevant objectives to consider. Relevant objectives and policies include:

- C.1.1 Objective 1.0 Policy 1
- C.7.1 Objective 1.0 Policy 1 & Objective 2.0 Policy 1
- C.7.3 Objective 1.0 Policies 1 & 2.
- C.12.1 Objective 1 Policy 6



These objectives and policies will be considered in the “Assessment” section of this report.

## **SECTION 94 ANALYSIS**

Section 94 of the Resource Management Act 1991 defines which resource consent applications do not require notification pursuant to Section 93. As the application is for a discretionary activity, it need not be notified if the Council considers the environmental effects are minor and if written approval is obtained from all adversely affected parties.

The effects of this proposal on the environment are no more than minor. The land is zoned for residential purposes and it is expected that the land will be subdivided in the future. The lots will be of a lower density than that provided for in the District Plan. The effects of this proposal on residential character, amenity and landscape is no more than minor. The lots can be serviced without having adverse effects on other land. Provision has been made to reduce demand for non-essential water supply.

The applicant has provided the written approval of all adversely affected parties. Given that the land was already zoned residential it was considered necessary only to have the written approval of neighbours who were adversely affected by fill. The addition of fill means that original ground level increases and as a result the maximum height of buildings on these lots increases. This can reduce privacy and increase shading. The owners/occupiers/shareholders of the following properties were considered adversely affected and provided their written approvals:

- 3 Reeves Road (Lot 1 DP 50203)
- 5 Reeves Road (Lot 2 DP 50203)
- 11 Toby Way (Lot 15 DP 63458)
- 126 Field Way (Lot 69 DP 72871)
- 164 Field Way (Lot 11 DP 91324)

The Te Ati Awa Executive were consulted and raised no concerns.

There are no special circumstances that warrant notification pursuant to Section 94(5) of the Act. This determination was after assessing information held in file RM030081.

In conclusion this application has been considered on a non-notified basis.

## **ASSESSMENT**

The considerations for this assessment are contained in section 104 of the Resource Management Act 1991 and the Assessment Criteria for discretionary activities of the District Plan.

### **Amenity - Residential**

The applicant has demonstrated that the effects of this proposal on the amenity are no more than minor. The proposal will provide a high level of on site and off site amenity. The lay out of the subdivision is generally of a much lower density than the surrounding residential lots. The lots are designed to be sympathetic to the existing landscape of the

site. A subdivision of this type is provided for as a controlled activity in the District Plan. The effects of the earthworks are generally internal however those adversely affected have provided their written approval.

### **Fencing**

While it is acknowledged that the effects of this development on amenity are no more than minor the design of the residential lots surrounding reserve Lots 26 & 27 may have an adverse effect on amenity and safety.

The District Plan permits fences up to 2 metre high on side and rear boundaries. If 2 metre high fences were constructed around the reserve the safety and security of the reserve and residential lots would be reduced because dwellings could not overlook the reserve. Two metre high fences would also be visually obtrusive and would reduce the open space nature of the reserve.

For this reason the reserve design would not be consistent with either C.1.Policy 1 or C.12.1 Policy 6 which aim to:

- Avoid activities in the residential zone that cause a decline in amenity values by the imposition of structures that are visually obtrusive and out of character with the proposed environment
- Protect the open space value of both private and public land being used for open space and recreation.

Using design powers under rule D.1.1.2 (iv) a condition will be placed on the consent to control the fencing design. Within 3 metres of lot and right of way boundaries that face the reserve it is proposed to prohibit fences higher than 1m. This fence will need to be of an open design. A fence of this height will provide a softer distinction between the open space of the reserve and residential lots when compared to a two metre high close boarded fence. It will also allow dwellings to overlook the reserve which will increase the security of the reserve and adjoining lots.

The applicant was prepared to accept a 1.2 metre high fence, however this extra 0.2m would still be visually obtrusive.

Negotiations with the applicant's representative have involved restricting the height of fences around the reserve. However it is considered that the proposed prohibition would further enhance the open space character of the reserve.

The applicant's representative has agreed that all fences within 3m of Local Purpose Reserve Lot 62 should have a maximum height of 1.5m. This will allow dwellings to overlook the Reserve Lot 62.

### **Construction**

The effects of construction on the environment are no more than minor. Earthworks will be undertaken between 7:30am and 6:00pm limiting the effects of noise. These hours of operation can generally be used as a basis for a condition. Measures are also proposed to mitigate the erosion of sediments by water and dust. These have been made conditions of consent by the Subdivision Engineer.

**Landscape**

The applicant has demonstrated that the effects of the development on landscape are no more than minor. The landscape is not identified as an outstanding landscape in the District Plan. Earthworks are necessary to develop this site for residential purposes.

The dominant sand dune on the site is the most distinguishable landscape feature of the site. The District Plan maps and the scheme plan show this sand dune as a building and earthworks exclusion zone. This will be made a condition of subdivision consent to clarify the intent of the District Plan.

**Financial Contributions**

The proposal will create 33 additional residential titles and is therefore subject to financial contributions under Part E of the District Plan. The following contributions are required under the District Plan:

- Reserves contribution
- Community facilities fund
- Water services (water and sewage) fund

A reserves contribution of 7.5% (plus GST) of the total land value of each additional lot is required. The 34 residential lots have been valued at \$2 231 000 with an average value of \$65 617.65. Therefore a reserves contribution to the value of \$182 704.63 is required.

A cash contribution is not required because adequate provision has been made for reserve areas in earlier Pharazyn subdivisions in this locality and because the subdivision provides reserve Lots 26, 27 and 62. The proposal has been discussed with the District Planner and the Parks and Recreation Manager who have agreed that an adequate reserves contribution has been made.

The community facilities and water services fund is fixed and will be charged for this application.

**Services**

Adequate provision can be made for services and access. The Council retains control over the provision of water saving devices on the land that has recently been rezoned residential. The applicant has suggested a condition that provides for a water tank to be installed prior to the occupation of any dwelling on Lots 32-46, 49, 51-53, 56 and 58. This condition has been modified to ensure that it is installed at the construction stage of the dwelling. The tank will not be required to be put underground as per the proposed condition. The subdivision engineer has provided other water saving conditions.

**Traffic**

The applicant has submitted that roading within the subdivision is designed to serve only the lots created. No traffic concerns have been identified.

## Objectives and Policies

### C.1.1 Objectives & Policies

#### OBJECTIVE 1.0 - GENERAL

ENSURE THAT THE LOW DENSITY, QUIET CHARACTER OF THE DISTRICT'S RESIDENTIAL ENVIRONMENTS IS MAINTAINED AND THAT ADVERSE EFFECTS ON THE AMENITY VALUES THAT CONSTITUTE THIS CHARACTER AND MAKE THE RESIDENTIAL ENVIRONMENTS SAFE, PLEASANT AND HEALTHY PLACES FOR RESIDENTS ARE AVOIDED, REMEDIED OR MITIGATED.

