

WDC LIM REPORT



SUE & DAMIEN

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OWN
REAL ESTATE

LAND INFORMATION MEMORANDUM NO: LM2300495**Received: 02 May 2023****Issued: 05 May 2023****Section 44A, Local Government Official Information
And Meetings Act 1987****APPLICANT**

N J H Owen, L A Owen

26 Quail Rise (Pvt)

Kamo 0185

SITE INFORMATION

Property ID: 118863

Street Address: 26 Quail Rise (Pvt) Kamo 0185

Legal Description: LOT 1 DP 367703

This is a Land Information Memorandum only.

Full payment has been made for this Land Information Memorandum.

1: PROPERTY DETAILS.

- Location Map
- Deposited Plan: DP 367703
- Record of Title: 275066

This property is subject to a Consent Notice, information attached.

- Interest Number 7111639.5 – Dated 11/07/2006

2: INFORMATION IDENTIFYING EACH (IF ANY) SPECIAL FEATURE OR CHARACTERISTIC OF THE LAND CONCERNED, INCLUDING BUT NOT LIMITED TO POTENTIAL EROSION, AVULSION, FALLING DEBRIS, SUBSIDENCE, SLIPPAGE, ALLUVION, OR INUNDATION, OR LIKELY PRESENCE OF HAZARDOUS CONTAMINANTS, BEING A FEATURE OR CHARACTERISTIC THAT IS KNOWN TO THE WHANGAREI DISTRICT COUNCIL.

Whangarei District Council holds indicative information on land stability hazard for Whangārei. Information on land stability, including an interactive web tool, can be found on the WDC website. The Whangarei District Council will require site-specific investigations before granting future subdivision or building consent for the property, the level of investigation or assessment would depend on the level of stability risk of the area the property is in.

See map attached indicating this property is located within moderate and high zone/s and refer:

<https://www.wdc.govt.nz/Services/My-property-and-rates/Natural-hazards>

Whangarei District Council holds information on the liquefaction vulnerability of the district. The site is located within an area classified as Liquefaction vulnerability category is undetermined and unlikely.

The report was prepared by Tonkin & Taylor Ltd to provide WDC with a district wide liquefaction vulnerability assessment to help inform spatial planning and assessment of landuse, subdivision and building consents.

To view the report and access maps please use the following link:

<https://www.wdc.govt.nz/Services/My-property-and-rates/Natural-hazards>

Please note: To view the liquefaction layer your map scale must be greater than 1:5000.

3: INFORMATION ON COUNCIL AND PRIVATE UTILITY (SEWERAGE, WATER & STORMWATER) SERVICES.

No Whangarei District Council services are available in this area.

As-Built, House Connection and/or Drainage Plan for this property from the building file is attached.

- As-Built Services Plan from BC1600500

4: INFORMATION RELATING TO VALUATION, LAND, AND WATER RATES. INFORMATION FROM WHANGAREI DISTRICT COUNCIL RECORDS.

Information on Valuation, Rates and Water Meter location (if applicable) for the current financial year, is attached.

5: INFORMATION CONCERNING ANY PERMIT, CONSENT, CERTIFICATE, NOTICE ORDER, OR REQUISITION AFFECTING THE LAND OR ANY BUILDING ON THE LAND PREVIOUSLY ISSUED BY THE WHANGAREI DISTRICT COUNCIL OR BUILDING CERTIFIER (WHETHER UNDER THE BUILDING ACT 1991 AND/OR 2004 OR ANY OTHER ACT).

Copy of Building Consent and Code Compliance Certificate issued for this property is attached.

- New Dwelling – Home Owner Exemption
BC1600500 – Issued 15/06/2016
Code Compliance Certificate – Issued 25/07/2017

6: INFORMATION RELATING TO THE USE TO WHICH THE LAND MAY BE PUT AND ANY CONDITIONS ATTACHED TO THAT USE.

This property is located in a Rural Production Zone.

See map attached and refer to Part 3: Area Specific Matters - Chapters - Rural zones.

<https://www.wdc.govt.nz/Services/Property/Planning/Operative-District-Plan>

This property is located in an Outstanding Natural Features area (Parakiore Dacite Dome) and Outstanding Natural Landscapes area (Parakiore Volcanic Cone).

See map attached and refer to Part 2: District Wide Matters - Natural Environment Rules - Natural Features and Landscapes

<https://www.wdc.govt.nz/Services/Property/Planning/Operative-District-Plan>

7: INFORMATION WHICH IN TERMS OF ANY OTHER ACT HAS BEEN NOTIFIED TO THE WHANGAREI DISTRICT COUNCIL BY ANY STATUTORY ORGANISATION HAVING THE POWER TO CLASSIFY LAND OR BUILDINGS FOR ANY PURPOSE.

This property is within the Area of Agreement between Ngararatunua Marae and Whangarei District Council. See map and Court Record of Determination attached.

Please note the information shown on the map was current at the date of the agreement.

Applicants for resource consents for work in this area will have to present an archaeological, cultural and historical assessment with such resource consent application.

For further information contact the Duty Planner and quote RMA671/01.

8: OTHER INFORMATION CONCERNING THE LAND AS WHANGAREI DISTRICT COUNCIL CONSIDERS, AT COUNCIL'S DISCRETION, TO BE RELEVANT.

Whangarei District Council recommends that all Whangarei District residents visit the Northland Regional Council website, <https://www.nrc.govt.nz/> for information on Civil Defence hazard response. This information includes Tsunami evacuation zones, maps and community response plans for flooding and extreme weather events etc.

Copies of site plan, floor plan and elevations are attached for your information.

A copy of a Geotechnical and On-Site Effluent Disposal Report is attached for your information.

9: INFORMATION RELATING TO ANY UTILITY SERVICE OTHER THAN COUNCIL'S SUCH AS TELEPHONE, ELECTRICITY, GAS AND REGIONAL COUNCIL WILL NEED TO BE OBTAINED FROM THE RELEVANT UTILITY OPERATOR.

Further information may be available from other authorities; Northpower; Spark; Vector Limited; etc.

DISCLAIMER

Land Information Memoranda (LIM) are prepared under the provisions of Section 44A of the Local Government Official Information and Meetings Act 1987. An inspection of the land or building(s) has not been completed for the purposes of preparing the LIM. It has been compiled from the records held by Whangarei District Council. The information contained in the LIM is correct at the date of issue.

A LIM is prepared for the use of the applicant and may not be able to be relied on by other parties.

Advice from an independent professional such as a lawyer or property advisor should be sought regarding the contents of this LIM.

Additional information regarding the land or buildings (such as resource consents and other permissions and restrictions) not contained in this LIM may be held by Northland Regional Council. For further information contact Northland Regional Council on (09) 470 1200, 0800 002 004 or www.nrc.govt.nz.

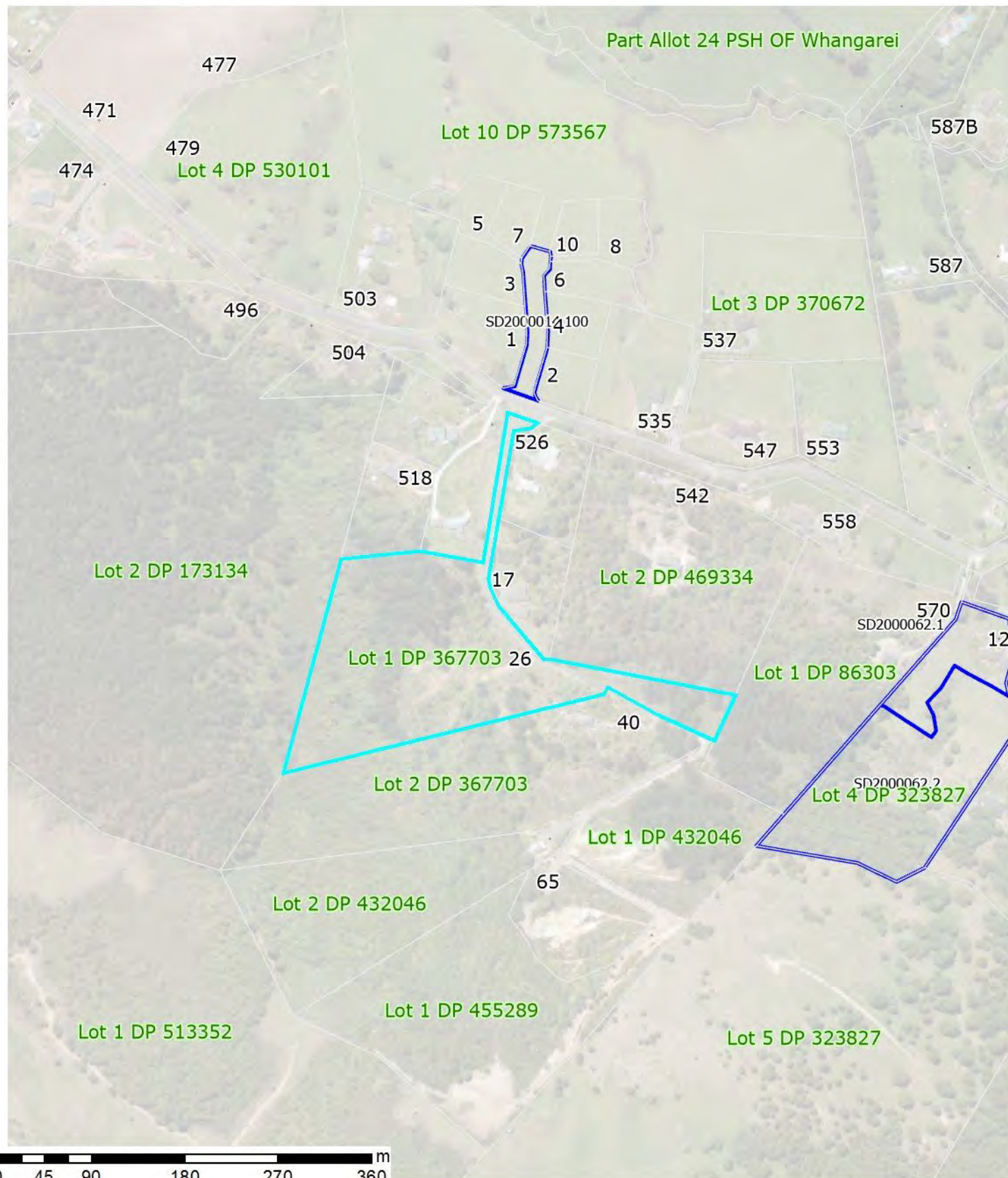
A LIM is not a suitable search of Council's records for the purposes of the National Environmental Standards (NES) for soil contamination of a potentially contaminated site.

Signed for and on behalf of Council:



Elle Swanson
Property Assessment Officer

Property Map



New Subdivisions
 Proposed Pre-223
 223 Certificate

New subdivisions: Proposed as accepted, pre-223 and 223 Certificate with set Conditions.

Land Parcel boundaries are indicative only and are not survey accurate. Area measurement is derived from the displayed geometry and is approximate. True accurate boundary dimensions can be obtained from LINZ survey and title plans

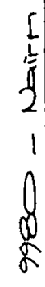
Friday, May 5, 2023

Scale: 1:5,000



The information displayed is schematic only and serves as a guide. It has been compiled from Whangarei District Council records and is made available in good faith but its accuracy or completeness is not guaranteed. Cadastral Information has been derived from land Information New Zealand's (LINZ) Core Record System Database (CRS). CROWN COPYRIGHT RESERVED. © Copyright Whangarei District Council.

File Received - 2 OCT 2006
Instructions DP 367703



TERRITORIAL AUTHORITY WUJANGAL DISTRICT
Surveyed by REYBURD & BEYALAT
Scale 1:2500 Date NOVEMBER 2005



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **275066**
Land Registration District **North Auckland**
Date Issued 13 November 2006

Prior References
217366

Estate Fee Simple
Area 4.2925 hectares more or less
Legal Description Lot 1 Deposited Plan 367703
Registered Owners
Nicholas John Heffey Owen and Lacey Anne Owen

Interests

Appurtenant hereto is an electricity right specified in Easement Certificate D224719.10 - produced 9.12.1997 at 12.23 pm and entered 6.1.1998 at 9.00 am

The easements specified in Easement Certificate D224719.10 are subject to Section 243 (a) Resource Management Act 1991

Subject to an electricity right over part marked B on DP 367703 by Transfer D224719.11 - produced 9.12.1997 at 12.23 pm and entered 6.1.1998 at 9.00 am

The easements created by Transfer D224719.11 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and a right to transmit telecommunication over parts marked A, B and C on DP 367703 specified in Easement Certificate D410710.4 - 16.7.1999 at 12.52 pm

The easements specified in Easement Certificate D410710.4 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way created by Transfer D410710.5 - 16.7.1999 at 12.52 pm

7111639.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 13.11.2006 at 9:00 am

Subject to a right (in gross) to convey electricity over parts marked A, B, C, D, F and G on DP 367703 in favour of Northpower Limited created by Easement Instrument 7111639.7 - 13.11.2006 at 9:00 am

The easements created by Easement Instrument 7111639.7 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way, right to convey water, electricity, telecommunications and computer media over parts marked A, B, C and D on DP 367703 created by Easement Instrument 7111639.8 - 13.11.2006 at 9:00 am

The easements created by Easement Instrument 7111639.8 are subject to Section 243 (a) Resource Management Act 1991

10270486.3 Mortgage to ANZ Bank New Zealand Limited - 4.12.2015 at 3:03 pm

SI No	38987
PID No	087034
Street	Crane Road
Type	Consent Notice
Drawing No	DP 367703

IN THE MATTER

of the Resource Management Act 1991 ("the Act")

A N D

IN THE MATTER

of a subdivision consent as evidenced by Land Transfer Plan No. 367703

A N D

IN THE MATTER

of a Consent Notice issued pursuant to Section 221 of the Act by WHANGAREI DISTRICT COUNCIL ("the Council")

IT IS HEREBY CERTIFIED that the following conditions to be complied with on a continuing basis by the subdividing owner and subsequent owners were imposed by the Council as conditions of approval for the subdivision as effected by Land Transfer Plan No. 367703 ("the plan")

1. Development on the properties being lots 1, 2 and 3 on the plan shall be undertaken in accordance with the restrictions and recommendations specified in the Cook Costello Limited engineering report dated 26 October 2004 ("the report"), a copy of which is attached hereto, with site development to be undertaken in accordance with proper engineering practice and the following guidelines:

- All earthworks shall be designed to have a net stabilising effect
- All cuts shall be limited to 1.0 metres without specific design by a registered engineer with suitable geotechnical experience
- No fill shall be placed on or on the edge of slopes steeper than 15°
- Fill shall be properly disposed of off the site or placed at the toe of slopes with proper retaining. Fill may be disposed of in under drained gullies and be properly under drained and compacted at the discretion of the engineer. Existing fill on the site is not considered to be engineered and shall not be considered suitable for building on

- Cut platforms removing soil from the slope shall only be carried out in the upper half of slopes under the guidance of a registered engineer with geotechnical experience
 - No water or effluent shall be discharged into the sides of steep slopes.
2. Onsite effluent disposal is to be specifically designed by a chartered engineer.
 3. Stormwater is to be collected and controlled and dispersed in a suitable location.
 4. Building sites, unless otherwise approved, shall be confined to the areas identified as safe and stable building platforms on the plan attached to the report.

DATED at Whangarei this

11th

day of

July

2006

SIGNED for WHANGAREI DISTRICT COUNCIL
pursuant to the authority of the Council given pursuant
to the Local Government Act 2002 and the Resource
Management Act 1991



Authorised Signatory



Consulting Engineers

cook | costello

10270

Mr P J Cook

26 October 2004

Civil & Structural
Geotechnical
Environmental
Industrial
Project ManagementNorfolk House
2 Norfolk Street
Whangarei
P 64 9 438 9529
F 64 9 430 4282
E ccl@coco.co.nzKerikeri
P 64 9 407 4409
F 64 9 407 4409
E ccl@coco.co.nzMr Todd Barrell
Shop 7
Quality Street
Whangarei

Attention: Mr Todd Barrell

Dear Todd

**Geotechnical report for the proposed Subdivision of Part Lot 1
DP197685:****INTRODUCTION**

Mr Barrell proposes to subdivide the land being part Lot 1 DP197685 at Crane Road Whangarei. Cook Costello Ltd were briefed to investigate the stability of the site for proposed subdivision considering the suitability for a safe and stable building site, on-site effluent disposal, stormwater control and disposal, and access.

SITE DESCRIPTION

The site is located on the south side of Crane Road and is north facing land with commanding views of Mount Hikurangi and the Hikurangi Alluvial plains. Special environmental features are native bush to the west and the quiet rural outlook and locale. The topography of the site is moderately sloping with visually estimated grades of 1 in 5 to 1 in 3. Existing ground slopes vary however and are up to 18° over the site. The site is predominantly covered in regenerating scrub and gorse. A significant portion of the gorse has been sprayed. Presently the land is reverting and could be developed into favourable lifestyle lots. Some boundaries appear to have fences constructed along them however not all we observed and it is unknown the extent of fencing.

The land is zoned Countryside in the Whangarei District Council Plans.

The land is zoned Erosion Prone in the Northland Regional Council Plans.

The land drains to the north to a culvert beneath Crane Road.

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Consulting Engineers

Services to the site consist of power and telecom to approximately the end of ROWA. It is noted that power is overhead and has a transformer to accommodate 3 new sites. Telecom appears to have ducting laid on ground surfaces which is not considered to be normal practice and will likely need to be reconstructed.

Land stability features observed on the site and surrounding land was erosion where stormwater had concentrated on slopes and scoured out channels. Fretting and weathering of cut slopes has occurred, however these generally remained stable. Tracks have been constructed of cut to fill with some minor scouring and fretting of cut batters.

GEOLOGY

The Geology as defined on Sheet 2A, Whangarei, New Zealand Geological Survey as PARAHAKI VOLCANICS. New Zealand Land Inventory map NZMS 290 defines the lithology as Rhyolite and Dacite flows and domes of glassy and very fine grained to medium grained crystalline rhyolite and dacite, moderately fractured, moderately hard to very hard. Weathered and hydrothermally altered to brown halloysitic clay to depths of 30m.

INVESTIGATIONS

Investigations were carried out on the 14th October 2004 and consisted of a visual walkover.

Results and Analysis

Lot 1, 2, 3, 4

All lots are similar and the constraints and controls required are common and can be summarised as follows.

All lots can accommodate a safe and stable building site as indicated on the appended plan.

Each site will require minor earthworks with cuts up to 2.0 metres high. Cut slopes should be retained unless protection against weathering, fretting and surface water erosion can stabilise the cutting. Alternatively pile foundations or similar can be designed for buildings.

There is suitable area for on site effluent disposal and this will need to be specifically designed by a chartered engineer.

