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06 October 2026

Geoffrey Pate

LAND INFORMATION MEMORANDUM (LIM)

The attached LIM provides you with information about 2 Lamont Place Waikanae.

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

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

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

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

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



Jackie Adams
Manager Consenting

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Land Information Memorandum (LIM)

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

2 Lamont Place Waikanae

Application Details

Applicant	Geoffrey Pate
LIM number	L260955
Application date	28/09/2026
Issue Date	08/10/2026

Property Details

Property address	2 Lamont Place Waikanae
Legal description	LOT 29 DP 409302 C/T 434083
Area (hectares)	0.1177

Valuation Information

Valuation number	1494126530
Capital value	\$1,570,000
Land Value	\$550,000
Improvements Value	\$1,020,000

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

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Document information

This document has been prepared in accordance with legislation

This Land Information Memorandum (LIM) has been prepared for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987 (LGOIMA) – to provide information relating to matters which may affect the identified property.

This Land Information Memorandum (LIM) has also been prepared for the purpose of section 44B of the Local Government Official Information and Meetings Act 1987 (LGOIMA), which requires Council to identify natural hazards and potential natural hazards, the impact of climate change that exacerbate hazards and potential hazards on the identified property.

As such, each heading or 'clause' in this LIM corresponds to a part of section 44A and 44B of LGOIMA, and the supporting Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025.

This LIM contains information held by Council

This LIM is a summary of information Council holds on the identified property, based on a search of Council database records as at the date of your application. Some of this information may have come from third parties, may be in draft form, or may be historical in nature. A LIM is not an inspection of the property, and Council has made no risk assessment or review of the information for the purposes of this document.

There may be other information relating to the property, which is unknown to Council and therefore not contained within this document. For example, information regarding illegal or unauthorised building or works on the property, or information held by other regional and central government agencies.

Due diligence is recommended

Any person obtaining a LIM is solely responsible for undertaking appropriate due diligence and ensuring that the property is suitable for its intended purpose.

Attachments

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

1. Rates

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

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

Current rates year	2026/2027
Annual Rates 1 July to 30 June	\$8,287.47 These Rates include: - Greater Wellington Regional Council rates.
Next instalment date	09/12/2026
Rates arrears	\$0.00
Water Rates	\$60.49 For the 2026/2027 rating year, all water used is charged at a volumetric rate of \$1.72 per cubic metre (1000 litres) on the water rates invoice, and a fixed annual charge of \$318.60 per separately used or inhabited part of a rating unit, is charged on the property rates invoice.
Water Rates balance due	\$0.00

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

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

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

Building Consents

- 06/10/2021 BUILDING CONSENT 210870 : Extension of existing lounge on slab foundation, brick & weatherboard cladding & longrun roofing. : Code Compliance Certificate issued 17/05/22
- 30/07/2018 BUILDING CONSENT 180550 : New dwelling, 3 bedrooms & study, 2 bathrooms, 1 living area. Double internal access garage: Code Compliance Certificate issued 08/03/19

Note that building consents and code compliance certificates came into existence with the passing of the Building Act 1991. Before then, councils issued only building permits. Building work carried out earlier than July 1992 may therefore not have a code compliance certificate.

Engineer's report

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

Wind

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

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

Swimming Pools: Compliance with the Building Act 2004

The council does not hold any record of inspections for a swimming pool or spa pool for this property.

Swimming pools are inspected on a 3 yearly cycle to ensure their compliance with the Building Act 2004. This information was accurate at the time of the last inspection.

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

Registered Environmental Health Premises and Licences

No information located.

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

3. Weathertightness

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

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

4. Land use and Conditions

In this section: information relating to the use to which the land may be put, and conditions attached to that use. This section may provide some information relating to the natural hazards, which may impact this property. More information relating to these and other potential natural hazards can be found in Section 6 Natural Hazards.

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

Full details of the relevant zone, precinct or development area requirements are contained within the [Operative District Plan 2021](#) on our website.

There may be policies or rules in the Greater Wellington Regional Council's Natural Resources Regional Plan (and/or a proposed change to that Plan) that regulate land use on this property. This Plan is available from the [Greater Wellington Regional Council](#) website. Questions about the impact of that Plan on this property should be made to the **Greater Wellington Regional Council** on 0800 496 734.

District Plan Features and Overlays

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

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

This property was created via subdivision in 2009 under resource consent number RM070273 (Subdivision consent to create 62 Residential Lots and associated earthworks at Ferndale 148 -158 Ngarara Road, Waikanae) (Refer to Plan Change 67). A copy of the Decision is provided with this LIM.

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

There are no known easements.

Copies of the Deposited Plan (DP 409302) and Record of Title are provided with this LIM.

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

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

RESOURCE CONSENT RM070273: Subdivision consent to create 62 Residential Lots and associated earthworks at Ferndale 148 -158 Ngarara Road, Waikanae, (Refer to Plan Change 67).

RESOURCE CONSENT RM080140 : To Change Condition 27 of RM070273.

RESOURCE CONSENT RM080167: Proposed amendments to yard setbacks, Ferndale Subdivision, 148 - 158 Ngarara Road, Waikanae.

RESOURCE CONSENT RM180174: To construct a dwelling in the Ferndale Precinct that does comply with the solar hot water requirements at 2 Lamont Place, Waikanae.

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

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

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

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

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

This feature is:

Special Amenity Feature or Landscape - distinctive highly valued landscape or landform.
SAL19 : Ngarara Dunes Special Amenity Landscape (A sequence of dune ridges and intervening wetlands and dune lakelets).

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

5. Special Features and Characteristics of the Land

This section identifies information held by Council about other special features or characteristics of the land concerned, including information about the likely presence of hazardous contaminants that are known to Council, but are not apparent from its District Plan under the Resource Management Act 1991.

Contaminated Sites

Greater Wellington Regional Council holds information on properties with a history of hazardous activity or industry. Refer to the Selected Land Use Register available on the Greater Wellington Regional Council website [Selected Land Use Register \(HAIL Database\)](#).

Other Information

The adjoining road carriageway (Ngarara Road) is shown to be subject to flood hazards in the Operative District Plan (2021), and the latest Flood Hazard Maps. The flood hazard identified on the maps provided with this LIM is based on the projected future flooding risk to the property including climate change projections.

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

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

The adjoining road carriageway (Ngarara Road) is shown to be subject to ponding on the Operative District Plan (2021) Flood Hazard Maps, and the latest Flood Hazard Maps. Ponding are areas where slower-moving flood waters could pond either during or after a flood event. A Ponding Area may be affected by a direct flood risk. Ponding can be associated with rivers and streams as well as the piped stormwater network. Ponding is a direct risk.

The adjoining road carriageway (Ngarara Road) is shown to be subject to a stream corridor on the Operative District Plan (2021) Natural Hazard Maps, and the latest Flood Hazard Maps.

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

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

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

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

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

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

6. Natural Hazards

This section identifies information held by Council about natural hazards, which may present a risk to the land in question, as required section 44B of LGOIMA and the Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025.

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

The impacts of some natural hazards may also be worsened by the effects of climate change. Where Council holds information relating to climate change, it will be included within the natural hazards section.

The Operative District Plan 2021 contains information relating to natural hazards, which may present a risk to property and people within the Kāpiti Coast District. These are discussed below, with further information relating to how this property could be impacted available in the Operative District Plan 2021, and on the attached maps.

Natural hazard information held by Council

Natural hazards identified in the District Plan

Earthquakes

Due to its geographical features, the Kāpiti Coast District may be at risk of earthquakes. Earthquake fault traces within the Kāpiti Coast are mapped in the [Operative District Plan 2021](#), and can help you identify whether this property may fall within a fault area.

Further mapping is also available in the information provided by the Greater Wellington Regional Council later in this section.

Liquefaction

Due to its geographic location and soil typology, the Kāpiti Coast District may be susceptible to liquefaction in the event of an earthquake.

More information on this risk can be found in the [Operative District Plan 2021](#), and is also available in the information provided by the Greater Wellington Regional Council later in this section.

If this property has been subject to a Building or Resource Consent, a geotechnical assessment may have been completed and could provide more detailed and site-specific information about this property. Hazard information regarding Building or Resource Consents for this property can be found later in this section.