#### POLICY 1 - AMENITY VALUES

Activities locating and/or operating in the district's residential environments shall display a residential appearance and be at a density which enables the existing character to be maintained and, in particular, which does not cause a decline in the amenity values of these environments through the:

- clearance of vegetation;
- changes to the landform;
- loss of private gardens and open space;
- creation of hard surfaces and lack of permeable area;
- loss of landscaped frontages;
- overshadowing and overlooking of neighbouring residential properties;
- generation of excessive levels of noise, vibration, glare, dust or odour associated with the activities themselves;
- generation of additional traffic movements resulting in excessive noise, vibration, glare, dust or odour and a decline in traffic safety;
- imposition of buildings, structures, signs or other features that are visually obtrusive and out of character with the character of these environments;
- degradation of the natural environment and/or modification of natural processes likely to lead to degradation;
- inadequate provision for access to sites of activities and also manoeuvrability for associated traffic movements;
- hazards to human health and residential convenience of inadequate or inappropriate supply of water, disposal of effluent and stormwater;
- creation of neighbourhoods with inadequate availability of network utility services;
- generation of nuisance or health risks to adjoining residents of farming activities and/or the keeping of animals/birds.
- lack of off-street parking
- siting of buildings
- storage of goods
- generation of traffic

### **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.**

### **C.7.3 EARTHWORKS**

#### **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.**

#### **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.

### **C.12.1 Objectives & Policies**

#### **A. GENERAL**

##### **OBJECTIVE 1.0**

**TO IDENTIFY, MAINTAIN AND ENHANCE THE OPEN SPACE AND RECREATION RESOURCES OF THE DISTRICT TO ENSURE THAT THE PRESENT AND FUTURE NEEDS OF THE DISTRICT FOR RECREATIONAL OPPORTUNITIES AND OPEN AREAS ARE MET WITHOUT ADVERSE EFFECTS ON THE PHYSICAL VALUES OF THE NATURAL ENVIRONMENT.**

##### **POLICY 6**

**Protect the open space value of both private and public land being used for open space and recreation.**

It is generally considered that if consent is granted with appropriate conditions then the development is consistent with the above objectives and policies. When considering the assessment criteria for earthworks the applicant has demonstrated the necessity to conduct the works and the effects on the modified sand dune landscape is minor. The extent of earthworks is not excessive.

#### **Other Matters**

It is noted that the scheme plan is almost identical to that submitted in the plan change that rezoned this land residential. Residents involved in the District Plan change could expect a development of this type to take place. The scheme plan submitted in the plan change process has no legal status.

After assessing the Councils Geographic Information System it is not considered that there are any geotechnical issues that could prevent this subdivision occurring pursuant to section 106 of the Act.

The Subdivision Engineer has provided conditions to facilitate this subdivision based on the application and the Code of Practice for Subdivision and Development.

#### **“Option B” Design Team**

The Councils Design Team have offered an alternative design to the subdivision which is called “Option B” as shown in drawing no. 001-03-PL. The applicant’s representative is willing to have this design as an alternative to their original subdivision proposal. This will require the issuing of two resource consents.

Option B allows for legal road around the entire perimeter of Reserve Lots 26 & 27 and is shown in drawing no. 001-03-PL. The carriage way can be designed so that it is



private in appearance but public in ownership. Bollards will be installed adjacent to the carriage way (reserve side) to prevent cars from driving onto the reserve. No fences will be permitted within 3m of front boundaries that face Reserve Lots 26 & 27. Dwellings (excluding attached garages and carports) will be able to encroach into the front yard by 1.5 metres.

Option B does not affect the activity status of the proposal which is discretionary. The subdivision aspect will remain a controlled activity. The landuse will remain a discretionary activity but will need to be extended to include the front yard encroachments (refer to D.1.2.1 Yards in the District Plan). These changes are not significant and are considered within the parameter of the original application.

Generally the effects of this design will be positive. There will be greater vehicle connectivity to Pharazyn Ave and the legal road in combination with the fencing restrictions will enhance amenity and open space values. The design will remain consistent with the objectives and policies of the District Plan.

The effect of dwellings encroaching into the front yards of Lots 22-25 and 28 to 32 is considered de minimus. The impacts of the encroachment are internal to lots surrounding the reserve. The reserve will act as a large front yard for these lots.

## CONCLUSION

I am satisfied that in terms of section 104 and 105 of the Resource Management Act 1991 both the original subdivision proposal and Option B can be granted consent with appropriate conditions. The land is suitable for residential subdivision. The earthworks are necessary for the development of residential allotments. All adversely affected parties have provided their written approval. Both subdivision options with appropriate conditions will have no more than minor adverse effects on residential amenity, landscape, and open space values. Both options are consistent with the objectives and policies of the District Plan.

## DECISION 1: PROPOSED SUBDIVISION & LANDUSE

That officers acting under delegated authority from Council and pursuant to Section 105(1)(b) of the Resource Management Act 1991, **GRANT** Landuse and Subdivision Consent for the development of 34 residential lots at Pharazyn Ave, Waikanae (Lot 2 DP303750), subject to the following conditions:

General:

1. The title plan or e – survey data set must conform to the subdivision consent proposal shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 held in Council file RM030081.

Earthworks:

2. The earthworks must be in accordance with the LandLink Ltd drawing no. 107.62-3 Issue B dated 3 February 2003.
3. Earthworks shall only be undertaken between 7:00am and 6:00pm Monday to Saturday.

#### Building Restrictions:

4. No fences higher than 1.5 metres shall be permitted within 3 metres of the boundaries of Lots 38-41 that adjoin the Local Purpose Reserve (Walkway) Lot 62.
5. No fences higher than 1 metre shall be permitted within 3 metres of the lot and right of way boundaries of Lots 22-25 and 28-32 that face Reserve Lots 26 and 27. The design of the fence in the restricted area shall be of an open nature and to the approval of the Resource Consent's Manager.

**Note:** A consent notice will be issued and attached to titles to ensure that conditions 4 & 5 are complied with on an on-going basis.

6. The building and earthworks exclusion zone shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 shall be shown on the deposited plan as area "XX" which is subject to a land covenant.
7. Area "XX" on deposited plan "XXXXX" is a building and earthworks exclusion zone.

#### Amalgamation:

8. That Lot 60 hereon be transferred to the owner of Lot 12 DP 85461 (CT WN53D/291) and that one certificate of title be issued to include both parcels. See.....

#### Financial Contributions:

9. The consent holder shall make a financial contribution of \$414.00 (Total \$13,662.00 GST inclusive) for every new lot created towards a Community Facilities Fund prior to the section 224(c) certification of the subdivision.
10. The consent holder shall make a financial contribution of \$723.00 (Total \$23,859.00 GST inclusive) for every new lot created towards a Water Services Fund (Water \$342.00, Sewerage \$381.00) prior to the section 224(c) certification of the subdivision.

#### Engineering:

11. The consent holder shall pay Council engineering fees of \$562.50, plus \$216 per lot, (Total \$7,906.50 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the subdivision.  
Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002.  
Note: The current charge out rate is \$72.00 (GST inclusive) per hour.
12. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved by the Subdivision Engineer.
13. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.



14. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.

The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to require the consent holder to employ a specified suitably qualified person at the consent holder's cost.

15. The consent holder shall either:-
  - (a) Certify that a building site is available on each allotment 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 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person

Or

- (b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.

16. A bench mark, level reference point, with respect to mean sea level, (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.

17. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the Subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.

**Note:** The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the Wellington Region". Applying the appropriate recommended treatments from this publication is a means of compliance with this condition.

18. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.
19. Earthworks shall comply with the requirements of the current issue of NZS 4431.
20. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer.

21. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlun cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the Subdivision Engineer

Note: The consent holder shall not use water from Council watermains for mitigation measures.

22. The consent holder shall not remove soil support from adjacent lots.

23. All batters shall be self-supporting.

24. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-

- (a) cease operations;
- (b) inform local iwi (Te Ati Awa ki Whakarongotai);
- (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
- (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.

25. The consent holder shall provide a minimum of 72 hours notice to Council's Compliance Officer and Te Ati Awa ki Whakarongotai ("the Iwi") of the commencement of any earthworks within the site. A representative of the Iwi shall be present on the site while all earthworks are being undertaken should they make this request.

26. The suitably qualified person shall confirm in writing prior to the section 224(c) certification of the subdivision that all the earthworks conditions of this consent have been met.