All stormwater will need to be collected and controlled and dispersed of in a suitable location. Site observation indicates that any concentrated stormwater causes erosion and this should be avoided.

Access to the sites will require specific design and a concrete surfacing. Earthworks will be required with retaining and batter protection in places. Stormwater from the access has the potential to cause significant instability and consideration should be given to a fully piped stormwater system.

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Consulting Engineers

Water for the house and fire fighting is likely to be from rainwater collection and water tanks. Design of the access shall allow for water tanker trucks to visit the site from time to time unless a secure water supply can be provided on site.

Access

Excellent visibility (visually estimated at over 200m) exists at Crane Road for the Exit Right and Exit Left. Careful design for grading the new vehicle crossing and entrance is required with particular care to the turning curves for the Exit Left.

CONCLUSIONS AND RECOMMENDATIONS

The site is considered to be suitable for subdivision and can provide for a suitable access, suitable building sites, on site effluent disposal and piped stormwater system.

The access will need to be specifically designed with grades estimated at 1 in 4 and careful design of the intersection with Crane Road is needed.

Any work on the site will need to comply with the rules for Erosion Prone Land in accordance with the Regional Water and Soil Plan for Northland and will likely require resource consent from the Northland Regional Council.

Development of the site will need to be carried out in accordance with proper engineering practice and the following guidelines

- all earthworks shall be designed to have a net stabilising effect.
- All cuts shall be limited to 1.0 metres without specific design by a registered engineer with suitable geotechnical experience.
- No fill shall be placed on or on the edge of slopes steeper than 15°
- fill shall be properly disposed of off the site or placed at the toe of slopes with proper retaining. Fill may be disposed of in underdrained gullies and be properly under drained and compacted at the discretion of the engineer. Existing fill on the site is not considered to be engineered and shall not be considered suitable for building on.
- Cut platforms removing soil from the slope shall only be carried out in the upper half of slopes under the guidance of a registered engineer with geotechnical experience.
- No water or effluent shall be discharged into the sides of steep slopes.

LIMITATION AND QUALIFICATION

This report has been prepared solely for the benefit of Mr Todd Barrell as our client with respect to the brief and for Whangarei District Council approval of the proposal as defined in the brief. The reliance by other parties on the information or our opinions contained in the report shall, without our prior review and agreement in writing, be at such parties' sole risk.

Opinions and judgements expressed herein are based on our understanding and interpretation of current regulatory standards, and should not be construed as legal opinions. Where opinions or judgements are to be relied on they should be independently verified with appropriate legal advice

Recommendations and opinions in this report are based on a visual walkover and desktop study. The nature and continuity of subsoil conditions are inferred and it must be appreciated that actual conditions could vary considerably from the assumed.

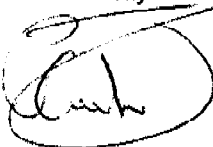
During excavation and construction the site should be examined by an Engineer or Engineering Geologist competent to judge whether the exposed subsoils are compatible with the inferred conditions on which the report has been based. It is possible that the nature of the exposed subsoils may require further investigation and the modification of the design based on this report.

Cook Costello Ltd would be pleased to provide this service to Mr Todd Barrell and believe that the project would benefit from such continuity. In any event it is essential that Cook Costello Ltd are contacted if there is any variation in subsoil conditions from those described in the report as it may affect the design parameters recommended in the report.

Cook Costello Ltd has performed the services for this project in accordance with the standard agreement for consulting services and current professional standards for environmental site assessment. No guarantees are either expressed or implied.

If you have any further queries please do not hesitate to call Mr Cook at Cook Costello Norfolk House.

Yours faithfully

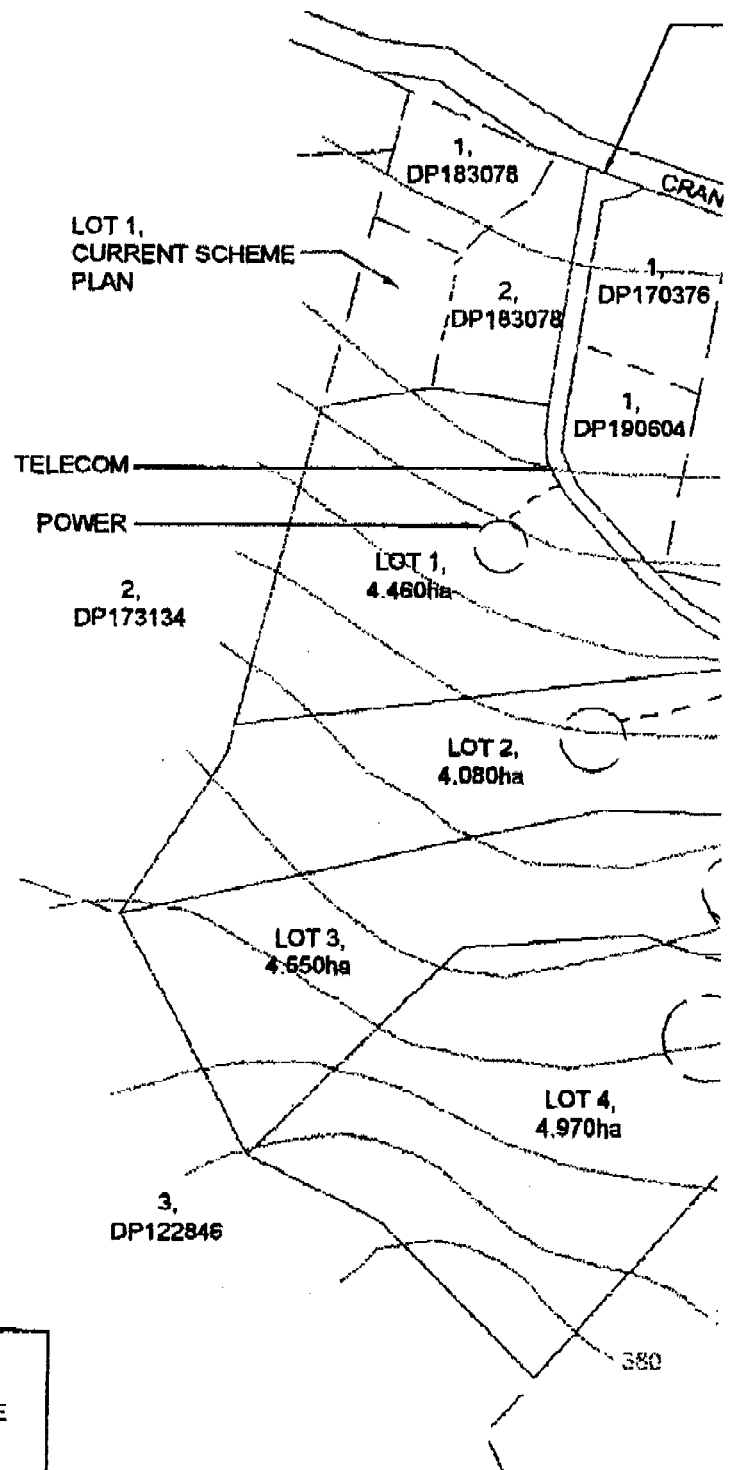


PJ Cook

Chartered Professional Engineer
MACENZ, MIPENZ, MIOD, CPEng, IPER
BE (Hons), Dip Ag.

cook | costello
Consulting Engineers

Appendix 1.0: Site Plan



THIS PLAN HAS BEEN DIGITISED FROM A
CONCEPT PLAN AND IS THEREFORE INDICATIVE
ONLY



Consulting Engineers

cook | costello

Civil, Structural & Natural Resource Engineers

Norfolk House, 2 Norfolk Street, Whangarei

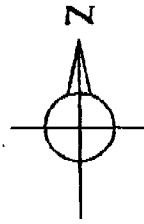
T 64 9 438 9529 F 64 9 430 4282 E ccd@coco.co.nz

Q101

MR TODD BA
CRANE ROAD
SITE PL.

THIS DESIGN AND DRAWING IS COPYRIGHT OF COOK COSTELLO LTD AND SHALL

SPECIFIC DESIGN REQUIRED FOR SUITABLE GRADES
MAY NOT MEET WDC STANDARDS WITHOUT
SIGNIFICANT EARTHWORKS



ROAD, SEALED
-180

-200
1,
145802

SPECIFIC DESIGN OF
ACCESS, WIDENING ON
CORNERS FOR TRUCK
MOVEMENT

1,
DP86303

4,
DP323827

5,
DP323827

SAFE AND STABLE BUILDING
PLATFORMS



SCALE 1:4000

RRELL
KAURI
AN

SURVEYED R&B	REVISION	DATE	SHEET 1
DESIGNED PJC			
DRAWN AE			SERIES 1
CHECKED	DATE 26-10-04	SCALE 1:4000	REF 10270
APPROVED			

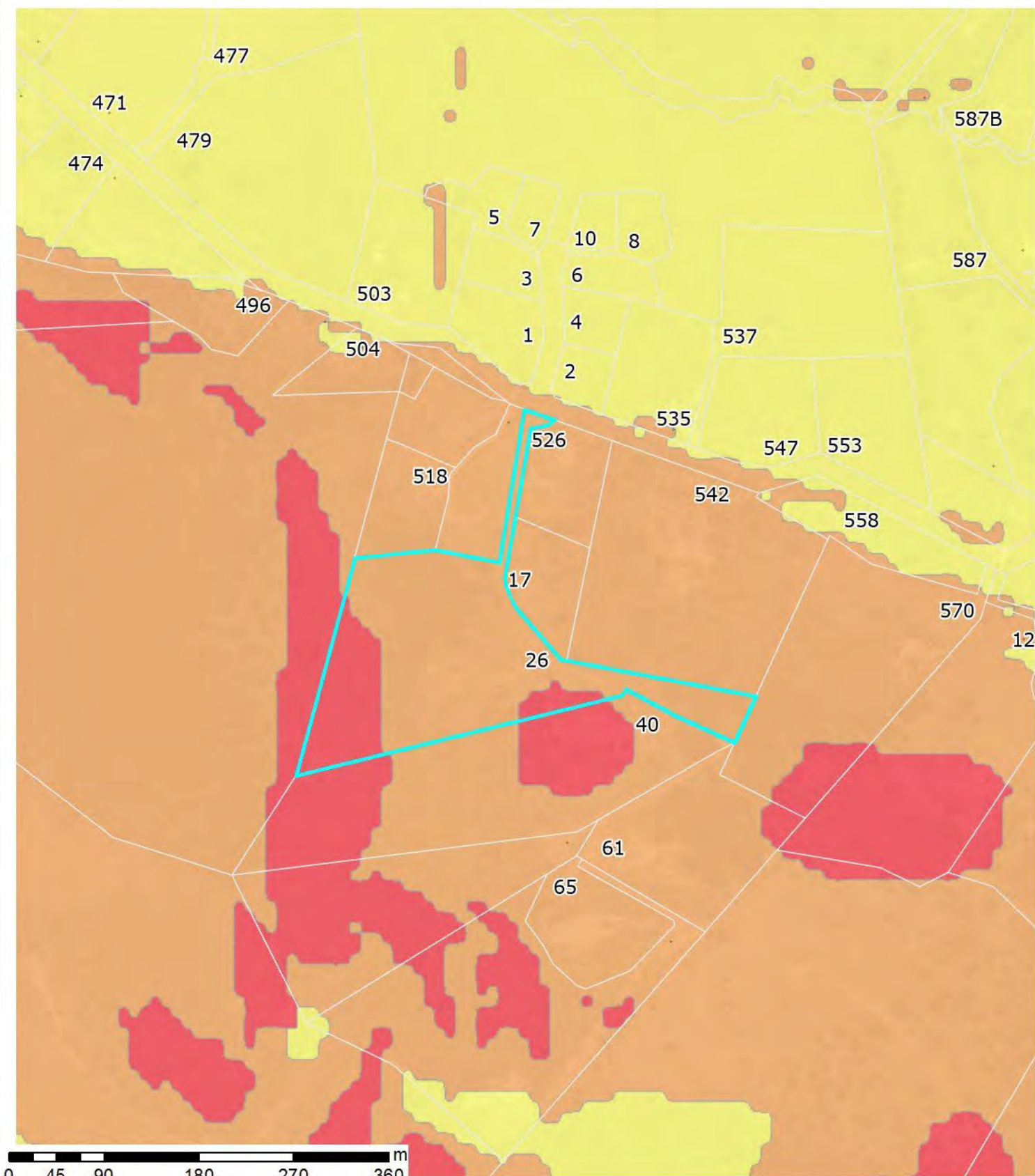
NOT BE USED OR REPRODUCED WITHOUT WRITTEN AUTHORITY

CAD FILE 10270 site plan 26-10-04.dwg

PLOT DATE 26-10-04

ORIGINAL SIZE A3

Land Stability



Landslide Susceptibility Zone

High Moderate Low

Whangārei District Council holds indicative information on land stability hazard for Whangārei. The Whangārei District Council may require site-specific investigations before granting future subdivision or building consent for the property, depending on the level of stability risk of the area the property is in.

Tonkin + Taylor Ltd Landslide Susceptibility assessment report:
<https://www.wdc.govt.nz/files/assets/public/documents/council/reports/hazard-reports/land-stability/landslide-susceptibility-technical-report.pdf>

Friday, May 5, 2023

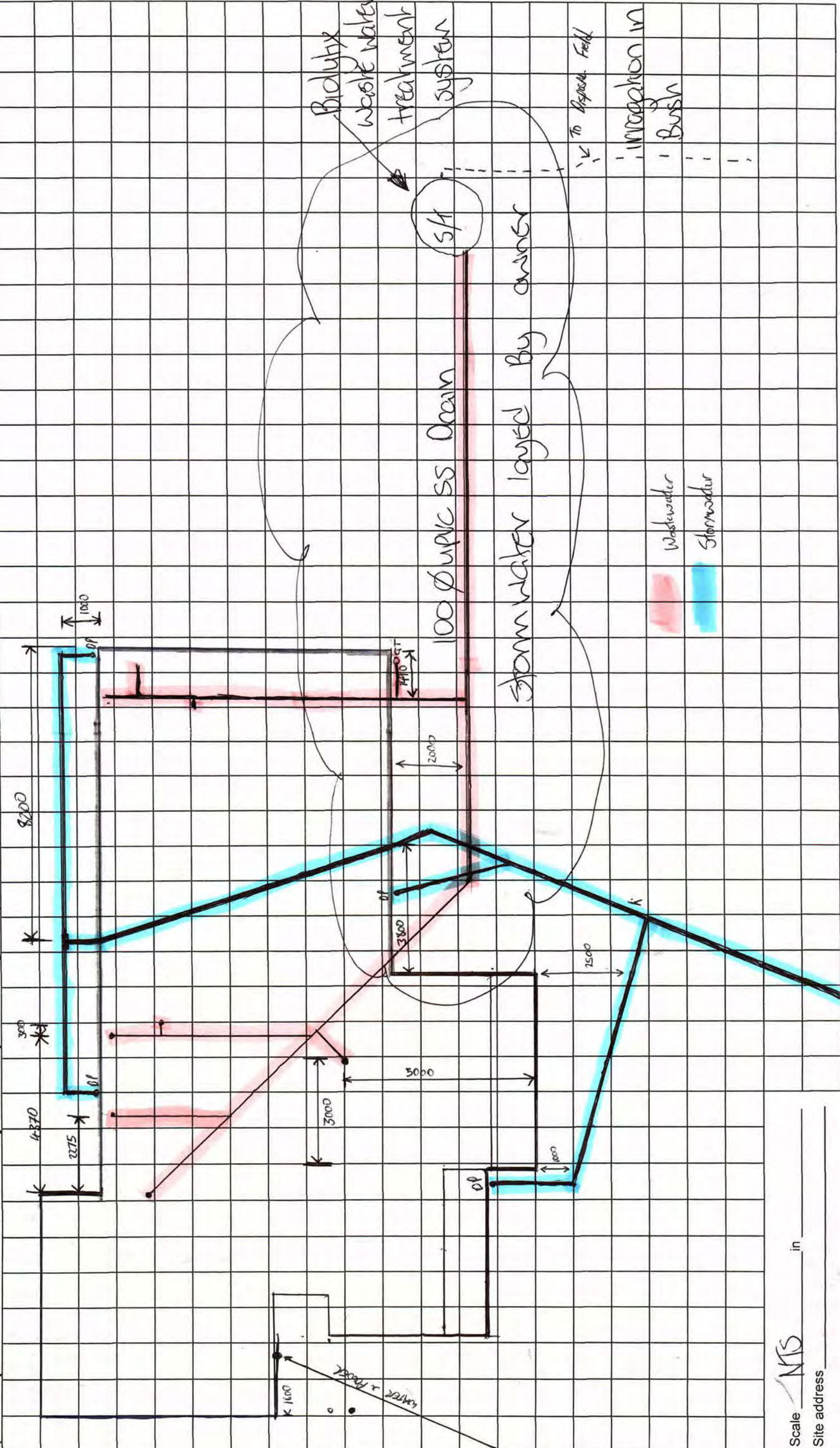
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 CROWN COPYRIGHT RESERVED.
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PART C As-built services plan

(to be completed in all cases. If details are already noted on separate drawings then provide copies in duplicate as appropriate and attach to this sheet. Ensure that drawing numbers, etc, is noted below)



Scale NTS in _____

Site address _____

↓ To water tanks
overflow to water course



Whangarei District Council
Private Bag 9023, Te Mai
Whangarei 0143
Ph:0-9-430 4200
Email: mailroom@wdc.govt.nz

Rates LIM Report

As at: Friday, 5 May, 2023

Property Number 118863
Legal Description LOT 1 DP 367703
Assessment Number 0033036243
Address 26 Quail Rise (Pvt) Kamo 0185
Record of Title(s) 275066
Land Value \$465,000
Capital Value \$1,275,000
Date of Valuation 01-July-2021
Effective Date (used for rating purposes) 01-July-2022
Meter Location

Rates Breakdown (up to 30 June 2023)

Rates Charge	Charge Total
General Residential - Lifestyle	\$1,005.24
Hikurangi Swamp Drainage - Class F	\$9.14
Hikurangi Swamp Major Scheme - Class F	\$18.07
Uniform Annual General Charge	\$650.00
Regional Council Services	\$158.26
Regional Economic Development	\$8.74
Regional Emergency & Hazard Management	\$44.88
Regional Emergency Services Rate	\$11.60
Regional Flood Infrastructure	\$33.24
Regional Land and Fresh Water Management	\$129.27
Regional Pest Management	\$80.23
Regional Sporting Facilities	\$16.60
Regional Transport Rate	\$38.47
Annual Charge Total	\$2,203.74

Opening Balance as at 01/07/2022 **\$-0.14**

Rates Instalments	Total
20/07/2022 Instalment	\$553.74
20/10/2022 Instalment	\$550.00
20/01/2023 Instalment	\$550.00
20/04/2023 Instalment	\$550.00

Rates Total **\$2,203.74**

Balance to Clear **\$549.60**

COPY

Building Consent No: BC1600500

Section 51, Building Act 2004

Issued: 15 June 2016

The Building

Street address of building: 26 Quail Rise (Pvt)
Kamo 0185

Legal description of land where building is located: LOT 1 DP 367703
LLP: 117612

Building name: N/A

Location of building within site/block number: N/A

Level/unit number: N/A

First point of contact for communications with Council/building consent authority

The Owner

L A Owen
N J H Owen
14 Conifer Grove
Kamo 0112

Phone number: 4355272

Mobile number: 0212041319

Facsimile number: N/A

Email address: lace.thompson@gmail.com

Website: N/A

Street address/registered office: 26 Quail Rise (Pvt)
Kamo 0185

Building Work

The following building work is authorised by this consent:

New Dwelling

This building consent is issued under section 51 of the Building Act 2004. This building consent does not relieve the owner of the building (or proposed building) of any duty or responsibility under any other Act relating to or affecting the building (or proposed building).