Slope failure

Due to its geographic location and soil typology, the Kāpiti Coast District may be susceptible to slope failure in the event of an earthquake. Those areas in the southern or southeastern parts of the District such as Paekākāriki and Raumati, may be particularly susceptible.

More information detailing earthquake-related hazards can be found in the [Operative District Plan 2021](#), and is also available in the information provided by the Greater Wellington Regional Council later in this section.

If this property has been subject to a Building or Resource Consent, a geotechnical assessment may have been completed and could provide more detailed and site-specific information about this property. Hazard information regarding Building or Resource Consents for this property can be found later in this section.

Fire

Due to its climate and geographical features, the Kāpiti Coast District can be susceptible to risks of fire, including wildfire. More information on this risk can be found in our [Operative District Plan 2021](#).

Further information relating to fire risks, can also be found in the information provided by the Greater Wellington Regional Council later in this section.

Tsunami

Under certain circumstances, the Kāpiti Coast District may be at risk of experiencing a tsunami. To understand the potential risk to this property and the evacuation zones please see the updated tsunami evacuation maps for Kāpiti these can be viewed at the Council's website at [Tsunami Zones](#).

Flooding

Due to its physical landscape, the Kāpiti Coast District presents with a varying level of flood risk. For more information about this risk and the property can be found under "flood hazard categories" on the District Plan Maps and in the [Operative District Plan 2021](#)

Council is currently undertaking an update of its flood modelling, which will provide up-to-date information regarding flood hazards within the Kāpiti Coast District, including at a property level. This information is only in draft currently, which has been released for consultation with the community. As it is only in draft form, the information may change prior to its finalisation, which may influence how the risk of flooding could affect this property.

More information on flood hazard modelling, including currently available information can be found on the Council website

www.kapiticoast.govt.nz/environment/flood-hazard-management/flood-hazard-modelling/.

For more information, please contact the Stormwater and Coastal Assets team on 0800 486 486.

If this property has been subject to a Building or Resource Consent, a geotechnical or liquefaction assessment may have been completed and could provide more detailed and site-specific information about this property. Hazard information regarding Building or Resource Consents for this property can be found later in this section.

Coastal Erosion and Inundation Hazards

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

Currently, information specific to the Kāpiti Coast District includes:

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

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

Natural hazards identified under the Building Act 2004

Natural hazards identified under the Building Act 2004 during a consenting process may influence whether land can be built on and/or the specifications required to mitigate risk. Natural hazards under Section 71(3) of the Building Act include erosion, falling debris, subsidence, inundation, and slippage.

Consents notified relating to a natural hazard

If this property has had a Building Consent issued, which required notification for a natural hazard, it will be found in *Section 2: Consents, Certificates, Notices, Orders or Requisitions affecting the land and buildings*.

Notices issued under 133BT

Under certain conditions, for example if a building presents a risk of injury or death to people or has been evacuated during an emergency event, a notice may be issued.

A Notice under 133BT of the Building Act 2004 has not been identified for this property. For further information on this section, contact the Building Team on 0800 486 486.

Geotechnical assessment

If this property has been the subject of a Building Consent since 1 July 2020, a geotechnical assessment may have been supplied with that application. A geotechnical report may contain advice about ground conditions and natural hazards at that site including liquefaction and slope stability assessment as well as commentary on ground bearing capacity.

A geotechnical report supplied under the Building Act 2004 has not been identified for this property.

All available Building Consent geotechnical assessments are located in attached building files. For further information on this section, contact the **Building Team** on 0800 486 486

Natural hazards identified under the Resource Management Act 1991

Natural hazards identified under Resource Management Act 1991 during a consenting process could influence how land may be used and/or whether land can be built on, as well as any specification required to mitigate the risk of natural hazards. The definition of a natural hazard under the Resource Management Act can be found at the beginning of this section.

If this property has been the subject of a Resource Consent since 1 July 2020, a geotechnical assessment may have been supplied with that application. A geotechnical report may contain advice about the risk of natural hazards at the property.

A geotechnical report supplied under the Resource Management Act 1991 has not been identified for this property.

For further information contact the **Resource Consents Team** on 0800 486 486.

Natural hazard information provided by Greater Wellington Regional Council

This information has been provided by Greater Wellington Regional Council in accordance with the Local Government (Natural Hazard Information in Land Information Memoranda) Regulations 2025. No alteration has been made to this information.

Hazard information

Greater Wellington Regional Council holds information on natural hazards relevant to the region. Greater Wellington's hazard information has been developed to help the public, local authorities and others manage risk and make informed decisions about their exposure to natural hazards.

Please note this information has been produced at a range of scales and may not be property specific. Local Council District Plans may hold more detailed hazard information and rules on how they are applied in your area. This information is periodically updated as new studies and modelling is carried out.

- Fluvial (river) flood hazard
- Coastal flood hazard
- Tsunami hazard
- Wildfire hazard
- Seismic hazard

Climate change has the potential to exacerbate some of these hazards. More information about future changes to the regional climate can be found on the Greater Wellington website: <https://mapping1.gw.govt.nz/gw/ClimateChange/> and https://mapping1.gw.govt.nz/GW/ClimateChange_StoryMap/#.

Please contact **Greater Wellington Regional Council** at info@gw.govt.nz for more information.

For information on fluvial flood hazard please contact the Greater Wellington Regional Council's **Flood Advisory Team**

www.gw.govt.nz/your-region/emergency-and-hazard-management/flood-protection/flood-hazard-advice.

Be prepared

If your home, or place of work is vulnerable to a natural hazard we advise that you are prepared, with enough supplies for 7 days and an effective emergency plan. For further guidance please visit the Wellington Regional Emergency Management Office for more information www.wremo.nz. It is also recommended that you check that your insurance cover is appropriate for the hazards present.

Other natural hazard information

No other information found.

7. Other land and building classifications

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

No information located.

8. Private and Public stormwater and sewerage drains

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

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

Stormwater discharges are via the water re-use tank(s) installed in accordance with the Council District Plan Water Demand Management Solution. Overflow from water re-use tank(s) is confined to site in soak pit.

There is no record of any Council services running through the property.

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

9. Drinking water supply

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

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

One pipe goes to the dwelling; the second pipe is restricted and goes to top up the rainwater storage tank [600 litres/day].

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

10. Network utility information

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

Contact Electra for power availability and Vector for gas availability.

11. Other information about the property

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

No information found.

Cultural and Archaeological

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

More detail on what to look for and who to contact can be found on our website:

www.kapiticoast.govt.nz/Our-District/Tangata-Whenua

Development Impact Fees

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

Further information on the range of Development Impact Fees can be found on

[Development impact fees - Kāpiti Coast District Council](#)

12. Glossary of Terms and Maps attached

Aerial Photograph

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

Deposited Plan

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

Building Information

This includes any information Council holds about any structure that is on the lot (property), e.g. plumbing, drainage and floor plans and elevation drawings of the building and any alterations or additions to it, together with any code compliance certificates. This may also include technical reports (such as geotechnical and/or structural reports) if available.

Services Network Map

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

Location of Health and Alcohol Licenses

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

Resource Consents

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

Designation(s) (if applicable)

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

District Plan

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

Latest Flood Hazards

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



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




R.W. Muir
Registrar-General
of Land

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

Identifier 434083
Land Registration District Wellington
Date Issued 06 July 2009

Prior References
WN48B/879

Estate Fee Simple
Area 1177 square metres more or less
Legal Description Lot 29 Deposited Plan 409302
Original Registered Owners
Ferndale Development Limited

Interests

7983109.1 Mortgage to ANZ National Bank Limited - 7.11.2008 at 3:52 pm
8217543.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 6.7.2009 at 1:32 pm
Land Covenant in Easement Instrument 8217543.4 - 6.7.2009 at 1:32 pm
10867627.1 Discharge of Mortgage 7983109.1 - 29.3.2018 at 2:09 pm
10867627.2 Transfer to Geoffrey Kenneth Pate, Rachel Hannah Pate and Samuel John Pate - 29.3.2018 at 2:09 pm
11135941.1 Transfer to Finman Trustees Limited and Geoffrey Kenneth Pate - 18.6.2018 at 2:55 pm
11246261.1 Mortgage to ASB Bank Limited - 26.10.2018 at 10:34 am



Digital Title Plan - DP 409302

Survey Number	DP 409302
Surveyor Reference	Ferndale 153C
Surveyor	Craig William Hurford
Survey Firm	Aurecon (Wellington)
Surveyor Declaration	I Craig William Hurford, being a person entitled to practise as a licensed cadastral surveyor, certify that - (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2; (b) This dataset is accurate, and has been created in accordance with that Act and those Rules. Declared on 30/10/2008.