27. All lots shall have drive-on access no steeper than 1 in 5 to a permitted, notional, nominated or existing house site, unless otherwise approved by the Subdivision Engineer.

28. Lot 62 shall vest in Council as Local Purpose Reserve (Walkway). It shall have a paved concrete path and fenced on both sides with a 1.5 metre high close-boarded timber fence, suitably treated, and finished with an oil-based stain. Alternative paving, fencing and finishing may be approved by the Subdivision Engineer.

29. A heavy duty concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision and Development shall be provided to serve the Right of Ways.

30. A concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision shall be provided to serve lots 51 and 58.

31. Rights-of-way shall be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerb on the other sides. The requirement for a second-coat seal shall be met by lodging a cash contribution

with Council calculated at \$3.33 GST inclusive per square metre of the area for first-coat seal.

The Subdivision Engineer may approve alternative forms of pavement and/or surfacing.

32. Lot 61 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed, provided with kerb and channel, footpaths and a turning circle. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

The existing portion of Rutherford Dr in front of lots 39 and 40 shall have kerb and channel and footpath constructed on the western side of the existing road.

Berms shall be two metres wide, unless otherwise approved by the Subdivision Engineer, and shall include the planting of approved trees or shrubs. Planting of trees and shrubs may be met by lodging a cash contribution with Council of \$140.63 (GST inclusive) per residential front lot.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

33. Three names per new road shall be forwarded to Council for approval.  
The name of each new road shall be shown on the survey plan  
To meet the requirement for sign posts and/or name plates to be provided for each road the consent holder shall pay a fee of \$225.00 (GST inclusive) per required sign.
34. A stormwater system shall be provided to service the subdivision. This shall include the drainage of any surface water trapped on adjoining land by earthworks within the subdivision to the approval of the Subdivision Engineer. Where ever practicable stormwater mains pipes shall be located in public owned property.
35. Lots 32 to 46, 49, 51 to 53, 56 and 58 shall be required to have the following water saving measures:
- a. A 10,000 Litre Tank, which shall be installed during the construction of the dwelling and prior to the issuing of the building consent's code compliance certificate pursuant to the provisions of the Building Act 1991 for the purpose of storage of roof water for outdoor use.
  - b. A prohibition on outside taps connected to Council's potable water supply.
  - c. A device, which shall be installed to restrict the delivery of Council's potable water supply to 1000 litres per day for each allotment.

Council will issue a consent notice pursuant to Section 221 of the Resource Management Act to record on the title of these lots, the owner's responsibility to comply with these conditions on an on-going basis.

36. The subdivision shall be reticulated for wastewater disposal. All lots shall be provided with individual service connections, to the satisfaction of the Subdivision Engineer. Where ever practicable sewer mains pipes shall be located in public owned property.
37. The subdivision shall be reticulated for public water supply. All lots shall be provided with individual service connections. Fire-fighting requirements shall comply with the Fire Services Code of Practice. Where ever practicable public water supply mains shall be located in public owned property.
38. Underground power and telecommunication services, including the installation of streetlighting standards and lamps, shall be provided to the approval of the Subdivision Engineer. The streetlighting layout shall comply with AS/NZS 1158. Transformer sites shall be specifically provided for by recessing the front boundary of lots and including the area within road reserve
39. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the consent holder and to the approval of the Subdivision Engineer.
40. The consent holder shall provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council. This will involve water supply, sewerage, stormwater and roading assets including street lights.
41. Easements are required over any rights of way and/or communal services where these pass through the lots in the subdivision. Easements shall be shown on the land transfer title plan and any documents shall be prepared by solicitors at the consent holder's expense.
42. The Stormwater easement in favour of Kapiti Coast District Council and located within Lot 2 DP 303750 shall be extinguished.
43. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot adjacent to the reserve boundaries, subject to the covenant on application for the 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.
44. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.

## DECISION 2: OPTION B SUBDIVISION & LANDUSE

That officers acting under delegated authority from Council and pursuant to Section 105 105(1)(b) of the Resource Management Act 1991, **GRANT** Landuse and Subdivision Consent for the development of 34 residential lots at Pharazyn Ave, Waikanae (Lot 2 DP303750), subject to the following conditions:

General:

1. The title plan or e – survey data set must conform to the subdivision consent proposal shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 except where modified by drawing No. 001-03-PL both held in Council file RM030081.

Earthworks:

2. The earthworks must be in accordance with the LandLink Ltd drawing no. 107.62-3 Issue B dated 3 February 2003.
3. Earthworks shall only be undertaken between 7:00am and 6:00pm Monday to Saturday.

Building Restrictions:

4. Dwellings may be constructed 3 metres from the front boundary of Lots 22-25 and 28-32 (as shown on drawing number 001-03-PL) that face Reserve Lots 26 & 27 except for garages and carports that are attached to the dwelling which must be setback 4.5 metres.

**Note:** All accessory buildings and family flats shall be set back 4.5 metres from front boundaries.

5. No fences higher than 1.5 metres shall be permitted within 3 metres of the boundaries of Lots 38-41 that adjoin the Local Purpose Reserve (Walkway).
6. All fences shall be set back a minimum of 3 metres from the front boundaries of Lots 22-25 and 28-32 that face Reserve Lots 26 & 27.

**Note:** A consent notice will be issued and attached to the titles to ensure that conditions 4 to 6 are complied with on an on-going basis.

7. The building and earthworks exclusion zone shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 shall be shown on the deposited plan as area “XX” which is subject to a land covenant.
8. Area “XX” on deposited plan “XXXXX” is a building and earthworks exclusion zone.

Amalgamation:

9. That Lot 60 hereon be transferred to the owner of Lot 12 DP 85461 (CT WN53D/291) and that one certificate of title be issued to include both parcels.  
See.....

Financial Contributions:

8. The consent holder shall make a financial contribution of \$414.00 (Total \$13,662.00 GST inclusive) for every new lot created towards a Community Facilities Fund prior to the section 224(c) certification of the subdivision.

9. The consent holder shall make a financial contribution of \$723.00 (Total \$23,859.00 GST inclusive) for every new lot created towards a Water Services Fund (Water \$342.00, Sewerage \$381.00) prior to the section 224(c) certification of the subdivision.

Engineering:

10. The consent holder shall pay Council engineering fees of \$562.50, plus \$216 per lot, (Total \$7,906.50 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the subdivision.

Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002.

Note: The current charge out rate is \$72.00 (GST inclusive) per hour.

11. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved by the Subdivision Engineer.
12. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.
13. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.

The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to require the consent holder to employ a specified suitably qualified person at the consent holder's cost.

14. The consent holder shall either:-
  - (a) Certify that a building site is available on each allotment 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 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person.

Or

(b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.

15. A bench mark, level reference point, with respect to mean sea level, (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.
16. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the Subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.
- Note:** The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the Wellington Region". Applying the appropriate recommended treatments from this publication is a means of compliance with this condition.
17. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.
18. Earthworks shall comply with the requirements of the current issue of NZS 4431.
19. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer.
20. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlou cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the Subdivision Engineer
- Note:** The consent holder shall not use water from Council watermains for mitigation measures
21. The consent holder shall not remove soil support from adjacent lots
22. All batters shall be self-supporting
23. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-
- (e) cease operations;
  - (f) inform local iwi (Te Ati Awa ki Whakarongotai);
  - (g) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
  - (h) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.
- Note:**  
In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.
24. The consent holder shall provide a minimum of 72 hours notice to Council's Compliance Officer and Te Ati Awa ki Whakarongotai ("the Iwi") of the commencement of any earthworks within the site. A representative of the Iwi shall



be present on the site while all earthworks are being undertaken should they make this request.