This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

This building consent is subject to the following conditions:

Section 90 Building Act 2004

Under section 90 of the Building Act 2004, agents authorised by Council (acting as a Building Consent Authority) are entitled, at all times during normal working hours or while building work is being done, to inspect:

- ii) land on which building work is being or is proposed to be carried out; and
 - iii) building work that has been or is being carried out on or off that building site; and
 - iiii) any building.
1. See attached schedule of site requirements for inspections and documentation required.
 2. A copy of your Electrical Certificate will be required.
 3. Engineer is to (1) check the ground conditions and confirm in writing they are as inferred in the geotechnical report and (2) is to supervise the installation of the storm water piped system as required by the reports recommendations and issue a Construction Producer Statement PS4 on completion of this work.

Compliance Schedule

A compliance schedule is not required for the building.

Attachments

No attachments.

Additional Information

1. The applicant must control dust nuisance created by any site or building works.
2. Toilet facilities must be provided within reasonable distance of the construction site. Ground discharge is no longer acceptable.
3. Lapsing of building consent. For the purposes of S52(b) of the Building Act 2004, the period after which this consent will lapse if the building work to which it relates does not commence will be 12 months from the date of issue.
4. The Building Consent is subject to a Home Owner Exemption that has been applied for in accordance with Section 45 (5) (a) of the Building Act 2004.

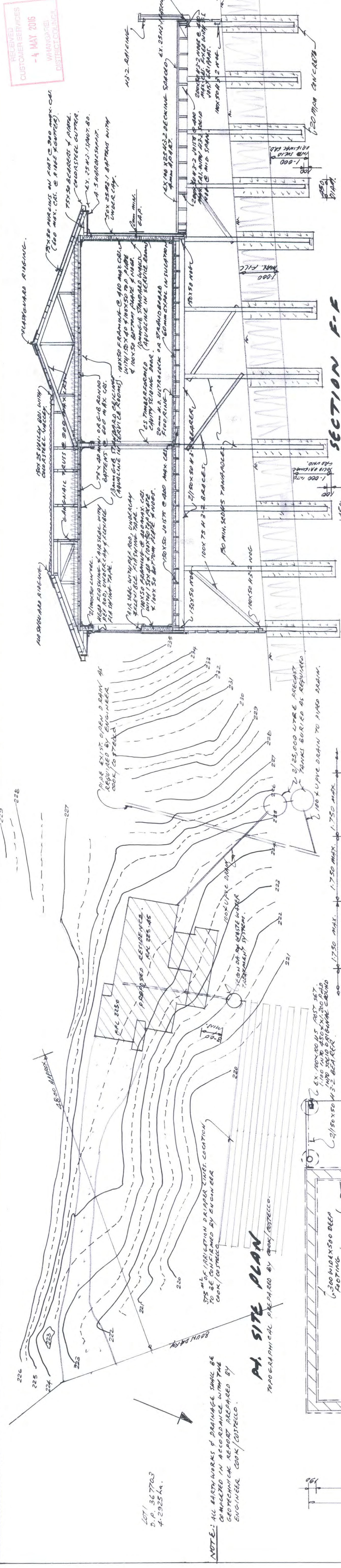


Tilly Selwyn
Support Assistant – Building Processing
On behalf of Whangarei District Council

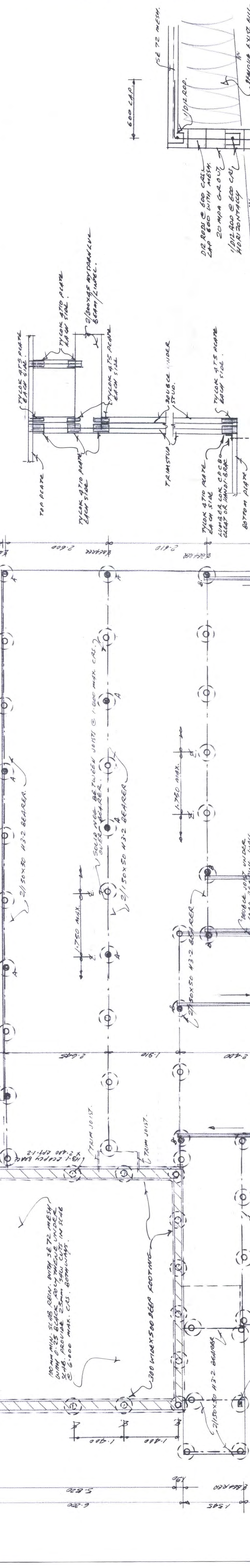
15 June 2016

Date

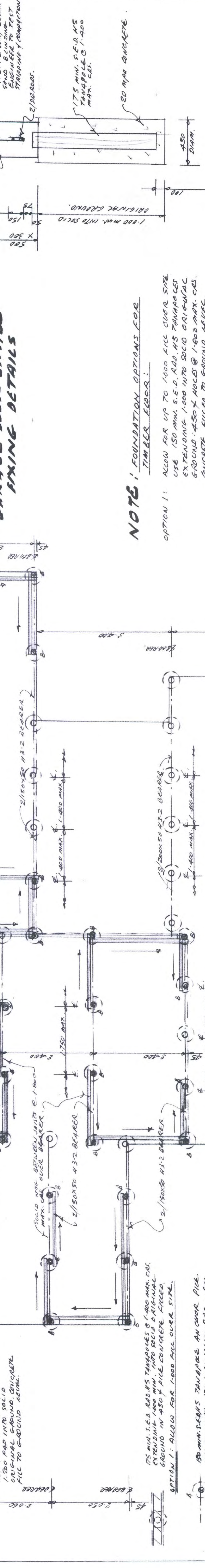
RECEIVED
CUSTOMER SERVICES
- 4 MAY 2016
WHANGAREI DISTRICT COUNCIL



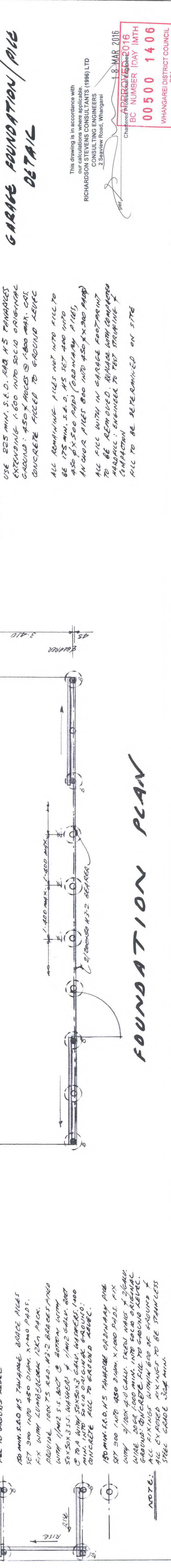
SECTION F-F

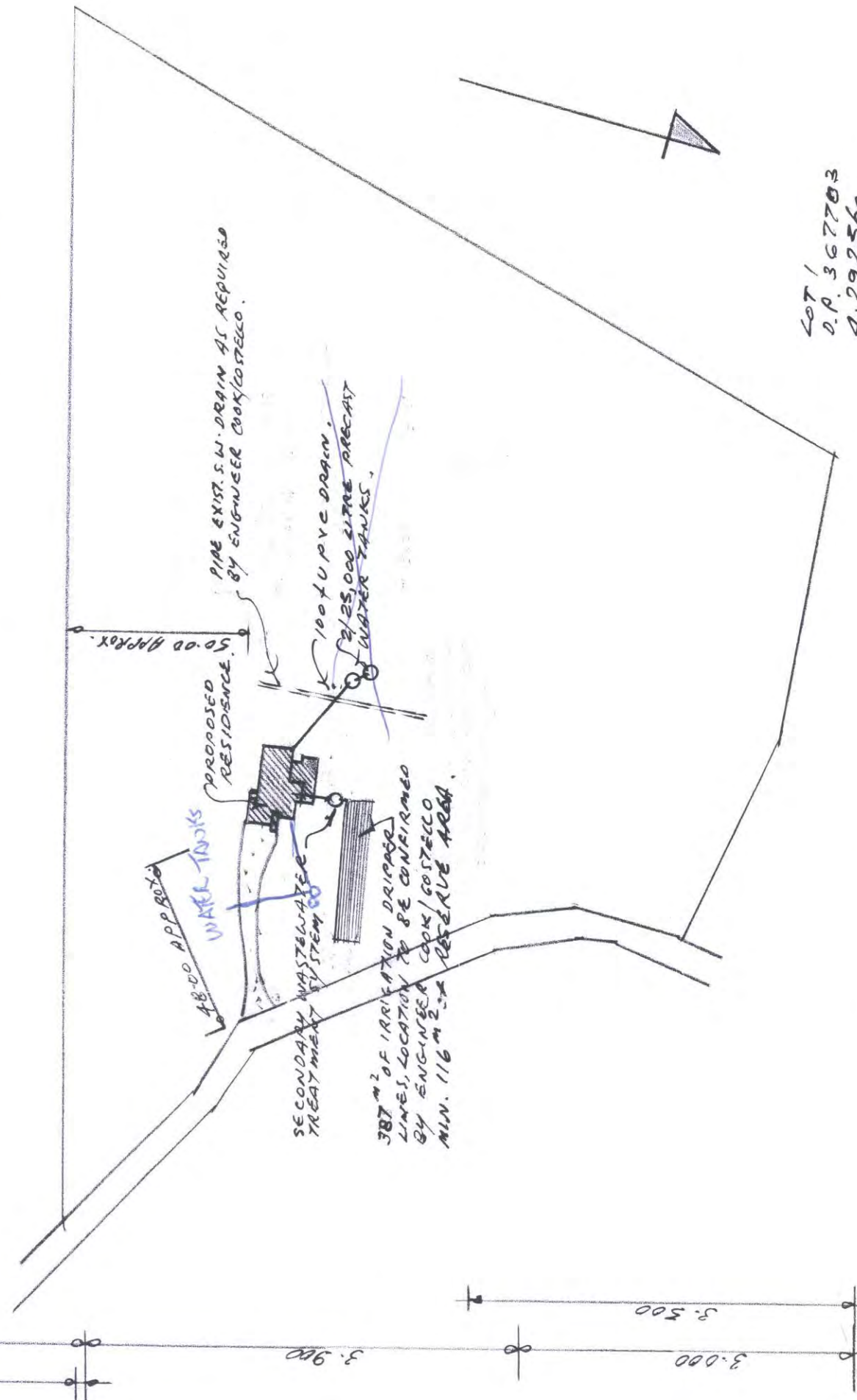
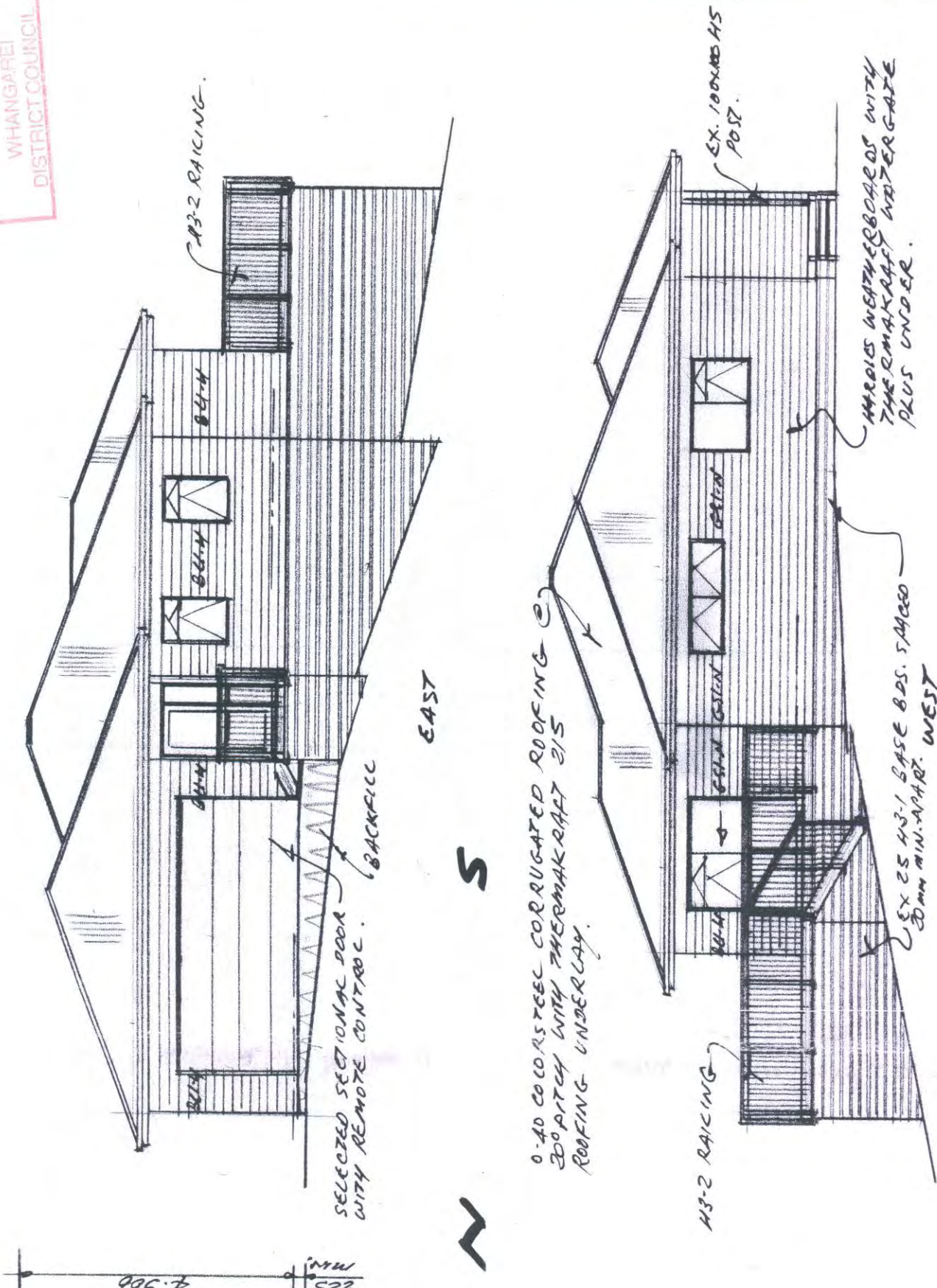
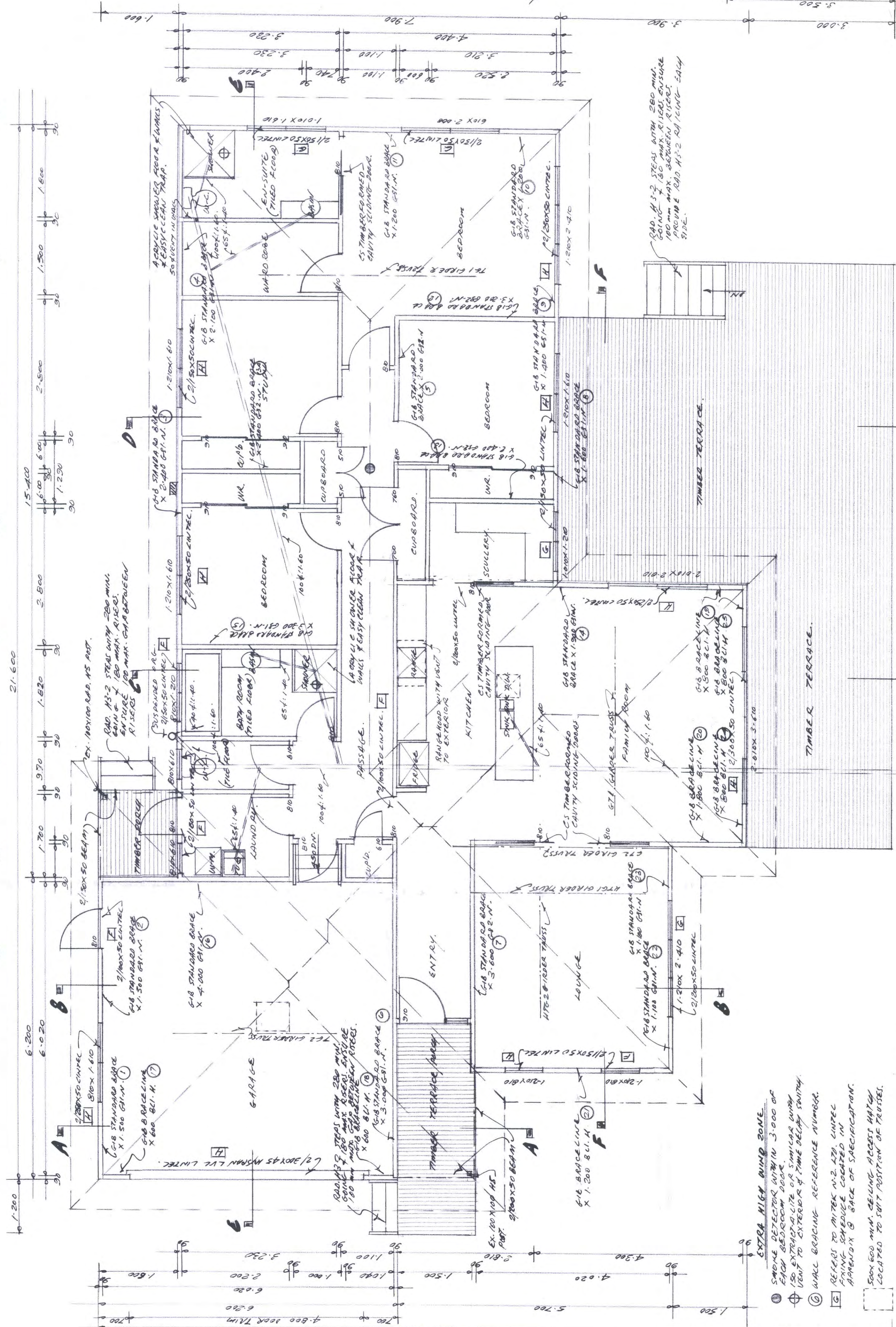
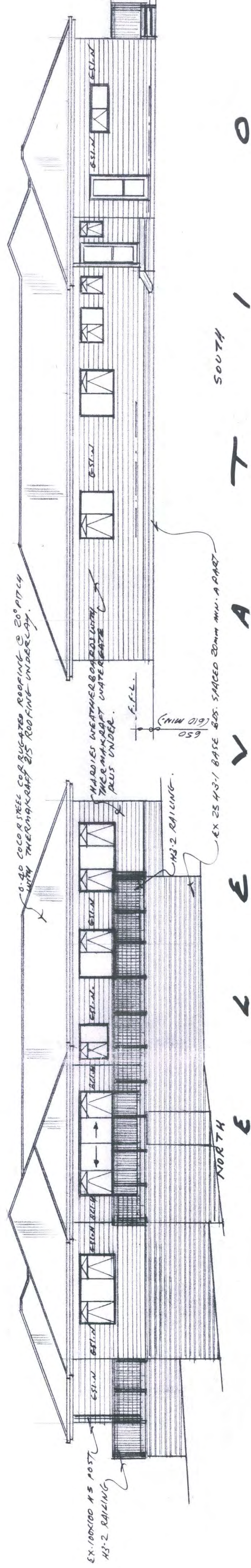


GARAGE DOOR LINTEL FIXING DETAILS



GARAGE FOUNDATION/PILE





This drawing is in accordance with our calculations where applicable.

