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1 July 2026

Dianne Louise Richmond

LAND INFORMATION MEMORANDUM (LIM)

The attached LIM provides you with information about 11 Matuhi Street, Waikanae.

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

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

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

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

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

Yours sincerely



Jackie Adams
Manager Consenting

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Land Information Memorandum (LIM)

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

11 Matuhi Street, Waikanae

Document information

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

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

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

Application details

Applicant	Dianne Louise Richmond
LIM number	L260587
Application date	22/06/26
Issue date	01/07/26

Property details

Property address	11 Matuhi Street, Waikanae
Legal description	LOT 20 DP 413488 CT 700573
Area (hectares)	0.0665

Valuation information

Valuation number	1496020020
Capital value	\$910,000
Land value	\$370,000
Improvements value	\$540,000

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

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Attachments

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

1. Rates

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

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

Current rates year Current Rates Year 2025 to 2026

Annual rates The estimated annual rates for 2026/27 rating year are \$6,046.06

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

Next instalment date 09/09/26

Arrears for previous years \$0.00

Water rates \$343.64 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

10/12/15 BUILDING CONSENT 150804 : New single level dwelling, linea weatherboard cladding. : Code Compliance Certificate issued 15/06/16

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: High Density Residential

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](https://www.kapiticoast.govt.nz/Operative-District-Plan-2021) ([kapiticoast.govt.nz](https://www.kapiticoast.govt.nz/))

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

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

District Plan Features and Overlays

The Operative District Plan (2021) records which properties in the District have these special features and overlays located on them. Each feature and overlay 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 High Density Residential in the Operative District Plan (2021).

This property was created via subdivision in 2010 under resource consent numbers RM050319 and RM050319B. Copies of the Decisions are provided with this LIM. Copies of the Deposited Plan (DP 413488) and Record of Title are provided with this LIM.

There are no known easements. It is recommended that the Record of Title is checked for any interests registered against the property such as easements or covenants.

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

Below is a list of resource consents issued in relation to this property and further detail can be found in the decision letters provided with this LIM.

RESOURCE CONSENT RM050319B: Vary conditions 3 and 18(b) of RM050319 and add condition 18(d) (Found on related property: 1496020001).

RESOURCE CONSENT RM050319: To undertake a 58-lot residential development, including the creation of reserves, roads within development (Found on related property: 1496020001).

RESOURCE CONSENT RM080153: Change to consent condition 3 of RM050319, subdivision at Kakariki Gve, Waikanae (Found on related property: 1496020001).

RESOURCE CONSENT RM080253: Proposed further change to consent condition 3 on RM050319 & RM080153 for Kakariki Gve, Waikanae (Found on related property: 1496020001).

RESOURCE CONSENT RM090173: Reduction of front yard setbacks along boundaries of Hihi Place, Tauhou Place and Matuhi St, Waikanae - lots created (Found on related property: 1496020001).

RESOURCE CONSENT RM110082: Extension to the consent period relating to subdivision and land use consents at Kakariki Grove, Waikanae (Found on related property: 1496020001).

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

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

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

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

5. Special Features and Characteristics of the land

This section identifies information held by Council about:

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

Climate Change

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

Contaminated Sites

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

Natural Hazards

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

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

Coastal Erosion and Inundation Hazards

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

Currently, information specific to the Kapiti Coast District includes:

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

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

Earthquakes

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

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

Fire

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

Liquefaction

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

Tsunami Evacuation Zones

Tsunami Evacuation Zone Maps have been developed by the Greater Wellington Regional Council to assist emergency preparedness by identifying the 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/.

Other Information

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

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

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

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

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

The Ohariu earthquake fault avoidance zone (Section described as `well defined`) traverses the adjacent land and Matuhi Road carriageway.

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

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

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



0 10 20 Metres

Scale @ A4 - 1:500

Date Printed: June 22, 2026

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 700573
Land Registration District Wellington
Date Issued 09 June 2015

Prior References
678142

Estate Fee Simple
Area 665 square metres more or less
Legal Description Lot 20 Deposited Plan 413488
Original Registered Owners
Kapiti Views Trustees Limited

Interests

Land Covenant in Easement Instrument 7963080.2 - 20.1.2009 at 11:59 am
8429713.1 Mortgage to Westpac New Zealand Limited - 4.3.2010 at 11:56 am
8546972.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 21.7.2010 at 4:05 pm
Land Covenant in Easement Instrument 8546972.11 - 21.7.2010 at 4:05 pm
Land Covenant in Easement Instrument 8567999.1 - 27.8.2010 at 4:12 pm
Fencing Covenant subject to Section 6(2) of the Fencing Act 1978 in Easement Instrument 8546972.12 - 21.7.2010 at 4:05 pm
10101797.1 Discharge of Mortgage 8429713.1 - 26.6.2015 at 3:27 pm
10101797.2 Transfer to Shaun Mitchell Dent and Alexandra Maree Elizabeth Lott - 26.6.2015 at 3:27 pm
Fencing Covenant in Transfer 10101797.2 - 26.6.2015 at 3:27 pm
10101797.3 Mortgage to Bank of New Zealand - 26.6.2015 at 3:27 pm
10139605.1 Variation of Mortgage 10101797.3 - 30.7.2015 at 5:17 pm
12337491.1 Discharge of Mortgage 10101797.3 - 27.1.2022 at 1:38 pm
12337491.2 Transfer to Barry Robert Richmond, Dianne Louise Richmond and Public Trust - 27.1.2022 at 1:38 pm
12796764.1 Court Order varying Land Covenants 7963080.2 and 8567999.1 and extinguishing Land Covenants 7963080.2 and 8567999.1 as to Lot 110 DP 498093 contained in Record of Title 737093 - 3.10.2024 at 12:28 pm



Digital Title Plan - DP 413488

Survey Number	DP 413488
Surveyor Reference	18757 Kapiti Views Trust
Surveyor	Nicola Kate Todd
Survey Firm	Cuttriss Consultants Ltd (Kapiti)
Surveyor Declaration	I Nicola Kate Todd, 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 2002/2; (b) This dataset is accurate, and has been created in accordance with that Act and those Rules. Declared on 11 May 2010 05:30 PM.

Survey Details

Dataset Description	Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939		
Status	Deposited		
Land District	Wellington	Survey Class	Class I Cadastral Survey
Submitted Date	11/05/2010	Survey Approval Date	03/06/2010
		Deposit Date	21/07/2010

Territorial Authorities

Kapiti Coast District

Comprised In

CT WN42D/510
CT WN718/11

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 413488	Fee Simple Title	0.0607 Ha	466495
Lot 2 Deposited Plan 413488	Fee Simple Title	0.0646 Ha	466496
Lot 3 Deposited Plan 413488	Fee Simple Title	0.0656 Ha	466497
Lot 4 Deposited Plan 413488	Fee Simple Title	0.0656 Ha	466498
Lot 5 Deposited Plan 413488	Fee Simple Title	0.0656 Ha	466499
Lot 6 Deposited Plan 413488	Fee Simple Title	0.0651 Ha	466500
Lot 7 Deposited Plan 413488	Fee Simple Title	0.0797 Ha	466501
Lot 8 Deposited Plan 413488	Fee Simple Title	0.0816 Ha	466502
Lot 9 Deposited Plan 413488	Fee Simple Title	0.1045 Ha	466503
Lot 10 Deposited Plan 413488	Fee Simple Title	0.0875 Ha	466504
Lot 11 Deposited Plan 413488	Fee Simple Title	0.1465 Ha	466505
Lot 12 Deposited Plan 413488	Fee Simple Title	0.0807 Ha	466506
Lot 13 Deposited Plan 413488	Fee Simple Title	0.0631 Ha	466507
Lot 14 Deposited Plan 413488	Fee Simple Title	0.0855 Ha	466508
Lot 15 Deposited Plan 413488	Fee Simple Title	0.0763 Ha	466509



Digital Title Plan - DP 413488

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 16 Deposited Plan 413488	Fee Simple Title	0.0700 Ha	466510
Lot 17 Deposited Plan 413488	Fee Simple Title	0.0701 Ha	466511
Lot 102 Deposited Plan 413488	Vesting on Deposit for Recreation Reserve (Territorial Authority)	0.2218 Ha	466512
Lot 18 Deposited Plan 413488	Fee Simple Title	0.0567 Ha	466513
Lot 19 Deposited Plan 413488	Fee Simple Title	0.0679 Ha	466514
Lot 20 Deposited Plan 413488	Fee Simple Title	0.0665 Ha	466515
Lot 103 Deposited Plan 413488	Vesting on Deposit for Local Purpose Reserve	0.1203 Ha	466516
Lot 21 Deposited Plan 413488	Fee Simple Title	0.0685 Ha	466517
Lot 22 Deposited Plan 413488	Fee Simple Title	0.0763 Ha	466518
Lot 23 Deposited Plan 413488	Fee Simple Title	0.1176 Ha	466519
Lot 24 Deposited Plan 413488	Fee Simple Title	0.0897 Ha	466520
Lot 25 Deposited Plan 413488	Fee Simple Title	0.0573 Ha	466521
Lot 26 Deposited Plan 413488	Fee Simple Title	0.0586 Ha	466522
Lot 27 Deposited Plan 413488	Fee Simple Title	0.0517 Ha	466523
Lot 28 Deposited Plan 413488	Fee Simple Title	0.0526 Ha	466524
Lot 29 Deposited Plan 413488	Fee Simple Title Road	0.6546 Ha	466525
Lot 110 Deposited Plan 413488	Fee Simple Title	5.7441 Ha	466526
Marked A Deposited Plan 413488	Easement		
Marked B Deposited Plan 413488	Easement		
Marked C Deposited Plan 413488	Easement		
Marked D Deposited Plan 413488	Easement		
Marked E Deposited Plan 413488	Easement		
Marked F Deposited Plan 413488	Easement		
Marked G Deposited Plan 413488	Easement		
Marked H Deposited Plan 413488	Easement		
Marked I Deposited Plan 413488	Easement		
Marked J Deposited Plan 413488	Easement		
Marked K Deposited Plan 413488	Easement		
Marked L Deposited Plan 413488	Easement		
Marked M Deposited Plan 413488	Easement		
Marked N Deposited Plan 413488	Easement		
Marked O Deposited Plan 413488	Easement		
Marked Q Deposited Plan 413488	Easement		
Marked R Deposited Plan 413488	Easement		
Marked S Deposited Plan 413488	Easement		
Marked JJ Deposited Plan 413488	Easement		



Digital Title Plan - DP 413488

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked T Deposited Plan 413488	Easement		
Marked U Deposited Plan 413488	Easement		
Marked V Deposited Plan 413488	Easement		
Marked W Deposited Plan 413488	Easement		
Marked X Deposited Plan 413488	Easement		
Marked Y Deposited Plan 413488	Easement		
Marked Z Deposited Plan 413488	Easement		
Marked AA Deposited Plan 413488	Easement		
Marked BB Deposited Plan 413488	Easement		
Marked CC Deposited Plan 413488	Easement		
Marked DD Deposited Plan 413488	Easement		
Marked EE Deposited Plan 413488	Easement		
Marked GG Deposited Plan 413488	Easement		
Marked HH Deposited Plan 413488	Easement		
Marked FF Deposited Plan 413488	Easement		
Marked II Deposited Plan 413488	Easement		
Marked KK Deposited Plan 413488	Easement		
Marked LL Deposited Plan 413488	Easement		
Marked MM Deposited Plan 413488	Easement		
Marked NN Deposited Plan 413488	Easement		
Marked OO Deposited Plan 413488	Easement		
Marked PP Deposited Plan 413488	Easement		
Marked QQ Deposited Plan 413488	Easement		
Total Area		8.8824 Ha	

Land Registration District Plan Number

WELLINGTON		DP 413488
-------------------	--	------------------

Territorial Authority (the Council)

KAPITI COAST DISTRICT COUNCIL**Memorandum of Easements in Gross**

Purpose	Shown	Servient Tenement	Grantee
Stormwater Drainage	D	Lot 2	Kapiti Coast District Council
	E	Lot 3	
	F	Lot 4	
	G	Lot 5	
	H	Lot 6	
	I & QQ	Lot 7	
	K, KK & MM	Lot 8	
	L	Lot 9	
	N	Lot 13	
	X & Y	Lot 21	
	AA & PP	Lot 22	
	GG	Lot 10	
	HH	Lot 11	
	BB	Lot 23	

Memorandum of Easements in Gross			
Purpose	Shown	Servient Tenement	Grantee
Stormwater & Sewage Drainage	B	Lot 1	
	W	Lot 19	
	NN	Lot 21	
	OO & PP	Lot 22	
	CC	Lot 23	
Sewage Drainage	C	Lot 1	
	O	Lot 13	
	JJ & S	Lot 17	
	Z	Lot 21	
	II	Lot 23	

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Transfer Document
Sewage and Stormwater Drainage & Water Supply	DD	Lot 110	B449158.1
Stormwater Drainage & Water Supply	EE	Lot 110	B449158.1
Sewage Drainage	FF	Lot 28	850784.3
	BB	Lot 23	850784.3

Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Stormwater & Sewage Drainage	A	Lot 29	Pt. Lot 1 DP 23735 (WND4/735)
Stormwater Drainage	M	Lot 12	Lot 110

Certifying parties must sign or initial this box

Areas J, Q, R, T, U, V, JJ, KK, LL & QQ are to be subject to land covenants.

Lots 10, 15-20 and 24 are subject to land covenants (height restrictions). Levels in terms of Kapiti Coast District Council Bench Mark WBM 023 Reduced Level: 37.38 metres above Mean Sea Level (Wellington Datum 1953).

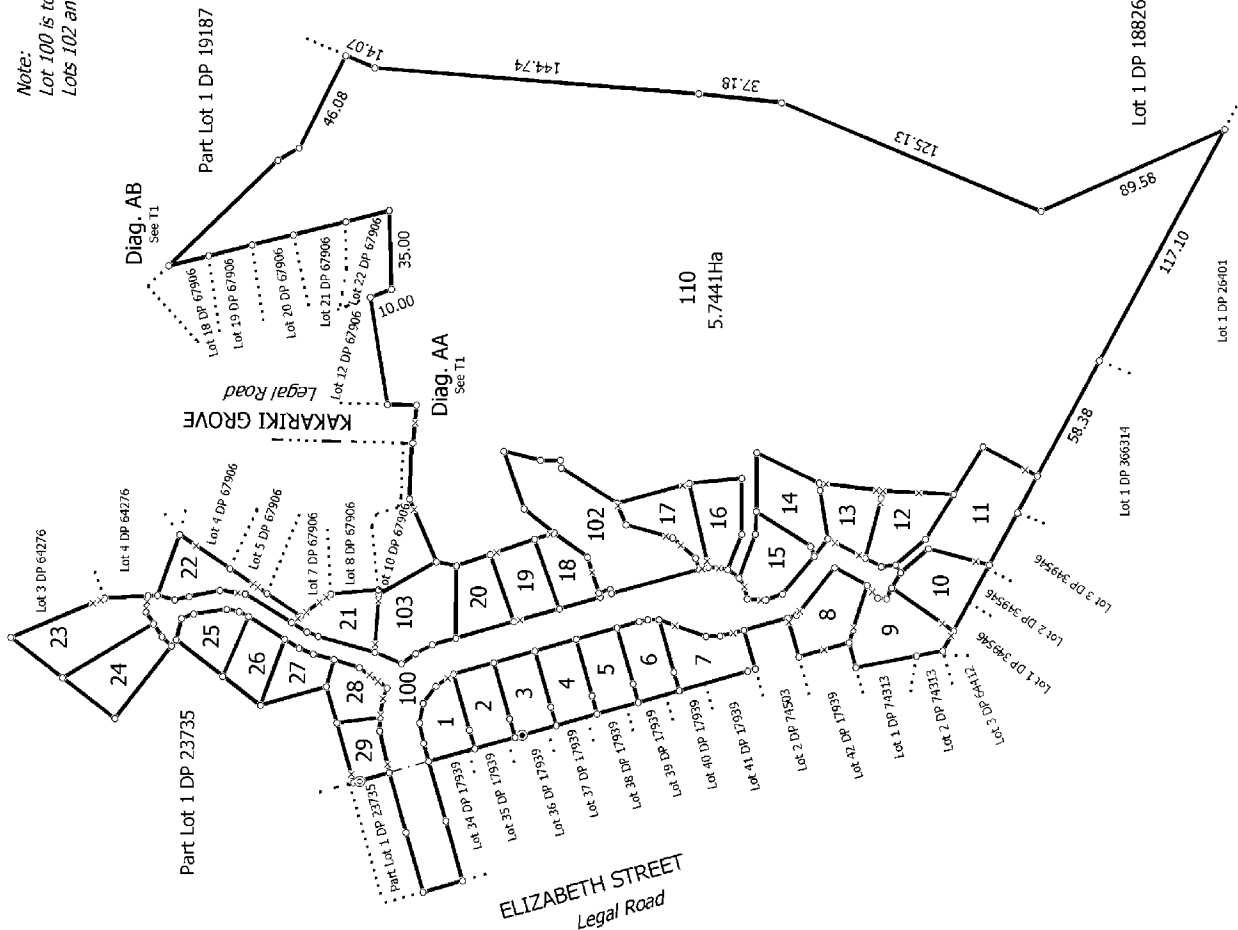
Lot 100 is to vest as Road in the Kapiti Coast District Council.

Lot 102 is to vest as Local Purpose Reserve (Recreation) in the Kapiti Coast District Council.

Lot 103 is to vest as Local Purpose (Stormwater) Reserve in the Kapiti Coast District Council.

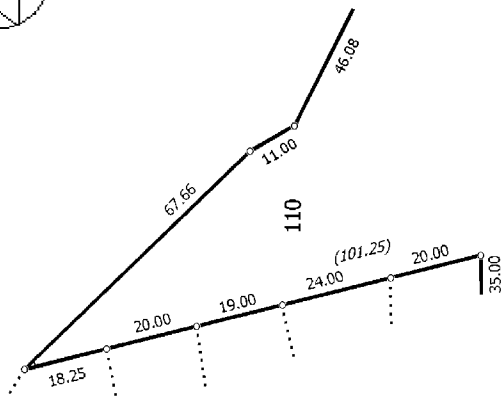


Diag. A



Note:
Lot 100 is to vest as road in the Kapiti Coast District Council.
Lots 102 and 103 are to vest as Recreation Reserve in the Kapiti Coast District Council.