Survey Details

Dataset Description	Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118		
Status	Deposited		
Land District	Wellington	Survey Class	Class I Cadastral Survey
Submitted Date	30/10/2008	Survey Approval Date	04/11/2008
		Deposit Date	06/07/2009

Territorial Authorities

Kapiti Coast District

Comprised In

CT WN48B/879

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked H Deposited Plan 409302	Land Covenant		
Marked I Deposited Plan 409302	Land Covenant		
Marked J Deposited Plan 409302	Land Covenant		
Marked K Deposited Plan 409302	Land Covenant		
Marked AA Deposited Plan 409302	Land Covenant		
Marked M Deposited Plan 409302	Land Covenant		
Marked N Deposited Plan 409302	Land Covenant		
Marked O Deposited Plan 409302	Land Covenant		
Marked P Deposited Plan 409302	Land Covenant		
Marked Q Deposited Plan 409302	Land Covenant		
Marked R Deposited Plan 409302	Land Covenant		
Marked S Deposited Plan 409302	Land Covenant		
Marked T Deposited Plan 409302	Land Covenant		
Marked U Deposited Plan 409302	Land Covenant		
Marked V Deposited Plan 409302	Land Covenant		



Digital Title Plan - DP 409302

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked W Deposited Plan 409302	Land Covenant		
Marked X Deposited Plan 409302	Land Covenant		
Marked Y Deposited Plan 409302	Land Covenant		
Marked Z Deposited Plan 409302	Land Covenant		
Marked L Deposited Plan 409302	Land Covenant		
Lot 1 Deposited Plan 409302	Fee Simple Title	0.1157 Ha	434055
Lot 2 Deposited Plan 409302	Fee Simple Title	0.1021 Ha	434056
Lot 3 Deposited Plan 409302	Fee Simple Title	0.1412 Ha	434057
Lot 4 Deposited Plan 409302	Fee Simple Title	0.1242 Ha	434058
Lot 5 Deposited Plan 409302	Fee Simple Title	0.1134 Ha	434059
Lot 6 Deposited Plan 409302	Fee Simple Title	0.0987 Ha	434060
Lot 7 Deposited Plan 409302	Fee Simple Title	0.0989 Ha	434061
Lot 8 Deposited Plan 409302	Fee Simple Title	0.1623 Ha	434062
Lot 9 Deposited Plan 409302	Fee Simple Title	0.1792 Ha	434063
Lot 10 Deposited Plan 409302	Fee Simple Title	0.2148 Ha	434064
Lot 11 Deposited Plan 409302	Fee Simple Title	0.1984 Ha	434065
Lot 12 Deposited Plan 409302	Fee Simple Title	0.1409 Ha	434066
Lot 13 Deposited Plan 409302	Fee Simple Title	0.1133 Ha	434067
Lot 14 Deposited Plan 409302	Fee Simple Title	0.0856 Ha	434068
Lot 15 Deposited Plan 409302	Fee Simple Title	0.0944 Ha	434069
Lot 16 Deposited Plan 409302	Fee Simple Title	0.1864 Ha	434070
Lot 17 Deposited Plan 409302	Fee Simple Title	0.2419 Ha	434071
Lot 18 Deposited Plan 409302	Fee Simple Title	0.1145 Ha	434072
Lot 19 Deposited Plan 409302	Fee Simple Title	0.1763 Ha	434073
Lot 20 Deposited Plan 409302	Fee Simple Title	0.1958 Ha	434074
Lot 21 Deposited Plan 409302	Fee Simple Title	0.1022 Ha	434075
Lot 22 Deposited Plan 409302	Fee Simple Title	0.1311 Ha	434076
Lot 23 Deposited Plan 409302	Fee Simple Title	0.1331 Ha	434077
Lot 24 Deposited Plan 409302	Fee Simple Title	0.1778 Ha	434078
Lot 25 Deposited Plan 409302	Fee Simple Title	0.1770 Ha	434079
Lot 26 Deposited Plan 409302	Fee Simple Title	0.1512 Ha	434080
Lot 27 Deposited Plan 409302	Fee Simple Title	0.1657 Ha	434081
Lot 28 Deposited Plan 409302	Fee Simple Title	0.1473 Ha	434082
Lot 29 Deposited Plan 409302	Fee Simple Title	0.1177 Ha	434083
Lot 30 Deposited Plan 409302	Fee Simple Title	0.2641 Ha	434084
Lot 31 Deposited Plan 409302	Fee Simple Title	0.1770 Ha	434085
Lot 32 Deposited Plan 409302	Fee Simple Title	0.4808 Ha	434086
Lot 33 Deposited Plan 409302	Fee Simple Title	0.1659 Ha	434087
Lot 34 Deposited Plan 409302	Fee Simple Title	0.1799 Ha	434088
Lot 35 Deposited Plan 409302	Fee Simple Title	0.1670 Ha	434089



Digital Title Plan - DP 409302

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 36 Deposited Plan 409302	Fee Simple Title	0.1264 Ha	434090
Lot 37 Deposited Plan 409302	Fee Simple Title	0.0965 Ha	434091
Lot 38 Deposited Plan 409302	Fee Simple Title	0.0805 Ha	434092
Lot 39 Deposited Plan 409302	Fee Simple Title	0.0950 Ha	434093
Lot 40 Deposited Plan 409302	Fee Simple Title	0.0929 Ha	434094
Lot 41 Deposited Plan 409302	Fee Simple Title	0.0974 Ha	434095
Lot 42 Deposited Plan 409302	Fee Simple Title	0.1344 Ha	434096
Lot 43 Deposited Plan 409302	Fee Simple Title	0.1133 Ha	434097
Lot 44 Deposited Plan 409302	Fee Simple Title	0.1549 Ha	434098
Lot 45 Deposited Plan 409302	Fee Simple Title	0.1868 Ha	434099
Lot 46 Deposited Plan 409302	Fee Simple Title	0.2106 Ha	434100
Lot 47 Deposited Plan 409302	Fee Simple Title	0.1698 Ha	434101
Lot 48 Deposited Plan 409302	Fee Simple Title	0.2283 Ha	434102
Lot 49 Deposited Plan 409302	Fee Simple Title	0.1604 Ha	434103
Lot 50 Deposited Plan 409302	Fee Simple Title	0.1774 Ha	434104
Lot 51 Deposited Plan 409302	Fee Simple Title	0.1793 Ha	434105
Lot 52 Deposited Plan 409302	Fee Simple Title	0.1266 Ha	434106
Lot 53 Deposited Plan 409302	Fee Simple Title	0.1596 Ha	434107
Lot 54 Deposited Plan 409302	Fee Simple Title	0.1603 Ha	434108
Lot 55 Deposited Plan 409302	Fee Simple Title	0.1495 Ha	434109
Lot 56 Deposited Plan 409302	Fee Simple Title	0.1993 Ha	434110
Lot 57 Deposited Plan 409302	Fee Simple Title	0.1415 Ha	434111
Lot 58 Deposited Plan 409302	Fee Simple Title	0.1160 Ha	434112
Lot 59 Deposited Plan 409302	Fee Simple Title	0.1221 Ha	434113
Lot 60 Deposited Plan 409302	Fee Simple Title	0.1286 Ha	434114
Lot 61 Deposited Plan 409302	Fee Simple Title	0.1731 Ha	434115
Lot 62 Deposited Plan 409302	Fee Simple Title	0.1967 Ha	434116
Lot 100 Deposited Plan 409302	Vesting on Deposit for Recreation Reserve (Territorial Authority)	2.5170 Ha	434117
Marked A Deposited Plan 409302	Easement		
Marked B Deposited Plan 409302	Easement		
Marked C Deposited Plan 409302	Easement		
Marked D Deposited Plan 409302	Easement		
Marked E Deposited Plan 409302	Easement		
Marked F Deposited Plan 409302	Easement		
Marked G Deposited Plan 409302	Easement		
Marked AB Deposited Plan 409302	Easement		
Marked AC Deposited Plan 409302	Easement		
Marked AD Deposited Plan 409302	Easement		