CHARDSON STEVENS CONSULTANTS (1396) LTD
CONSULTING ENGINEERS
2 Seaview Road, Whangarei

 18 MAR 2016

Chartered Professional Engineer

LOT /
O.P. 367703
4.2925Lg.

SITE PLAN

NOTE: ALL EARTHWORKS & DRAINAGE SHALL BE COMPLETED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT PREPARED BY BOCK/DITZEL.

APPROVED 2016
BC NUMBER IDAY IMTH
00500 1406
WHANGAREI DISTRICT COUNCIL
BCA

TOTAL FLOOR AREA = 205.6 m²
PERMANCE & PORCH AREA = 89.4 m²

21' 600
FLOOR PLAN

EXTRA HIGH RING ZONE--

① SMOKE DETECTOR WITH 3,000 OF EACH BEDROOM DOOR.

② EXTRACT-A-LIFE OR SIMILAR TYPE UNIT WENT TO EXTENDED OR TIME DELAY UNIT.

③ WALK TALKING - REFERENCE NUMBER.

REFERS TO INTER A-2 LTD. UNREL. FILING THERMOCOIL LOCATED IN ANNEXION @ BACK OF SPECIFICATION.

BOOK 600 MM. CELLING ARREST MATHY. LOCATED TO SOUTH POSITION OF PROTEST.

BRENT ROBINSON
DESIGN SERVICES LTD

PLANS
SPECIFICATIONS

63 Mill Road
Warrington

Telephone: 09-437 3508
Fax: 09-437 3516

PROPOSED RESIDENCE AT 26 QUAIL RISE - KAURI - FOR N. & L. OWEN

4301
L3345

SCALE
1-50:1-100:1:150

PLAN No 7457

COPY

In reply please quote
Or ask for

BCA160106
Kylee Akast



**WHANGAREI
DISTRICT COUNCIL**

Forum North, Private Bag 9023
Whangarei 0148, New Zealand
Telephone: +64 9 430 4200
Facsimile: +64 9 438 7632
Email: mailroom@wdc.govt.nz
Website: www.wdc.govt.nz

19 September 2016

L A Owen
14 Conifer Grove
Kamo 0112

Dear Sir/Madam

Amendment to Building Consent: BC1600500
Description of Work: Alterations to Proposed Dwelling - Site Position, Foundations and Gables
Site Address: 26 Quail Rise (Pvt) Kamo 0185

Enclosed please find your approved amended plans relating to the above project.

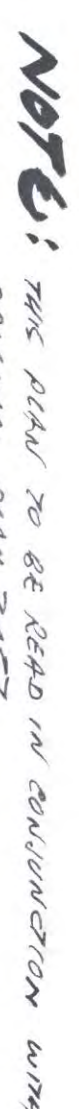
As a result of this amendment the following condition now applies:

- Please provide a copy of the new Producer Statement PS1 and Truss Layout and Fixings from the Truss Manufacturer for the changed truss design.

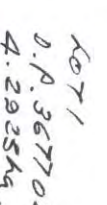
Please ensure that this letter is attached to the original building consent in your on-site building pack.

Yours faithfully

Kylee Akast
Support Assistant – Building Processing



TOTAL FLOOR AREA = 205.6 m²



AMENDMENT
BPA 160106
Checked by.....
Building Officer, *Paul B.M.*
Planning Officer, *Paul*

APPROVED
19 SEP 2016
WHANGAREI DISTRICT COUNCIL
BUILDING CONTROL
BC 160106



Geotechnical and On-Site Effluent Disposal Report

*26 Quail Rise, Kauri, Whangarei
Lot 1 DP 367703*

For Nick and Lacey Owen



cook | costello

Consulting Engineers



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1. INTRODUCTION

It is proposed to construct a new residential dwelling at the property of Nick and Lacey Owen at 26 Quail Rise in Kauri, Whangarei.

Cook Costello have been briefed to provide a geotechnical and effluent report for the proposed development. This report considers the following aspects of site development:

- Existing stability of the site
- Effects of the development on stability
- On-site wastewater management
- Stormwater management
- Suitable building foundations and retaining

A site plan is attached in Appendix 1 showing the proposed location of the dwelling, recommended area for effluent disposal and associated site investigations.

1.1. Relevant Documentation

- AS/NZS 1547:2012 - On-site domestic wastewater management
- AS 2870: 2011 - Construction of residential slabs and footings
- NZS 3604: 2011 - Timber framed buildings
- NZS 4431: 1989 – Code of practice for earth fill for residential development
- NZS 4402:1986 - Methods of testing soils for civil engineering purposes
- NZ Building Code: B1/VM4

Good Ground – means any soil or rock capable of permanently withstanding an ultimate bearing pressure of 300kPa (i.e. an allowable bearing of 100kPa using a factor of safety of 3.0) but excludes;

- a) Potentially compressible ground such as topsoil, soft soils such as clay which can be moulded easily in the fingers, and uncompacted loose gravel which contains obvious voids,
- b) Expansive soils being those that have a liquid limit of more than 50% when tested in accordance with NZS4402 Test 2.2 and a linear shrinkage of more than 15% when tested from the liquid limit in accordance with NZS 4402 Test 2.6 and,
- c) Any ground which could foreseeably experience movement of 25mm or greater for any reason including one or a combination of the following: land instability,

ground creep, subsidence, seasonal swelling and shrinking, frost heave, changing ground water level, erosion, dissolution of soil in water, and effects of tree roots.

- Whangarei District Council: 2015 – GIS Maps

2. SITE DESCRIPTION

The property is located at 26 Quail Rise in Kauri, Whangarei. Access is provided into the property directly off Quail Rise to the east of the property. The legal description of the site is Lot 1 DP 367703 and the total size of the lot is 4.29ha.



Figure 1. Aerial photograph showing existing contours and 26 Quail Rise highlighted in yellow



Figure 2. Aerial photograph showing proposed building platform outlined in yellow

The property slopes down to the north east at moderate to steep grades. Moderate earthworks involving cut and fill have been undertaken on the site to create access and a level building platform. The proposed location of the building platform is shown

in Figure 2 below. The cut at the back of the building platform (south side) is approximately 3m high and batters back at approximately 45°. Some fill has been placed at the front edge of the building platform.

The majority of the property is vegetated with dense shrub and mature trees. There is an existing overland flow path running south-north through the property, approximately 5 – 10m west of the proposed building platform. The upslope section of the flow path was dry at the time of the site visit, however stagnant water was sitting in the flat section of the flow path adjacent to the building platform.

Whangarei District Council (WDC) GIS Maps shows both high and medium instability zones within the subject property (refer Figure 3 below). The high instability zones are restricted to the south-western corner of the lot and a small area upslope of the driveway entrance off Quail Rise. Council sewer and stormwater services are not available at the property.

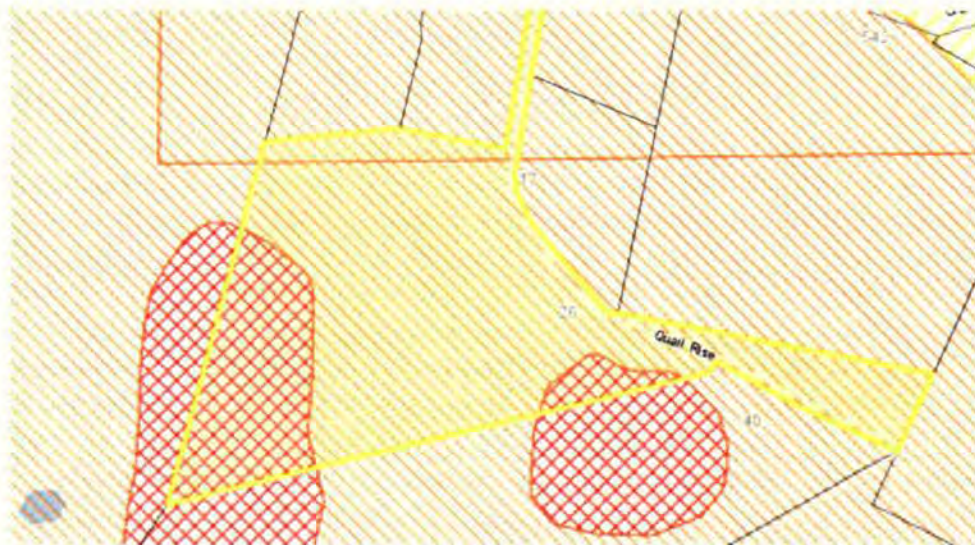


Figure 3. WDC GIS map showing instability zones at the subject property



3. GEOLOGY

The soil type in the area is defined on NZMS290 Sheet Q06/07 Hukerenui - Whangarei (SOILS) as Maungarei clay with large boulders; well to moderately well drained soils of the rolling and hilly land.

The rock type in the area is defined on NZMS290 Sheet Q06/07 Hukerenui - Whangarei (ROCK TYPES) as igneous extrusive rock (F5) Rhyolite and Dacite flows and domes of glassy and very fine to medium grained crystalline rhyolite and dacite, moderately fractured; moderately hard to very hard. Weathered and hydrothermally altered to soft white or brown halloysitic clay to depths of 30m.



The Institute of Geological and Nuclear Sciences (IGNS) Geology of the Whangarei Area Geological Map 2 defines the geology of the site as Kaikohe – Bay of Islands and Puhipuhi – Whangarei Volcanic Fields local dacite domes and rhyolite flow remnants (Qvd).

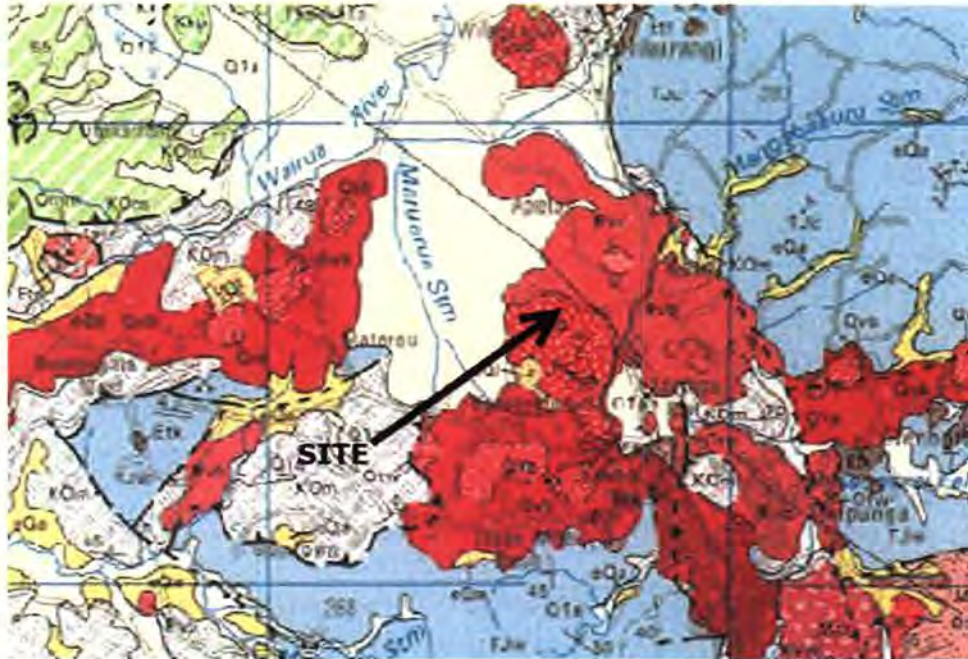


Figure 3. IGNS Geological Map 2 showing the approximate location of the subject site

4. SITE INVESTIGATIONS

Geotechnical field investigations were carried out on the 16th of October, 2015. These investigations consisted of:

- Visual inspections and walkover.
- Two hand augered borehole (BH) drillings to identify subsurface soil properties
- Four dynamic cone Scala penetrometer tests (SP) to confirm bearing pressures and uniformity of the soil

The locations of all site investigations are shown on the site investigation plan attached as Appendix 1. The results of all site investigations are attached as Appendix 2.

The borehole results are summarised in Table 1 below. The Scala penetrometer results are summarised in Table 2 below.

Test ID	Depth (mBGL) ¹	GWL ² (mBGL)	Test Results	
			(mBGL)	Soil Type
BH1	0.30 (refusal)	Not encountered	0.00 – 0.30	Very Silty CLAY with cream/grey crushable silt gravels <5mm diameter

Test ID	Depth (mBGL) ¹	GWL ² (mBGL)	Test Results	
			(mBGL)	Soil Type
			0.30	Clayey SILT/Silty GRAVEL; too hard to auger
BH2	1.80 (target depth)	Not encountered	0.00 – 0.40	Clayey SILT with crushable cream gravels <2mm diameter
			0.40 – 0.60	Very Silty CLAY with light grey/opaque crushable gravels up to 5mm diameter
			0.60 – 1.20	Silty CLAY with some minor black organic patches and crushable cream gravels <3mm diameter; minor rootlets at 1mbgl
			1.20 – 1.80	Silty CLAY; slightly moist, plastic

¹ mBGL: metre Below Ground Level

² GWL: Ground Water Level

Table 1. Summary of borehole results

The borehole drillings undertaken at the building site identified hard subsoil from approximately 0.3mbgl at the location of BH1. BH2 identified what appears to be fill material consisting of Silty CLAY with some crushable gravels to approximately 1mbgl. Below this depth Silty CLAY was identified. Groundwater was not encountered during the borehole investigations to 1.8mbgl.

Observation of the cut surface at the back of the building platform identified large boulders within the subsoil of up to approximately 300mm diameter.

Test ID	Depth (mBGL) ¹	Scala Penetrometer (mm/Blow)	Inferred Ultimate Bearing Capacity (kPa)
SP1	0.16	>50mm/blow	<200
	0.27	<50mm/blow	>200
	1.22	<28mm/blow	>300
SP2	0.14	>50mm/blow	<200
	0.21	<28mm/blow	>300
SP3	0.06	<28mm/blow	>300
	0.82	<50mm/blow	>200
	1.32	<28mm/blow	>300
SP4	0.25	<50mm/blow	>200
	0.55	≤28mm/blow	≥300

¹ mBGL: metre Below Ground Level

Table 2. Summary of Scala penetrometer results

Scala penetrometer results show that subsoils with an uncorrected ultimate bearing capacity (UBC) in excess of 300kPa (100kPa allowable) are available from approximately 1.3mbgl (worst case SP1 and SP3). Uncorrected allowable bearing capacities for Scala penetrometer tests were estimated using the procedure presented by M.J. Stockwell in the paper 'Determination of allowable bearing pressure under small structures (June 1977)'.

5. SITE STABILITY

The proposed building platform is situated on relatively flat ground however steep slopes exist both above and below the building site. Although site investigations identified subsoils capable of accommodating the proposed development, the underlying geology of the site has the potential to become unstable, even on gentle slopes. This reinforces the need for responsible disposal of stormwater and wastewater at the site.

The site is considered to be consistent with the above geological description and is underlain by soils interpreted as residual weathered volcanics. The site contains a building site that is considered suitable for the development as proposed. The proposed development is unlikely to have a detrimental effect on the site stability, provided the development is carried out in a responsible manner and in accordance with recommendations stated within this report.

6. WASTEWATER

The proposed design of the effluent treatment and disposal system shall be in accordance with the standard AS/NZS 1547:2012 for onsite domestic wastewater management.

A 3 bedroom dwelling has been assumed for design purposes. The effluent disposal system must be able to treat a flow of 180 litres per person per day. The design occupancy for a 3 bedroom dwelling is 5 persons giving a design daily flow rate of 900 L/day for disposal system treatment. The wastewater design calculations are attached in Appendix 3.

Due to the geology and slope of the site, it is recommended all wastewater is secondary treated onsite via a secondary treatment system. The system will be required to produce effluent of a quality meeting or exceeding the requirements of secondary treated effluent ($<20\text{g/m}^3$ BOD₅ and $<30\text{g/m}^3$ SS). Disposal of the treated wastewater on the property is best suited to a pressure compensating dripper irrigation system. The irrigation water from the aeration plant is discharged using a shallow sub-surface or surface drip irrigation system.

Using the soil characteristics identified during site investigations, a Soil Category 4, clay loams has been used for design purposes. This was supported by borehole investigations with a soil type tending toward a very silty CLAY.