25. The suitably qualified person shall confirm in writing prior to the section 224(c) certification of the subdivision that all the earthworks conditions of this consent have been met.
26. All lots shall have drive-on access no steeper than 1 in 5 to a permitted, notional, nominated or existing house site, unless otherwise approved by the Subdivision Engineer.
27. Lot 62 shall vest in Council as Local Purpose Reserve (Walkway). It shall have a paved concrete path and fenced on both sides with a 1.5 metre high close-boarded timber fence, suitably treated, and finished with an oil-based stain. Alternative paving, fencing and finishing may be approved by the Subdivision Engineer.
28. A heavy duty concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision and Development shall be provided to serve the Right of Ways.
29. A concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision shall be provided to serve lots 51 and 58.
30. Rights-of-way shall be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerb on the other sides. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 GST inclusive per square metre of the area for first-coat seal.

The Subdivision Engineer may approve alternative forms of pavement and/or surfacing.

31. Lot 61 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed, provided with kerb and channel, footpaths and a turning circle. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

The existing portion of Rutherford Dr in front of lots 39 and 40 shall have kerb and channel and footpath constructed on the western side of the existing road.

Berms shall be two metres wide, unless otherwise approved by the Subdivision Engineer, and shall include the planting of approved trees or shrubs. Planting of trees and shrubs may be met by lodging a cash contribution with Council of \$140.63 (GST inclusive) per residential front lot.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

32. Lot 63 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square

metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

33. Three names per new road shall be forwarded to Council for approval.  
The name of each new road shall be shown on the survey plan  
To meet the requirement for sign posts and/or name plates to be provided for each road the consent holder shall pay a fee of \$225.00 (GST inclusive) per required sign.
34. A stormwater system shall be provided to service the subdivision. This shall include the drainage of any surface water trapped on adjoining land by earthworks within the subdivision to the approval of the Subdivision Engineer. Where ever practicable stormwater mains pipes shall be located in public owned property.
35. Lots 32 to 46, 49, 51 to 53, 56 and 58 shall be required to have the following water saving measures:
  - a. A 10,000 Litre Tank, which shall be installed during the construction of the dwelling and prior to the issuing of the building consent's code compliance certificate pursuant to the provisions of the Building Act 1991 for the purpose of storage of roof water for outdoor use.
  - b. A prohibition on outside taps connected to Council's potable water supply.
  - c. A devise shall be installed to restrict the delivery of Council's potable water supply to 1000 litres per day for each allotment.

Council will issue a consent notice pursuant to Section 221 of the Resource Management Act to record on the title of these lots, the owner's responsibility to comply with these conditions on an on-going basis.

36. The subdivision shall be reticulated for wastewater disposal. All lots shall be provided with individual service connections, to the satisfaction of the Subdivision Engineer. Where ever practicable sewer mains pipes shall be located in public owned property
37. The subdivision shall be reticulated for public water supply. All lots shall be provided with individual service connections. Fire-fighting requirements shall comply with the Fire Services Code of Practice. Where ever practicable public water supply mains shall be located in public owned property
38. Underground power and telecommunication services, including the installation of streetlighting standards and lamps, shall be provided to the approval of the Subdivision Engineer. The streetlighting layout shall comply with AS/NZS 1158. Transformer sites shall be specifically provided for by recessing the front boundary of lots and including the area within road reserve
39. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the consent holder and to the approval of the Subdivision Engineer

40. The consent holder shall provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council. This will involve water supply, sewerage, stormwater and roading assets including street lights
41. Easements are required over any rights of way and/or communal services where these pass through the lots in the subdivision. Easements shall be shown on the land transfer title plan and any documents shall be prepared by solicitors at the consent holder's expense
42. The Stormwater easement in favour of Kapiti Coast District Council and located within lot 2 DP 303750 shall be extinguished
43. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot adjacent to the reserve boundaries, subject to the covenant on application for the 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.
44. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.

**Advice Notes:**

1. All costs arising from any of the above conditions shall be borne by the consent holder.
2. The Survey Plan must be certified in accordance with Section 223 within 5 years of the granting of this Consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
3. A certificate pursuant to Section 224 will be issued following compliance with all of the conditions of subdivision consent set out above, and payment of all relevant charges and levies.
4. Rights of objection to the conditions specified above may be exercised pursuant to Section 357(2) by the consent holder. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as Council in any special case may allow.
5. Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
6. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
7. The consent holder is required to obtain a building consent before carrying out any alterations to existing services within the lots.

**Reasons for the Decisions:**

1. The effects of the proposal on the environment are no more than minor and all affected parties have provided their written approval.
2. The proposal is not contrary to the objectives and policies of the Kapiti Coast District Plan.



---

**Paul Lowe**  
**Resource Consents Planner**



---

**Wayne Gair**  
**Senior Resource Consents Planner**





FILE: RM030081

Date ✓

17 September 2003

Pharazyn Charitable Trust  
C/- LandLink Ltd  
PO Box 370  
WAIKANAE

Attention: Ms Trish Giles

Dear Trish

**RM030081: SUBDIVISION AND LANDUSE CONSENT FOR THE DEVELOPMENT OF 34 RESIDENTIAL LOTS AT PHARAZYN AVENUE, 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 consents 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 \$144 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.

**Kapiti Coast District Council**

Phone (04) 904 5700, Fax (04) 904 5830 175 Rimu Road, Private Bag 601, Paraparaumu. Website [www.kcdc.govt.nz](http://www.kcdc.govt.nz)

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 9045-831.

Thank you for dealing with the Kapiti Coast District Council.

Yours faithfully

A handwritten signature in black ink, appearing to be 'P. Lowe', with a stylized flourish at the end.

Paul Lowe  
RESOURCE CONSENTS PLANNER



**RESOURCE CONSENT NUMBER: RM030081**

## **DECISION 1**

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 and Landuse Resource Consent to:

**PHARAZYN CHARITABLE TRUST, C/- LANDLINK LTD, PO BOX 370,  
WAIKANA E**

for the development of 34 residential lots at Pharazyn Ave, Waikanae (Lot 2 DP303750), subject to the following conditions:

General:

1. The title plan or e – survey data set must conform to the subdivision consent proposal shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 held in Council file RM030081.

Earthworks:

2. The earthworks must be in accordance with the LandLink Ltd drawing no. 107.62-3 Issue B dated 3 February 2003.
3. Earthworks shall only be undertaken between 7:00am and 6:00pm Monday to Saturday.

Building Restrictions:

4. No fences higher than 1.5 metres shall be permitted within 3 metres of the boundaries of Lots 38-41 that adjoin the Local Purpose Reserve (Walkway) Lot 62.
5. No fences higher than 1 metre shall be permitted within 3 metres of the lot and right of way boundaries of Lots 22-25 and 28-32 that face Reserve Lots 26 and 27. The design of the fence in the restricted area shall be of an open nature and to the approval of the Resource Consent's Manager.

**Note:** A consent notice will be issued and attached to titles to ensure that conditions 4 & 5 are complied with on an on-going basis.

6. The building and earthworks exclusion zone shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 shall be shown on the deposited plan as area "XX" which is subject to a land covenant.
7. Area "XX" on deposited plan "XXXXXX" is a building and earthworks exclusion zone.

Amalgamation:

8. That Lot 60 hereon be transferred to the owner of Lot 12 DP 85461 (CT WN53D/291) and that one certificate of title be issued to include both parcels. See.....

Financial Contributions:

**Kapiti Coast District Council**

Phone (04) 904 5700, Fax (04) 904 5830 175 Rimu Road, Private Bag 601, Paraparaumu. Website [www.kcdc.govt.nz](http://www.kcdc.govt.nz)



9. The consent holder shall make a financial contribution of \$414.00 (Total \$13,662.00 GST inclusive) for every new lot created towards a Community Facilities Fund prior to the section 224(c) certification of the subdivision.
10. The consent holder shall make a financial contribution of \$723.00 (Total \$23,859.00 GST inclusive) for every new lot created towards a Water Services Fund (Water \$342.00, Sewerage \$381.00) prior to the section 224(c) certification of the subdivision.