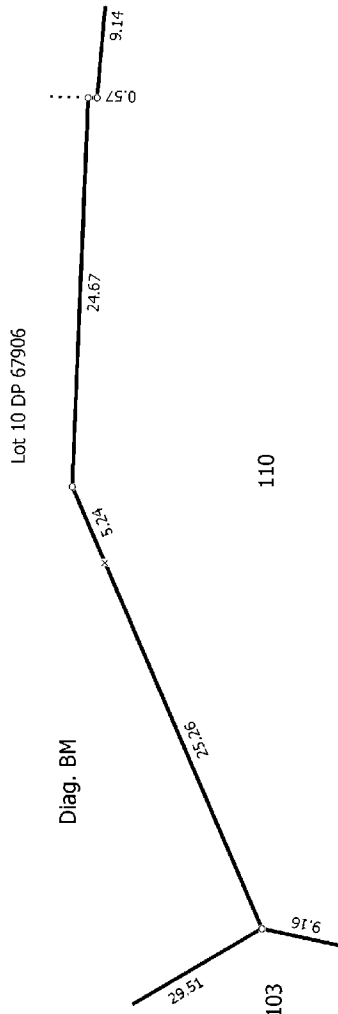
Diag. AB



Diag. AA



Diag. BM



T 1/11

Land District Wellington

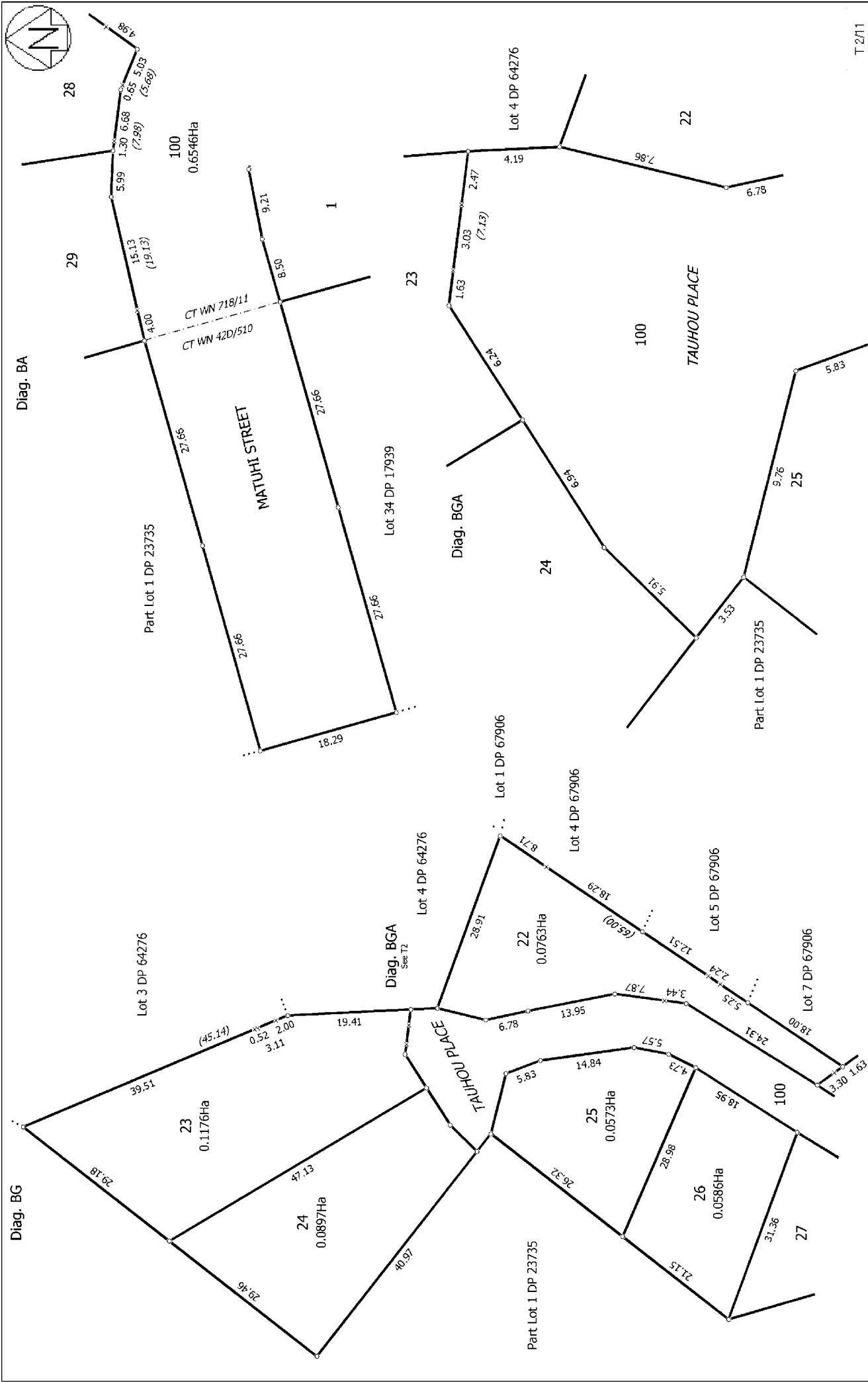
Digitally Generated Plan
Generated on: 03/08/2010 08:25am Page 7 of 17

Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939

Surveyor: Nicola Kate Todd
Firm: Culltriss Consultants Ltd (Kapiti)

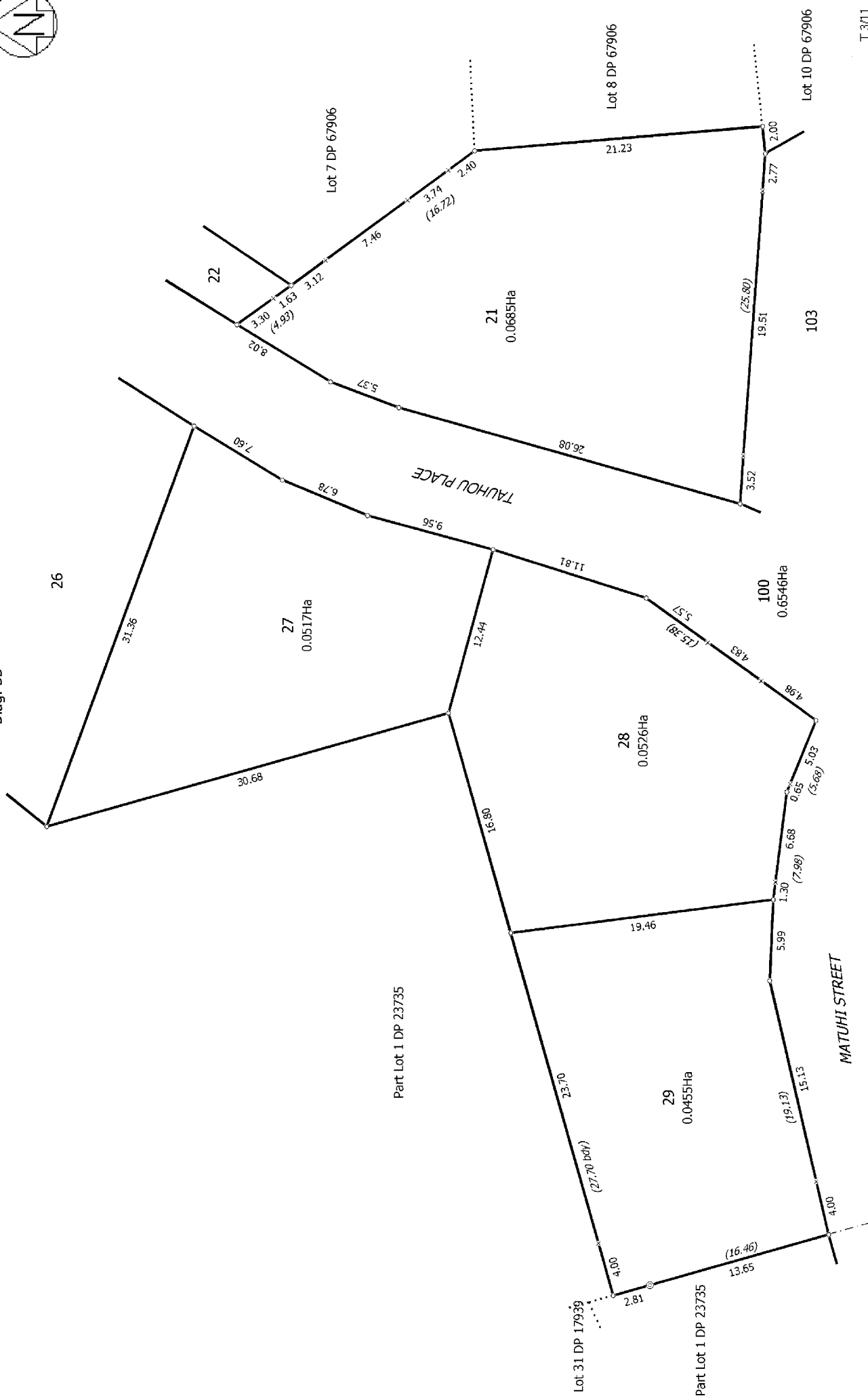
Digital Title Plan
DP 413488

Deposited on: 21/07/2010



T 2/11

Land District: Wellington	Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939	Surveyor: Nicola Kate Todd Firm: Culltriss Consultants Ltd (Kapiti)	Digital Title Plan DP 413488
Digitally Generated Plan Generated on: 03/08/2010 08:25am Page 8 of 17		Deposited on: 21/07/2010	



T 371

Land District Wellington

Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939

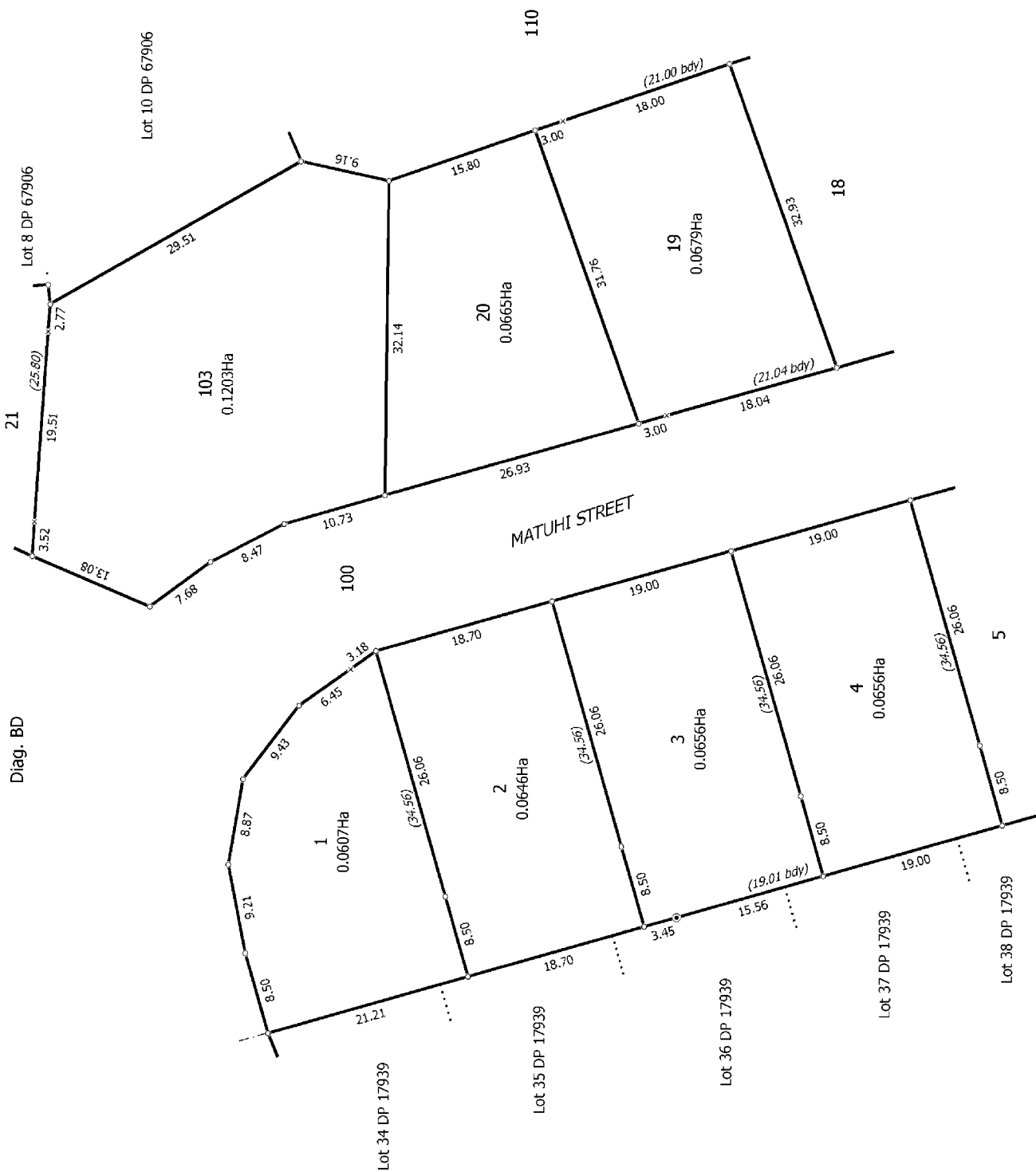
Surveyor: Nicola Kate Todd
Firm: Cuttriss Consultants Ltd (Kapiti)

Digital Title Plan
DP 413488Digitally Generated Plan
Generated on: 03/08/2010 08:25am Page 9 of 17

Deposited on: 21/07/2010



Diag. BD



T 4/11

Land District Wellington

Digitally Generated Plan

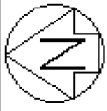
Generated on: 03/08/2010 08:25am Page 10 of 17

Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939

Surveyor: Nicola Kate Todd
Firm: Outtriss Consultants Ltd (Kapiti)