Digital Title Plan - DP 409302

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Marked AE Deposited Plan 409302	Easement		
Marked AF Deposited Plan 409302	Easement		
Lot 101 Deposited Plan 409302	Vesting on Deposit for Recreation Reserve (Territorial Authority)	0.1622 Ha	434118
Lot 102 Deposited Plan 409302	Vesting on Deposit for Recreation Reserve (Territorial Authority)	0.3864 Ha	434119
Lot 103 Deposited Plan 409302	Vesting on Deposit for Recreation Reserve (Territorial Authority)	0.2996 Ha	434120
	Road	1.8973 Ha	
Total Area		14.8755 Ha	

Land Registration District

Wellington

Plan Number

DP 409302

Territorial Authority

Kapiti Coast District Council

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way, Right to Drain Water and Sewage, Right to Convey Water, Electrical Energy, Telecommunications, Computer Media and Gas	B	Lot 19	Lots 18, 20 and 21
	C	Lot 20	Lots 18,19 and 21
	D	Lot 24	Lots 23,25,26 and 27
	E	Lot 25	Lots 23,24,26 and 27
Right to maintain gas curtain	AB	Lot 19	Lots 20 and 24
	AC	Lot 20	Lots 19 and 24
	AD	Lot 24	Lots 19 and 20

MEMORANDUM OF EASEMENTS IN GROSS

PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to Drain Sewage	A	Lot 9	KAPITI COAST DISTRICT COUNCIL
Right to Drain Stormwater	G	Lot 51	KAPITI COAST DISTRICT COUNCIL
	F	Lot 48	
	AF	Lot 48	
	AE	Lot 32	

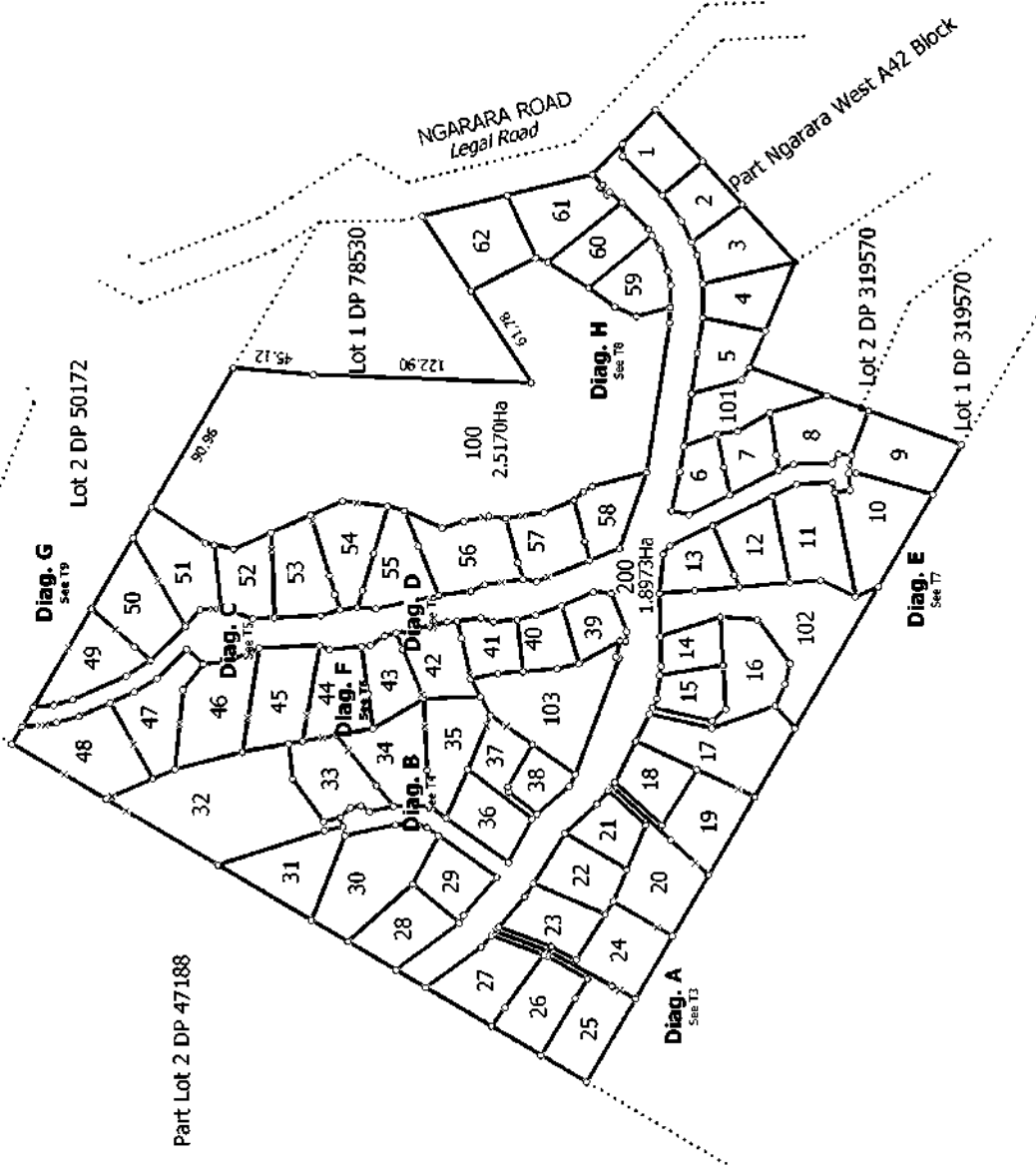
LOTS VESTING

LOT	PURPOSE
100,101,102,103	To vest as Recreation Reserve in the Kapiti Coast District Council
200	To vest as Road in the Kapiti Coast District Council

SCHEDULE OF COVENANTS			
Purpose/Interest	Shown	Servient Tenement	Area
No Build and No Earthwork Zone	Marked H	Pt Lot 49	223m ²
	Marked I	Pt Lot 50	1038m ²
	Marked J	Pt Lot 51	874m ²
	Marked K	Pt Lot 52	101m ²
	Marked L	Pt Lot 53	154m ²
	Marked M	Pt Lot 56	434m ²
	Marked N	Pt Lot 57	439m ²
	Marked O	Pt Lot 37	33m ²
	Marked P	Pt Lot 35	499m ²
	Marked Q	Pt Lot 34	500m ²
	Marked R	Pt Lot 33	463m ²
	Marked S	Pt Lot 32	1300m ²
	Marked AE	Pt Lot 32	1422m ²
	Marked T	Pt Lot 48	722m ²
	Marked AF	Pt Lot 48	86m ²
	Marked U	Pt Lot 47	470m ²
	Marked V	Pt Lot 46	836m ²
	Marked W	Pt Lot 45	615m ²
	Marked X	Pt Lot 44	79m ²
	Marked Y	Pt Lot 43	140m ²
	Marked Z	Pt Lot 42	280m ²
	Marked AA	Pt Lot 54	90m ²



NOTE:
Lots 100, 101, 102 & 103 are to vest as Recreation Reserve in the
Kapiti Coast District Council.
Lot 200 is to vest as road in the Kapiti Coast District Council.