Engineering:

11. The consent holder shall pay Council engineering fees of \$562.50, plus \$216 per lot, (Total \$7,906.50 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the subdivision.  
Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002.  
Note: The current charge out rate is \$72.00 (GST inclusive) per hour.
12. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved by the Subdivision Engineer.
13. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.
14. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.

The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to require the consent holder to employ a specified suitably qualified person at the consent holder's cost.

15. The consent holder shall either:-
  - (a) Certify that a building site is available on each allotment 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 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person

Or

- (b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.

In cases within the provisions of the clause (b) above, a Consent Notice under Section

221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.

16. A bench mark, level reference point, with respect to mean sea level, (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.
17. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the Subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.  
**Note:** The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the Wellington Region". Applying the appropriate recommended treatments from this publication is a means of compliance with this condition.
18. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.
19. Earthworks shall comply with the requirements of the current issue of NZS 4431.
20. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer.
21. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlun cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the Subdivision Engineer  
**Note:** The consent holder shall not use water from Council watermains for mitigation measures.
22. The consent holder shall not remove soil support from adjacent lots.
23. All batters shall be self-supporting.
24. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-
  - (a) cease operations;
  - (b) inform local iwi (Te Ati Awa ki Whakarongotai);
  - (c) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
  - (d) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.**Note:**  
 In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.

25. The consent holder shall provide a minimum of 72 hours notice to Council's Compliance Officer and Te Ati Awa ki Whakarongotai ("the Iwi") of the commencement of any earthworks within the site. A representative of the Iwi shall be present on the site while all earthworks are being undertaken should they make this request.
26. The suitably qualified person shall confirm in writing prior to the section 224(c) certification of the subdivision that all the earthworks conditions of this consent have been met.
27. All lots shall have drive-on access no steeper than 1 in 5 to a permitted, notional, nominated or existing house site, unless otherwise approved by the Subdivision Engineer.
28. Lot 62 shall vest in Council as Local Purpose Reserve (Walkway). It shall have a paved concrete path and fenced on both sides with a 1.5 metre high close-boarded timber fence, suitably treated, and finished with an oil-based stain. Alternative paving, fencing and finishing may be approved by the Subdivision Engineer.
29. A heavy duty concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision and Development shall be provided to serve the Right of Ways.
30. A concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision shall be provided to serve lots 51 and 58.
31. Rights-of-way shall be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerb on the other sides. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 GST inclusive per square metre of the area for first-coat seal.

The Subdivision Engineer may approve alternative forms of pavement and/or surfacing.

32. Lot 61 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed, provided with kerb and channel, footpaths and a turning circle. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

The existing portion of Rutherford Dr in front of lots 39 and 40 shall have kerb and channel and footpath constructed on the western side of the existing road.

Berms shall be two metres wide, unless otherwise approved by the Subdivision Engineer, and shall include the planting of approved trees or shrubs. Planting of trees and shrubs may be met by lodging a cash contribution with Council of \$140.63 (GST inclusive) per residential front lot.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

33. Three names per new road shall be forwarded to Council for approval.  
The name of each new road shall be shown on the survey plan  
To meet the requirement for sign posts and/or name plates to be provided for each road the consent holder shall pay a fee of \$225.00 (GST inclusive) per required sign.
34. A stormwater system shall be provided to service the subdivision. This shall include the drainage of any surface water trapped on adjoining land by earthworks within the subdivision to the approval of the Subdivision Engineer. Where ever practicable stormwater mains pipes shall be located in public owned property.
35. Lots 32 to 46, 49, 51 to 53, 56 and 58 shall be required to have the following water saving measures:
  - a. A 10,000 Litre Tank, which shall be installed during the construction of the dwelling and prior to the issuing of the building consent's code compliance certificate pursuant to the provisions of the Building Act 1991 for the purpose of storage of roof water for outdoor use.
  - b. A prohibition on outside taps connected to Council's potable water supply.
  - c. A device, which shall be installed to restrict the delivery of Council's potable water supply to 1000 litres per day for each allotment.

Council will issue a consent notice pursuant to Section 221 of the Resource Management Act to record on the title of these lots, the owner's responsibility to comply with these conditions on an on-going basis.

36. The subdivision shall be reticulated for wastewater disposal. All lots shall be provided with individual service connections, to the satisfaction of the Subdivision Engineer. Where ever practicable sewer mains pipes shall be located in public owned property.
37. The subdivision shall be reticulated for public water supply. All lots shall be provided with individual service connections. Fire-fighting requirements shall comply with the Fire Services Code of Practice. Where ever practicable public water supply mains shall be located in public owned property.
38. Underground power and telecommunication services, including the installation of streetlighting standards and lamps, shall be provided to the approval of the Subdivision Engineer. The streetlighting layout shall comply with AS/NZS 1158. Transformer sites shall be specifically provided for by recessing the front boundary of lots and including the area within road reserve
39. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the consent holder and to the approval of the Subdivision Engineer.
40. The consent holder shall provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council. This will involve water supply, sewerage, stormwater and roading assets including street lights.
41. Easements are required over any rights of way and/or communal services where these pass through the lots in the subdivision. Easements shall be shown on the land transfer

title plan and any documents shall be prepared by solicitors at the consent holder's expense.

42. The Stormwater easement in favour of Kapiti Coast District Council and located within Lot 2 DP 303750 shall be extinguished.
43. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot adjacent to the reserve boundaries, subject to the covenant on application for the 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.
44. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.

## DECISION 2

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 and Landuse Resource Consent to:

**PHARAZYN CHARITABLE TRUST, C/- LANDLINK LTD, PO BOX 370, WAIKANAЕ**

for the development of 34 residential lots at Pharazyn Ave, Waikanae (Lot 2 DP303750), subject to the following conditions:

General:

1. The title plan or e – survey data set must conform to the subdivision consent proposal shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 except where modified by drawing No. 001-03-PL both held in Council file RM030081.

Earthworks:

2. The earthworks must be in accordance with the LandLink Ltd drawing no. 107.62-3 Issue B dated 3 February 2003.
3. Earthworks shall only be undertaken between 7:00am and 6:00pm Monday to Saturday.

Building Restrictions:

4. Dwellings may be constructed 3 metres from the front boundary of Lots 22-25 and 28-32 (as shown on drawing number 001-03-PL) that face Reserve Lots 26 & 27 except for garages and carports that are attached to the dwelling which must be setback 4.5 metres.

**Note:** All accessory buildings and family flats shall be set back 4.5 metres from front boundaries.

5. No fences higher than 1.5 metres shall be permitted within 3 metres of the boundaries of Lots 38-41 that adjoin the Local Purpose Reserve (Walkway).
6. All fences shall be set back a minimum of 3 metres from the front boundaries of Lots 22-25 and 28-32 that face Reserve Lots 26 & 27.

**Note:** A consent notice will be issued and attached to the titles to ensure that conditions 4 to 6 are complied with on an on-going basis.

7. The building and earthworks exclusion zone shown on the LandLink Ltd drawing no. 107.62-2 Issue C dated 18 November 2002 shall be shown on the deposited plan as area "XX" which is subject to a land covenant.
8. Area "XX" on deposited plan "XXXXXX" is a building and earthworks exclusion zone.

**Amalgamation:**

9. That Lot 60 hereon be transferred to the owner of Lot 12 DP 85461 (CT WN53D/291) and that one certificate of title be issued to include both parcels. See.....