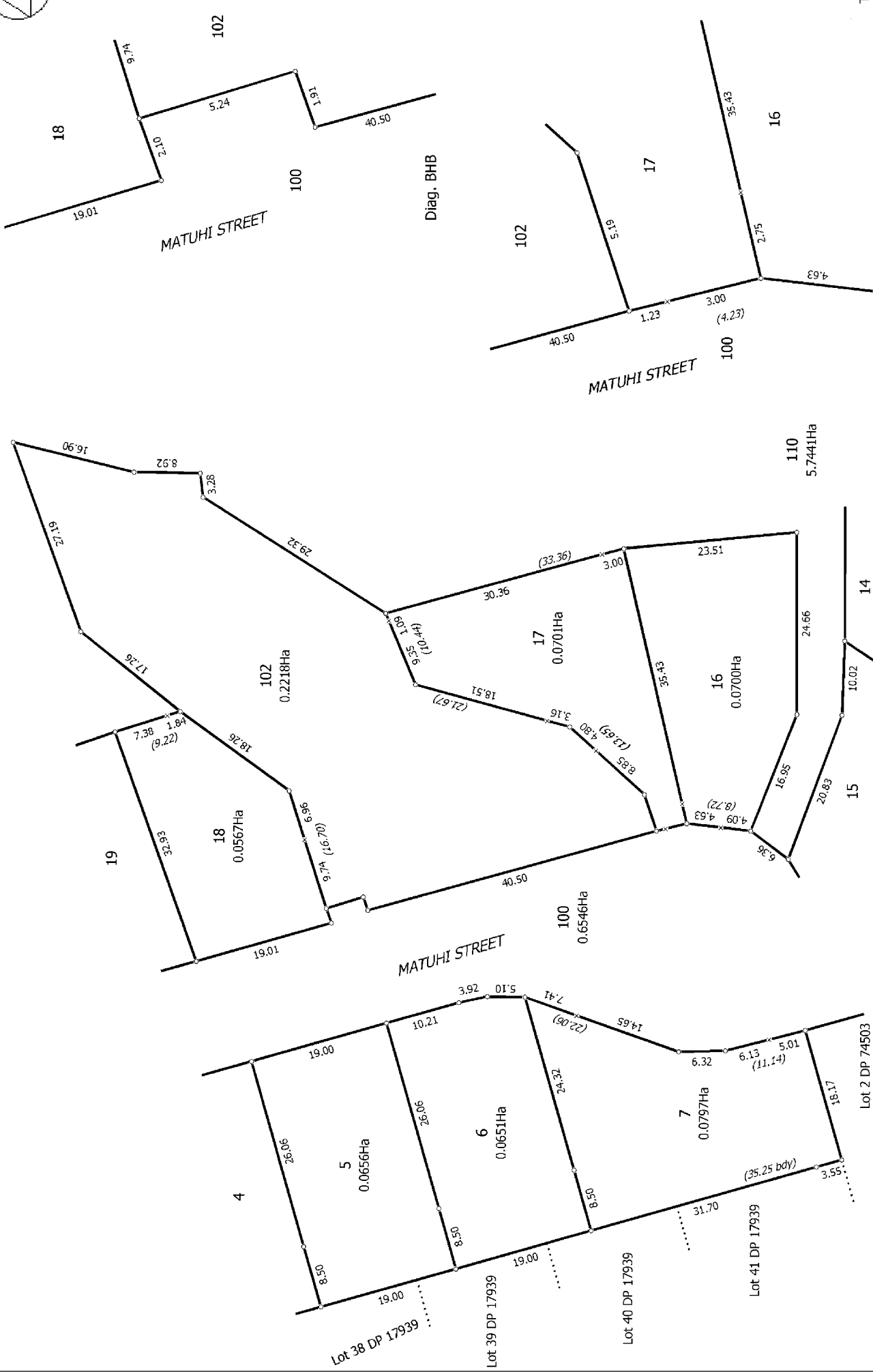
Digital Title Plan
DP 413488

Deposited on: 21/07/2010



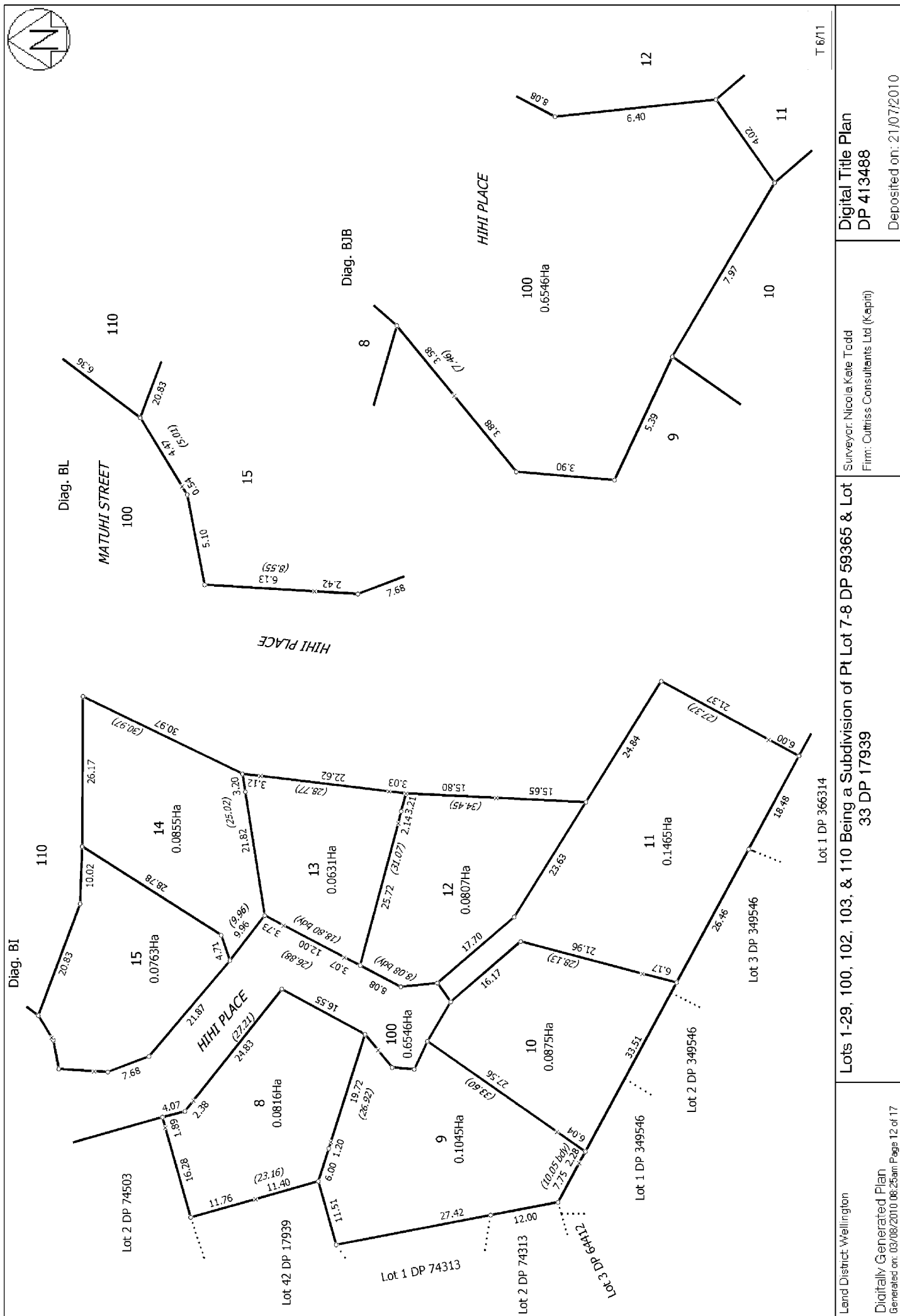
Diag. BHA

Diag. BF

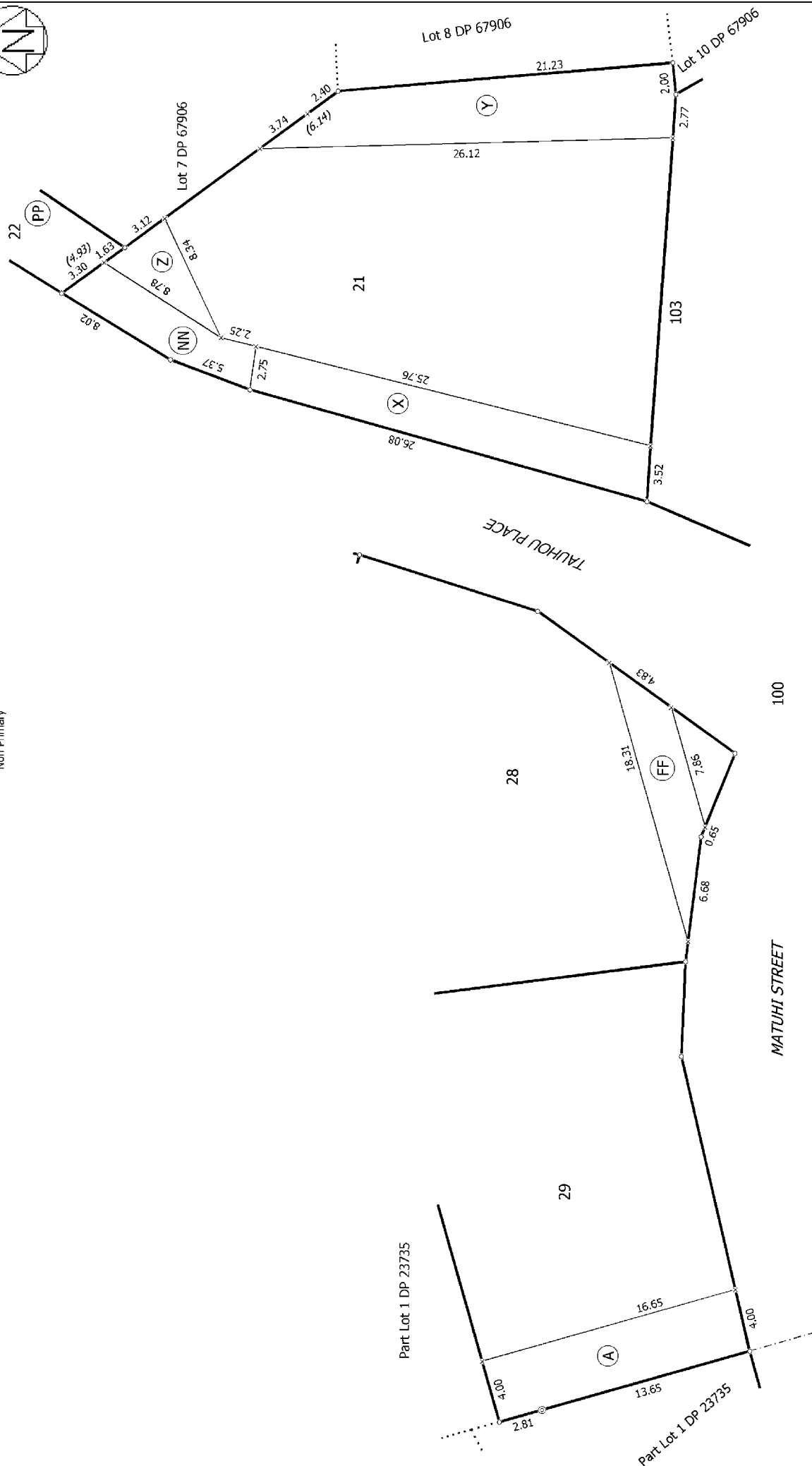


T 5/11

Land District Wellington	Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939	Surveyor: Nicola Kate Todd Firm: Outtriss Consultants Ltd (Kapiti)	Digital Title Plan DP 413488 Deposited on: 21/07/2010
Digitally Generated Plan Generated on: 03/08/2010 08:25am Page 11 of 17			



Diag. BC
Non Primary



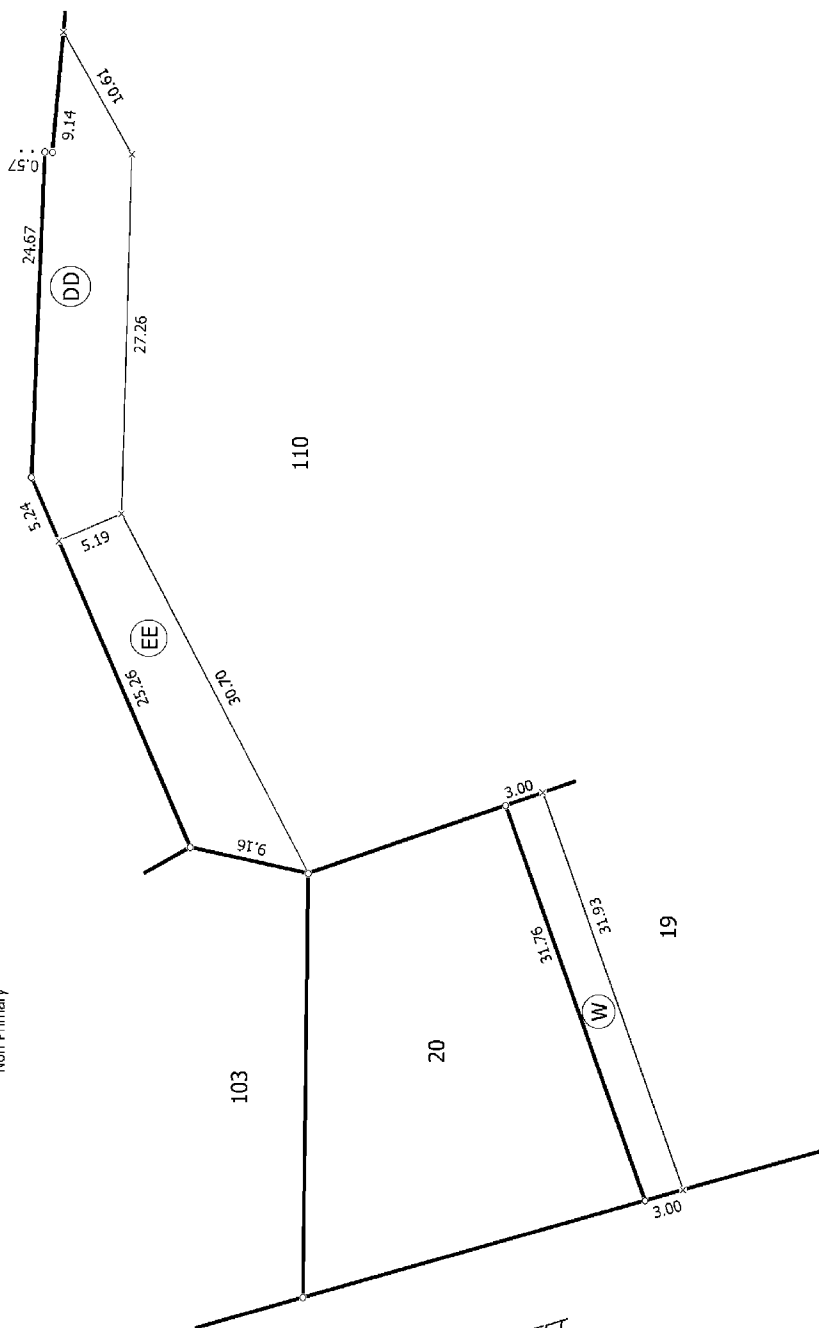
T 8/11

Land District Wellington	Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939	Surveyor: Nicola Kate Todd Firm: Outtriss Consultants Ltd (Kapiti)	Digital Title Plan DP 413488 Deposited on: 21/07/2010
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Diag. BE
Non Primary

Lot 10 DP 67906



MATUHI STREET



Lot 34 DP 17939

Lot 35 DP 17939

Lot 36 DP 17939

Lot 37 DP 17939

Lot 38 DP 17939

T 9/11

Land District Wellington

Digitally Generated Plan

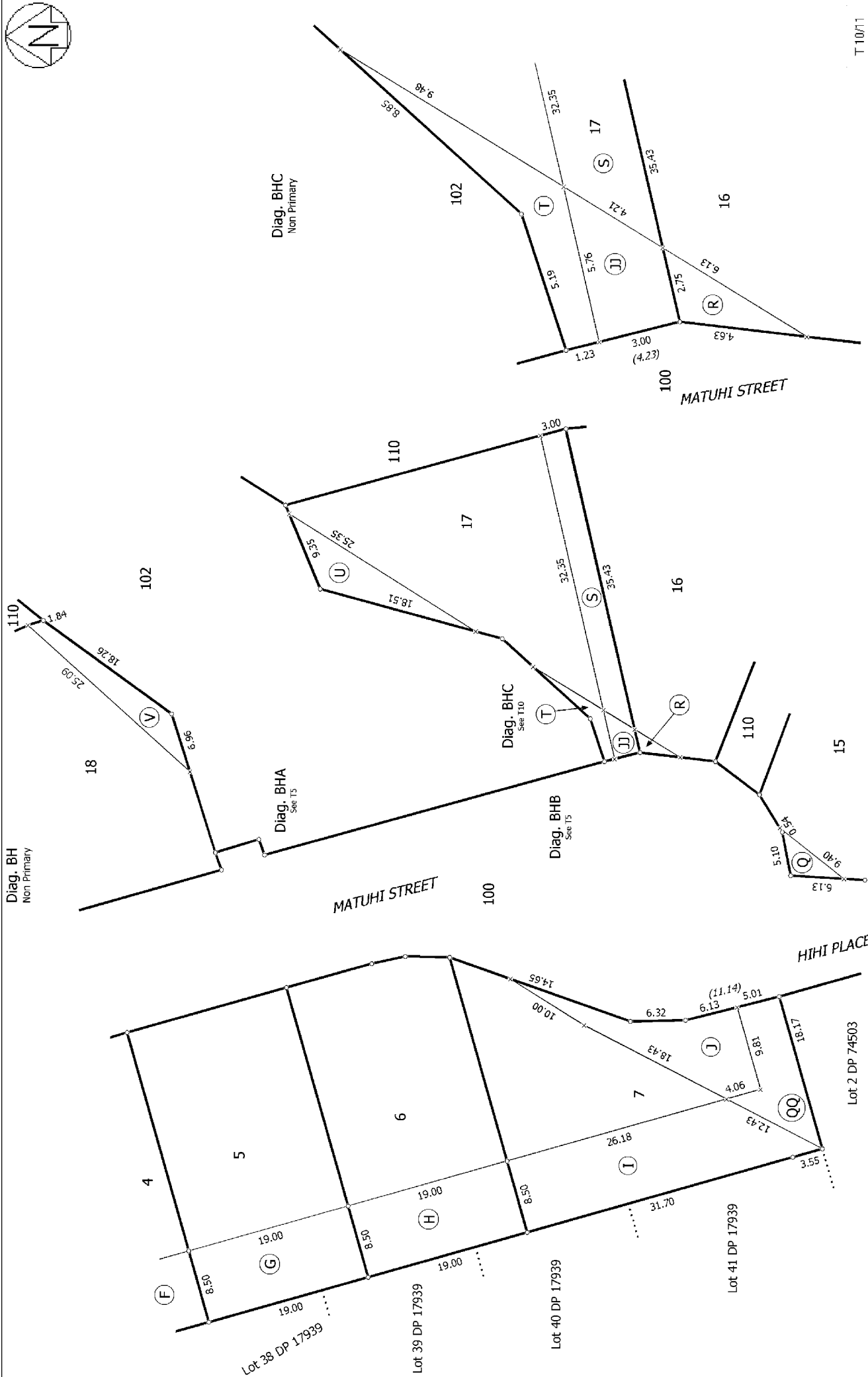
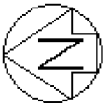
Generated on: 03/08/2010 08:25am Page 15 of 17

Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939

Surveyor: Nicola Kate Todd
Firm: Outtriss Consultants Ltd (Kaiti)

Digital Title Plan
DP 413488

Deposited on: 21/07/2010



T 10/71

Land District Wellington

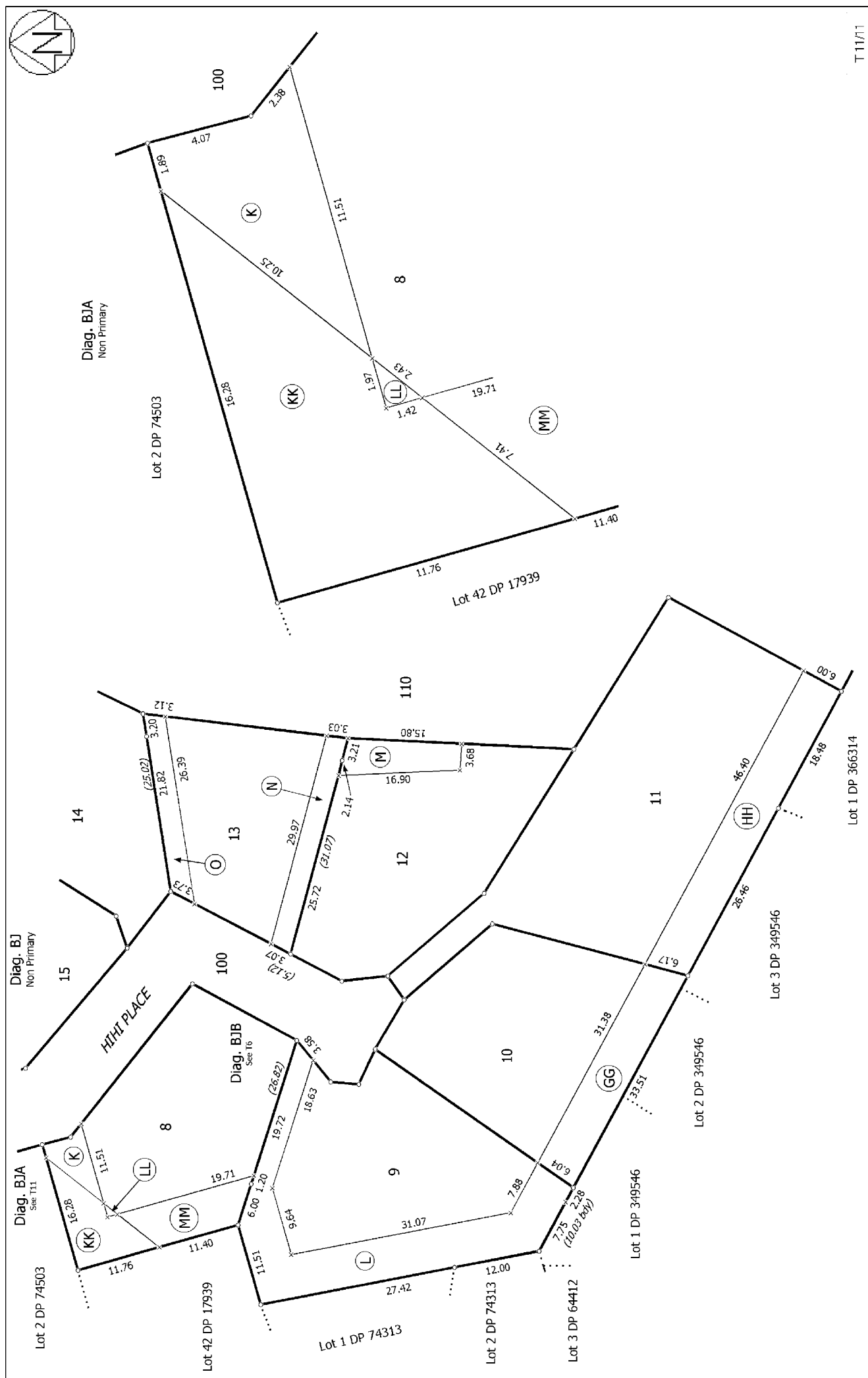
Digitally Generated Plan
Generated on: 03/08/2010 08:25am Page 16 of 17

Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939

Surveyor: Nicola Kate Todd
Firm: Outtriss Consultants Ltd (Kapiti)

Digital Title Plan
DP 413488

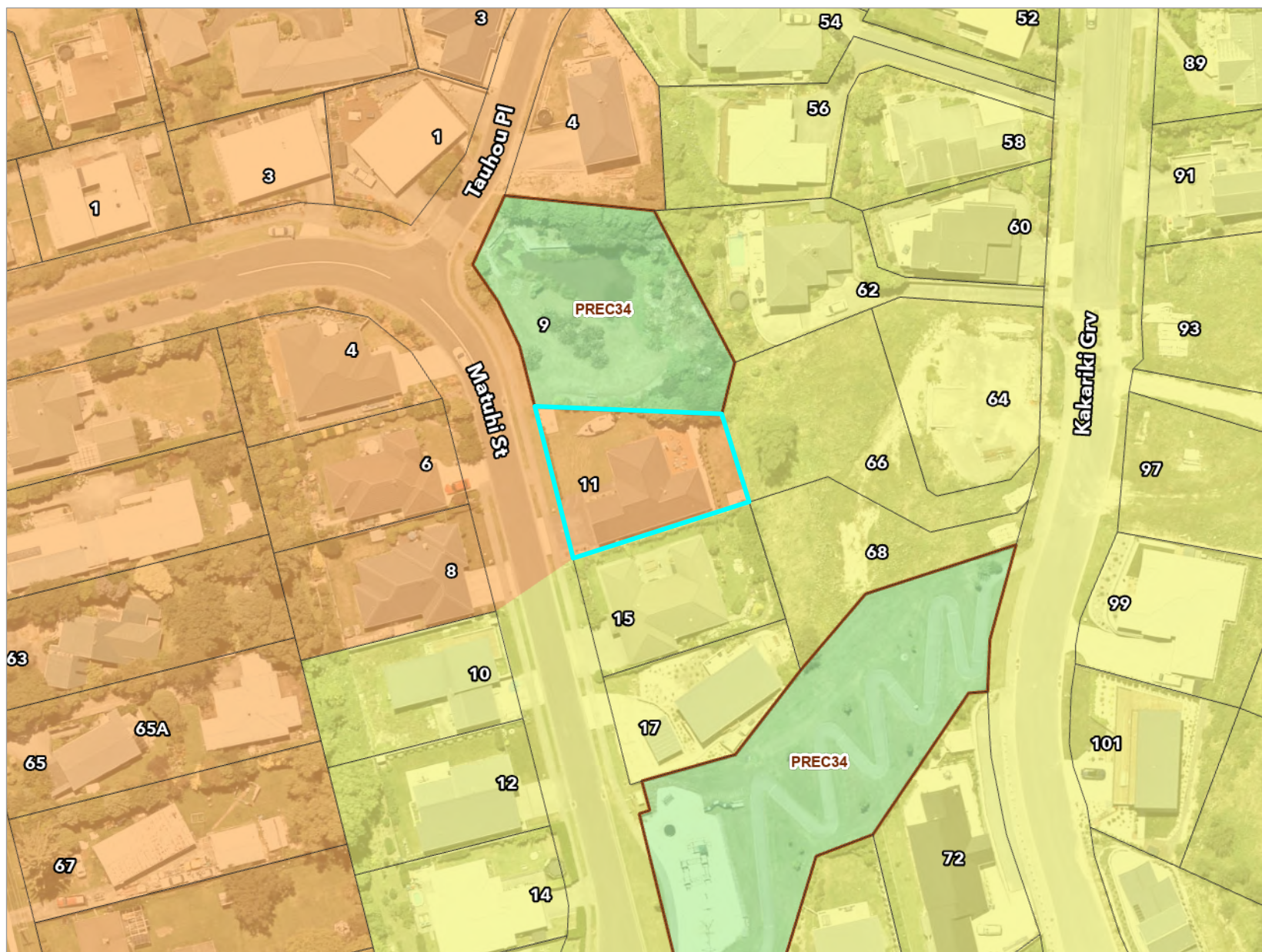
Deposited on: 21/07/2010



Land District: Wellington	Lots 1-29, 100, 102, 103, & 110 Being a Subdivision of Pt Lot 7-8 DP 59365 & Lot 33 DP 17939	Surveyor: Nicola Kate Todd Firm: Outtriss Consultants Ltd (Kapiti)	Digital Title Plan DP 413488
Digitally Generated Plan Generated on: 03/08/2010 08:25am Page 17 of 17		Deposited on: 21/07/2010	

Operative District Plan 2021 - Zones and Precincts

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



Key to map symbols

- Precinct
- General Residential Zone
- High Density Residential Zone
- Open Space Zone



0 20 40 Metres

Scale @ A4 - 1:1,000

Date Printed: June 22, 2026

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11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)

- Major 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

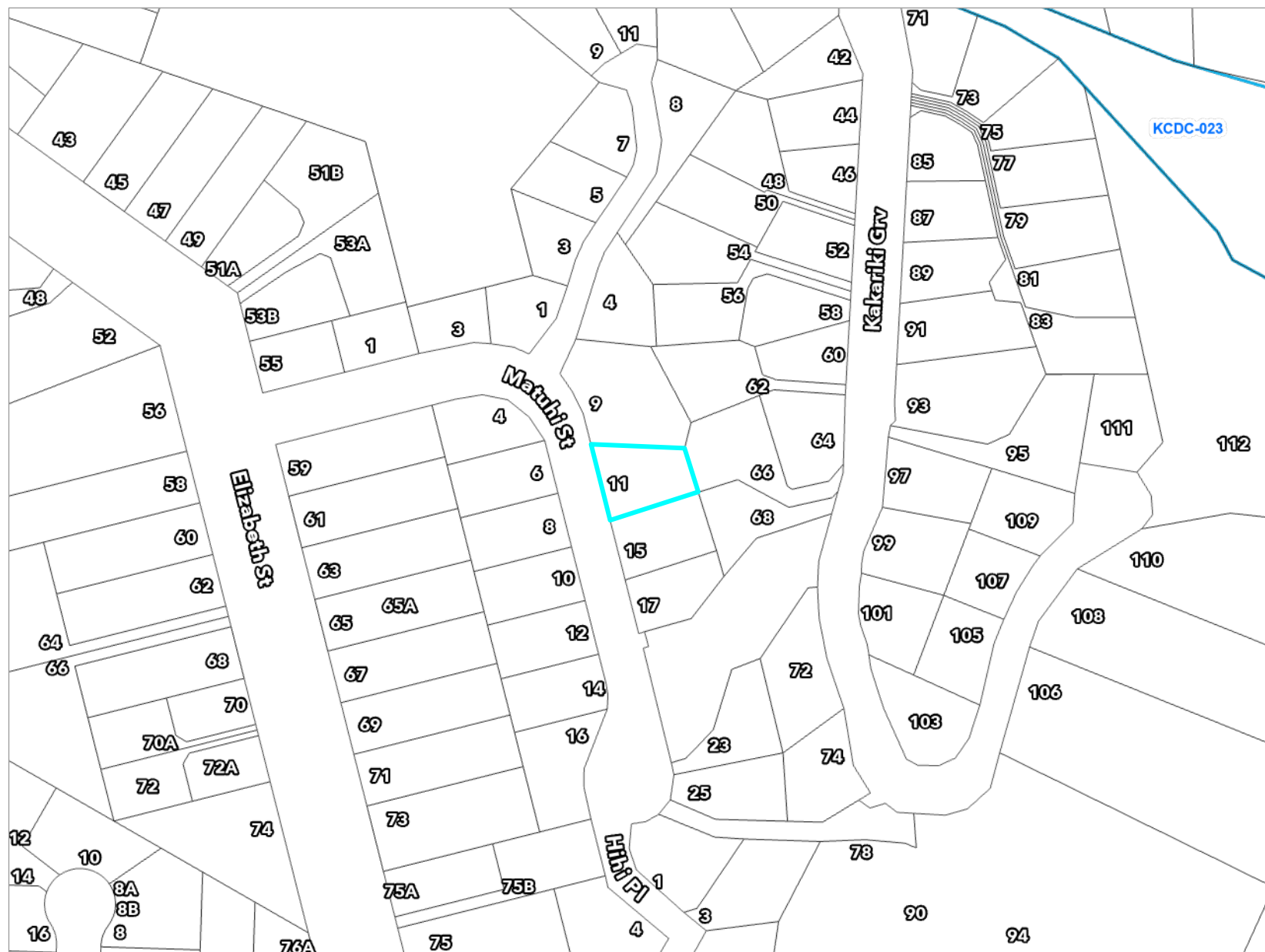
Scale @ A4 - 1:2,000

Date Printed: June 22, 2026

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Operative District Plan 2021 - Designations & Miscellaneous Features

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



Key to map symbols

 Designation

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.



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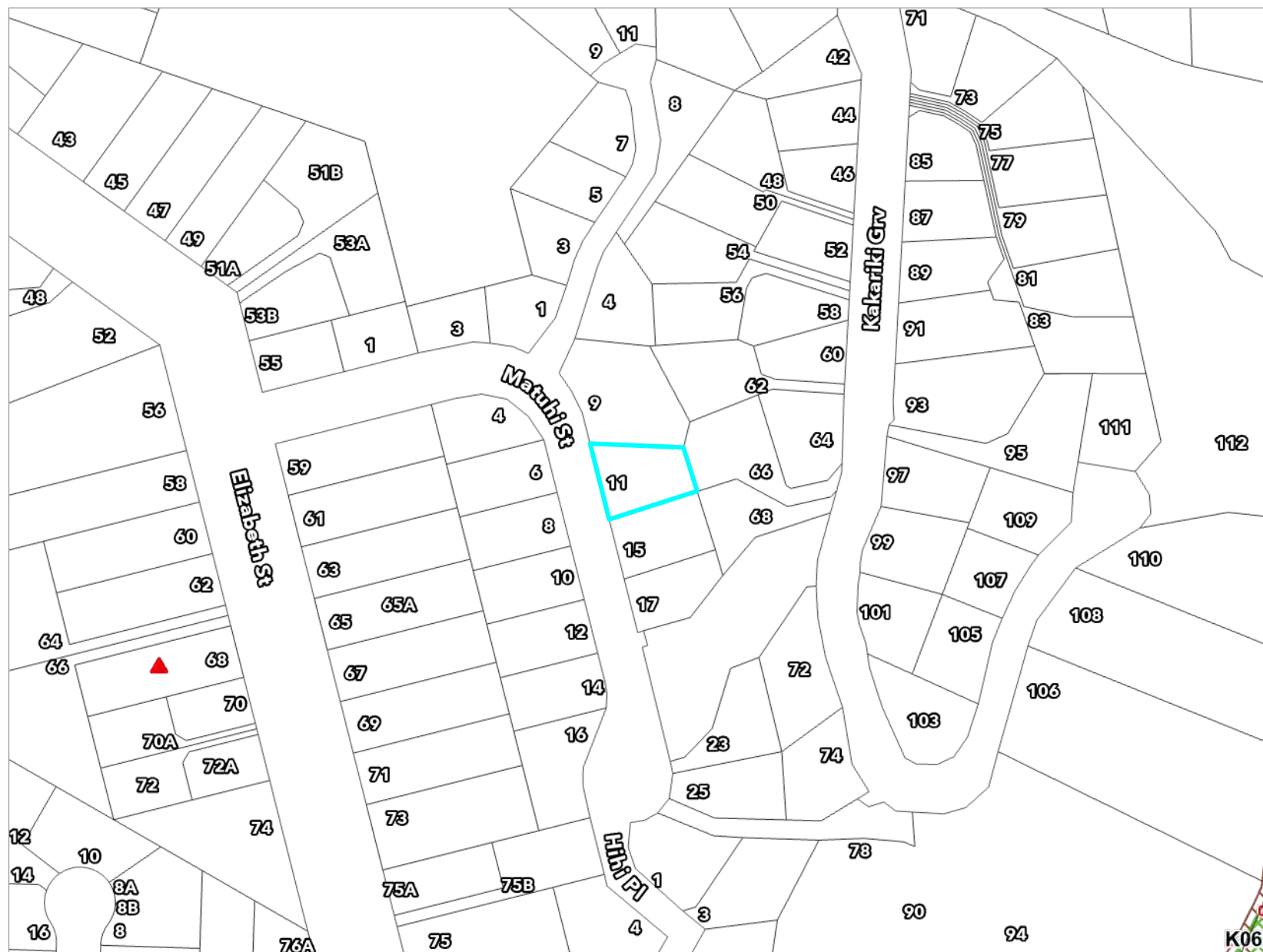
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Operative District Plan 2021 - Natural Features

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



Key to map symbols

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

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



0 40 80 Metres

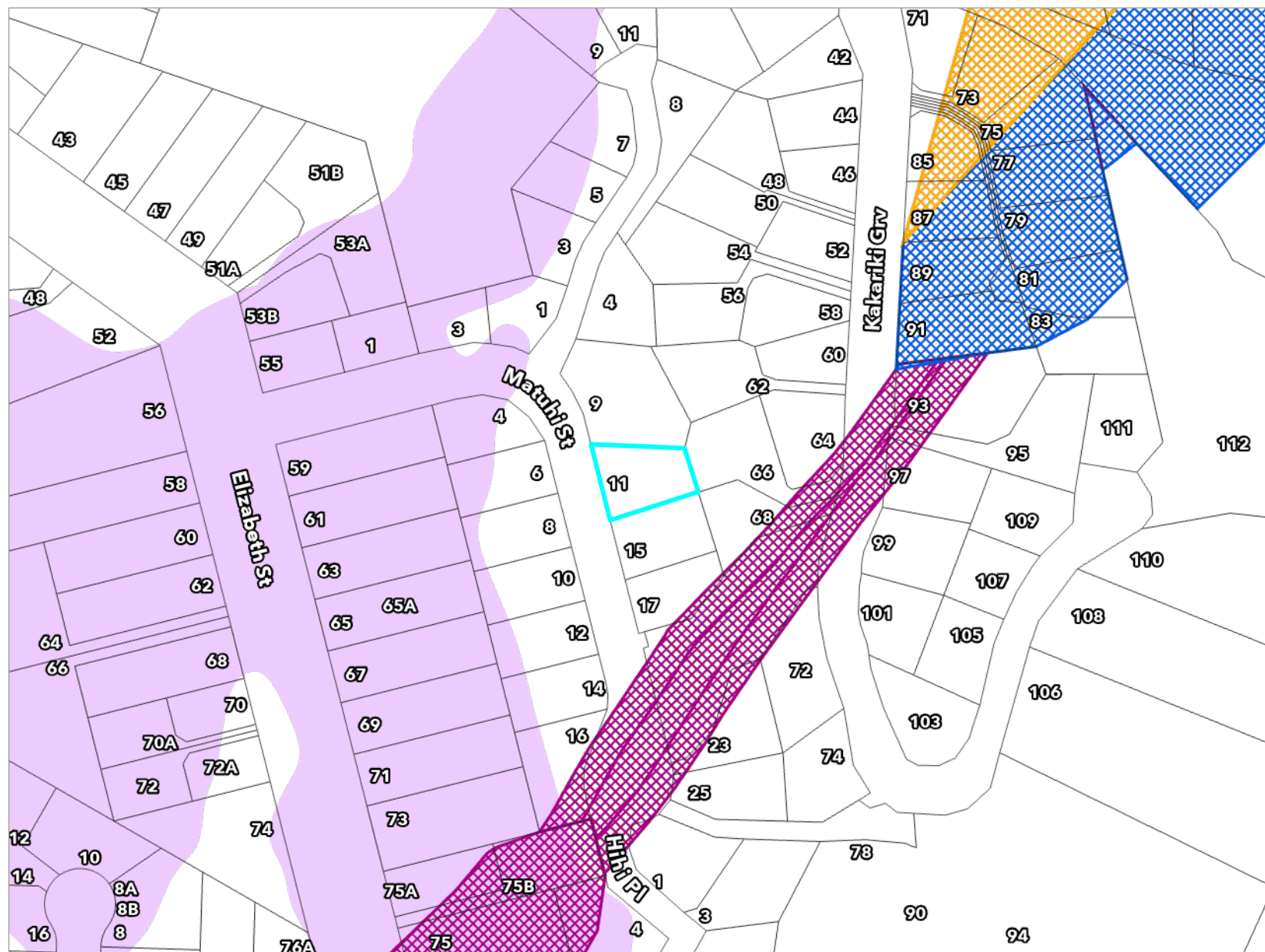
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Date Printed: June 22, 2026

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Operative District Plan 2021 - Natural Hazards

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



Key to map symbols

-  Well Defined
-  Well Defined Extension
-  Uncertain Constrained
-  Shallow Surface Flow