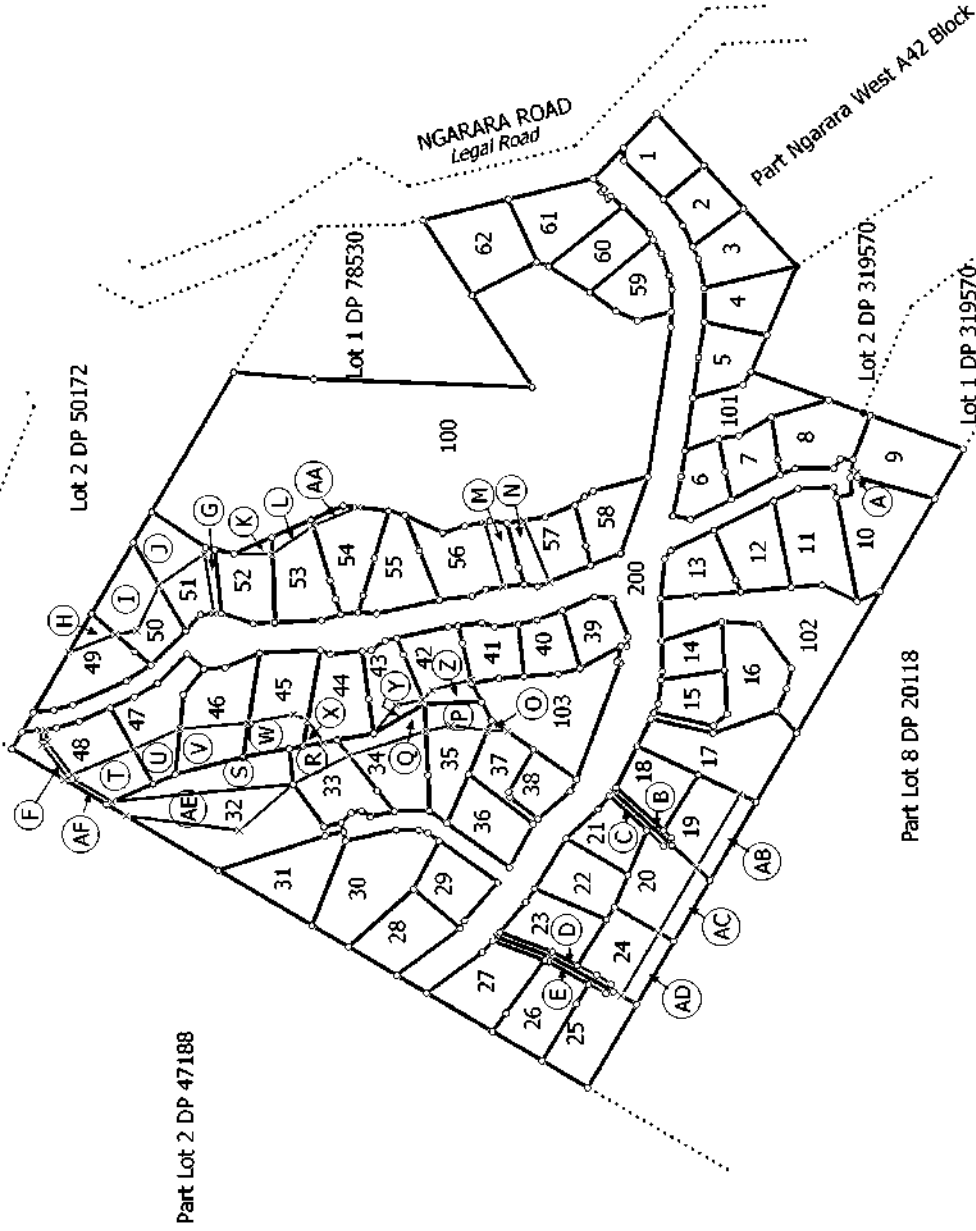
Part Lot 8 DP 20118

T 1/9

Land District Wellington	Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118	Surveyor: Craig William Hurford Firm: Aurecon (Wellington)	Digital Title Plan DP 409302
Digitally Generated Plan Generated on: 05/08/2009 1:20pm Page 7 of 15	Deposited on: 6/07/2009		



NOTE:
Areas marked H,I,J,K,L,M,N,O,P,Q,R,S,T,U,V,W,X,Y,Z, AA,AE & AF
to be subject to Land Covenants



Non Primary

T 2/9

Land District Wellington

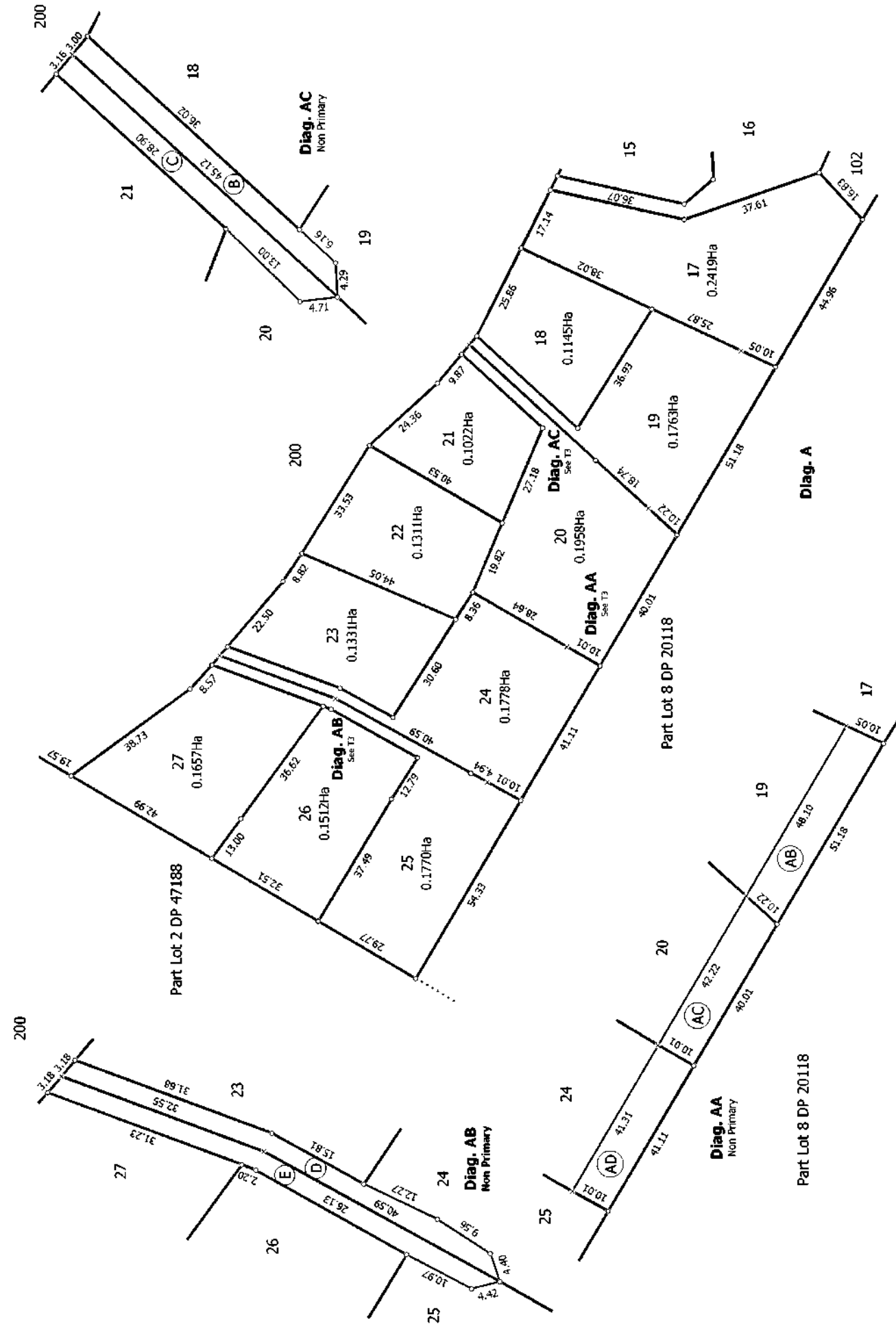
Digitally Generated Plan
Generated on: 05/08/2009 1:25pm Page 8 of 15

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Digital Title Plan
DP 409302