Calculations have been made using a conservative design area dripper loading rate of 2.8mm/day (taking into account a reduction in loading rate due to sloping ground) and a total field area of 375m² is required for the placement of dripper lines. There is to be 1.0 metre wide spacing between adjacent dripper lines.



$$Q = 180 \text{ litres/person/day} \times 5 \text{ persons} = 900 \text{ litres/day}$$

$$\text{DIR} = 2.8\text{mm/day}$$

$$A = 900 \text{ litres/day} / 2.8\text{mm/day} = 322\text{m}^2$$

6.1. Site Specific Recommendations

There is sufficient space for placing a secondary treatment system between the future dwelling and the effluent disposal field. The recommended location for the effluent disposal field is shown on the site plan attached in Appendix 1. The following recommendations shall be followed:

1. The system shall be constructed by a registered drainlayer.
2. There is adequate clearance to groundwater of >0.6m for secondary treatment in accordance with the Regional Water and Soil Plan.
3. The ground slope at the disposal field is less than 5°.
4. A 30% reserve area (97m²) shall be set aside. There is ample space at the site to provide for this.
5. The wastewater design is assuming a 3 bedroom dwelling. If final house plans are for other than 3 bedrooms, the design will need to be revised accordingly.
6. There is potential to decrease the size of the disposal area required if water reduction fixtures are used.
7. Disposal areas shall be planted with selected species to aid in evapotranspiration such as those listed in Appendix 5.
8. It is required that a service agreement between the property owner and the supplier of the secondary treatment system be entered into.
9. The secondary treatment system and the accompanying effluent disposal field shall have a minimum separation distance of 3m from buildings, 1.5m from boundaries and 15m from all watercourses.
10. The inlet and outlet of the secondary treatment system shall be provided with either sliding joints or with one metre of corrugated flexible piping either side of the system in order to allow some ground movement to occur without breaking the pipe. Connection of the flexible pipe must develop the full longitudinal strength of the jointed pipes. The secondary treatment system end of the corrugated pipe must be keyed into the system wall.
11. The outflow from the secondary treatment system is to be taken away and downhill from the system in a sealed pipe so as to avoid any irrigated effluent draining into the system excavation.

12. When installing the secondary treatment system care is to be taken to ensure that surface infiltration and any effluent cannot drain away into the surrounding soils. Secondary treatment system construction will need to be adequate to withstand earth pressures generated by the soil materials and be able to remain intact under any anticipated creep movements.

7. STORMWATER

All storm water resulting from development works and newly formed impermeable surfaces for the property, including overflow from roof water collection tanks, shall be collected and piped downslope to discharge into the existing watercourse (if available) or into the existing ground via a level spreader or other energy dissipating device formed to prevent scouring or erosion of the watercourse or ground surface.

The overland flow path which runs south-north through the property and at the edge of the building platform will need to be piped to avoid saturation of the building platform during heavy rainfall events.

In no instance is concentrated storm water to be discharged onto slopes without being specifically assessed by an engineer as this could be detrimental to slope stability.

8. SLOPE STABILITY ANALYSIS

8.1. Site Stability

The risk of slope failure is quantified by means of a Factor of Safety and is determined by the ratio of stabilising forces to destabilising forces. An acceptable slope will generally have a factor safety of 1.2 to 1.5 with a normal FOS value of 1.5 for subdivisions or housing development. The factors of safety adopted by engineers in geotechnical design have been developed to accommodate uncertainties in geometric accuracy, soil properties, analysis method, and the validity of assumptions made.

The modelled FOS does not assure safety from instability or slope movement but reduces the risk of failure. The risk of failure for different levels of Factors of Safety is approximately:

Factor of Safety	Risk of Failure Per Annum
1.1	1:10
1.3	1:50
1.5	1:200
1.7	1:1000

Table 3. Slope stability risk of failure

Generally the higher the risk category for the asset under consideration, the higher the design FOS to be adopted. The risk of slope failure was modelled as a circular failure using SLIDE analysis software to determine the existing stability of the slope under various conditions and to assess the risk of failure to future dwellings.

The risk of any slope failure is dependent on the ratio of forces causing and resisting movement. Factors causing movement include the slope gradient, weight of soil, ground water, surcharge, and the factors resisting movement include slope support, soil strength parameters. Groundwater plays a critical role in slope stability, and soil shear strength when wet may be reduced to less than half of the strength when dry.

8.2. Soil Parameters

Recommended soil parameters for slope stability analysis are tabulated below. The fill at the front of the building platform is considered to be uncontrolled as compaction methodology is unknown and no compaction test data is available.

Soil Type	Density (γ) kN/m ³	Effective Cohesion c' kPa	Effective Friction angle ϕ' deg
Clayey SILT	18	2	32
Silty CLAY	18	5	25
Uncontrolled FILL	18	1	22
Weathered ROCK	22	15	35

Table 4. Recommended soil parameters for slope stability analysis

8.3. Slope Stability Analysis

A cross section was undertaken through the building site using topographical survey data. The section was analysed using SLIDE software to establish the risk of slope failure and recommended foundation treatments.

The location of the cross section used for the stability analysis is indicated on the site plan attached as Appendix 1. Slope stability results are attached in Appendix 4.

8.3.1. Existing Surface

The existing surface was first modelled under normal groundwater conditions, with the groundwater table conservatively estimated at approximately 1.5 – 2m below the existing ground level. The analysis showed a Factor of Safety (FOS) greater than the required 1.5 throughout the entire slope.

The existing surface was also modelled under adverse groundwater conditions, where the slope is saturated following a heavy rainfall event of failed drainage condition. The analysis showed failure surfaces with a FOS less than the required 1.2 occurring through the cut embankment above the building platform.



8.3.2. *Finished Surface*

The finished surface of the site was first modelled with a uniform distributed load of 10kN/m² applied to the existing surface at the proposed building site to represent the future dwelling. The cut embankment above the building platform has been battered back at a 1 in 3 slope.

The analysis shows a FOS less than 1.5 through the uncontrolled fill at the front edge of the building platform under normal groundwater conditions and FOS<1.2 through the uncontrolled fill under adverse groundwater conditions. Pile foundations extending through the uncontrolled fill are needed to achieve the required Factors of Safety. However the 1 in 3 slope above the building platform is now stable under both conditions.

The finished surface of the site was re-modelled with a retaining wall positioned at the front of the building platform to provide a level site for a concrete slab foundation. The retaining wall has been modelled as 250mm SED timber piles at 1.2m centres for design purposes. The exposed retained height is modelled as approximately 1.6m. To achieve a FOS>1.5 under normal groundwater conditions and FOS>1.2 under adverse groundwater conditions, the retaining wall must extend a minimum of 4.5m below the existing ground level at the site.

8.3.3. *Summary*

A summary of the Factors of Safety through the building platform for the existing and finished surfaces is tabulated below:

Surface Model	Normal Groundwater (Factor of Safety)	Adverse Groundwater (Factor of Safety)
Existing surface	>1.5	1.05
Finished surface – 1 in 3 batter with pile foundations extended through fill	>1.5	>1.2
Finished surface – 1 in 3 batter with retaining wall at front of building platform	>1.5	>1.2

Table 5. Summary of slope stability analysis results

9. FOUNDATIONS

Many of the soils located within the Northland region are considered to be expansive soils. There are three basic types of soil naturally occurring in the Northland Area: sand, silt and clay. Clay soils are generally classified as "expansive." This means that a given amount of clay will tend to expand (increase in volume) as it absorbs water and it will shrink (lessen in volume) as water is drawn away. The action of seasonal shrink/swell of soils can have a significant impact of foundations of structures and

also on other components of developments such as services, claddings, windows, doors, roading etc. It is evident from historical reports and site inspections that the effect of expansive soils is a major problem in Northland.

It is considered that the building site does not meet the requirements for Good Ground as defined in the New Zealand Building Code. Foundations will require design in accordance with AS2870 for Class M moderately expansive soils or a specific engineered design for expansive and plastic soils. This will require design by a Chartered Professional Engineer with relevant geotechnical experience.

Moderate earthworks involving cut and fill have been undertaken at the site to create vehicle access and a level building platform. Some uncontrolled fill has been placed at the front edge of the proposed building platform. The cut at the back of the building platform is approximately 3m high and batters back at approximately 45°. This cut can be battered back at a slope of 1 in 3 (approximately 18°) to achieve the required Factor of Safety through the building platform. Survey data is limited through this area due to vegetation; if battering the slope is not achievable then the cut will need to be retained. This will require specific engineering design by a Chartered Professional Engineer with relevant geotechnical experience.

For the option of a suspended timber floor, pile foundations will need to extend through any uncontrolled fill encountered at the site and be pinned into the natural ground beneath. Considering a depth of fill of approximately 1m at the front edge of the building platform, foundations will likely need to extend a maximum depth of 1.5 - 1.8m below the existing ground level in order to pin 0.5m into the underlying competent subsoil.

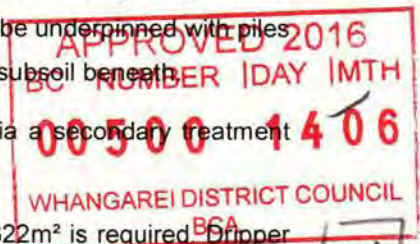
For the option of a concrete slab foundation, retaining will be required at the front edge of the building platform to provide a level site for the dwelling. It is recommended that the uncontrolled fill is removed and re-compacted under supervision of a Chartered Professional Engineer with relevant geotechnical experience. The replacement fill is to be suitably compacted and tested to NZS4431. It is recommended that the concrete slab floor is of a stiffened raft or rib raft (waffle raft) design. If the uncontrolled fill is not removed, the slab will need to be underpinned with piles to extend through the fill and pin into the competent subsoil beneath.



10. CONCLUSIONS AND RECOMMENDATIONS

Geotechnical investigations indicate that the proposed building site is presently stable and the subsoil properties have adequate strength parameters necessary for the proposed development provided all recommendations within this report are followed. Development will need to be carried out in accordance with proper engineering practice and the following guidelines:

1. All foundations and retaining will require a specific engineered design by a Chartered Professional Engineer with relevant geotechnical experience. ✓
2. Foundations will require specific engineering design to accommodate the effects of expansive soils. The site soils are considered to be moderately expansive and classified as Class M in accordance with AS2870. ✓
3. Foundations are required to extend through any uncontrolled fill and pin into the competent subsoils beneath. Alternatively, the uncontrolled fill could be removed during other earthworks activities. Engineering consultation will be required during any major earthworks. ✓
4. The cut at the back of the building platform can be battered back at a slope of 1 in 3 (approximately 18°) to achieve the required Factor of Safety through the building platform. If this is not achievable then the cut will need to be retained. This will require specific engineering design by a Chartered Professional Engineer with relevant geotechnical experience. ✓
5. For a suspended timber floor, pile foundations will need to extend through any uncontrolled fill and be pinned into the natural ground beneath. Pile foundations will likely need to extend a maximum depth of 1.5 - 1.8m below the existing ground level in order to pin 0.5m into the underlying competent subsoil. 1.5
6. For a concrete slab foundation, retaining will be required at the front edge of the building platform to provide a level site for the dwelling. It is recommended that the uncontrolled fill is removed and re-compacted. The replacement fill is to be suitably compacted and tested to NZS4431. It is recommended that the concrete slab floor is of a stiffened raft or rib raft (waffle raft) design. If the uncontrolled fill is not removed, the slab will need to be underpinned with piles to extend through the fill and pin into the competent subsoil beneath. ✓
7. All wastewater shall be secondary treated onsite via a secondary treatment system with disposal via drip irrigation. 00500 1406
8. For a 3 bedroom dwelling, a disposal field area of 322m² is required. BSA lines shall be laid to follow land contours with 1m spacing between adjacent [4]



dripper lines. A 30% reserve area (97m²) shall be set aside for future extensions.

9. If standard water reduction fixtures are used, the size of the effluent disposal field may be reduced to 259m² (with a 30% reserve area of 78m²).
10. If final house plans are for other than 3 bedrooms, the wastewater design will need to be revised accordingly.
11. All storm water resulting from development works and newly formed impermeable surfaces for the property shall be collected and piped downslope to discharge into the existing watercourse (if available) or into the existing ground via a level spreader or other energy dissipating device.
12. The overland flow path which runs south-north through the property and at the edge of the building platform will need to be piped to avoid saturation of the building platform during heavy rainfall events.

11. LIMITATIONS

This report has been prepared for the benefit of Nick and Lacey Owen as our client with respect to geotechnical investigation and for Whangarei District Council approval of the proposal as defined in the brief. It shall not be relied upon for any other purpose. The reliance by other parties on the information or opinions contained in this report shall, without our prior review and agreement in writing, be at such parties' sole risk.

Opinions and judgments expressed herein are based on our understanding and interpretation of current regulatory standards, and should not be construed as legal opinions. Where opinions or judgments are to be relied on they should be independently verified with appropriate legal advice. Any recommendations, opinions, or guidance provided by Cook Costello in this report are limited to technical engineering requirements and are not made under the Financial Advisers Act 2008.

Recommendations and opinions in this report are based on data from hand augered boreholes with in situ shear vane testing and Scala penetrometer testing undertaken on site. The nature and continuity of subsoil conditions away from the boreholes and Scalas are inferred and it must be appreciated that actual conditions could vary considerably from the assumed model.

During excavation and construction the site should be examined by an Engineer or Engineering Geologist competent to judge whether the exposed subsoils are compatible with the inferred conditions on which the report has been based. It is possible that the nature of the exposed subsoils may require further investigation and the modification of the design based on this report. In any event it is essential that the firm is notified if there is any variation in subsoil conditions from those described in the report as it may affect the design parameters recommended in the report.

Cook Costello have performed the services for this project in accordance with the standard agreement for consulting services and current professional standards for environmental site assessment. No guarantees are either expressed or implied.

There is no investigation which is thorough enough to preclude the presence of materials at the site which presently, or in the future, may be considered hazardous. Because regulatory evaluation criteria are constantly changing, concentrations of contaminants present and considered to be acceptable now may in the future become subject to different regulatory standards which cause them to become unacceptable and require further remediation for this site to be suitable for the existing or proposed land use activities.



S Brock
Engineering Technician
BSc, NZDE



P Cook
Chartered Professional Engineer
MACENZ, MIPENZ, MIOD, CPEng, IntPE (NZ),
BE (Hons), Dip Ag.

12. APPENDIX 1: SITE PLAN



14. APPENDIX 3: WASTEWATER MANAGEMENT DESIGN

On-site Wastewater Management in accordance with AS/NZS1547:2012 - Individual Lot Assessment

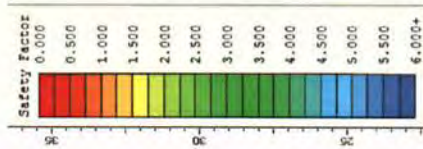
Project Reference Client Site Location	12645 Nick and Lacey Owen 26 Quail Rise, Kauri	Assessed by Date Assessed	SB 30/10/2015
Desktop	Legal description Lot size Soil map	Site and soil evaluation Lot 1 367703 4.29ha Maungarei clay	
Site investigations	Ground slope Ground shape Ground shape Aspect Exposure Shelterbelts Topo features Wind direction	Site and soil evaluation Indicative permeability Flood Susceptible Annual rainfall Other Land instabilities Boulders/Rock outcrops Vegetation Watercourse Concentrated runoff Soil surface Season Buildings Services Permanent water table Surface condition Existing/Past land use Other	
Soil Assessment	Colour Texture Coarse Fragments Structure	Medium brown Clay loams Common 60-200mm Moderately structured	
Design parameters	Water source Daily use / person Soil category	Land Application systems No. of bedrooms Design occupancy Design daily flow Area required Width Length No. required Clearance to surface water Clearance to bores Cut off drains required Surface water interceptor	
Design system	Level of treatment DLR/DIR System type Design LTAR	Roof runoff 180 litres / person / day 4 Secondary 3.5 mm/day Irrigation 2.8 mm/day	
Clearance	Boundaries Groundwater Buildings Reserve area	>1.5m >0.6m >3m >30% 96.42857 m ²	

Determination of Soil Category		
Gravels and sands	Very little to no coherence; Cannot be moulded; single grains stick to fingers	Rapidly drained
Sandy loams	Forms a cast but will not roll into a coherent ball; individual sand grains can be seen and felt; gives a ribbon 15-25 mm long	Well drained
Loams	As for sandy loams but cast feels spongy; with no obvious sandiness or silliness; may feel greasy if much organic matter is present; forms a thick ribbon about 25 mm long	Moderately well drained
Clay loams	Can be rolled into a ball with a rather spongy feel; slightly plastic; smooth to manipulate; will form a ribbon 40-50 mm long	Imperfectly drained
Light Clays	Smooth plastic ball that can be rolled into a rod; slight resistance to shearing between thumb and forefinger; forms a ribbon 50-75 mm long	Poorly drained
Medium to Heavy Clays	Smooth plastic ball that handles like stiff plasticine; can be moulded into rods without fracture; firm resistance to ribboning; forms a ribbon 75 mm or more in length	Very poorly drained

Determination of Soil Structure	
Massive	Coherent, with any partings both vertically and horizontally spaced at greater than 100 mm. Pieces do not break along planes of weakness but break according to stress loads.
Weak	Peds indistinct and barely observable on pit face. When disturbed approx. 30 % consist of peds smaller than 100 mm
Moderate	Peds well formed and evident when disturbed but not distinct in undisturbed soil. When disturbed 30 % - 60 % consists of peds smaller than 100 mm
Strong	Peds quite distinct in undisturbed soil. When disturbed > 60 % consists of peds smaller than 100 mm