**Financial Contributions:**

8. The consent holder shall make a financial contribution of \$414.00 (Total \$13,662.00 GST inclusive) for every new lot created towards a Community Facilities Fund prior to the section 224(c) certification of the subdivision.
9. The consent holder shall make a financial contribution of \$723.00 (Total \$23,859.00 GST inclusive) for every new lot created towards a Water Services Fund (Water \$342.00, Sewerage \$381.00) prior to the section 224(c) certification of the subdivision.

**Engineering:**

10. The consent holder shall pay Council engineering fees of \$562.50, plus \$216 per lot, (Total \$7,906.50 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the section 224(c) certification of the subdivision.  
Extra fees may apply in accordance with the engineering fees schedule adopted by Council from 12 December 2002.  
Note: The current charge out rate is \$72.00 (GST inclusive) per hour.
11. The consent holder shall comply with the requirements of the Kapiti Coast District Council Code of Practice for Subdivision and Development unless alternative means of compliance with requirements are submitted by the consent holder and approved by the Subdivision Engineer.
12. The consent holder shall submit to Council for approval three copies of the plans and specifications for the engineering development. No work shall commence until the plans and specifications have been approved by the Subdivision Engineer in writing.
13. The consent holder shall employ a suitably qualified person experienced in soils engineering to supervise, test and certify any compaction, filling, slopes and batters.



The Council's Subdivision Engineer shall be advised of the intended suitably qualified person. If that person is not acceptable then Council shall have the right to require the consent holder to employ a specified suitably qualified person at the consent holder's cost.

14. The consent holder shall either:-

(a) Certify that a building site is available on each allotment 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 600mm below the surface level of the ground. The certificate shall be accompanied by the site investigation report by the suitably qualified person.

Or

(b) Supply to Council a report by the suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for each allotment.

In cases within the provisions of the clause (b) above, a Consent Notice under Section 221 of the Resource Management Act 1991 will be issued by Council recording the soil conditions and foundation recommendations on the certificate of title.

15. A bench mark, level reference point, with respect to mean sea level, (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Subdivision Engineer.

16. Adequate provision shall be made for the control of stormwater run-off during the construction period to the satisfaction of the Subdivision Engineer. Silt retaining structures or ponding areas shall be constructed and maintained throughout the duration of the works to the satisfaction of the Subdivision Engineer.

**Note:** The consent holder's attention is drawn to the Wellington Regional Council Publication "Erosion and Sediment Control Guidelines for the Wellington Region". Applying the appropriate recommended treatments from this publication is a means of compliance with this condition.

17. Earthworks shall be kept to a minimum to ensure the least disturbance to the landform.

18. Earthworks shall comply with the requirements of the current issue of NZS 4431.

19. Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Subdivision Engineer.

20. Should there be potential for wind-blown sand, soil or other material to be transported onto other properties the consent holder shall erect suitable fabric fencing (sarlou cloth or similar) or take other acceptable mitigation measures, to the satisfaction of the

Subdivision Engineer

Note: The consent holder shall not use water from Council watermains for mitigation measures

21. The consent holder shall not remove soil support from adjacent lots
22. All batters shall be self-supporting
23. Should a waahi tapu or other cultural site be unearthed during earthworks the operator and/or owner shall :-
  - (e) cease operations;
  - (f) inform local iwi (Te Ati Awa ki Whakarongotai);
  - (g) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
  - (h) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

Note:

In accordance with the Historic Places Act 1993, where an archaeological site is present (or uncovered), an authority from the NZ Historic Places Trust is required if the site is to be modified in any way.
24. The consent holder shall provide a minimum of 72 hours notice to Council's Compliance Officer and Te Ati Awa ki Whakarongotai ("the Iwi") of the commencement of any earthworks within the site. A representative of the Iwi shall be present on the site while all earthworks are being undertaken should they make this request.
25. The suitably qualified person shall confirm in writing prior to the section 224(c) certification of the subdivision that all the earthworks conditions of this consent have been met.
26. All lots shall have drive-on access no steeper than 1 in 5 to a permitted, notional, nominated or existing house site, unless otherwise approved by the Subdivision Engineer.
27. Lot 62 shall vest in Council as Local Purpose Reserve (Walkway). It shall have a paved concrete path and fenced on both sides with a 1.5 metre high close-boarded timber fence, suitably treated, and finished with an oil-based stain. Alternative paving, fencing and finishing may be approved by the Subdivision Engineer.
28. A heavy duty concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision and Development shall be provided to serve the Right of Ways.
29. A concrete vehicle crossing constructed in accordance with Fig C.4.4 of the Code for Subdivision shall be provided to serve lots 51 and 58.
30. Rights-of-way shall be formed, metalled, two-coat sealed, provided with a kerb and channel on one side and perimeter nib kerb on the other sides. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 GST inclusive per square metre of the area for first-coat seal.

The Subdivision Engineer may approve alternative forms of pavement and/or surfacing.

31. Lot 61 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed, provided with kerb and channel, footpaths and a turning circle. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

The existing portion of Rutherford Dr in front of lots 39 and 40 shall have kerb and channel and footpath constructed on the western side of the existing road.

Berms shall be two metres wide, unless otherwise approved by the Subdivision Engineer, and shall include the planting of approved trees or shrubs. Planting of trees and shrubs may be met by lodging a cash contribution with Council of \$140.63 (GST inclusive) per residential front lot.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

32. Lot 63 shall vest as road. The carriageway shall be formed, metalled and two-coat sealed. The requirement for a second-coat seal shall be met by lodging a cash contribution with Council calculated at \$3.33 (GST inclusive) per square metre of the area for first-coat seal. The Subdivision Engineer may approve a prime/seal coat and asphaltic concrete paving as an alternative to two-coat seal.

All work shall comply with Council's standard requirements unless otherwise approved by the Subdivision Engineer.

33. Three names per new road shall be forwarded to Council for approval.  
The name of each new road shall be shown on the survey plan  
To meet the requirement for sign posts and/or name plates to be provided for each road the consent holder shall pay a fee of \$225.00 (GST inclusive) per required sign.

34. A stormwater system shall be provided to service the subdivision. This shall include the drainage of any surface water trapped on adjoining land by earthworks within the subdivision to the approval of the Subdivision Engineer. Where ever practicable stormwater mains pipes shall be located in public owned property.

35. Lots 32 to 46, 49, 51 to 53, 56 and 58 shall be required to have the following water saving measures:

- a. A 10,000 Litre Tank, which shall be installed during the construction of the dwelling and prior to the issuing of the building consent's code compliance certificate pursuant to the provisions of the Building Act 1991 for the purpose of storage of roof water for outdoor use.
- b. A prohibition on outside taps connected to Council's potable water supply.
- c. A devise shall be installed to restrict the delivery of Council's potable water supply to 1000 litres per day for each allotment.

Council will issue a consent notice pursuant to Section 221 of the Resource Management Act to record on the title of these lots, the owner's responsibility to comply with these conditions on an on-going basis.