Deposited on: 6/07/2009



T 3/9

Land District Wellington

Digitally Generated Plan

Generated on: 05/08/2009 1:20pm Page 9 of 15

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

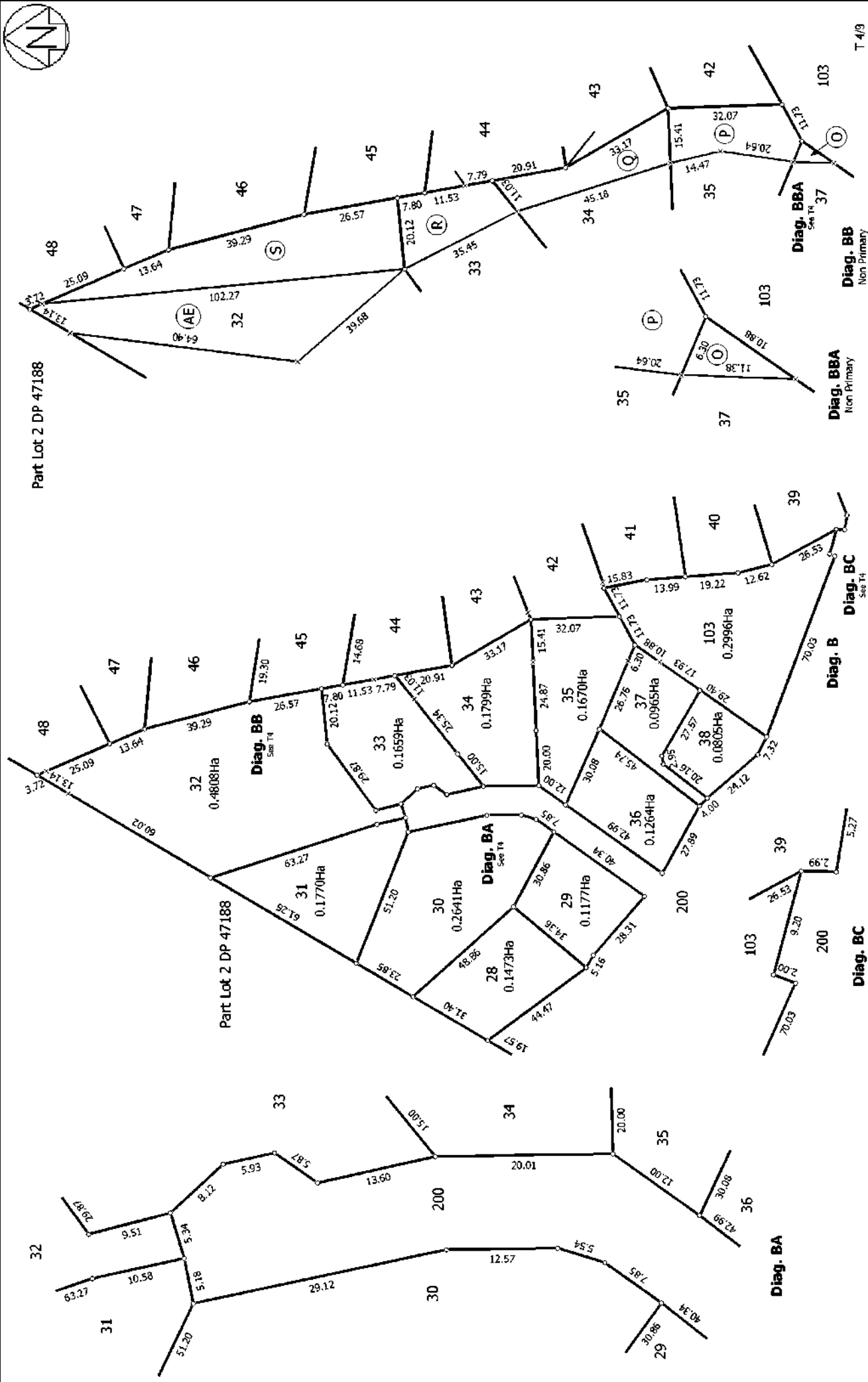
Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Digital Title Plan
DP 409302

Deposited on: 6/07/2009



Part Lot 2 DP 47188



T 4/9

Digital Title Plan
DP 409302

Deposited on: 6/07/2009

Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

Land District: Wellington
Digitally Generated Plan
Generated on: 05/08/2009 1:20pm Page 10 of 15