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

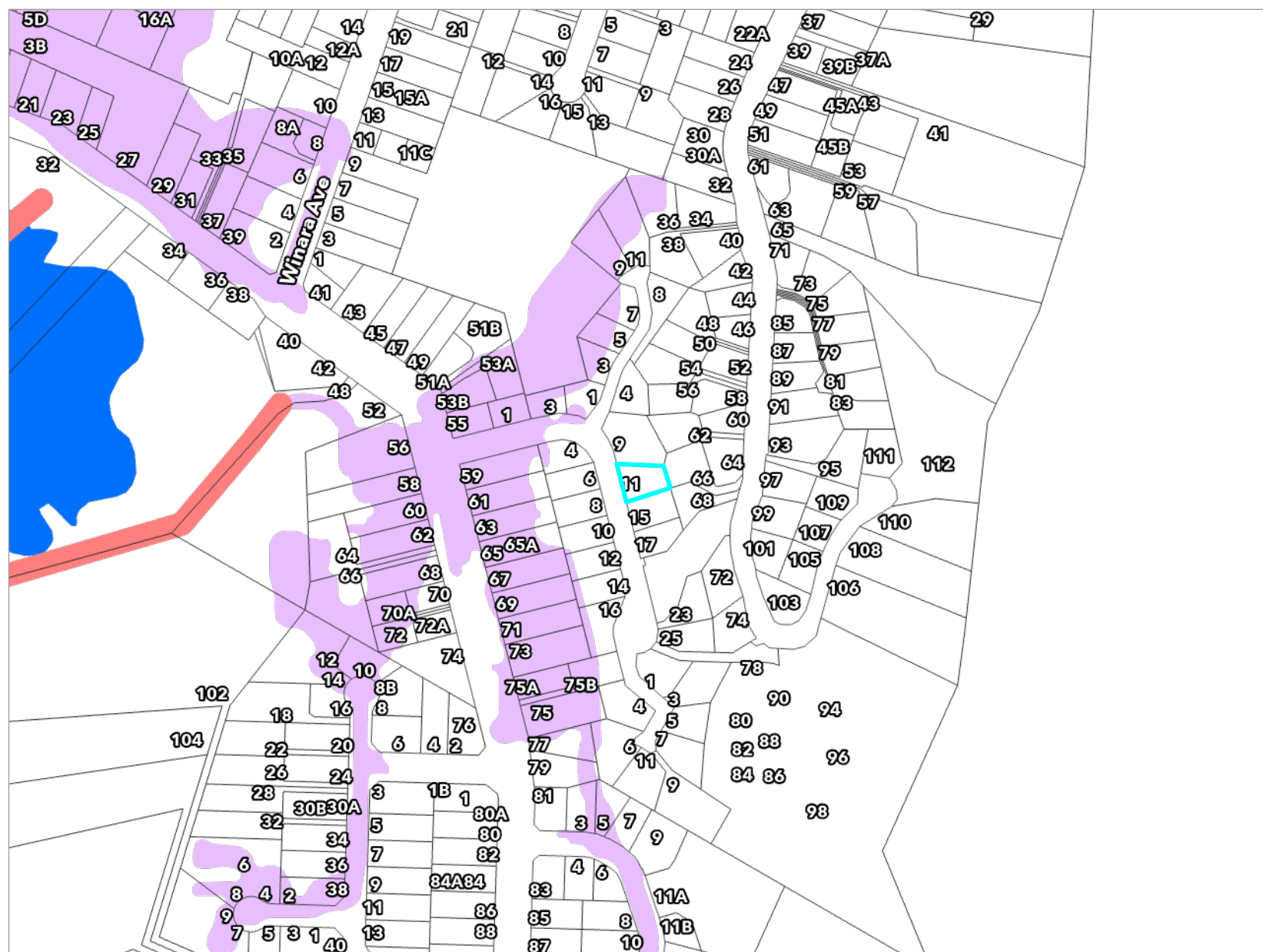
Scale @ A4 - 1:2,000

Date Printed: June 22, 2026

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Latest Flood Hazards

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



Key to map symbols

- Stream Corridor
- Ponding
- Shallow Surface Flow

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



0 90 180 Metres

Scale @ A4 - 1:4,000

Date Printed: June 22, 2026

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11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)

Resource Consents



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



0 10 20 Metres

Scale @ A4 - 1:750

Date Printed: June 22, 2026

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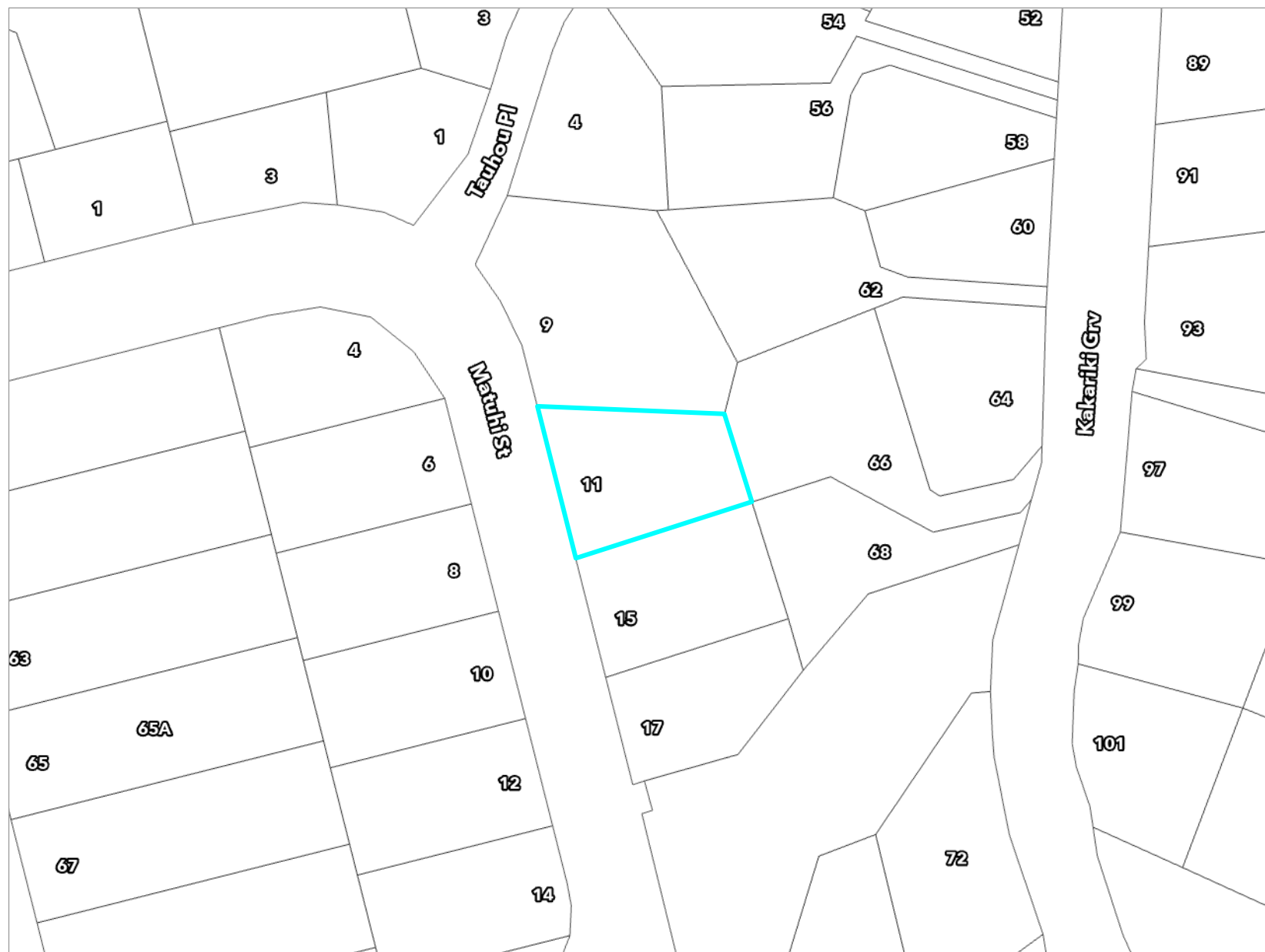
Resource Consents Report

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
120011	15 Matuhi Street, Waikanae	1496020024	LOT 19 DP 413488 C/T 466514	LD	Earthworks for proposed new residence at 15 Matuhi Street,	N	N	Decision Issued	29/2/2012	8/2/2012
100088	60 Kakariki Grove, Waikanae	1496009930	LOT 11 DP 67906	LD	To construct three storey house exceeding site coverage,	N	N	Decision Issued	5/7/2010	28/6/2010
190257	68 Kakariki Grove, Waikanae	1496020063	LOT 32 DP 498093 CT 737084	LD	To construct a dwelling which does not comply with height	N	N	Letter Generated	22/11/2019	25/10/2019
190235	68 Kakariki Grove, Waikanae	1496020063	LOT 32 DP 498093 CT 737084	LDR	To construct a dwelling and garage and undertake earthworks	N	N	Application Returned incomplete		27/9/2019
210104	64 Kakariki Grove, Waikanae	1496020061	LOT 30 DP 498093 CT 737082	LDR	Construction of a dwelling partially within a Fault Hazard	N	N	Letter Generated	15/7/2021	14/5/2021
220045	66 Kakariki Grove, Waikanae	1496020062	LOT 31 DP 498093 CT 737083	LN	Undertake earthworks not meeting the permitted activity	N	N	Letter Generated	7/6/2022	23/2/2022

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
CE200007	17 Matuhi Street, Waikanae	1496020040	LOT 18 DP 413488 CT 739180	LD	Construct a garage that encroaches the front yard setback	N	N	Decision Issued	1/9/2020	17/7/2020

Health and Alcohol Licenses

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



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

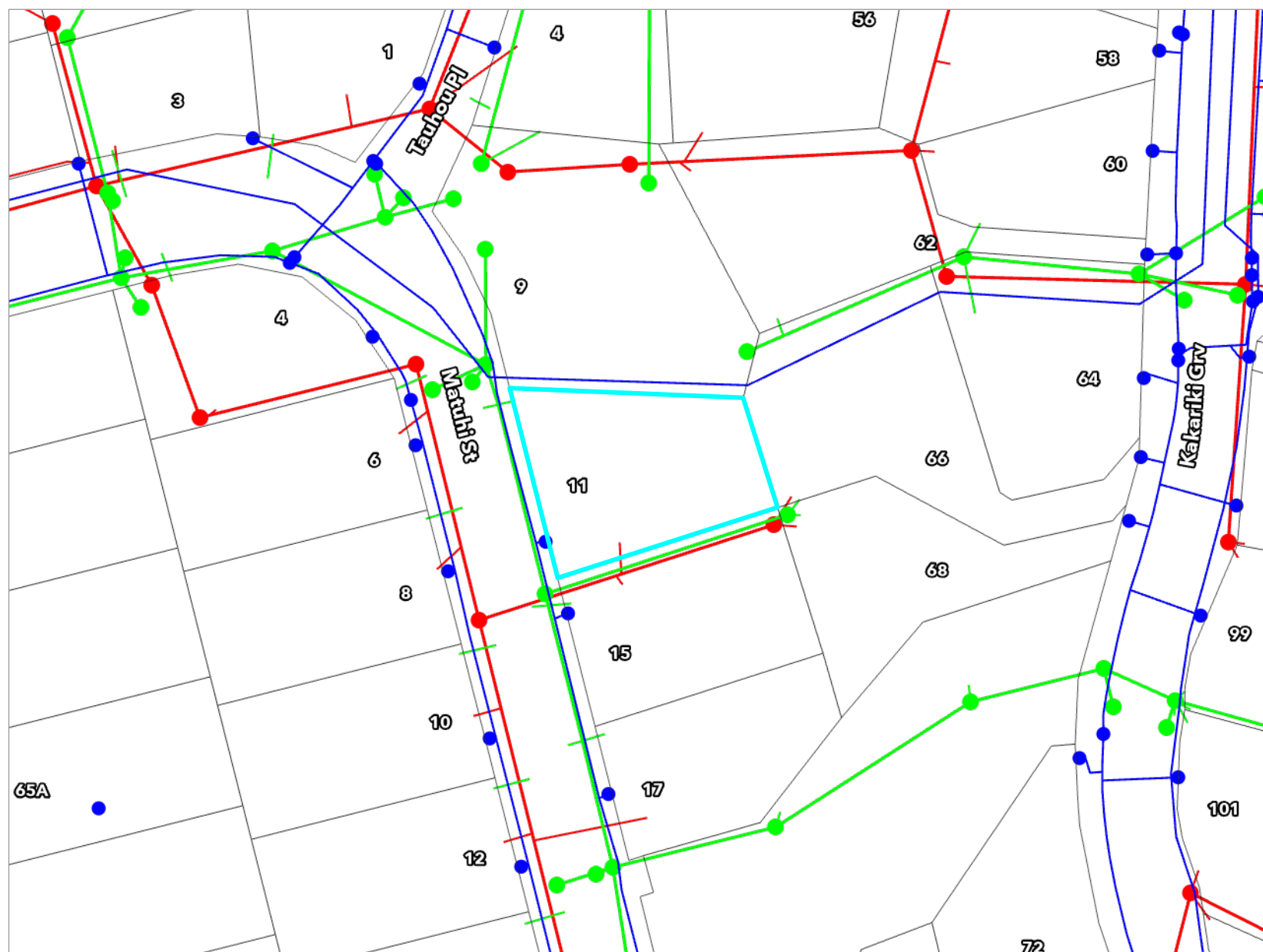
Scale @ A4 - 1:1,000

Date Printed: June 22, 2026

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Services Network

11 Matuhi Street, Waikanae (LOT 20 DP 413488 CT 700573)



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: June 22, 2026

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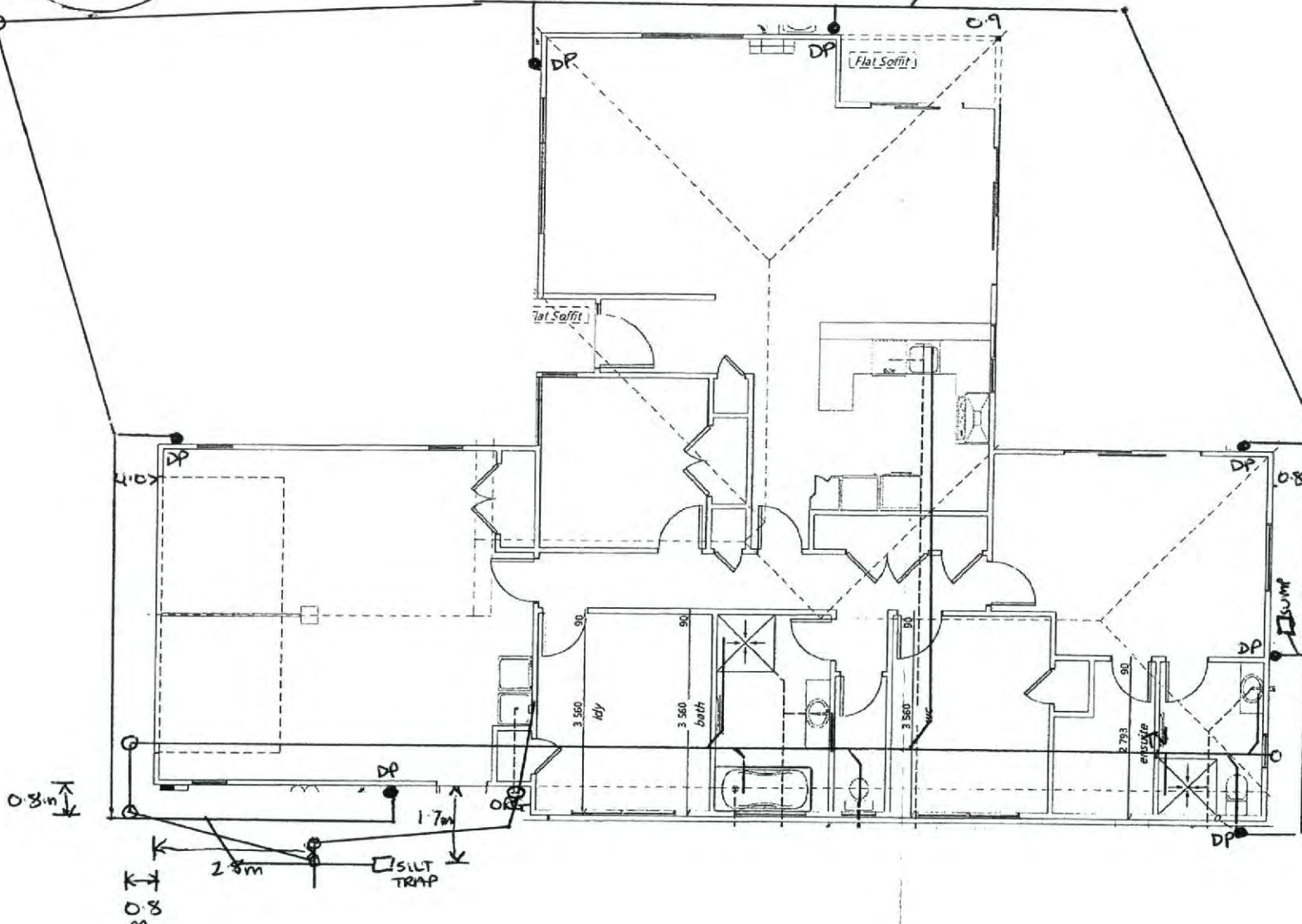
OVER FLOW
TO KERB



12000L
STORMWATER
TANK

BED DRAINS ARE TO BE LAID IN PEA METAL

BC 150804
SILT TRAP



LAIJ JAN 2016

— S/S
— S/WATER

DESIGN ARCHITECTURE

A CERTIFYING PLUMBER/DRAINLAYER TO FILL OUT ATTACHED PRODUCER STATEMENT FORMS AND RETURN TO COUNCIL. ALSO PROVIDE NEAT ASBUILT DRAINAGE PLAN SHOWING SEWER STORMWATER AND WATER.

Client Details:				UBAW461	
Mr Dent & Ms Lott					
Address:					
11 Matuhi Street					
Waikanae				EH174	
Drainage Plan			Scale:	Date:	Sheet no:
			1:100	8/10/2015	3
Drawn:	PM	Check:	N.Davis		
Wind:	Earthq:	Exposure:	Snow:		
High	3	C	N1		
Call 0800 A1homes					
214663					
www.A1homes.co.nz					
DO NOT scale off drawings. Cross reference all drawings. Any discrepancies MUST be clarified with the designer immediately before commencing works or ordering. NO construction or site works are not to commence until Building Consent becomes unconditional.					
COPYRIGHT: Any and all drawings commissioned remain the property of A1 Homes Limited, including all copyright and similar rights subsisting in those drawings, and are solely for use as described on the drawings, and may not be used for any other purpose or reproduced in whole or in part without written permission obtained from A1 Homes Limited.					



IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of an appeal under section 120 of the Act

BETWEEN KAPITI VIEWS TRUST
(ENV-2006-WLG-000442)
Appellant

AND THE KAPITI COAST DISTRICT COUNCIL
Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge C J Thompson sitting alone pursuant to section 279 of the Act

IN CHAMBERS

CONSENT ORDER

HAVING CONSIDERED the appeal and the parties' memorandum **THIS COURT**
HEREBY ORDERS BY CONSENT that the appeal is allowed by amending the conditions
of consent as set out in the attached Schedule.

The appeal is otherwise dismissed.

There is no order as to costs.

Dated at Wellington this 18th day of July 2006



C J Thompson
Environment Judge

kapiti views trust.doc

SCHEDULE OF CONDITIONS TO

KAPITI VIEWS TRUST SUBDIVISION LANDUSE CONSENTS

KAPITI COAST DISTRICT COUNCIL CONSENT NUMBER RM050319

Conditions of Consent:

Monitoring:

1. The consent holder shall notify the Council's Compliance Officer in writing **48 hours** before the consent is carried out. The consent holder shall fill out and return (by fax 04 9045815 or post Private Bag 601, Paraparaumu) the form attached to the decision letter.
2. That the consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions [or review of consent conditions], or supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

* Please refer to Kapiti Coast District Council's current schedule of Resource Management fees for guidance on the current hourly rate chargeable for Council's staff.