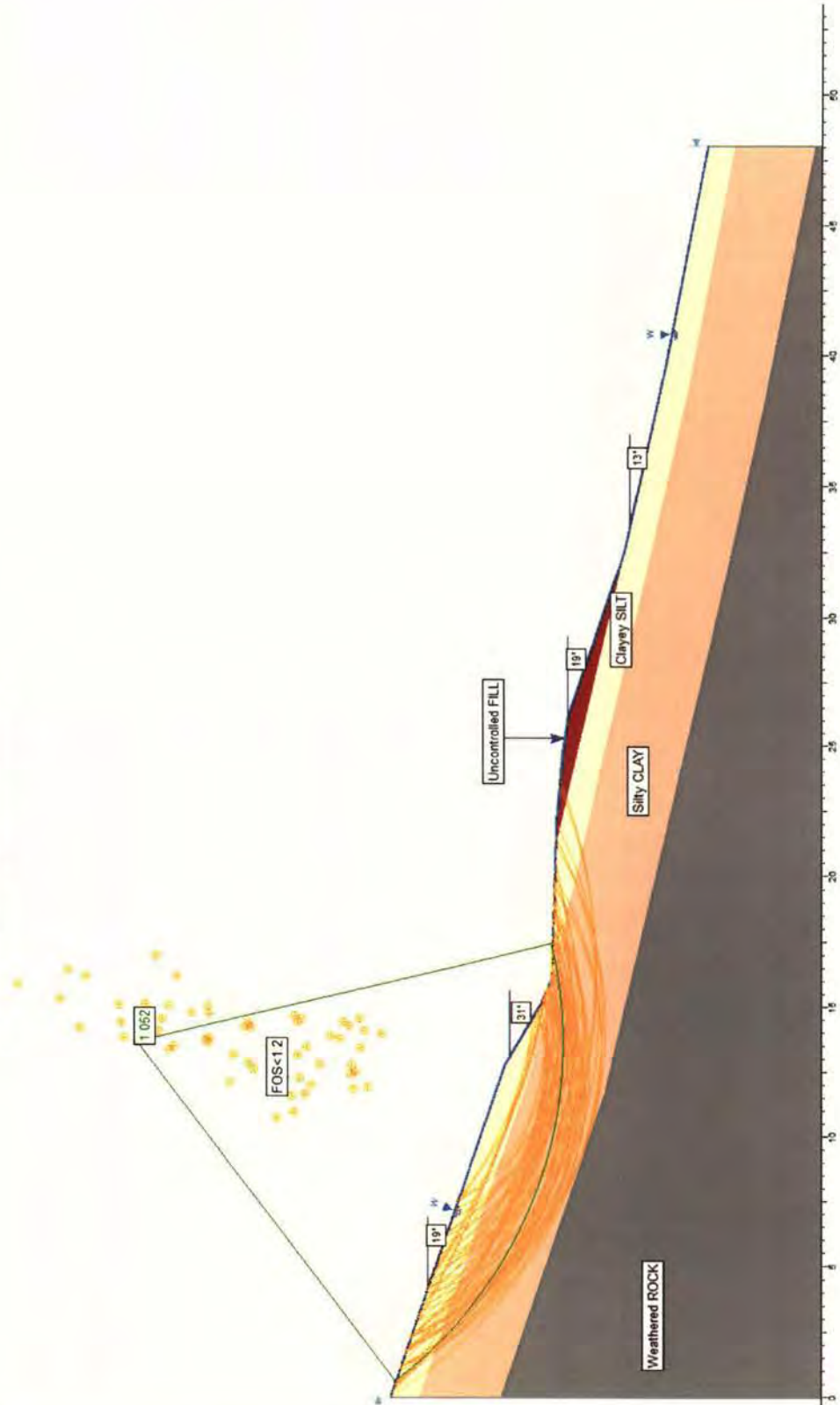
15. APPENDIX 4: SLOPE STABILITY ANALYSIS

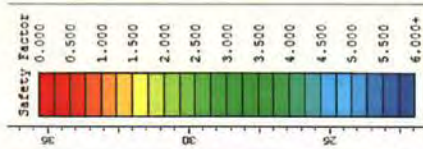




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Tolerance: 0.005
Maximum number of iterations: 50
Material Properties
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Strength Type: Mohr-Coulomb
Unit Weight: 18 kN/m³
Cohesion: 1 kPa
Friction Angle: 22 degrees
Material: Clayey SILT
Strength Type: Mohr-Coulomb
Unit Weight: 18 kN/m³
Cohesion: 2 kPa
Friction Angle: 32 degrees
Material: Silty CLAY
Strength Type: Mohr-Coulomb
Unit Weight: 18 kN/m³
Cohesion: 5 kPa
Friction Angle: 25 degrees
Material: Weathered ROCK
Strength Type: Mohr-Coulomb
Unit Weight: 22 kN/m³
Cohesion: 15 kPa
Friction Angle: 35 degrees

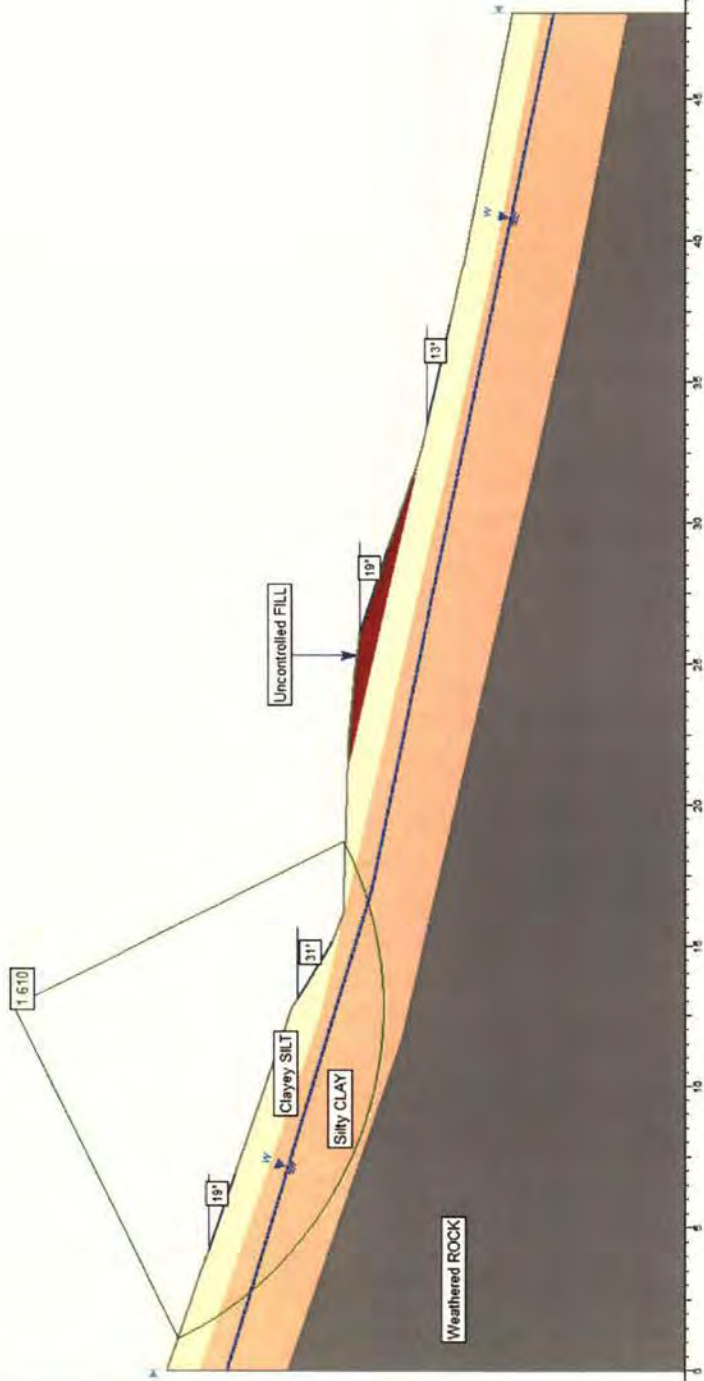
12645 - Existing Surface - Normal Groundwater

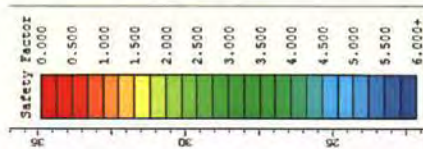




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Strength Type: Mohr-Coulomb	
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Cohesion: 2 kPa	
Friction Angle: 32 degrees	
Material: Silty CLAY	
Strength Type: Mohr-Coulomb	
Unit Weight: 18 kN/m3	
Cohesion: 5 kPa	
Friction Angle: 25 degrees	
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Strength Type: Mohr-Coulomb	
Unit Weight: 22 kN/m3	
Cohesion: 15 kPa	
Friction Angle: 35 degrees	

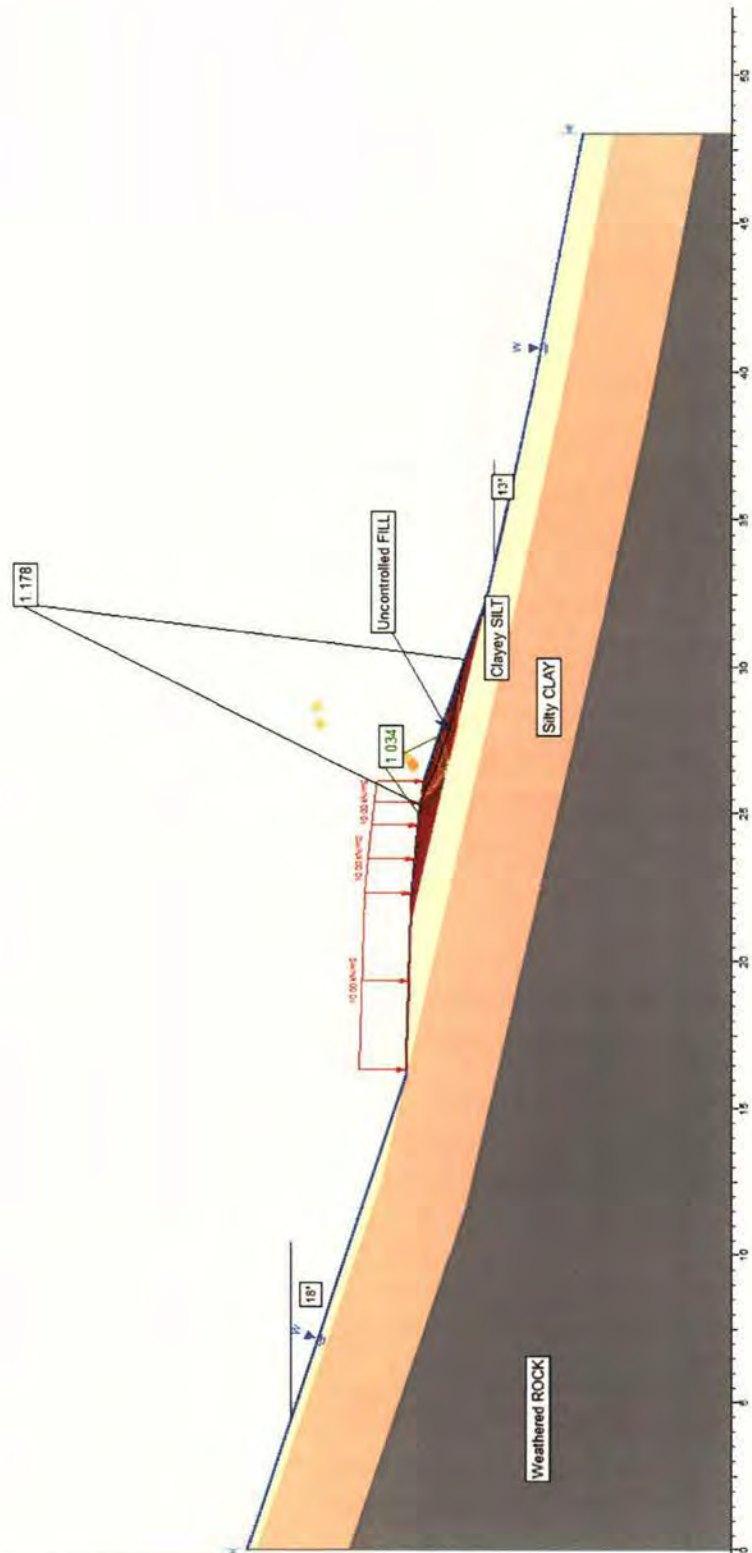
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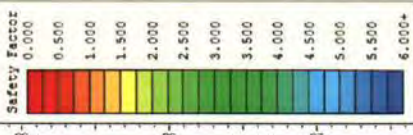




12645 - Finished Surface with 1 in 3 Slope - Adverse Groundwater

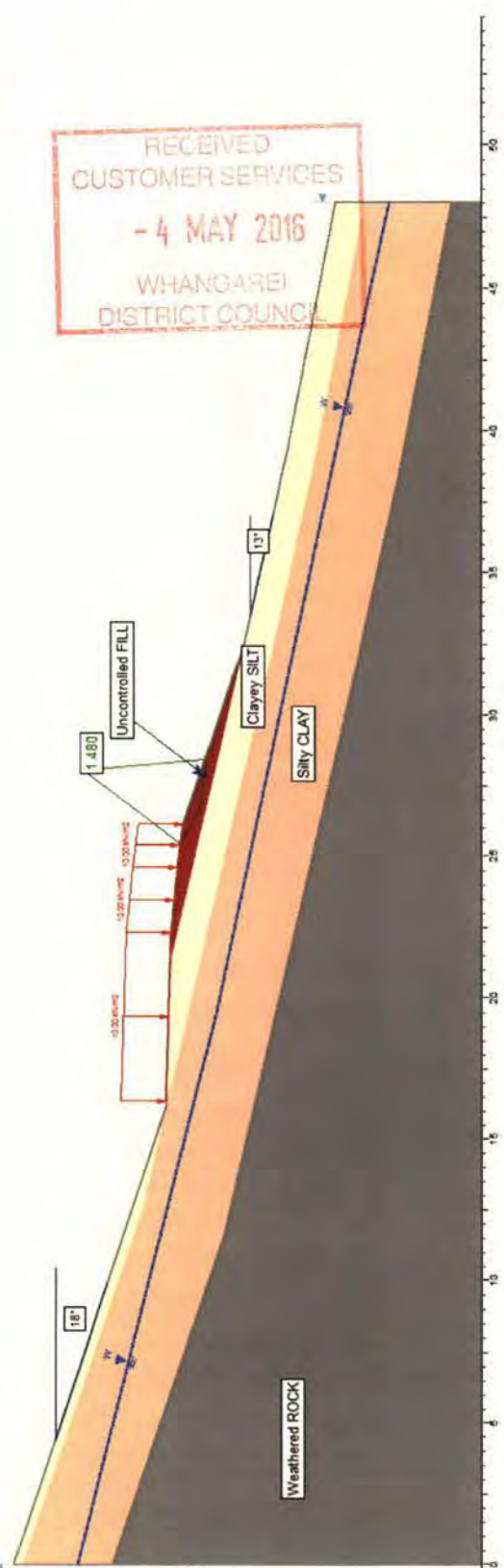
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 Maximum number of iterations 50
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 Strength Type Mohr-Coulomb
 Unit Weight 18 kN/m³
 Cohesion 1 kPa
 Friction Angle 22 degrees
 Material Clayey SILT
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 Unit Weight 22 kN/m³
 Cohesion 15 kPa
 Friction Angle 35 degrees



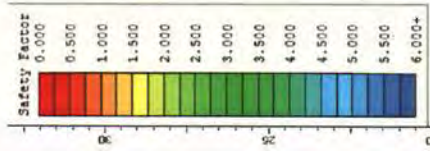


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Maximum number of iterations 50
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Material FILL
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Unit Weight 18 kN/m ³
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Unit Weight 22 kN/m ³
Cohesion 15 kPa
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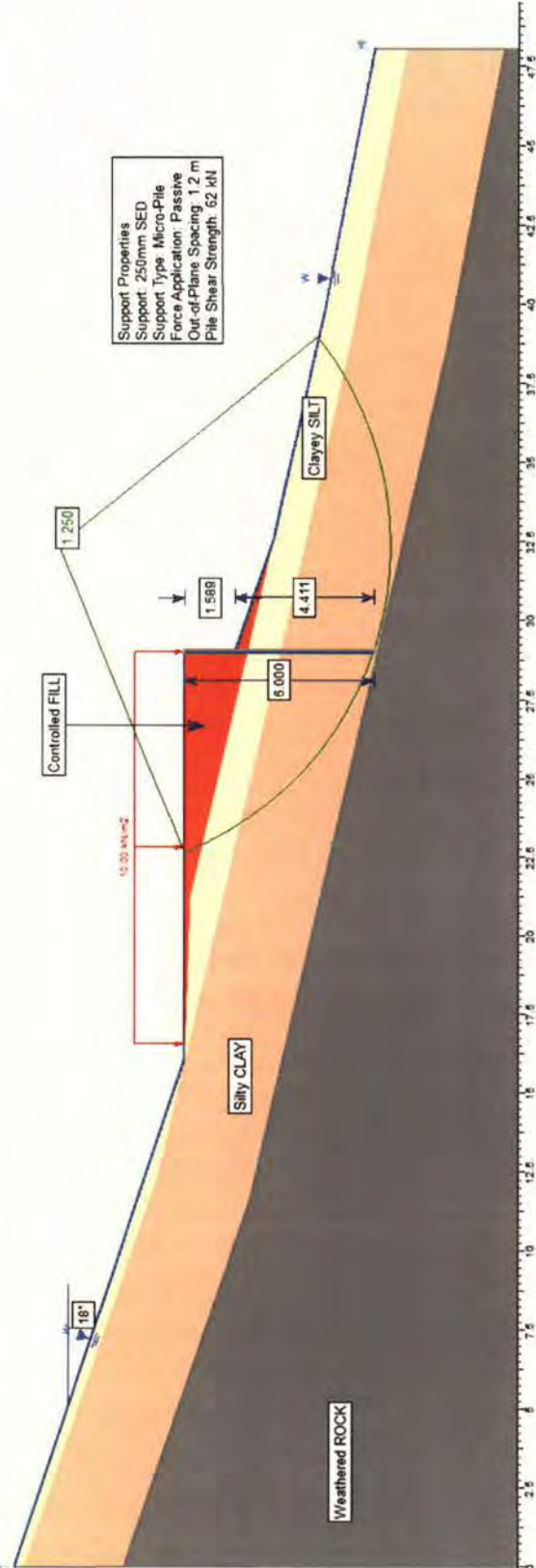
RECEIVED
CUSTOMER SERVICES
- 4 MAY 2016
WHANGAREI
DISTRICT COUNCIL

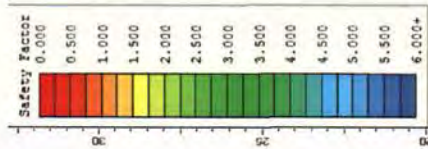


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Cohesion: 5 kPa
Friction Angle: 25 degrees
Material: Weathered ROCK
Strength Type: Mohr-Coulomb
Unit Weight: 22 kN/m³
Cohesion: 15 kPa
Friction Angle: 35 degrees
Material: Controlled FILL
Strength Type: Mohr-Coulomb
Unit Weight: 20 kN/m³
Cohesion: 10 kPa
Friction Angle: 26 degrees

12645 - Finished Surface with Retaining - Adverse Groundwater

Loading
1 Distributed Load present
Distributed Load Constant Distribution, Orientation: Vertical, Magnitude: 10 kN/m²

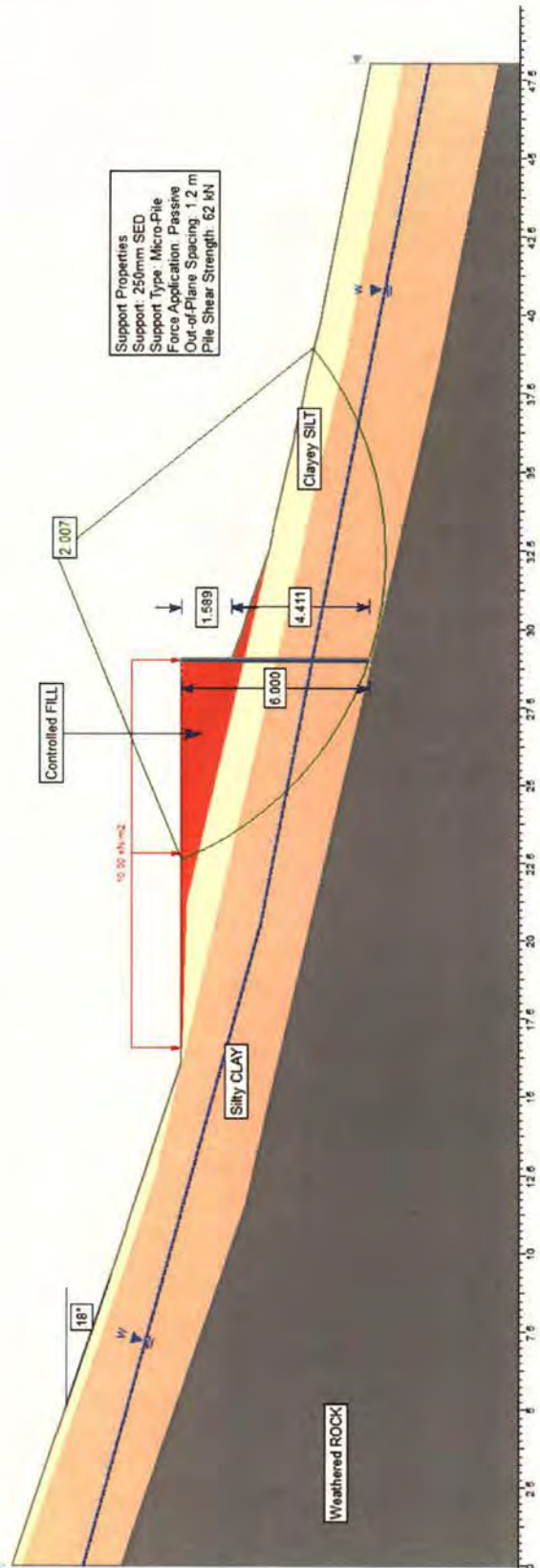




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Material: Controlled FILL	
Strength Type: Mohr-Coulomb	
Unit Weight: 20 kN/m ³	
Cohesion: 10 kPa	
Friction Angle: 26 degrees	

12645 - Finished Surface with Retaining - Normal Groundwater

Loading
1 Distributed Load present
Distributed Load Constant Distribution, Orientation: Vertical, Magnitude: 10 kN/m²



Support Properties
Support: 250mm SED
Support Type: Micro-Pile
Force Application: Passive
Out-of-Plane Spacing: 1.2 m
Pile Shear Strength: 62 kN

16. APPENDIX 5: SUITABLE PLANT SPECIES FOR ETS

KEY:

<i>HEIGHT</i>	<i>DURABILITY</i>
1. Around 1 metre or lower	A. Very hardy
2. Around 2 metres	B. Hardy
3. Above 3 metres	C. Soft

Trees - General

Should preferably be evergreens although some deciduous trees offer very good transpiration, e.g.