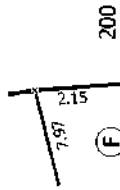


Lot 2 DP 50172

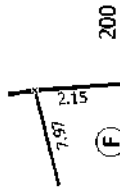
Part Lot 2 DP 47188

Diag. CAA
See TS

Diag. CAB
See TS



Diag. CAB
Non Primary

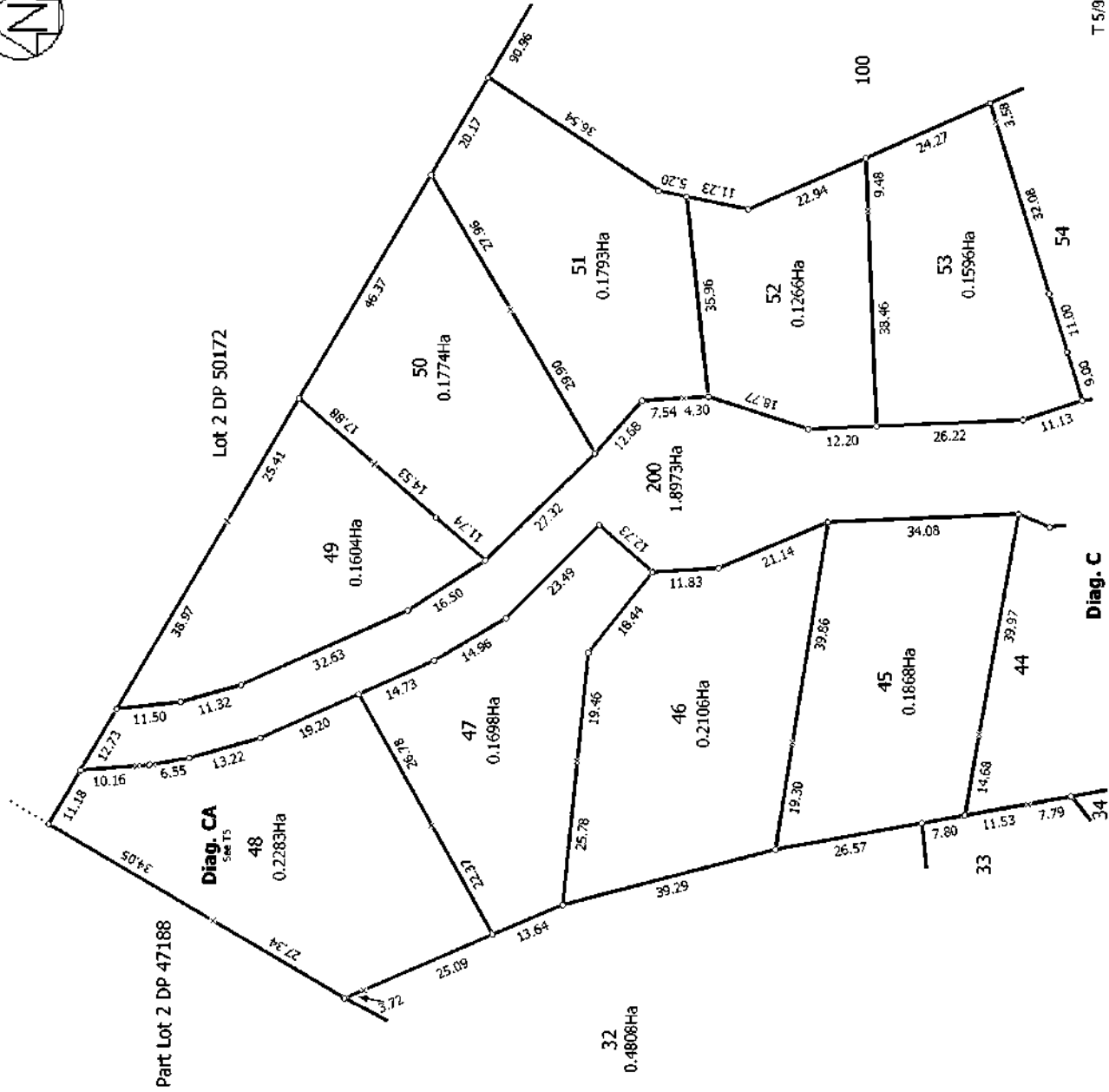


Diag. CAB
Non Primary

Part Lot 2 DP 47188

Diag. CAA
Non Primary

Diag. CA
Non Primary



Diag. C

T 5/9

Land District Wellington

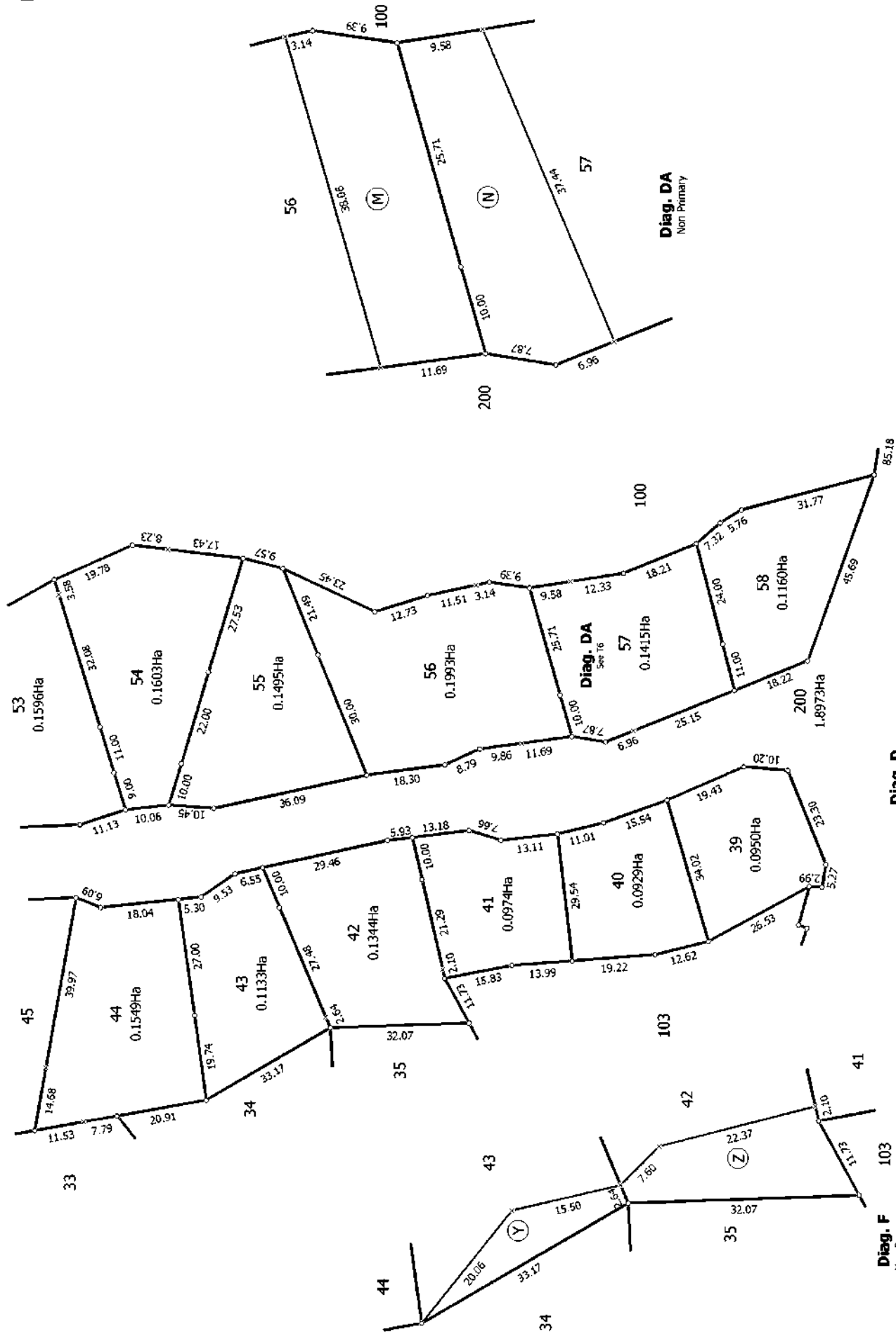
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Generated on: 06/08/2009 1:26pm Page 11 of 15

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Digital Title Plan
DP 409302