General:

3. The Title Plan or E - Survey Data Set must generally conform to the subdivision consent proposal shown on **Cuttriss Consultants Limited Drawing No. 18757 SCK** submitted with application no. RM050319.
4. The earthworks must generally conform to the proposals shown on **Cuttriss Consultants Limited Drawing No. 18757 ENG Sheets 1 – 7** dated 12/10/05 submitted with application no. RM050319.
5. A landscape development plan and written specifications shall be prepared and submitted to the Resource Consents Manager prior to the commencing of any construction or excavation work on the site. The landscape plan shall be consistent with the **Cuttriss Consultants Limited Landscape Plan Drawing No. 18757 LS**, and the **John Hudson Associates Landscape Architects Landscape Concept Plans Drawing 2629 Plans 1-5 dated October 2005** as submitted with application no. RM050319, and shall include details of:
 - The retention of any existing trees, including the Ngaio, or other vegetation on the site and what native vegetation is to be removed from the site;
 - Compensatory native vegetation;



- All new planting to be undertaken on the site, including details on species to be planted, plant numbers and the minimum grades of plant material;
- How planting will be staged, established and maintained;
- A commitment to replacing planting if initial work fails;
- Trees, shrubs and climbing species appropriate to the site. Details of the plant species to be used, botanical and common names. It should be noted that pest plants or plants known to be a problem due to invasiveness will not be accepted;
- Planting sizes of the plants to be used, i.e. planting container sizes to be used;
- Active recreation and play equipment details;
- The areas to be paved (hard landscaping) and types of paving materials to be used on all areas of the site;
- Where possible the landscaping should incorporate water sensitive urban design techniques (See www.wsad.org) ;
- Where possible all other planting is to be eco-sourced.

The landscape works must be established and constructed in accordance with the approved landscape development plan(s) and written specification. All plants and tree specimens (including any replacements) must be successfully established for at least 12 months. The consent holder shall replace any plants that fail within 12 months of initial installation.

6. (a) The total reserves contribution liable for the subdivision shall not exceed 7.5% of the market value of the 56 additional residential allotments being created (to a capped maximum of \$100,000 per lot) plus GST (\$472,500.00). The reserves contribution will be met via a combination of the transfer of land to the Council or the Department of Conservation, the undertaking of works, the undertaking of landscaping and planting and the provision of furniture and fixtures within the reserves, as set out within the following paragraphs, and a monetary payment to Council to make up any shortfall.
- (b) The following allotments shall vest as reserve in the Department of Conservation if it accepts them or in the Kapiti Coast District Council, and the market value of those allotments shall be credited against the total of the reserves contribution liability:
 - Lot 102 shall vest as reserve and shall be fenced with a capped 1.2 high wooden paling fence adjoining Lots 17-18 and 32-33 in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.



- Lot 103 shall vest as Local Purpose (Stormwater) reserve and shall be fenced with a capped 1.2 high wooden paling fence adjoining Lots 20-21, Lot 31 and Lot 10 DP 67906 in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council. The market value of the area of Lot 103 not required to attenuate the additional stormwater runoff from the proposed development shall be credited against the reserves contribution liability.
 - Lot 104 shall vest with the Crown as 'Scenic Reserve'. Apart from the boundary adjoining the proposed road all boundaries shall be fenced with a 7 wire steel and/or wooden post and wire fence in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.
 - Lot 105 shall vest with the Crown as 'Scenic Reserve' and shall be fenced adjoining Lot 48 with a 7 wire steel and/or wooden post and wire fence in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.
 - Lot 106 shall vest as Local Purpose (Stormwater) reserve and shall be fenced with a capped 1.2 high wooden paling fence adjoining Lots 14-16 and 34-35 in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.
- (c) 50% of the cost of the fencing of all those reserves listed in (b) above shall be credited against the reserves contribution liability.
- (d) 50% of the costs to undertake weed control within Lot 104 will be credited against the reserves contribution liability. The credit is subject to the Parks and Recreation Manager approving the estimated costs to undertake that work prior to the work commencing.



- (e) The value of the playground structure to be constructed within Lot 102 and the value of other furniture and fixtures e.g. seats, tables, bollards, lighting, drinking fountain, etc, placed within both Lots 102 and 103 and the costs of all landscaping and planting, as approved by the Council's Parks and Recreation Manager, for all reserve areas shall be credited against the reserves contribution liability.

7. Buildings and structures, or any part of a building or structure on Lots 23 and 24 must not be located within 8.5 metres vertically and 12.5 metres horizontally of the conductors of the Mangahao-Paraparaumu A and B 110kV high voltage electricity transmission lines. Please note that the distances specified must include an allowance for climatic conditions (i.e. maximum conductor swing and sag).

Where any part of a building or structure needs to be constructed within this restricted area, the consent holder must submit to the Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer to confirm that the buildings or structures comply with the minimum safe distances specified in Table 3 of the NZECP 34:2001.

8. All buildings and other structures constructed on site shall be located so as not to preclude existing 4-wheel drive access to any transmission line support structure.
9. No fences of conductive material shall be located within 5 metres of any transmission line pole.
10. No buildings shall be located within 8 metres of any transmission line pole.
11. All machinery and mobile plant operated on Lots 23 and 24 must maintain a minimum clearance distance of 4 metres from the transmission line conductors at all times.
12. In the case of any pole supporting any conductor no person may excavate or otherwise interfere with any land:
- a) at a depth greater than 300mm within 2.2 metres of the pole or stay wire of the line; or
 - b) at a depth greater than 750mm, between 2.2 metres and 5 metres of the pole or stay wire; or
 - c) in such a way as to create an unstable batter.



13. Excavated or other material shall not be stockpiled or deposited under or near the Mangahao – Paraparaumu A and B high voltage electricity transmission lines so as to reduce the distance from the ground to the conductors to a distance less than:
- a) 6,5 metres vertically, across or along roads or driveways or on any other land traversable by vehicles;
 - b) 5.5 metres vertically, on any land not traversable by vehicles due to inaccessibility; and
 - c) 3 metres in any direction other than vertical on all land.

Please Note:

Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify Conditions 7 -13 above to be registered against the Certificates of Title to issue in respect to Lots 23 and 24 of this subdivision.

14. Noise generated during the undertaking of the earthworks shall not exceed the Permitted Activity Noise Standards for the Residential Zone in the Operative Kapiti Coast District Plan. All machinery shall be installed with appropriate mufflers and will only operate within the following standard hours : 7.30am - 5.30pm Monday to Friday; 8.00am - 4pm Saturdays; with no work on Sundays.

Engineering:

15. A 'Building Exclusion Zone' shall be defined on the title sheet of the survey plan in such a way as to be able to be defined on site by normal survey methods. The 'Building Exclusion Zone' shall be identified by numbers and/or letters to facilitate precise identification on each title to issue. The 'Building Exclusion Zone' shall generally conform with the Earthquake Fault Zone delineated as red and shown on Cuttriss Consultants Limited Drawing No. 18757 SCK submitted with application RM050319.
16. No part of any habitable building or structure shall be located within the areas identified as 'Building Exclusion Zone' depicted on the plan approved under condition 15 above. For clarity, subject to the obtaining of any necessary resource consent in terms of the provisions of the District Plan applicable at the time, non-habitable accessory buildings located at least 1 metre from the primary dwelling house shall be able to be located within the 'Building Exclusion Zone'..



Please Note:

Upon the issue of the Certificate pursuant to Section 224 of the Resource Management Act 1991 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify Condition 16 above to be registered against the Certificates of Title to issue in respect to Lots 7, 15, 16, 17, 18, 30, 31, 32, 33, 56, 57, and 58, of this subdivision.

17. The consent holder shall pay Council Engineering Fees of \$562.50, plus \$216 per lot, (total \$13,090.50 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.

18. (a) The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 unless alternatives are proposed by the consent holder and approved by the Council.
- (b) As a high level reservoir, located within Lot 107, is required to service the higher allotments within the development and to also provide additional storage to upgrade Council's existing high level water supply it is agreed that all costs to provide that water supply, including the land and fencing of the land, shall be shared between Council and the consent holder on a pro-rata basis as to the quantity of water supply required for each party. Lot **107** shall vest in Council as Local Purpose (Water Supply) reserve.
- (c) Payment of the Council's share of the costs to provide the upper water supply shall be subject to receipt and approval by Council of both the design of the water supply and the costings associated with its provision and payment to the consent holder by Council will follow certification by a chartered engineer appointed by Council that the water supply has been constructed to a satisfactory standard.
19. The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.



20. The consent holder shall employ a suitably qualified person to ensure that the detailed design plans incorporate the findings and recommendations of the Tonkin and Taylor Report titled "Kapiti Views Trust – Geotechnical Assessment to Support Resource Consent – Kakariki Grove Subdivision" Dated October 2005.

The detailed design plans shall be peer reviewed by a suitably qualified independent Geotechnical expert to ensure all geotechnical hazards have been identified and mitigated for.

21. The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:

Geotechnical Engineering
Foundation recommendations
Stormwater and flood issues
Traffic engineering

22. The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.
23. 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 Council.
24. The consent holder shall comply with the requirements of the approved earthworks management plan. Any proposed amendments to the earthworks management plan shall be submitted to the Council for approval. If approved, then the amended earthworks management plan becomes the approved plan.
25. Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified Geotechnical Engineer.



26. The consent holder shall supply to Council a report by a suitably qualified Geotechnical Engineer detailing site investigation work and findings together with recommendations, in accordance with Section 4.5.4 of the Tonkin and Taylor Report titled "Kapiti Views Trust – Geotechnical Assessment to Support Resource Consent – Kakariki Grove Subdivision" Dated October 2005, for foundation design for those allotments not subjected to earthworks in accordance with NZS 4431.

Note

Where specifically designed foundations will be required in accordance with the Building Act 2004, then the Council will issue a Consent Notice under Section 221 of the Resource Management Act to record the following

- (i) The requirement for specifically designed foundations to be done by a suitably qualified Geotechnical Engineer
 - (ii) Foundation Recommendations
 - (iii) No earthworks shall be carried out until such time a Building Consent is obtained.
27. Should a waahi tapu or other cultural site be unearthed during earthworks the contractor 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.

Acc ref
506307

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.

28. The consent holder shall notify Te Ati Awa ki Whakarongotai in writing a minimum of 48 hours prior to undertaking any earthworks on the site and shall facilitate the observation by Iwi of those earthworks.
29. 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 Council.
30. Those new roads and rights-of-way that require to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.



22 JUN 2006

31. The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual of Traffic Signs and Markings, unless otherwise approved by the Council. The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.

32. Three names per new road shall be forwarded to Council for approval.

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 \$250 (GST inclusive) per required sign.

33. The consent holder shall submit a stormwater disposal design in accordance with the principles contained in Part 3 Section E of the Council's Subdivision and Development Principles and Requirements, for approval by the Council. Construction shall be in accordance with the approved design.

34. Easements are required over any rights of way and communal, private and public services where these pass through the lots in the subdivision.

The Council may require other easements.

Easement documents shall be prepared by solicitors at the consent holder's expense.

35. 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 and that any existing fencing or new fencing shall be maintained at a height of no greater than 1.2 metres above the existing ground level within 3 metres of the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

36. The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development. Landscape work shall be completed in accordance with the approved Landscape Plan. The areas to be landscaped shall also include the swale area in Lots 1 to 7.

37. The owners of Lots 1 to 7 as shown on the approved scheme plan shall be responsible for maintaining the planting at all times. There shall be no buildings or earthworks permitted within the swale area identified as Area Z on the approved scheme plan apart from the earthworks necessary to plant and maintain vegetation to the necessary standard.

Note: A Consent Notice pursuant to Section 221 of the Resource Management Act 1991 shall be prepared by Council and placed on the titles of Lots 1 to 7 as shown on the approved scheme plan to record this condition to be complied with on an ongoing basis.



38. 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 Council.

Advice Notes.

1. All costs arising from any of the above conditions shall be borne by the consent holder.
2. This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
3. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
4. Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
5. A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.
6. All land use activities, including earthworks, located on proposed Lots 23 and 24 must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001.
7. All trees and vegetation planted on proposed Lots 23 and 24 of the subdivision must comply with the Electricity (Hazards from Trees) Regulations 2003.
8. The consent holder is required to obtain a building consent before carrying out any alterations to existing services within the lot/s.
9. The following Development Contributions are required for every new residential lot (Total 56) pursuant to Section 198 of the Local Government Act 2002 and the 2004/2005 Council's Development Contributions Policy:

Water Supply	\$112.50	(Total \$6,300.00)
Sewage	\$2,442.00	(Total \$136,752.00)
Community Facilities	\$1,827.00	(Total \$102,312.00)
Roads	\$2,644.00	(Total \$148,064.00)

The above contributions must be paid prior to the issue of any certificate pursuant to Section 224(c) of the Resource Management Act 1991 (please refer also to Section 208 of the Local Government Act 2002).

10. This resource consent is not a consent to build. Such a consent must be obtained under the Building Act 2004 prior to commencement of construction.



11. 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 the Council in any special case may allow.



10 June 2016

Kakariki Land Ltd
C/- Cuttriss Consultants Ltd
PO Box 386
Paraparaumu 5254
Attn: Monique Leith

Dear Monique

RM050319B: Vary Conditions 3 And 18(B) Of Rm050319 And Add Condition 18(D) at Kakariki Grove, Waikanae

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

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

If you have any concerns regarding the conditions prior to lodging an objection please contact me to discuss on (04) 2965 508 as it may be possible to make minor amendments or corrections outside of the objection process.

There is no deposit for an objection. However, a fee of \$143.00 per hour (including GST) is required if Council's Development Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

The Resource Consents Team is continually working to improve the service we provide and we would appreciate your feedback. We will email you in the next few weeks to invite you to make your comments and would be grateful if you could please take the time to complete an online survey.

Thank you for dealing with the Kāpiti Coast District Council.

Yours sincerely



Marnie Rydon
Resource Consents Planner

**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM050319B**

APPLICANT:	Kakariki Land Ltd
LOCATION OF ACTIVITY:	Kakariki Grove, Waikanae
DESCRIPTION OF ACTIVITY:	Vary Conditions 3 And 18(B) Of Rm050319 And Add Condition 18(D)

DECISION:

That officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104B of the Resource Management Act 1991, hereby **grant** consent for a variation to conditions 3 and 18(b) and the addition of condition 18(d) of RM050319 to Kakariki Land Ltd at 64-111 Kakariki Grove, Waikanae (Lot 110 DP 413488 Computer Freehold Register 731773) as follows:

Conditions:

3. The Title Plan or E-Survey Data Set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Limited Drawing No. 18757 SC_R stamped 'Final Approved Plans' on 10 June 2016 and with information submitted with the application No. RM050319 and the staging of the subdivision as follows:
 - Stage 1 comprises of Lots 1-9, 12-29, 100, 102, 103
 - Stage 2 comprises Lots 30-34, 53-58, 101, 104, 106
 - Stage 3 comprises Lots 10, 11
 - Stage 4 comprises Lots 45-52, 105, 108
 - Stage 5 comprises Lots 35-44.
- 18(b). It is agreed that all costs to provide the high level water supply, shall be shared between Council and the consent holder on a pro-rata basis as to the quantity of water supply required for each party.
- 18(d). At the time of applying for Section 224(c) certification for the appropriate stage, the consent holder shall submit to Council a report by a suitably qualified and experienced engineer detailing recommendations and reasons for water supply within Lots 39-48, taking into account the likely pressure of water supply within

these higher level allotments. Any new buildings or additions to buildings on Lots 39-48 shall take into account the recommendations and reasons set out in this report.

Note: A Consent Notice pursuant to Section 221 of the Resource Management Act 1991 will be issued to facilitate the registration of this condition with continuing effect.

Advice Notes:

- This consent will lapse on 16 July 2016 as per the extension of time granted on 14 May 2014 extending the expiry date for two years unless Section 223 is applied for by this date.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.

Reasons for Decision:

In accordance with Sections 104, 104B and 127 of the Resource Management Act 1991, the actual and potential effects associated with the proposed activity have been assessed and are outlined above. I consider that the adverse effects of the proposed activity on the environment will be minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.



Marnie Rydon
Resource Consents Planner



ALL DIMENSIONS AND AREAS SHOWN ON THIS PLAN WILL BE SUBJECT TO THE FINAL LAND TRANSFER SURVEY.

ALL EASEMENTS SHOWN ON THIS PLAN WILL BE SUBJECT TO THE FINAL LAND TRANSFER SURVEY.

LOCATION OF POWER LINES IN LOTS 23-24 OBTAINED FROM AERIAL PHOTO. A NUMBER OF CONSENT CONDITIONS RELATE TO THE CONSTRUCTION OF BUILDINGS IN LOTS 23-24 IN VICINITY OF THE OVERHEAD POWER LINES.

ALL SITES MAY BE SUBJECT TO CONSENT NOTICES AND COVENANTS.

- STAGE 1 RM080253
- STAGE 2 RM080253
- STAGE 3 RM080253
- STAGE 4 RM080253
- STAGE 5 RM080253

PROPOSED EASEMENTS

- ② PROPOSED STORMWATER
- ③ PROPOSED SEWER
- ④ PROPOSED WATER

Cuttriss
Land Surveyors, Engineers & Resource Managers

Cuttriss Consultants Limited
Ruck Valley, Wellington, Kapiti Coast

Level 3 Christ House 51 Queens Drive Lower Hutt PO Box 36 429
Telephone 04-566 4157 Fax 04-566 1519 Email hutt@cuttriss.co.nz

33 Papakō Road Paraparaumu PO Box 536
Telephone 04-564 5620 Fax 04-564 5423 Email kapiti@cuttriss.co.nz

PROPOSED SUBDIVISION
KAKARIKI GROVE
WAIKANAĒ

RM 0503/19B KAPITI VIEWS TRUST

FINAL APPROVED PLANS
10 / 06 / 2016

L	KZDC CONSENTS PM050319 & RM070267	NO	03/08
M	STAGED SCHEME PLAN INCLUDING PM070267	NO	06/08
O	POSSIBLE STAGES 2a & 2b	NO	11/08
P	REVISED STAGING FOR KZDC APPROVAL	NO	11/08
Q	REVISED STAGING	NO	03/11
R	LOT 107 REMOVED FOR CONSENT VARIATION	NO	03/14

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SCALE 1:750-A1

DRAWING NUMBER

18757 SC R

24-03-14

SHEET 1 OF 1 SHEETS



21 July 2008

RM 080153

**APPLICATION TO CHANGE CONDITIONS OF RESOURCE CONSENT
PURSUANT TO SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991**

APPLICANT:	Kapiti View Trust
LOCATION:	Kakariki Grove, Waikanae
LEGAL DESCRIPTION:	Pt Lot 6 DP 20118
ZONE:	Residential
DATE CONSENT GRANTED:	18 July 2006
PROPOSAL:	To change condition 3 of RM050319

**DELEGATED AUTHORITY TO PROCESS APPLICATION NON-NOTIFIED
EXERCISED**

BY: Ross Goodman and Wayne Gair

SITE HISTORY

On the 18th July 2006 the Environment Court of New Zealand having considered an appeal granted consent by amending the conditions for Kakariki Views Trust Ltd.