36. The subdivision shall be reticulated for wastewater disposal. All lots shall be provided with individual service connections, to the satisfaction of the Subdivision Engineer. Where ever practicable sewer mains pipes shall be located in public owned property
37. The subdivision shall be reticulated for public water supply. All lots shall be provided with individual service connections. Fire-fighting requirements shall comply with the Fire Services Code of Practice. Where ever practicable public water supply mains shall be located in public owned property
38. Underground power and telecommunication services, including the installation of streetlighting standards and lamps, shall be provided to the approval of the Subdivision Engineer. The streetlighting layout shall comply with AS/NZS 1158. Transformer sites shall be specifically provided for by recessing the front boundary of lots and including the area within road reserve
39. "As built" plans of all services adequately dimensioned to show the relationship of such services to the lot boundaries shall be supplied by the consent holder and to the approval of the Subdivision Engineer
40. The consent holder shall provide Council with an itemised schedule of quantities and costs, for those services and assets which are to vest in Council. This will involve water supply, sewerage, stormwater and roading assets including street lights
41. Easements are required over any rights of way and/or communal services where these pass through the lots in the subdivision. Easements shall be shown on the land transfer title plan and any documents shall be prepared by solicitors at the consent holder's expense
42. The Stormwater easement in favour of Kapiti Coast District Council and located within lot 2 DP 303750 shall be extinguished
43. The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot adjacent to the reserve boundaries, subject to the covenant on application for the 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.
44. The consent holder shall supply a copy of the title plan and shall list and indicate how each condition has been met to the satisfaction of the Resource Consents Manager.

**Advice Notes:**

1. All costs arising from any of the above conditions shall be borne by the consent holder.

2. The Survey Plan must be certified in accordance with Section 223 within 5 years of the granting of this Consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
3. A certificate pursuant to Section 224 will be issued following compliance with all of the conditions of subdivision consent set out above, and payment of all relevant charges and levies.
4. Rights of objection to the conditions specified above may be exercised pursuant to Section 357(2) by the consent holder. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as Council in any special case may allow.
5. Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
6. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
7. The consent holder is required to obtain a building consent before carrying out any alterations to existing services within the lots.

**Reasons for the Decisions:**

1. The effects of the proposal on the environment are no more than minor and all affected parties have provided their written approval.
2. The proposal is not contrary to the objectives and policies of the Kapiti Coast District Plan.

**ISSUED: 17 September 2003**



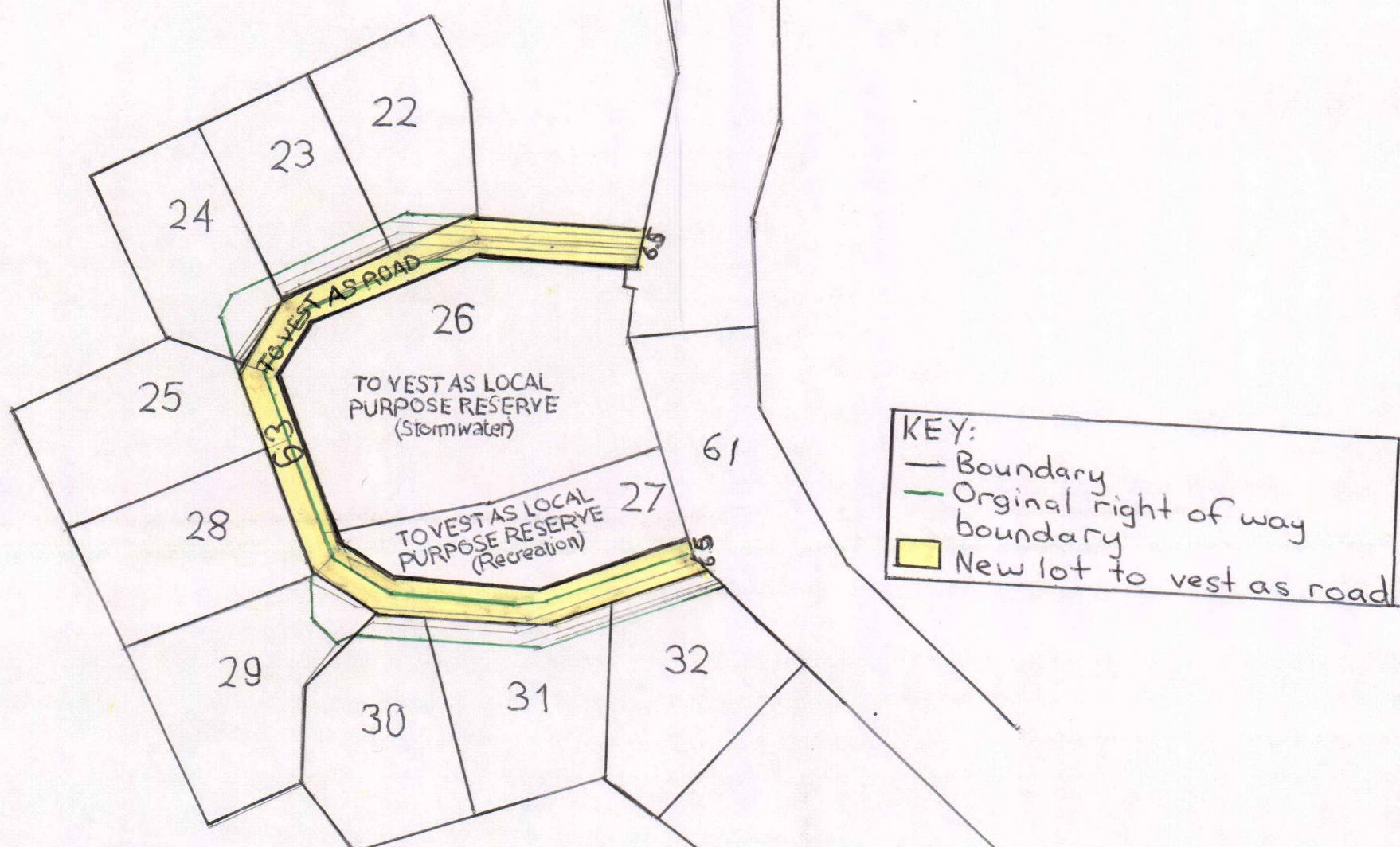
**Paul Lowe**  
**RESOURCE CONSENTS PLANNER**





### LANDUSE CONSENT

- The landuse consent will be amended to allow dwellings to be sited 3m from the front boundary that adjoins Lot 63 (Note: All garages/carports will have to be setback 4.5m including those attached to the dwelling)



### NOTES FOR LOT 63:

- Carriage way width will generally be 3m
- Provision for passing bays can be made for two way access.
- The carriage way will generally be 1m from the outer extent of Lot 63.
- Bollards will be placed adjacent to the inner extent of the carriage way.
- Legal Road will generally be located 2.5m into the original reserve lots except to the north of Lot 26.
- No fences will be permitted within 3m of Lot 63.