Elms, 3A
American Oaks, 3A
Birch, 3A
Shrubby Pussy Willow, Bitter Willow 3A
Hydrangea, 2A
Catalpa, 3B



Fringe Trees

KawaKawa, 3A
Geniostoma, 3A
Hibiscus (various indigenous and exotic), 1-2B
Catalpa, 3B
Karaka, 3A
Pukatea (for very wet conditions), 3A
Kohekohe, 3A
Puka (Meryta), 3B
Puriri, 3A
Makomako, 3A
Lemonwood (Pittosporus), 3A
Parapara, 3C



(Shelter at least for initial establishment may be very important)

Plants and Evergreens

Canna, 1B
Taro, 1C
Aralias, 1-2B
Rhubarb, 1A
Rock Lily (Arthropodium), 1B
Rangiora, 2A
Fuchsia, 2A
Philodendrons (large range), 1C
Flax (Phormium tenax), 2A
Agapanthus, 1B
Kaka Beak (Clianthus), 1-2A
Swan Plant, 2-3A
Gunneras (larger varieties), 1-2A
Geraniums (large range), 1A

Begonias (large range of species), 1C
-very useful as an underplant in sheltered places

Grasses

Paspalum (will tolerate extreme wet and dry)
Poa species
Crested Dogs Tail (Cynosurus cristatus)
Yorkshire Fog (if fairly regularly wet)
Canary Reed Grass (Phalaris Arundinacea)

Ground Covers

Mercury Bay Weed (Dichondra) could be useful on light soils
Yellow clovers (or pseudo clovers) - good where extra wet

Code Compliance Certificate BC1600500

Section 95, Building Act 2004

Issued: 25 July 2017

The Building

Street address of building: 26 Quail Rise (Pvt)
Kamo 0185

Legal description of land where building is located: LOT 1 DP 367703
LLP: 117612

Building name: N/A
Location of building within site/block number: N/A
Level unit number: N/A
Current, lawfully established use: Detached Dwelling
Year first constructed: 2016

The Owner

N J H Owen
L A Owen
26 Quail Rise (Pvt)
Kamo 0185

Phone number: N/A
Mobile number: 0212041319
Facsimile number: N/A
Email address: N/A
Website: N/A

First point of contact for communications with the building consent authority:

Contact Person

L A Owen
26 Quail Rise (Pvt)
Kamo 0185

Phone number: N/A
Mobile number: 0212041319
Facsimile number: N/A
Email address: N/A
Website: N/A

Street address/registered office: 26 Quail Rise (Pvt)
Kamo 0185

Building Work

Building Consent Number:
Building Consent Amendment:
Issued by:

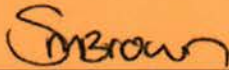
New Dwelling - Home Owner Exemption

BC1600500
BCA160106 – Alterations to Proposed Dwelling –
Site Position, Foundations and Gables
Whangarei District Council

Code Compliance

The building consent authority named below is satisfied, on reasonable grounds, that -

- (a) The building work complies with the building consent.

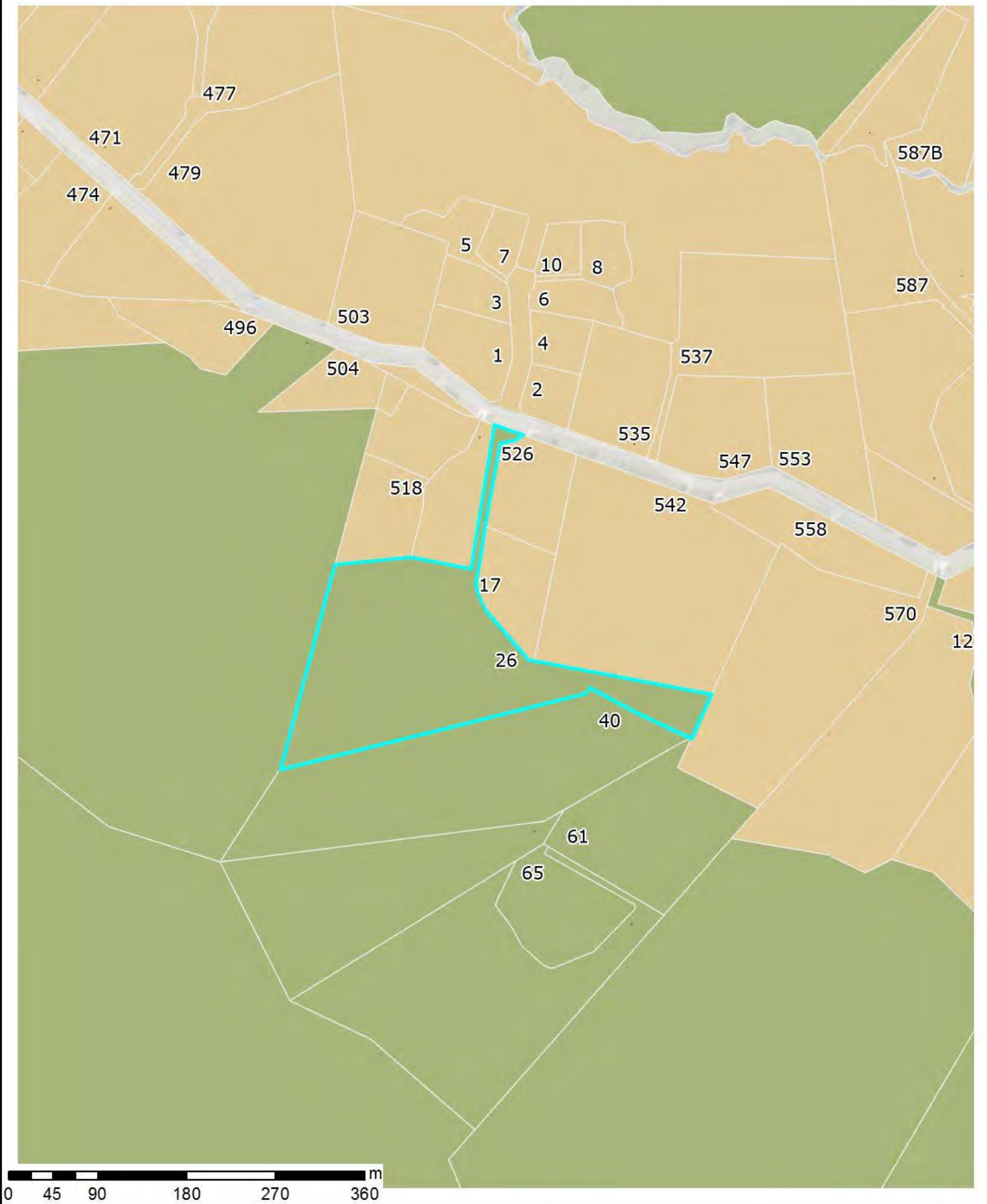


Stephanie Brown
Support Assistant – Building Processing
On behalf of Whangarei District Council

25 July 2017

Date

Operative District Plan - Area Specific Matters



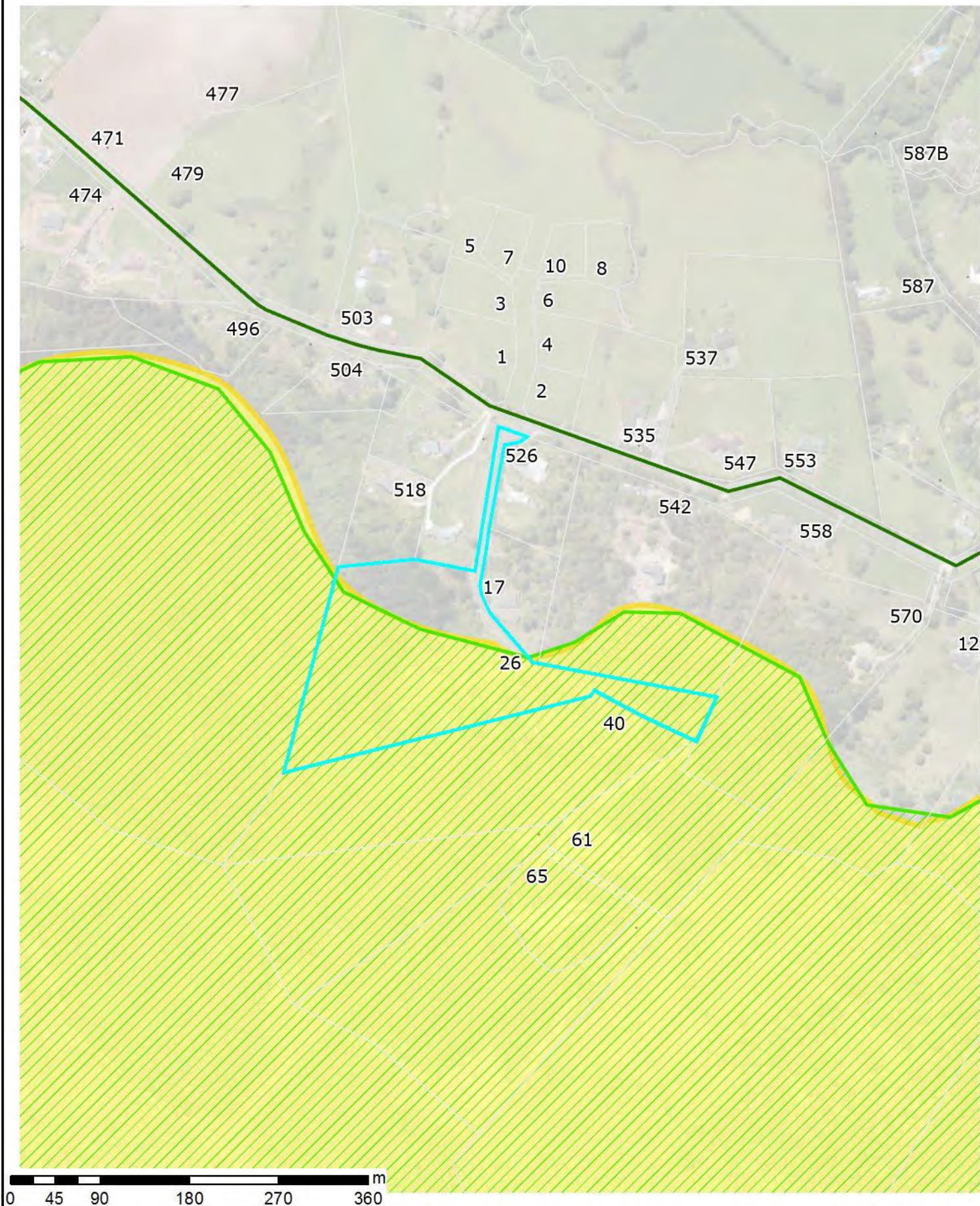
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Friday, May 5, 2023

Scale: 1:5,000



The information displayed is schematic only and serves as a guide.
It has been compiled from Whangarei District Council records and is made available in good faith but its accuracy or completeness is not guaranteed.
Cadastral Information has been derived from land Information New Zealand's (LINZ) Core Record System Database (CRS).
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0 45 90 180 270 360 m

Friday, May 5, 2023

Scale: 1:5,000



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Operative District Plan – Map Legend

District Wide Matters

Energy, Infrastructure and Transport

- Airport Runway
- Indicative Road
- National Road
- Regional Road
- Arterial Road
- Primary Collector Road
- Secondary Collector Road
- Access Road
- Low Volume Road
- Strategic Road Protection Area
- Strategic Railway Protection Line
- Rescue Helicopter Flight Path
- National Grid Tower
- Northpower Tower CEL-Cat1
- National Grid Line
- Northpower Overhead Critical Line Cel-Cat1
- Northpower Critical Overhead Lines CEL
- Northpower Critical Underground Lines CEL

Hazards and Risks

- Coastal Erosion Hazard 1
- Coastal Erosion Hazard 2
- Flood Susceptible Areas
- Mining Hazard Area 1
- Mining Hazard Area 2
- Mining Hazard Area 3

Historical and Cultural Values

- Notable Tree
- Heritage Item Overlay
- Heritage Area
- Sites of Significance to Maori
- Areas of Significance to Maori
- Papakāinga

Natural Environment Values

- Esplanade Priority Area
- Coastal Marine Area (CMA) boundary
- Goat Control Areas
- QRA Quarrying Resource Area
- QRA Mining
- QRA Buffer
- QRA 500m Indicative Setback
- Outstanding Natural Feature
- Outstanding Natural Landscape

General District Wide Matters

- Air Noise Boundary
- Outer Control Boundary
- Helicopter Hovering Area
- Noise Control Boundary Overlay
- Rail noise alert area
- Rail vibration alert area
- Coastal Environment Overlay
- Outstanding Natural Character Area
- High Natural Character Area

Area Specific Matters

- Appeals
- Designation
- Precinct
- Multi Title Site
- Development Area

Residential Zones

- Large Lot Residential Zone
- Low Density Residential Zone
- General Residential Zone
- Medium Density Residential Zone

Rural Zones

- Settlement Zone Residential Sub-Zone
- Settlement Zone Centre Sub-Zone
- Settlement Zone Industry Sub-Zone
- Rural Production Zone
- Rural Lifestyle Zone
- Future Urban Zone
- Strategic Rural Industries Zone
- Fonterra Kauri Milk Processing SRIZ – Ancillary Irrigation Farms

Commercial and Mixed Zones

- Local Centre Zone
- Neighbourhood Centre Zone
- Commercial Zone
- Mixed Use Zone
- City Centre Zone
- Waterfront Zone
- Shopping Centre Zone

Industrial Zones

- Light Industrial Zone
- Heavy Industrial Zone

Open Space and Recreation Zones

- Natural Open Space Zone
- Open Space Zone
- Sport and Active Recreation Zone

Special Purpose Zones

- Airport Zone
- Hospital Zone
- Port Zone
- Marsden Primary Centre
- Ruakaka Equine Zone

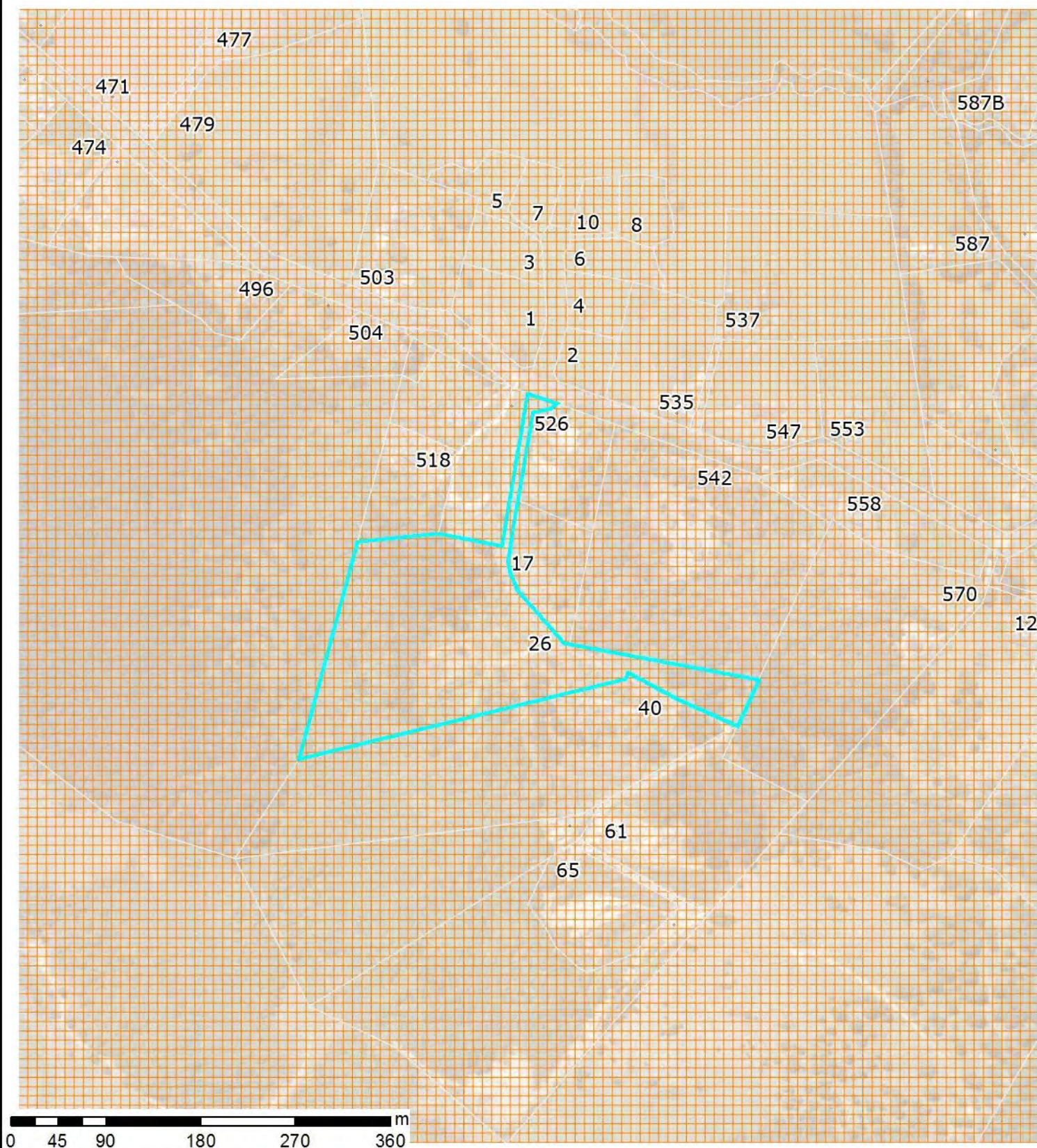
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Archaeological and Historical Sites