Consent was granted for a 58 Lot residential subdivision, roading, reserves and to undertake earthworks to construct roads and building sites at Kakariki Grove and Elizabeth Street, Waikanae. The file reference being RM050319.

Consent was granted subject to 38 conditions.

APPLICATION

The applicants propose to amend Condition 3 of Resource Consent RM050319.

The condition reads as follows:

- 3 The Title Plan or E – Survey data Set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Limited Drawing No. 18757 SC_k submitted with application No. RM050319.

The amendment sought by the applicant would read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_N and with information submitted with application No. RM050319 and the staging of the subdivision as follows:**

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 10, 11, 30-58, 101, 104-107

The applicant explains the reasons why the change is sought;

The request for staging is a result of the applicant's wish to market and sell the properties in the lower portion of the site (access from Elizabeth Street). The construction has advanced and been completed in such a way that this staging request is a logical step in completing the project.

The topography of the site, generally acts as a natural boundary between the proposed stages.

Stage 1, mainly involves the development of the low lying portion of the property obtaining access from Elizabeth Street.

Stage 2 involves the development of the steep portion of the property obtaining access from Kakariki Grove, with the exception of Lots 10 & 11,

The construction of all roading and services will be completed separately for each stage.

The natural separation created by the topography allows for staging construction aspects with ease.

SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991

Section 127 of the Act refers to the change or cancellation of consent conditions of resource consent.

127. Change or cancellation of consent condition on application by consent holder

- (1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*

- (a) The holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
- (b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*

- (2) Repealed.*

- (3) *Sections 88 to 121 apply, with all necessary modifications, as if —*
- (a) *the application were an application for a resource consent for a discretionary activity; and*
 - (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who*
- (a) *made a submission on the original application; and*
 - (b) *may be affected by the change or cancellation.*

The consent holder may apply for a change or cancellation of conditions for any subdivision at any time before the deposit of the survey plan, but no facility is given in the Resource Management Act 1991 for the addition of conditions after the decision is issued

An application for a change or cancellation of conditions is subject to sections 88 through to 121, except for section 93 (that is if an application is to be notified, notice is served on all interested parties). However, section 94 still applies which refers to applications not requiring notification.

NOTIFICATION ANALYSIS

The consent authority must notify an application for a resource consent in accordance with section 93(2) unless the consent authority is satisfied that the adverse effects of the activity on the environment will be minor.

Notice of this application does not have to be served on any parties in accordance with section 94(1) as there are considered to be no affected parties with this change to condition.

It is considered that there are no parties affected by this proposal.

In addition there are no special circumstances that warrant the notification of this application in accordance with section 94C(2) of the Act.

This determination was made after researching Council File RM 050319.

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

ASSESSMENT

Consultation has been undertaken with the local Iwi representative Daniel Mullen on 22 July and no concerns were raised.

All other consent conditions for RM050319 will remain unchanged.

Each of the conditions states which of the proposed lots it relates to.
The reserves contributions have been specifically valued per lot and engineering fees have been determined on a per lot amount.

There would appear to be no issues arising, as a result of the proposed change, at the time of applying for 223 and 224(c) certifications for each stage.

It is considered, that the proposed variation to the condition will not alter the intention of the resource consent RM050319.

CONCLUSION

There is no reason to decline this application.

It is considered that the effects of the proposed variation will not have a detrimental effect upon decision as granted by the Environment Court on the 18th July 2006.

The proposed variation does not result in any changes to any party and will have no effect upon the environment.

I therefore believe that the application to change condition No. 3 can be granted pursuant to Section 127 of the Resource Management Act 1991.

DECISION

Pursuant to section 127 of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council **grant** consent to the application to change condition 3 of resource consent RM050319 to read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_N and with information submitted with application No. RM050319 and the staging of the subdivision as follows:**

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 10, 11, 30-58, 101, 104-107

DECISION: Approved

RM080153

DATED 25 July 2008



Ross Goodman
Resource Consents - Planner



Wayne Gair
Principal Planner - Subdivision

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

Tel. (04) 296 4700
Fax (04) 296 4830

E: kapiti.council@kapiticoast.govt.nz
W: www.kapiticoast.govt.nz



25 July 2008

Kapiti Views Trust
Nicola Todd
Cuttriss Consultants Ltd
P O Box 386
PARAPARAUMU

Dear Nicola

RM080153:TO CHANGE CONSENT CONDITION 3 OF RM050319 AT KAKARIKI GROVE, WAIKANAE

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

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

There is no deposit for an objection. However, a fee of \$200.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. 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.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 621.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Ross Goodman
Resource Consents - Planner



**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM080153**

APPLICANT: Kapiti View Trust
LOCATION OF ACTIVITY: Kakariki Grove, Waikanae
DESCRIPTION OF ACTIVITY: To change condition 3 of RM050319

DECISION:

Granted on 25 July 2008.

Pursuant to section 127 of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council **grant** consent to the application to change condition 3 of resource consent RM050319 to read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_N and with information submitted with application No. RM050319 and the staging of the subdivision as follows:**

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 10, 11, 30-58, 101, 104-107

Reason for Decision

In accordance with Sections 104 and 104B of the Resource Management Act 1991 the actual and potential effects associated with the proposed activity have been assessed and are outlined in the report.

It is considered that the adverse effects of the proposed activity on the environment will be minor and that the proposed activity is not contrary to the relevant Objectives, Policies and Assessment Criteria of the Kapiti Coast District Plan.

Ross Goodman
Resource Consents- Planner



3 December 2008

RM 080253

**APPLICATION TO CHANGE CONDITIONS OF RESOURCE CONSENT
PURSUANT TO SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991**

APPLICANT:	Kapiti View Trust
LOCATION:	Kakariki Grove, Waikanae
LEGAL DESCRIPTION:	Pt Lot 6 DP 20118
ZONE:	Residential
DATE CONSENT GRANTED:	18 July 2006
PROPOSAL:	To change condition 3 of RM050319

DELEGATED AUTHORITY TO PROCESS APPLICATION NON-NOTIFIED EXERCISED

BY: Ross Goodman and Wayne Gair

SITE HISTORY

On the 18th July 2006 the Environment Court of New Zealand having considered an appeal granted consent by amending the conditions for Kakariki Views Trust Ltd.

Consent was granted for a 58 Lot residential subdivision, roading, reserves and to undertake earthworks to construct roads and building sites at Kakariki Grove and Elizabeth Street, Waikanae. The file reference being RM050319.

Consent was granted subject to 38 conditions.

On the 21st July, 2008 Council granted consent to amend Condition 3 of RM050319 to read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_N and with information submitted with application No. RM050319 and the staging of the subdivision as follows:

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 10, 11, 30-58, 101, 104-107

APPLICATION

The applicants propose to amend Condition 3 of Resource Consent RM050319 to reflect further staging of the development at Kakariki Grove, Waikanae.

The condition reads as follows:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_N and with information submitted with application No. RM050319 and the staging of the subdivision as follows:

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 10, 11, 30-58, 101, 104-107

The amendment sought by the applicant would read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SC_p and with information submitted with application No. RM050319 and the staging of the subdivision as follows:**

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

Stage 2 comprises Lots 30-34, 53-58, 101, 104, 106

Stage 3 comprises Lots 10, 11

Stage 4 comprises Lots 45-52, 105, 107, 108

Stage 5 comprises Lots 35-44

The applicant explains the reasons why the change is sought;

The request for staging is a result of the applicant's wish to market and sell the properties in the higher portion of the site in stages (land accessed from Kakariki Grove). Increasing construction costs have meant that completing the final stage of construction at one time is now an untenable option.

The staging now requested is a logical progression of the remaining construction phases. The construction is advancing and has been completed in such a way that this staging request is a logical step in completing the project.

Stage 1 remains as per the request in RM080153.

Stages 2 and 4 require a change to the allotment boundaries for Lot 101. The road (shown previously as Lot 101) has been split into two lots (Lot 101 and 108) to enable staging.

Stage 3 will require the removal of the existing silt retention pond. In order to create these two allotments there is a need to first revise the Erosion/Sediment Control Plan. Any variation to this existing plan would require the approval of Greater Wellington Regional Council. Stage 3 is not required to be completed before stages 4 and 5 can advance.

Stage 4 must be completed before Stage 5. Stage 4 includes the construction of the high level water reservoir on Lot 107. This reservoir is required to serve Lots 39-52.

The construction of all roading and services will be completed separately for each stage.

The natural separation created by the differing topography over the site has allowed for staging construction aspects with ease.

It is possible that Stages 2 and 4 may be completed simultaneously.

SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991

Section 127 of the Act refers to the change or cancellation of consent conditions of resource consent.

127. Change or cancellation of consent condition on application by consent holder

(1) *The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*

- (a) *The holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
- (b) *no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*

(2) *Repealed.*

(3) *Sections 88 to 121 apply, with all necessary modifications, as if —*

- (a) *the application were an application for a resource consent for a discretionary activity; and*
- (b) *the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*

(4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who*

- (a) *made a submission on the original application; and*
- (b) *may be affected by the change or cancellation.*

The consent holder may apply for a change or cancellation of conditions for any subdivision at any time before the deposit of the survey plan, but no facility is given in the Resource Management Act 1991 for the addition of conditions after the decision is issued.

NOTIFICATION ANALYSIS

The consent authority must notify an application for a resource consent in accordance with section 93(2) unless the consent authority is satisfied that the adverse effects of the activity on the environment will be minor.

Notice of this application does not have to be served on any parties in accordance with section 94(1) as there are considered to be no affected parties with this change to condition.

It is considered that there are no parties affected by this proposal.

In addition there are no special circumstances that warrant the notification of this application in accordance with section 94C(2) of the Act.

This determination was made after researching Council File RM 050319 and RM080153.

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

ASSESSMENT

Consultation has been undertaken with Council's Subdivisional Engineer Rita O'Brien and no concerns were raised.

All other consent conditions for RM050319 will remain unchanged.

The proposed change will not result in any additional or new effects upon any party or the environment.

Each of the conditions states which of the proposed lots it relates to, the reserves contributions have been specifically valued per lot and engineering fees have been determined on a per lot amount.

There would appear to be no issues arising, as a result of the proposed change, at the time of applying for 223 and 224(c) certifications for each stage.

It is considered, that the proposed variation to the condition will not alter the intention of the resource consent RM050319.

CONCLUSION

There is no reason to decline this application.

It is considered that the effects of the proposed variation will not have a detrimental effect upon decision as granted by the Environment Court on the 18th July 2006.

The proposed variation does not result in any changes to any party and will have no effect upon the environment.

I therefore believe that the application to change condition No. 3 can be granted pursuant to Section 127 of the Resource Management Act 1991.

DECISION

Pursuant to section 127 of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council **grant** consent to the application to change condition 3 of resource consent RM050319 to read:

- 3 Each title plan or e-survey data set must generally conform to the subdivision consent proposal shown on Cuttriss Consultants Ltd Drawing No. 18757 SCp and with information submitted with application No. RM050319 and the staging of the subdivision as follows:**

Stage 1 comprises Lots 1-9, 12-29, 100 102, 103

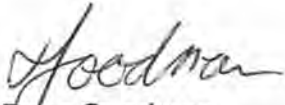
Stage 2 comprises Lots 30-34, 53-58, 101, 104, 106

Stage 3 comprises Lots 10, 11

Stage 4 comprises Lots 45-52, 105, 107, 108

Stage 5 comprises Lots 35-44

DECISION: Approved
RM080253
DATED 4 December 2008



Ross Goodman
Resource Consents - Planner



Wayne Gair
Principal Planner - Subdivision

Kapiti Coast District Council

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4 December 2008

Kapiti Views Trust
C/- Cuttriss Consultants Ltd
P O Box 386
PARAPARAUMU
Attention : Nicola Todd

Dear Nicola

RM080253: TO CHANGE CONDITION 3 OF RM050319 FOR KAKARIKI GROVE, WAIKANAE

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

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

There is no deposit for an objection. However, a fee of \$200.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. 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.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 621.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Ross Goodman
Resource Consents - Planner

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

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25 November 2009

Kapiti Views Trust
c/- Cuttriss Consultants Ltd
P O Box 386
PARAPARAUMU

Attn: Dan Rodie

Dear Kapiti Views Trust

**RM090173: REDUCTION OF FRONT YARD SETBACKS ALONG BOUNDARIES OF
HIHI PLACE, TAUHOU PLACE AND MATUHI ST, WAIKANAE - LOTS CREATED BY
STAGE 1 OF RM050319 FOR KAPITI VIEWS TRUST AT KAKARIKI GROVE,
WAIKANAE**

We are pleased to enclose your Resource Consent for the above planning application. As you will see from the Resource Consent there are a number of conditions that need to be complied with.

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

There is no deposit for an objection. However, a fee of \$200.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. 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.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 855.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Carly O'Connor
Resource Consents Planner



**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM090173**

APPLICANT:	Kapiti Views Trust
LOCATION OF ACTIVITY:	57 Elizabeth Street and Kakariki Grove, Waikanae
DESCRIPTION OF ACTIVITY:	Reduction of front yard setbacks along boundaries of Hihi Place, Tauhou Place and Matuhi Street, Waikanae – lots created by Stage 1 of RM050319 for Kapiti Views Trust

DECISION:

Granted subject to conditions on 25 November 2009.

The following conditions were imposed under Section 108 of the Resource Management Act 1991:

Conditions:

Monitoring and Review

1. The consent holder shall notify the Council's Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by fax (04) 2964-830 or by post to Private Bag 601, Paraparaumu) the form that is attached to the decision letter.
2. The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.

*Please refer to Kapiti Coast District Council's current schedule of Resource Management fees for guidance on the current hourly rate chargeable for Council's staff.

General

3. The proposed activity shall be undertaken in accordance with the information, plans and specifications lodged with the application RM090173 and the further information supplied except where modified by conditions of consent. For the avoidance of doubt all dwellings on proposed lots (as shown on LT 413488) 8 to 10, 12 to 15, Hihi Place, lots 21 to 28 Tauhou Place and lots 1 to 7, 15 to 20 and 28 to 29 Matuhi Street, may be constructed with a reduction in the current District Plan yard requirements as detailed below:

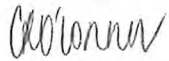
- Lot 8 Hihi Place, reduction of front yard to 1.0m;
- Lot 9 Hihi Place, reduction of front yard to 1.0m;
- Lot 10 Hihi Place, reduction of front yard to 1.0m;
- Lot 12 Hihi Place, reduction of front yard to 1.0m;
- Lot 13 Hihi Place, reduction of front yard to 1.0m;
- Lot 14 Hihi Place, reduction of front yard to 1.0m;
- Lot 15 Hihi Place, reduction of front yard to 1.0m;
- Lot 21 Tauhou Place, reduction of front yard to 1.0m;
- Lot 22 Tauhou Place, reduction of front yard to 1.0m;
- Lot 23 Tauhou Place, reduction of front yard to 1.0m;
- Lot 24 Tauhou Place, reduction of front yard to 1.0m;
- Lot 25 Tauhou Place, reduction of front yard to 1.0m;
- Lot 26 Tauhou Place, reduction of front yard to 1.0m;
- Lot 27 Tauhou Place, reduction of front yard to 1.0m;
- Lot 28 Tauhou Place, reduction of front yard to 1.0m;
- Lot 1 Matuhi Street, reduction of front yard to 3.0m;
- Lot 2 Matuhi Street, reduction of front yard to 3.0m;
- Lot 3 Matuhi Street, reduction of front yard to 3.0m;
- Lot 4 Matuhi Street, reduction of front yard to 3.0m;
- Lot 5 Matuhi Street, reduction of front yard to 3.0m;
- Lot 6 Matuhi Street, reduction of front yard to 3.0m;
- Lot 7 Matuhi Street, reduction of front yard to 3.0m;
- Lot 15 Matuhi Street, reduction of front yard to 3.0m;
- Lot 16 Matuhi Street, reduction of front yard to 3.0m;
- Lot 17 Matuhi Street, reduction of front yard to 3.0m;
- Lot 18 Matuhi Street, reduction of front yard to 3.0m;
- Lot 19 Matuhi Street, reduction of front yard to 3.0m;
- Lot 20 Matuhi Street, reduction of front yard to 3.0m;
- Lot 28 Matuhi Street, reduction of front yard to 3.0m;
- Lot 29 Matuhi Street, reduction of front yard to 3.0m;

Advice Notes:

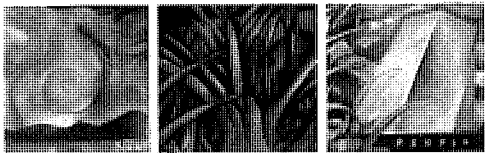
- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- Please note that a resource consent is not a consent to build. A building consent must be issued prior to any building work being undertaken.

Reasons for Decision:

In accordance with Sections 104 and 104B of the Resource Management Act 1991 the actual and potential effects associated with the proposed activity have been assessed and are outlined in the report. It is considered that the adverse effects of the proposed activity on the environment will be minor and that the proposed activity is not contrary to the relevant Objectives, Policies and Assessment Criteria of the Kapiti Coast District Plan.



Carly O'Connor
Resource Consent Planner



Kāpiti Coast District Council

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RESOURCE CONSENT UNDER PART VI OF THE RESOURCE MANAGEMENT ACT 1991 CONSENT NO: RM110082

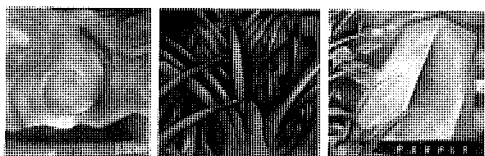
APPLICANT:	Kapiti Views Trust
LOCATION OF ACTIVITY:	Kakariki Grove and Matuhi Place, Waikanae (Lot 110 DP 413488 – balance of subdivision)
DESCRIPTION OF ACTIVITY:	Extension of Time to the Subdivision and Land Use Consents issued under RM050319

DECISION:

Acting under authority delegated from the Council and pursuant to Section 125(1)(b) of the Resource Management Act 1991 consent has been granted pursuant to section 125 of the Resource Management Act 1991 for an extension of time **of three years** for the subdivision consent issued under RM050319, so that further development of the (now) balance land held in Lot 110 DP 413488 (Computer Freehold Register 466526) can be completed.