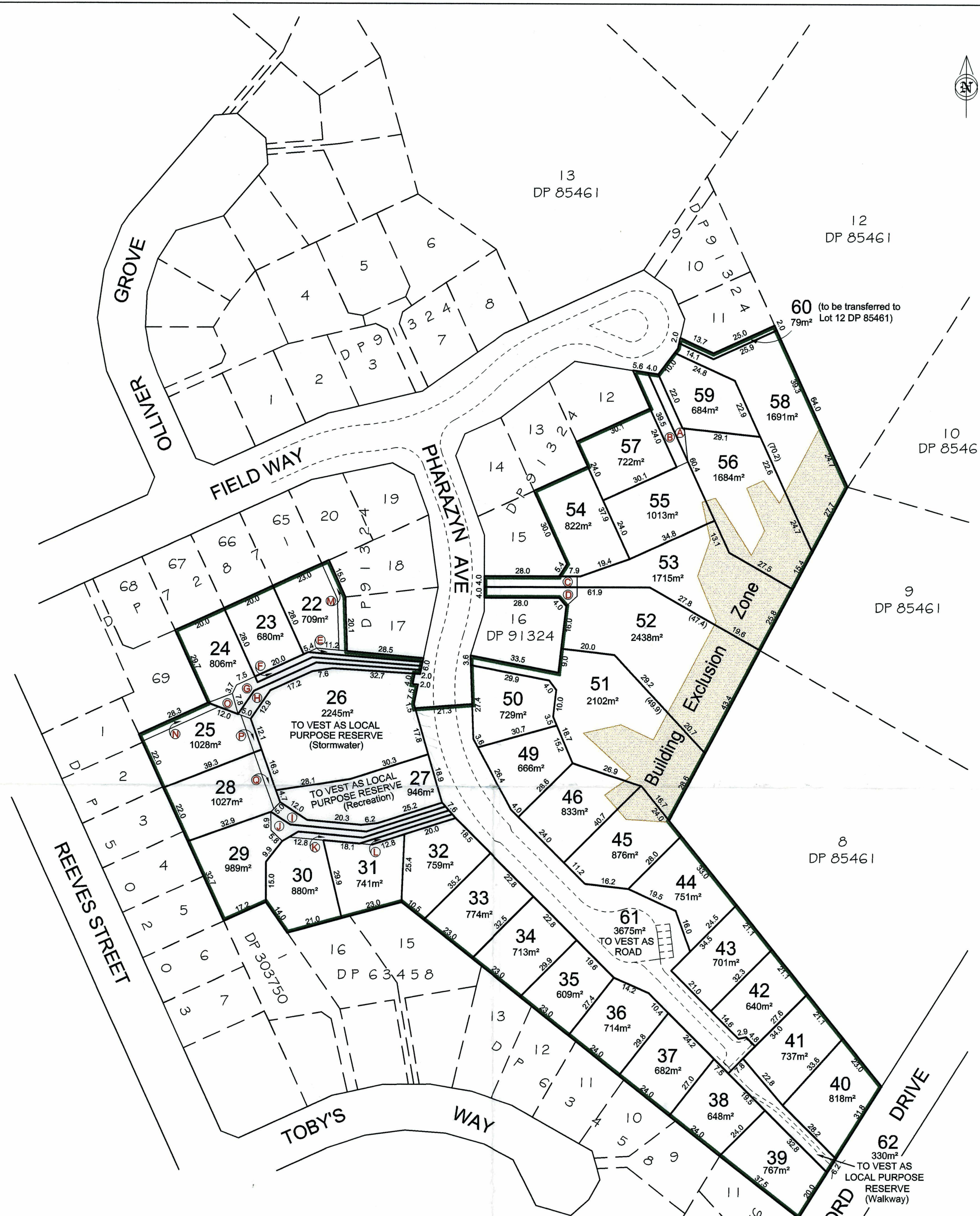
RM 030081  
FINAL APPROVED PLANS  
10/09/03

Drawing No.  
001-03-PL

ALTERNATIVE DESIGN OF  
PROPOSED SUBDIVISION OF LOT 2 DP303750

Scale 1:1000  
Date: 29/08/2003





PROPOSED EASEMENTS				PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT	PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right of Way, Right to Convey Water, Electricity and Telecommunications, Right to Drain Sewage and Stormwater	A	Lot 56	Lot 55, 57	Right to Drain Sewage and Stormwater	E	Lot 22	Kapiti Coast District Council
	B	Lot 55	Lot 56, 57		F	Lot 23	
	C	Lot 53	Lot 52, 54		G	Lot 24	
	D	Lot 52	Lot 53, 54		H	Lot 25	
	E	Lot 22	Lots 23, 24, 25		I	Lot 28	
	F	Lot 23	Lots 22, 24, 25		J	Lot 29	
	G	Lot 24	Lots 22, 23, 25		K	Lot 30	
	H	Lot 25	Lots 22, 23, 24		L	Lot 31	
	I	Lot 28	Lots 29, 30, 31	Right to Drain Stormwater	M	Lot 22	
	J	Lot 29	Lots 28, 30, 31	Right to Drain Sewage	N	Lot 25	
	K	Lot 30	Lots 28, 29, 31		O	Lot 24	
	L	Lot 31	Lots 28, 29, 30		P	Lot 25	
					Q	Lot 28	



RM 030081  
FINAL APPROVED PLANS  
10/09/03

NOTES:  
- Areas and dimensions subject to final survey  
- Lot 60 to be transferred to Lot 12 DP 85461

© COPYRIGHT This drawing and its content remains the property of Landlink Ltd. Any unauthorised use in part or full is forbidden.

REVISION	C - Access Lots removed	26.03.03
REVISION	B - Reserve and Bdy Amendments	21.01.03
REVISION	A - Original Issue	
SURVEYED		DATE 18 November 2002
DESIGNED		Scale 1:1000
DRAWN	DP	Original Plan A2
CHECKED	PT	DRAWING NO. 107.62-2
APPROVED		ISSUE C





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

**IN THE MATTER OF A PLAN LODGED FOR DEPOSIT  
UNDER NUMBER **333393****

**AND RESOURCE CONSENT NO. RM 030081  
(BEING THE SUBDIVISION OF LOT 2 DP 303750),  
at Pharazyn Avenue  
for the Pharazyn Charitable Trust**

**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 that the following conditions are to be complied with on a continuing basis:

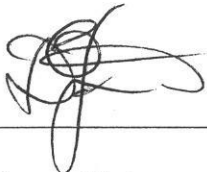
1. With respect to Lots 38 to 41 (inclusive): No fences higher than 1.5 metres shall be permitted within 3 metres of the boundaries of Lots 38 to 41 that adjoin the Local Purpose Reserve (Walkway) (Lot 62).
2. With respect to Lots 22 to 25 and 28 to 32 (inclusive): No fences higher than 1 metre shall be permitted within 3 metres of the lot and right of way boundaries of Lots 22 – 25 and 28 – 32 that face Reserve Lots 26 and 27. The design of the fence in the restricted area shall be of an open nature and to the approval of the Resource Consents Manager.
3. With respect to Lots 45, 46, 51, 52, 53, 55, 56 and 58: No building or earthworks are permitted within the areas defined on DP333393 as set out below:

• Lot 45	-	area "X"	• Lot 53	-	area "S"
• Lot 46	-	area "V"	• Lot 55	-	area "R"
• Lot 51	-	area "U"	• Lot 56	-	area "Q"
• Lot 52	-	area "T"	• Lot 58	-	area "P"

**Note:** the building and earthworks prohibition does not prevent normal gardening operations but, for example, does NOT authorise the construction of retaining walls of any size.

4. **With respect to all Lots:** Foundation design and construction for any new building or additions and alterations to a building on Lots 27, 29, 33 to 56 inclusive, 58 and 59 shall be subject to specific engineering design and this shall take into account the recommendations within the document titled "Statement of Professional Opinion as to Suitability of Land for Building Purposes" and the associated Report on Soil Testing, prepared by Samcon Civil Engineers, dated March 2004 and submitted to Council in relation to application No. RM 030081. Any foundation design and construction for any new building or additions and alterations to a building on Lots 22 to 25, 28, 30 to 32 and 57 should take the recommendations and findings of the above documents into account. A copy of the documents are available in Council's Resource Consents Office at any time the office is open to the public.
5. **With respect to Lots 32 to 46, 49, 51 to 53, 56 and 58:** The following water saving measures must be installed and maintained by the owners of the lots on an ongoing basis:
- A 10,000 litre capacity water tank shall be installed during the construction of the dwelling for the purposes of storage of roof water for outside use. The tank shall be commissioned prior to the issue of any code compliance certificate pursuant to the provisions of the Building Act 1991.
  - No exterior taps may be installed which connect to Council's potable water supply.
  - A device to restrict the delivery of Council's potable water supply to a maximum of 1000 litres per day for each allotment shall be installed and maintained in working order at all times.

Issued in respect of application No. RM 030081 on this 2<sup>nd</sup> day of June 2004.



**Wayne Gair**  
**AUTHORISED OFFICER**



**Paul Lowe**  
**AUTHORISED OFFICER**