NZAA Site Approved NZAA Site Accuracy Ngararatunua Overlay
 Pending NZAA Site Area Heritage New Zealand

Friday, May 5, 2023

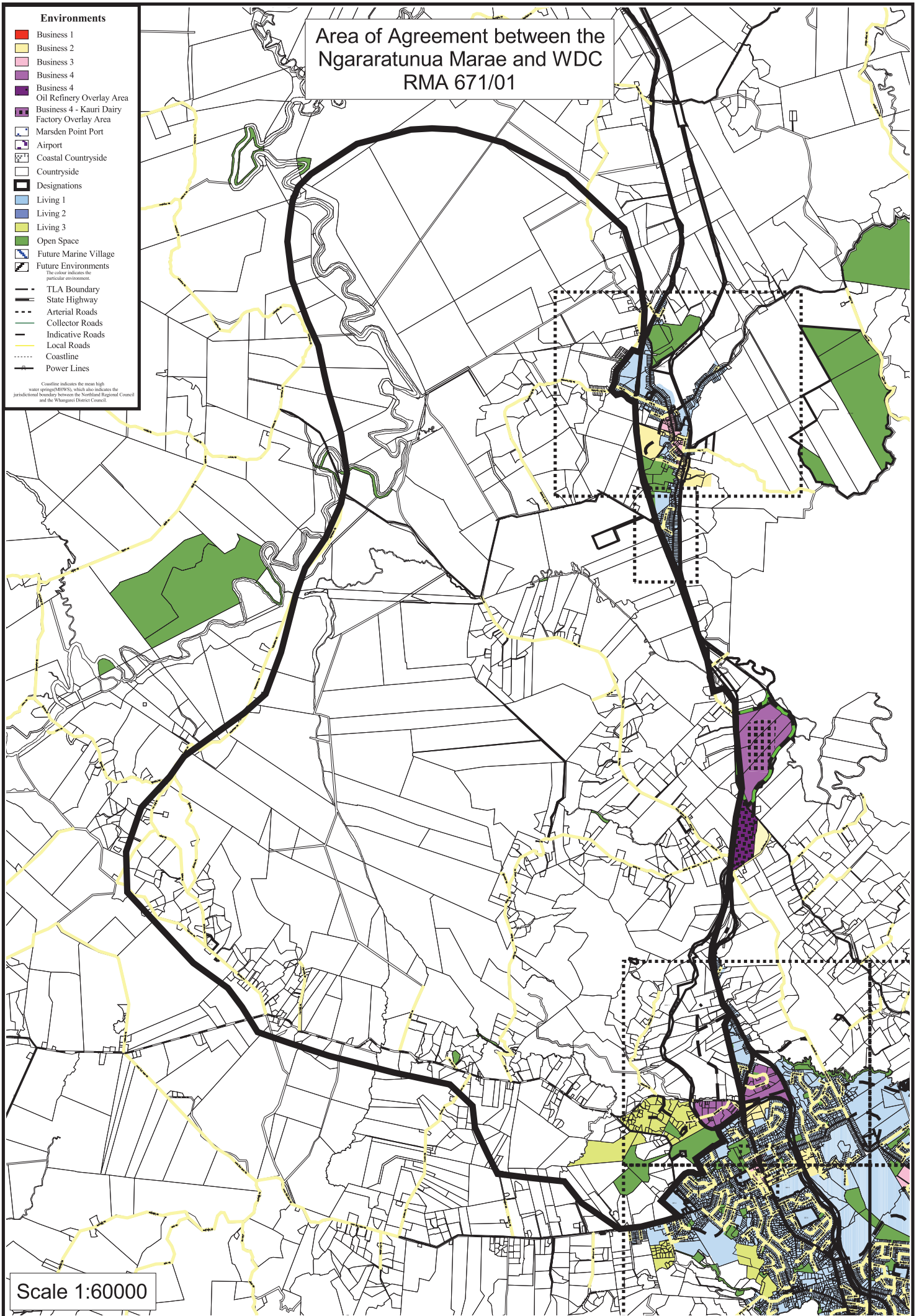
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An Archaeological site with a Purple, Approved star is a visited and GPS'd site to illustrate the accurate location and approximate size. A Red, Pending star is a site due to be visited. A square indicates an approximate position and size. The site may actually be larger than this and a site inspection should always be done to determine the existence or not of any archaeological feature. The absence of a plotted site in this map does not mean that there is none, only that the area may not have been inspected. The Historical Buildings data is sourced from Heritage NZ.

Area of agreement between Ngararatunua Marae and WDC: RMA 671/01: Indicative only boundary approximate

The information displayed is schematic only and serves as a guide. It has been compiled from Whangarei District Council records and is made available in good faith but its accuracy or completeness is not guaranteed. Cadastral Information has been derived from Land Information New Zealand's (LINZ) Core Record System Database (CRS). CROWN COPYRIGHT RESERVED. © Copyright Whangarei District Council.



Decision No. A 045 /2004

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a reference under Clause 14 of the First
Schedule to the Act

BETWEEN **NGARARATUNUA MARAE**
COMMITTEE

(RMA 671/01)

Appellant

AND **WHANGAREI DISTRICT COUNCIL**

Respondent

BEFORE THE ENVIRONMENT COURT

APPEARANCES

Mr G Mathias and Mr P Waanders for Whangarei District Council
Ms W Bruce for Ngararatunua Marae Committee
Ms A Whitfield for herself (s274) and Walker Whitfield Trust (s274)
Ms A Williams for herself (s274)
Ms G Wynyard for herself (s271a)
Ms R Mortimer for himself (s274)
Ms E Albuquerque for himself (s274)
Ms H Easten for herself (s271a)
Ms L Topp for herself (s271a)

RECORD OF DETERMINATION AND
MINUTE OF THE COURT FOLLOWING JUDICIAL TELEPHONE
CONFERENCE HELD ON 29 MARCH 2004



[1] On 24 February 2004 I conducted a conference in Court on this appeal, during a callover of a number of references to the proposed Whangarei District Plan. The parties had at that stage tentatively agreed that the reference would be

withdrawn if the respondent would promise to promulgate and fully process a plan change, once the proposed district plan had been made operative.

- [2] Mr Mathias, counsel for the respondent, indicated that he would provide certain undertakings in writing on behalf of counsel, and Ms Bruce indicated on behalf of the referrer that if she was satisfied with those undertakings, the references would be confirmed as withdrawn.
- [3] On 26 February 2004 the respondent filed and served a memorandum containing the suggested terms for settlement including the undertakings.
- [4] The respondent's staff subsequently endeavoured to contact Ms Bruce, but without success. Accordingly in late March counsel for the respondent requested a telephone conference, and I duly conducted one on 29 March 2004.
- [5] Prior to the phone conference Ms Bruce contacted the Registry and advised my hearing manager that the difficulties in communication between the Marae Committee and the Council had arisen due to a relocation of the Marae Committee office, and a burglary. Ms Bruce indicated that she had intended to write to the Court and the parties giving approval of the terms set out by the Council. She then confirmed that approval orally.
- [6] The terms of settlement as set out in the memorandum of 26 February 2004 are attached.
- [7] The purpose of this Record of Determination is to confirm that the Court is aware of the terms of settlement and of the basis for the withdrawing of the reference, and acknowledges the undertakings given by the Council. In particular it notes that once promulgated, the plan change is not to be withdrawn by the respondent. There are also certain explicit duties of consultation concerning the plan change and concerning applications for resource consent made to the Council in the affected area in the meantime, noting however that activities that are of permitted activity status would not in the ordinary course come before the Council for resource consent, and would therefore be unlikely to become the subject of consultation.



[8] In the telephone conference Mr Mortimer raised a concern regarding the Marae's consultation over resource consent applications, an issue which I had

previously addressed in the hearing in Whangarei in February. I reminded Ms Bruce that Marae Committee representatives should ensure they are available for consultation and discussion with the public and community when such consultation is requested. I encourage this especially to enable the Marae to develop and foster its relationship with the local community. As a matter of fairness the Marae should make certain that the consultation process remains open and accessible.

- [9] The terms of settlement having now been agreed upon, the Court's file is now closed. There is no issue as to costs.

DATED at AUCKLAND this 6th day of April 2004.

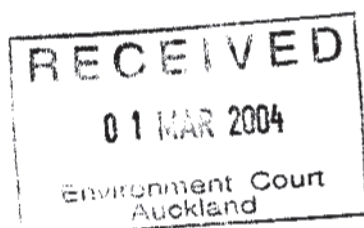


LJ Newhook
Environment Judge



BEFORE THE ENVIRONMENT COURT

RMA 671/01



BETWEEN

**NGARARATUNUA MARAE
COMMITTEE**

Referrer

A N D

**THE WHANGAREI DISTRICT
COUNCIL**

Respondent

**MEMORANDUM AS TO TERMS OF SETTLEMENT FROM COUNSEL
FOR THE RESPONDENT**

Thomson Wilson
Solicitors
Thomson Wilson House
Rathbone Street
(PO Box 1042, DX AP24512)
WHANGAREI.
Telephone: (09) 4384-039
Facsimile: (09) 4389-473



MAY IT PLEASE THE COURT

1. The Respondent has advanced proposals to the Referrer in consideration of which the Referrer would withdraw its reference on the Whangarei District Proposed Plan as lodged under RMA 671/01.
2. The particular terms offered by the Respondent which have been accepted by the Referrer are as follows:
 - (i) On the withdrawal of the reference, the Respondent undertakes to ensure that consultation with the Ngararatunua Marae will occur on all resource consent applications (subdivision and land use) which consultation will include a requirement that an archaeological, cultural and historical assessment report be produced for each application. The area which is affected by this measure is as shown on the attached plan. The normal procedure of exchanging documents and comments including time-frames will be applicable as is set out in the current Council liaison protocol.

The Referrer will also be informed of all other applications outside of this area according to the Respondent's liaison protocol and will be entitled to make comments on those other applications outside of this identified area.

The Referrer commits itself to this procedure as an interim measure until the Proposed Plan Change has been approved.

- (ii) After the reference has been withdrawn a Plan Change is to be introduced when the District Plan has become operative. This will be undertaken by the Whangarei District Council with the assistance of the Referrer and the Ngati Kahu O Torongare – Te Parawhau Hapu/Iwi Trust Board.
- (iii) The Respondent will:
 - (a) Provide the services of a stenographer who will record the information provided by the Referrer in discussions with the Respondent; and



- (b) Contribute to the cost of a consultant who will formulate the information into a report suitable for the compliance of the requirements for Plan Changes in terms of the Resource Management Act 1991. This contribution will be to the maximum of \$10,000.00. Any additional funding will have to be applied for by the Referrer from other sources available to them.
- (iv) The Referrer undertakes to provide the information required and will differentiate between the layers of processing, ie
 - (i) waahi tapu – no go areas – needs a resource consent
 - (ii) sites significant to Maori – to be controlled by performance standards – restricted discretionary resource consent
 - (iii) heritage areas of significance to Maori – needs a cultural assessment and covenants.
 - (iv) alter layer – might need a cultural assessment – Iwi to advise
 - (v) safe areas – no requirements
- (v) The Plan Change with the abovementioned information will be publicly notified to give all affected parties an opportunity to make submissions and to be heard before the Respondent approves the Plan Change.
- (vi) The Respondent will not withdraw the Plan Change.
- 3. The withdrawal of the Referrer's reference would be on the basis that all parties, including all Section 274 Resource Management Act 1991 parties, carry their own costs.
- 4. Concerns have been raised about the ability of the Respondent to ensure consultation is undertaken on resource consent applications. This is raised in relation to resource consent applications for activities which are categorised as having either controlled or restricted discretionary status.
- 5. It has submitted on behalf of the Respondent that this issue can be properly addressed by the Respondent in that the provisions of the Plan enable the Respondent to require of an applicant for a resource consent, even if it be for a consent having the status of either controlled or restricted discretionary, that such applicant consult with the Referrer prior to determination of the application by the Respondent.



6. The reasons for this are as follows;

- (i) In the various environment rules where provision is made for activities as either controlled or restricted discretionary activities the plan records that control is reserved over or discretion is restricted to various specified matters such including in the case of controlled activities,

“The additional matters listed in section 48.3”

and in the case of restricted discretionary activities

“The additional matters listed in Section 2.3.3”

- (ii) Section 2.3.3 of the proposed plan reads as follows,

2.3.3 Restricted Discretionary Activities

Restricted discretionary activities are those for which adverse effects may be avoided, remedied or mitigated by conditions of a resource consent, after considering the matters over which the council has restricted its discretion as specified in the Plan. In these cases, resource consents may be refused, or conditions imposed, only in respect of the matters to which discretion has been restricted. These matters are also relevant to the assessment of environmental effects to be supplied by the applicant for a resource consent.

In the rule tables, the right-hand column contains a list of matters to which discretion is restricted. The matters listed below are additional matters applicable to every restricted discretionary activity. They are stated here, rather than repeated in rule tables, in order to save space.

Matters to which discretion is restricted:

- a) Financial contributions in the form of money or land, or a combination of these (see Chapter 53);
- b) Bonds or covenants, or both, to ensure performance or compliance with any conditions imposed;
- c) Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including (but not limited to) the creation, extension or upgrading of services and systems, planting or replanting, or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects;



- d) Administrative charges to be paid to the council in respect of processing applications, administration, monitoring, and supervision of resource consents, and for the carrying out of the council's functions under section 35 of the Resource Management Act 1991;
- e) The duration of a resource consent, under section 123 of the Resource Management Act 1991;
- f) Lapsing of a resource consent, under section 125 of the Resource Management Act 1991;
- g) Change and cancellation of a consent, under sections 126 and 127 of the Resource Management Act 1991;
- h) Notice that some or all conditions may be reviewed at some time in the future, under section 128 of the Resource Management Act 1991;
- i) Whether any land use or subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under section 134 of the Resource Management Act 1991."

(iii) Section 48.3. reads as follows,

"48.3 Additional Matters Over Which Control has been Reserved:

The additional matters over which control has been reserved for controlled activities, ... are

- a) Financial contributions in the form of money or land, or a combination of these (refer to Chapter 53).
- b) Bonds or covenants or both, to ensure performance or compliance with any conditions imposed.
- c) Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including (but not limited to) the creation, extension or upgrading of services and systems, planting or replanting, (the protection of Significant Ecological Areas) or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects.
- d) Administrative charges to be paid to the council in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of the council's functions under section 35 of the Resource Management Act 1991.

The duration of a resource consent, under section 123 of the Resource Management Act 1991.



- f) Lapsing of a resource consent, under section 125 of the Resource Management Act 1991;
 - g) Change and cancellation of a consent, under sections 126 and 127 of the Resource Management Act 1991;
 - h) Notice that some or all conditions may be reviewed at some time in the future, under section 128 of the Resource Management Act 1991;
 - i) Whether any land use or subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under section 134 of the Resource Management Act 1991.
 - j) The matters on which conditions can be imposed under section 220 of the Resource Management Act 1991. These include: esplanade reserves and strips, amalgamation of land, holding parcels in same ownership, design of structures, protection against natural hazards, filling and compacting of land, and creation or extinguishing of easements.
 - k) Consent notices to secure compliance with continuing conditions under section 221 of the Resource Management Act 1991.
- (iv) It is submitted that the Respondent has in terms of item (c) in both these provisions reserved the right to require of an applicant for a resource consent which has the status of either controlled or restricted discretionary that matters which would be of concern to the Referrer are addressed. Matters over which discretion is restricted or over which control has been reserved in requiring,

“works or services to ensure the protection, restoration or enhancement of any natural or physical resource” ... or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects”

are wide enough to bring into play the provisions of Part II of the Resource Management Act. Any effect on those matters or areas which the Referrer seeks to address by the identification of sites of significance to Maori can be addressed through this provision.

7. It is submitted that in the circumstances therefore it is open to the Respondent to require of applicants for resource consents that they comply with the matters undertaken to the Referrer as set out in clause 2(i) above.



8. The plan/map which has been attached to this memorandum is one prepared in discussions between representatives of the Referrer and the Respondent. It differs from the documentation presented to the Court in that,
- (i) It excludes areas located in the Living 1 Environment which had previously been included within the areas shown shaded pink on the copy of Map 12 which was attached to the Referrer's submission on the proposed plan; and
 - (ii) Includes areas outside those identified on Map 12 as attached to the submission so as to incorporate the mountains of Hikurangi, Maungarei and Matarau and the Hikurangi Swamp, such being areas identified on the submission (although not described with any degree of specificity) but not shown on Map No. 12, as they are not located within the area encompassed by that map.
9. Both parties acknowledge that this plan is provisional only and has been prepared for interim working purposes. This plan is not to be seen as an acknowledgment either on the part of:
- (i) The Referrer so as to limit its ability to identify sites of significance outside the area shown on this plan; or
 - (ii) The Respondent so as to limit it in its judicial decision making processes.
10. The Respondent respectfully seeks directions from the Court in terms of this memorandum such to record the withdrawal of the reference and the commitments of the Respondent as set out herein.

DATED at Whangarei this 26 day of February 2004



A handwritten signature in dark ink, appearing to read "G.J. Mathias", is written over a dotted line.

G.J. Mathias
Counsel for the Respondent

STATEMENT OF PASSING OVER

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