Note: All outstanding requests for certification of the development pursuant to section 223 of the Resource Management Act 1991 must therefore be lodged with the Kapiti Coast District Council on or before 18 July, 2014.

Wayne Gair
Senior Resource Consents Planner



Kāpiti Coast District Council

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www.kapiticoast.govt.nz ■

20 June, 2011

Kapiti Views Trust
C/- Cuttriss Consultants
P O Box 386
Paraparaumu 5254
Attention: Dan Rodie

Dear Kapiti Views Trust

**RM110082: EXTENSION TO THE CONSENT PERIOD RELATING TO SUBDIVISION
AND LAND USE CONSENTS AT KAKARIKI GROVE, WAIKANAE**

I attach the Notice of Decision related to the above application for extension of time pursuant to section 125 of the Resource Management Act 1991.

I have also attached a copy of the officers report and it is recommended that you read this carefully as the report comprehensively sets out the reasons for the decision.

If you do not agree with the decision 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.

There is no deposit for an objection. However, a fee of \$211.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 2964 782.

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Wayne Gair
Senior Resource Consents Planner



20 June, 2011.

KAPITI COAST DISTRICT COUNCIL
EXTENSION OF CONSENT PERIOD DECISION REPORT

RM110082

Applicant:	Kapiti Views Trust
Site Address:	Kakariki Grove and Matuhi Place, Waikanae
Legal Description:	Lot 110 DP413488 (balance of subdivision)
Site Area:	5.7441 hectares
Applicant's Address for Service:	Cuttriss Consultants Limited, P O Box 386, Paraparaumu
Proposal:	Residential Subdivision
Land Owner:	Kapiti Views Trust
Zone:	Residential

Report prepared by: Wayne Gair, Senior Resource Consents Planner
Report peer reviewed by: Monique Robertson, Resource Consents Planner

Date application for time extension received: 18 May, 2011.
Date of suspension by applicant: 15 June, 2011.
Date of recommencement: 20 June, 2011.

1. PREAMBLE

This report provides an analysis of the resource management issues relating to an application for an extension to the consent period pursuant to sections 125 and 37 of the Resource Management Act 1991 for the subdivision consent issued under RM050319.

2. PROGRESS OF DEVELOPMENT TO DATE

2.1 Description of Site and completed works

The development of the site between Kakariki Grove and Elizabeth Street in Waikanae has now proceeded to the point where the creation of Matuhi Street, Tauhau Place and Hihi Place and some 29 residential allotments and two reserve allotments, representing the first two stages of the overall development have been completed. Extensive earthworks over the entire site have also been completed as has a large proportion of the services infrastructure for the overall subdivision development.



Fig. 1: The site as viewed from Hihi Place



Fig. 2: The site as viewed from south end of Matuhi Street

2.2 Progress towards completion

The consultant for the developer advises that *"the earthworks to form the building platforms and roading within the remaining stages for the development were commenced at the same time as those for the completed stages but ceased in early 2009 due to market conditions."*

They further advise that *"the applicant has since undertaken all practical measures to create buyer interest in the completed allotments. When sufficient interest from purchasers is received with respect to either, or both, the completed allotments or the allotments to be created within the balance of the development the applicant will be able to recommence the earthworks."*

The consultant has expressed the view that the above demonstrate that *"substantial progress has and is still being made towards completing the development."*

In an email message dated 20 June, 2011, the applicant's consultants advised: *"We acknowledge that the recession is not necessarily enough of a reason to justify an extension however the conditions left behind by the collapse dictate how we must respond to it."*

Section sales throughout the District are very slow and values significantly down on pre - recession figures . Kapiti Views is a steep and in development terms "difficult" engineering project.

The development costs are high and in today's market conditions there is simply insufficient margin.

We believe it will take time (2 years?) before demand created by a shortage or shortage of choice will drive values up sufficiently to recommence work on the subdivision. There are still 22 of 29 lots from stage 1 unsold.

There are three reasonably equal stages (total of 29 lots) remaining to finish the development. It is unlikely that this will occur within a lesser time frame than 5 years."

2.3 Written Approvals from person affected by the proposed extension

No written approvals to the proposed extension of time were supplied with the application as the consultants advise that they were unable to identify any party that will be adversely affected by the time extension being applied for.

2.4 Consent History

The following relevant Resource Consents apply to this application:

- Subdivision consent issued by Consent Order of the Environment Court on 18 July, 2006 for a subdivision of the land to create 58 residential allotments, roads and reserves to provide the necessary access and recreation facilities together with the necessary land use consent for earthworks to facilitate the construction of the development (reference RM050319);
- Application to change condition 3 of the consent issued under RM050319 to allow the development to proceed in 2 stages (reference RM080153);
- Application to change condition 3 of the consent issued under RM050319 to allow the development to proceed in 5 stages (reference RM080253).

3. THE PROPOSAL

3.1 Description of Proposal

The applicant has requested an extension of time for a period of five years so that the consents issued under RM050319 would lapse on 18 July, 2016.

3.2 Applicant's Assessment

The applicant has provided an assessment of the implication of the proposed time extension and has indicated that the proposal meets all of the requirements as set out in section 125 of the Resource Management Act 1991 to ensure that an extension of time can be lawfully issued.

4. DISTRICT PLAN PROVISIONS

4.1 Zoning and Overlays

The property is zoned Residential under the Kapiti Coast District Plan and part of the site is shown to be subject to a natural hazard listing as a result of the site being traversed by an earthquake fault avoidance zone.

5. RELEVANT STATUTORY PROVISIONS

In considering whether or not an extension of time can be granted, the provisions of section 125 of the Resource Management Act 1991 must be taken into account.

Section 125 reads as follows:

125 Lapsing of consent

- (1) A resource consent lapses on the date specified in the consent or, if no date is specified, 5 years after the date of commencement of the consent unless, before the consent lapses,—*
 - (a) the consent is given effect to; or*
 - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account—*
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and*
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and*
 - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.*
- (1A) Sections 357A and 357C to 358 apply to subsection (1)(b).*
- (2) For the purposes of this section, a subdivision consent is given effect to when a survey plan in respect of the subdivision has been submitted to the territorial authority under section 223, but shall thereafter lapse if the survey plan is not deposited in accordance with section 224.*
- (3) This section is subject to section 150G.*

Council must also take into account the provisions of section 37 of the Resource Management Act 1991 in considering this application.

37 Power of waiver and extension of time limits

- (1) *A consent authority or local authority may, in any particular case,—*
- (a) *extend a time period specified in this Act or in regulations, whether or not the time period has expired; or*
 - (b) *waive a failure to comply with a requirement under this Act, regulations, or a plan for the time or method of service of documents.*
- (2) *If a person is required to provide information under this Act, regulations, or a plan and the information is inaccurate or omitted, or a procedural requirement is omitted, the consent authority or local authority may—*
- (a) *waive compliance with the requirement; or*
 - (b) *direct that the omission or inaccuracy be rectified on such terms as the consent authority or local authority thinks fit.*

6. ASSESSMENT

6.1 Adequacy of information

Sufficient information has been supplied with the application to allow Council to consider the proposal.

6.2 Implications of granting the proposed extension

If the application for an extension of time for a further five years is granted it would be possible for the final components of the subdivision to be completed close to 13 years after the initial issue of the consent. This is because the certification of the last stage(s) could be “given effect to” by the submission of an e-survey dataset for certification pursuant to section 223 of the Resource Management Act 1991 up to 10 years after the issue of the consent, i.e. up to 18 July, 2016. From the date of issue of the certification under section 223, there still remains a period of up to 3 years to complete the physical aspects of the development, obtain certification under section 224(c) of the Resource Management Act 1991 and to deposit the e-survey dataset.

Therefore, as there is no ability to change any of the conditions or associated aspects of the consent, other than the time of expiry, all other aspects of the contractual arrangement set in place by the issue of the Consent Order on 18 July, 2006 will potentially remain unchanged for a period of up to 13 years. Council does not, therefore, have any right to review and update any of the conditions of the consent or the matters addressed in the advice notes to the decision as a result of the request for a time extension.

For example, the Development Contributions which were set at the time of the issue of the consent (2005/2006 rates) and which are payable under the provisions of section 198 of the Local Government Act 2002 totalled \$7,181.62 per additional allotment (figures adjusted to allow for the current GST rate at 15%). With the passage of time, the Development Contributions fluctuate as a result of the needs and expectations of the community and are subject to revision through the annual plan and budgeting process. The contributions payable per additional allotment at 2010/2011 rates now amount to a total per additional allotment of \$10,623.70. This means that the overall increase in Development Contributions in the 5 years since the issue of the subdivision consent has been 47.9%. It is noted that the individual contributions figures which make up the total have been subject to a much greater degree of fluctuation (both positive and negative) but there is a general trend towards annual overall increases.

Similarly, the engineering standards relating to subdivision development have undergone significant changes within the last few years as can be seen by the very different approach now being used in this development with respect to the management of stormwater compared to developments which had been constructed in this district some 5 or so years prior to 2006.

Significant changes have also occurred in the provisions of the District Plan and also the management techniques used to address the issue of natural hazards such as those created by the earthquake fault zone which traverses the site. It is highly likely, in my opinion, that a number of changes to land management techniques and practices will result from the lessons to be learnt from the devastating impact of the series of earthquake events which are still being experienced in and around Christchurch City.

Council would be unwise to put into place measures which effectively prevent any improvements in the collective knowledge of land management techniques from being implemented when land is subdivided and I am therefore drawn to the conclusion that an extension of time for this consent to the maximum allowable of 5 years under section 37 of the Resource Management Act 1991 is inappropriate.

Until the amendments made by the Resource Management Amendment Act 2003 came into effect, the default period for which any resource consent was issued was 2 years from the date of the grant of the consent and while it is acknowledged that this 2 year period was somewhat of a challenge for many subdivision developments as a total "life" of the consent, it does not seem inappropriate to regard this time period as a realistic length of extension for this development in the circumstances. This would effectively extend the life of the consent to 7 years with the further statutory period under section 224(h) of the Resource Management Act 1991 of 3 years from the issue of the final s.223 certification to complete the remaining works and obtain titles for the proposed allotments.

Alternatively, the equivalent length of time within which any subdivision proposal was able to be exercised under the provisions of the Local Government Act 1974 was 3 years from the date of approval to the issue of the certification under section 305 of that Act (the nearest equivalent to the s223 certification under the Resource Management Act 1991).

On balance, I have reached the conclusion that it would not be unreasonable for Council to grant a time extension of 3 years, effectively replicating the total length of time for a similar consent under the Local Government Act 1974 in addition to the 5 years already granted in the initial consent issued under RM050319. I cannot see how Council could justify the extension, however, for the full 5 years requested as the only justification for this appears to be the economic situation, which is acknowledged by the applicant's consultant as of insufficient reason of itself to justify any extension of time.

6.3 Effects on Policies and Objectives of the District Plan

The policies and objectives of the Kapiti Coast District Plan which are relevant to the extension of the duration of the subdivision consent are:

- C.1 – Residential Zone
 - Objective 1.0 – General, Policy 1 – Amenity Values
- C.7.1 – Residential Subdivision
 - Objective 1.0 – Density, Policy 1 – Low Density Character
- C.7.3 – Earthworks
 - Objective 1.0, Policy 1 – General Assessment Criteria
- C.7.4 – Subdivision and Development Principles and Requirements
 - Objective 1.0 – General, Policy 1 – Subdivision Development and Design and also Policy 3- Underground Services

C.15 – Natural Hazards
Objective 1.0, Policies 1, 3 and 4

For the full text of the above, see the Kapiti Coast District Plan.

The granting of an extension of time to this subdivision development will have little effect on any of the above policies and objectives of the District Plan as the final outcome of the development will still be in accord with the intent of the District Plan provisions, despite some minor amendments which have been made to the District Plan since approval to the development was granted in 2006.

However, as a review of the District Plan is currently underway and it is expected that some aspects of the review would potentially take effect before 2016, for this reason also, it does not seem appropriate to grant consent to a full 5 year extension of time to the consent.

6.4 Other relevant matters

While the economic recessionary effects arising from the global economic situation are not referred to in the Resource Management Act 1991 and cannot be taken into account in any request for an extension of time, it is immediately apparent on inspection of the site that the developer has invested considerable funding and effort into creating the overall development and has an ongoing commitment to the site in terms of completion of the subdivision.

As set out in section 2.2 of this report, the consultant has expressed the view that the efforts taken towards marketing the ongoing development of the land demonstrates that *“substantial progress has and is still being made towards completing the development.”*

The above argument is somewhat of a “line call” with respect to meeting the intent of section 125(1)(b)(i) but it is clear that a marketing campaign is still underway to attract buyer interest, as evidenced by the signage on site.

7. CONCLUSION

On balance, I have drawn the conclusion that the developer has adequately demonstrated sufficient ongoing commitment to the completion of the subdivision to meet the intent of the Resource Management Act 1991 as expressed in section 125(1)(b)(i) and that the tests of section 125(1)(b)(ii) have been met. The requirement under section 125(1)(b)(iii) to take into account the objectives and policies of the District Plan which, in their turn require Council to adopt best practice in consideration of any proposal provide a form of limitation on the acceptable length of any time extension to ensure that development of any land is in tune with current knowledge and practices.

For the reasons set out above, I have reached the conclusion that it is appropriate to grant a time extension for a further 3 years for the subdivision consent issued under RM050319, so that the consent would therefore expire on 18 July, 2014.

8. RECOMMENDATION / DECISION

That acting under authority delegated from the Council and pursuant to Section 125(1)(b) of the Resource Management Act 1991 the undersigned officers **grant** an extension of time **of three years** for the subdivision consent issued under RM050319, so that further development of the (now) balance land held in Lot 110 DP 413488 (Computer Freehold Register 466526) can be completed.

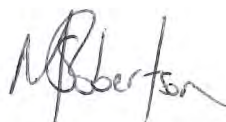
All outstanding requests for certification of the development pursuant to section 223 of the Resource Management Act 1991 must therefore be lodged with the Kapiti Coast District Council on or before 18 July, 2014.

"That the above recommendation be adopted under delegated authority"



Wayne Gair
Senior Resource Consents Planner

Date: 20th June, 2011.



Monique Robertson
Resource Consents Planner

20th June, 2011.



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

**IN THE MATTER OF A PLAN LODGED FOR
DEPOSIT UNDER NUMBER 413488
AND RESOURCE CONSENT NO. RM 050319**

**(BEING THE SUBDIVISION OF PART LOTS 7 – 8 DP 59365 AND LOT 33 DP 17939),
AT KAKARIKI GROVE AND ELIZABETH STREET, WAIKANAE
FOR KAPITI VIEWS 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 23 and 24: The following ongoing requirements arise from the presence of High Voltage Electricity lines which cross parts of the land:

- ♦ **Buildings and structures or any part of a building or structure must not be located within 8.5 metres vertically and 12.5 metres horizontally of the conductors of the Mangahao-Paraparaumu A and B 110kV high voltage electricity transmission lines. Please note that the distances specified must include an allowance for climatic conditions (i.e. maximum conductor swing and sag).**

Where any part of a building or structure needs to be constructed within this restricted area, the consent holder must submit to the Kapiti Coast District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer to confirm that the buildings or structures comply with the minimum safe distances specified in Table 3 of the NZECP 34:2001.

- ♦ **Excavated or other material shall not be stockpiled or deposited under or near the Mangahao-Paraparaumu A and B high voltage electricity transmission lines so as to reduce the distance from the ground to the conductors to a distance less than:**
 - a. **6.5 metres vertically, across or along roads or driveways or on any other land traversable by vehicles;**
 - b. **5.5 metres vertically, on any land not traversable by vehicles due to inaccessibility; and**
 - c. **3 metres in any direction other than vertical on all land.**
- ♦ **In the case of any pole supporting any conductor no person may excavate or otherwise interfere with any land:**
 - a. **At a depth greater than 300mm within 2.2 metres of the pole or stay wire of the line; or**
 - b. **At a depth greater than 750mm, between 2.2 metres and 5 metres of the pole or stay wire; or**
 - c. **In such a way as to create an unstable batter.**

- ♦ All buildings and other structures constructed on site shall be located so as to not preclude existing 4-wheel drive access to any transmission line pole.
 - ♦ No fences of conductive material shall be located within 5 metres of any transmission line pole.
 - ♦ No buildings shall be located within 8 metres of any transmission line pole.
 - ♦ All mobile plant and machinery operated on the land must maintain a minimum clearance distance of 4 metres from the transmission line conductors at all times.
2. With respect to Lots 7, 8, 15, 16, 17 and 18: As a result of the earthquake fault (Gibbs Fault) running through parts of the sites no part of any habitable building or structure shall be located within the following areas within the respective allotments:
- Lot 7 Building excluded within areas J and QQ on DP 413488
 - Lot 8 Building excluded within areas KK and LL on DP 413488
 - Lot 15 Building excluded within area Q on DP 413488
 - Lot 16 Building excluded within area R on DP 413488
 - Lot 17 Building excluded within areas T, U and JJ on DP 413488
 - Lot 18 Building excluded within area V on DP 413488
- For clarity, subject to the obtaining of an necessary resource consent in terms of the District Plan applicable at that time, non-habitable accessory buildings located at least 1 metre from the primary dwelling house shall be able to be located within the above "Building Exclusion Zone(s)".
3. With respect to Lots 1 to 29: Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the Geotechnical Report prepared by Tonkin and Taylor Limited, titled "Kapiti Views Trust Earthworks and Building Site Certification Report Kakariki Grove Subdivision Stages 1 and 3, Waikanae, submitted to Council in relation to application No. RM050319. A copy of the report is available in Council's Office for inspection at any time the office is open to the public.
4. With respect to Lots 1 to 7: There shall be no buildings, structures or earthworks permitted within the swale area as defined below. The sole exception will be those earthworks necessary to plant and maintain vegetation to an appropriate standard.
- Lot 1 Swale area shown as area B on DP 413488
 - Lot 2 Swale area shown as area D on DP 413488
 - Lot 3 Swale area shown as area E on DP 413488
 - Lot 4 Swale area shown as area F on DP 413488
 - Lot 5 Swale area shown as area G on DP 413488
 - Lot 6 Swale area shown as area H on DP 413488
 - Lot 7 Swale area shown as areas I and QQ on DP 413488

Issued in respect of application No. RM 050319 on this 9th day of June, 2010.


 David Wayne Gair
 AUTHORISED OFFICER


 Colin John Bridges
 AUTHORISED OFFICER