Deposited on: 6/07/2009



T 6/9

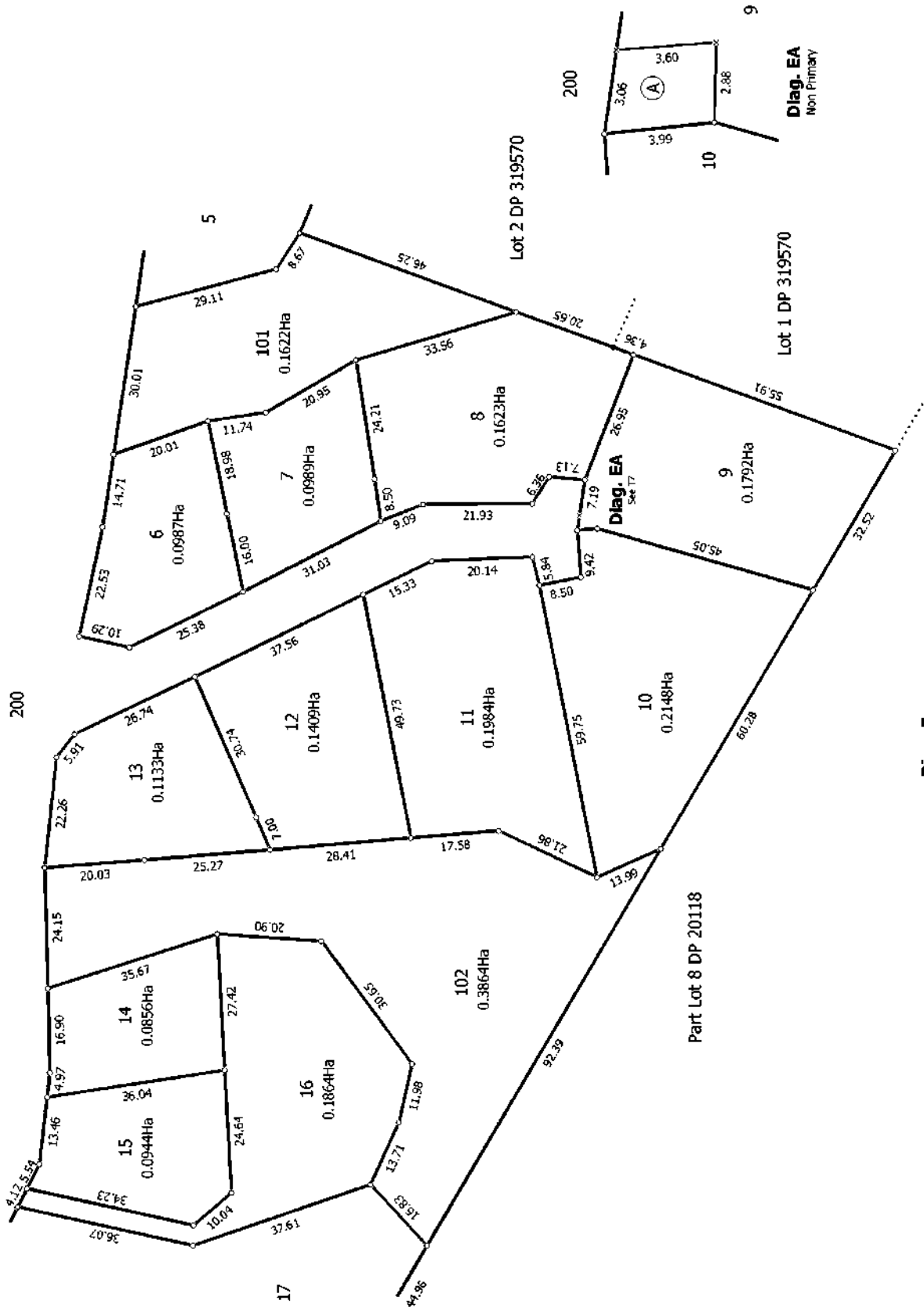
Digital Title Plan
DP 409302

Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Deposited on: 6/07/2009

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

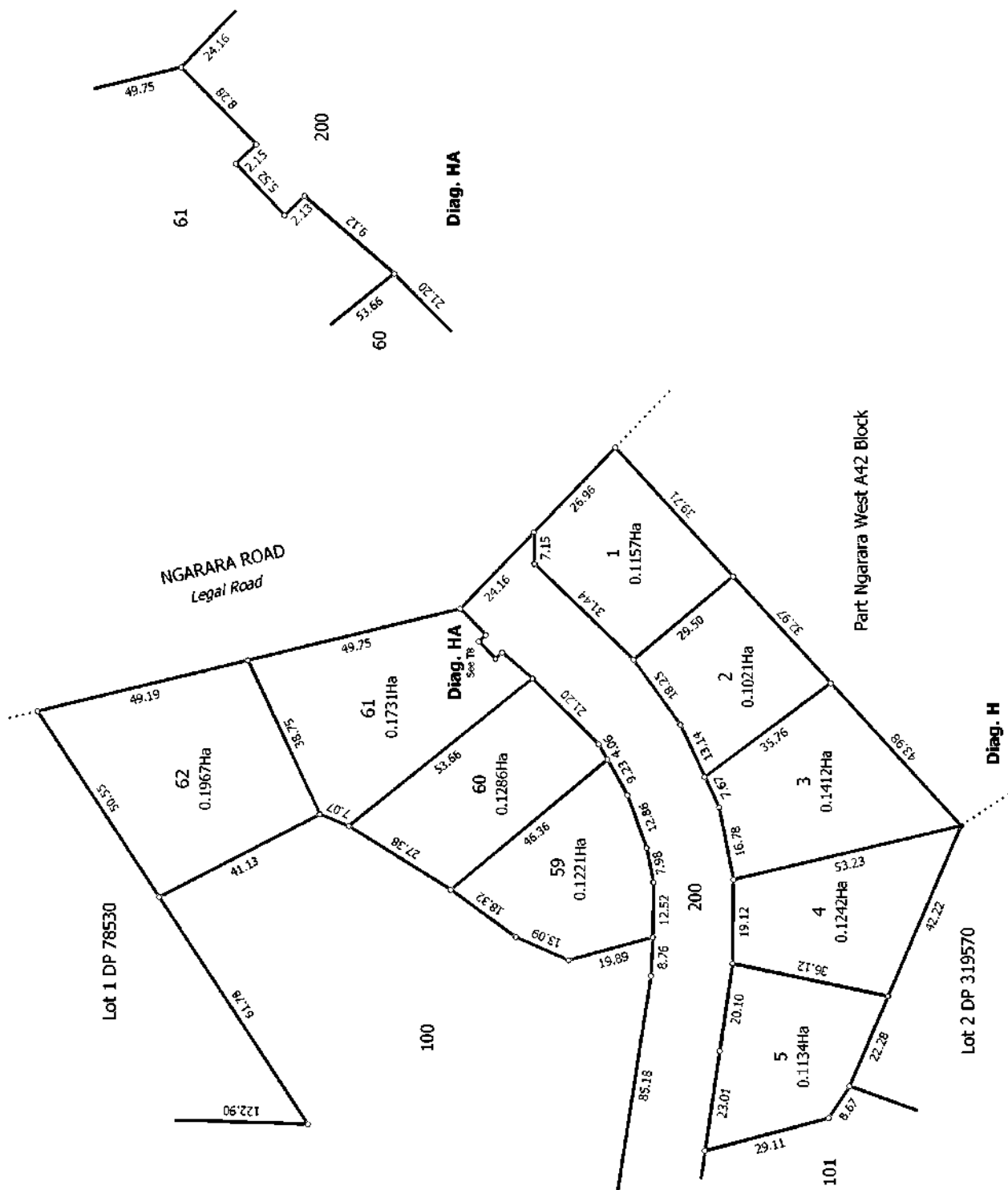
Land District: Wellington
Digitally Generated Plan
Generated on: 06/08/2009 1:20pm Page 12 of 15



Diag. E

T 7/9

Land District: Wellington	Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118	Surveyor: Craig William Hurford Firm: Aurecon (Wellington)	Digital Title Plan DP 409302
Digitally Generated Plan Generated on: 06/08/2009 1:20pm Page 13 of 15	Deposited on: 6/07/2009		

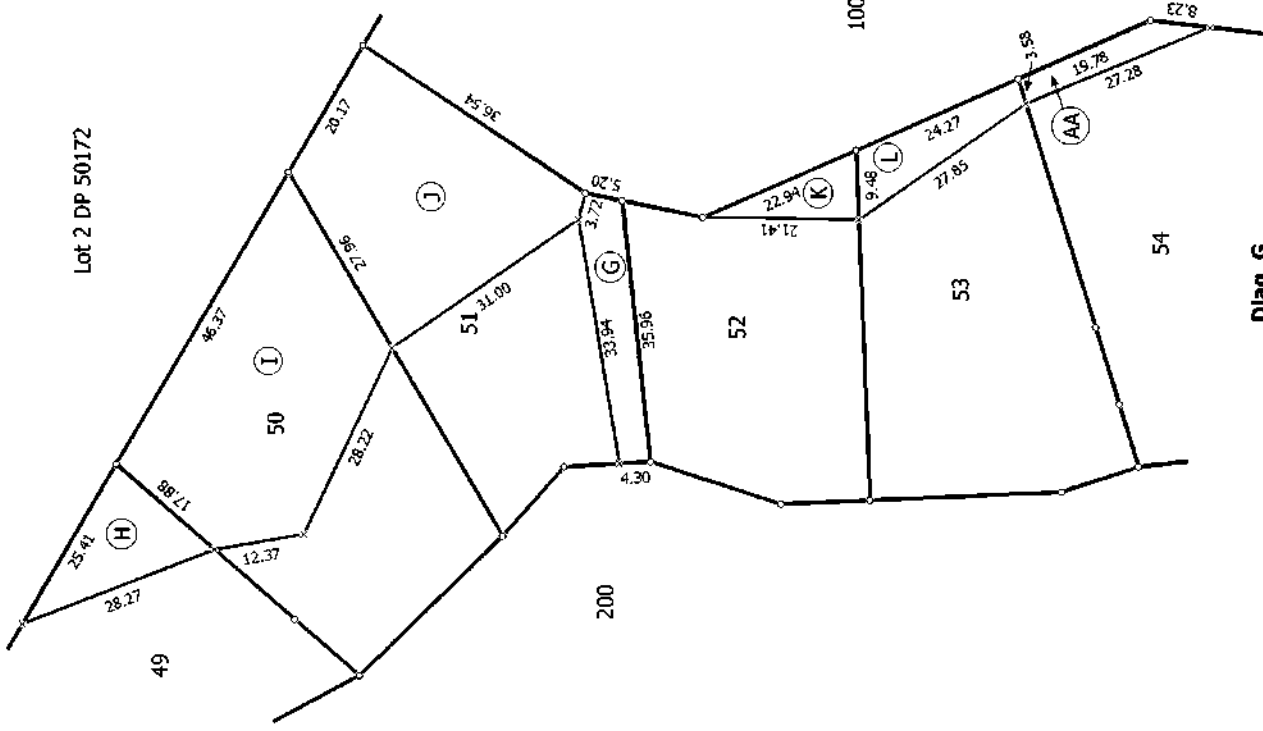


T 8/9

Land District: Wellington	Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118	Surveyor: Craig William Hurford Firm: Aurecon (Wellington)	Digital Title Plan DP 409302
Digitally Generated Plan Generated on: 06/08/2009 1:25pm Page 14 of 15	Deposited on: 6/07/2009		



Lot 2 DP 50172



Diag. G
Non Primary

T 9/9

Land District Wellington

Digitally Generated Plan
Generated on: 05/08/2009 1:25pm Page 15 of 15

Lots 1-62, Lots 100-103 and Lot 200 Being a Subdivision of Part Lot 6 DP 20118

Surveyor: Craig William Hurford
Firm: Aurecon (Wellington)

Digital Title Plan
DP 409302

Deposited on: 6/07/2009

Aerial Photography

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



0 10 20 Metres

Scale @ A4 - 1:500

Date Printed: September 28, 2026

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Operative District Plan 2021 - Zones and Precincts

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

-  Precinct
-  General Residential Zone
-  Open Space Zone
-  Ngārara Development Area



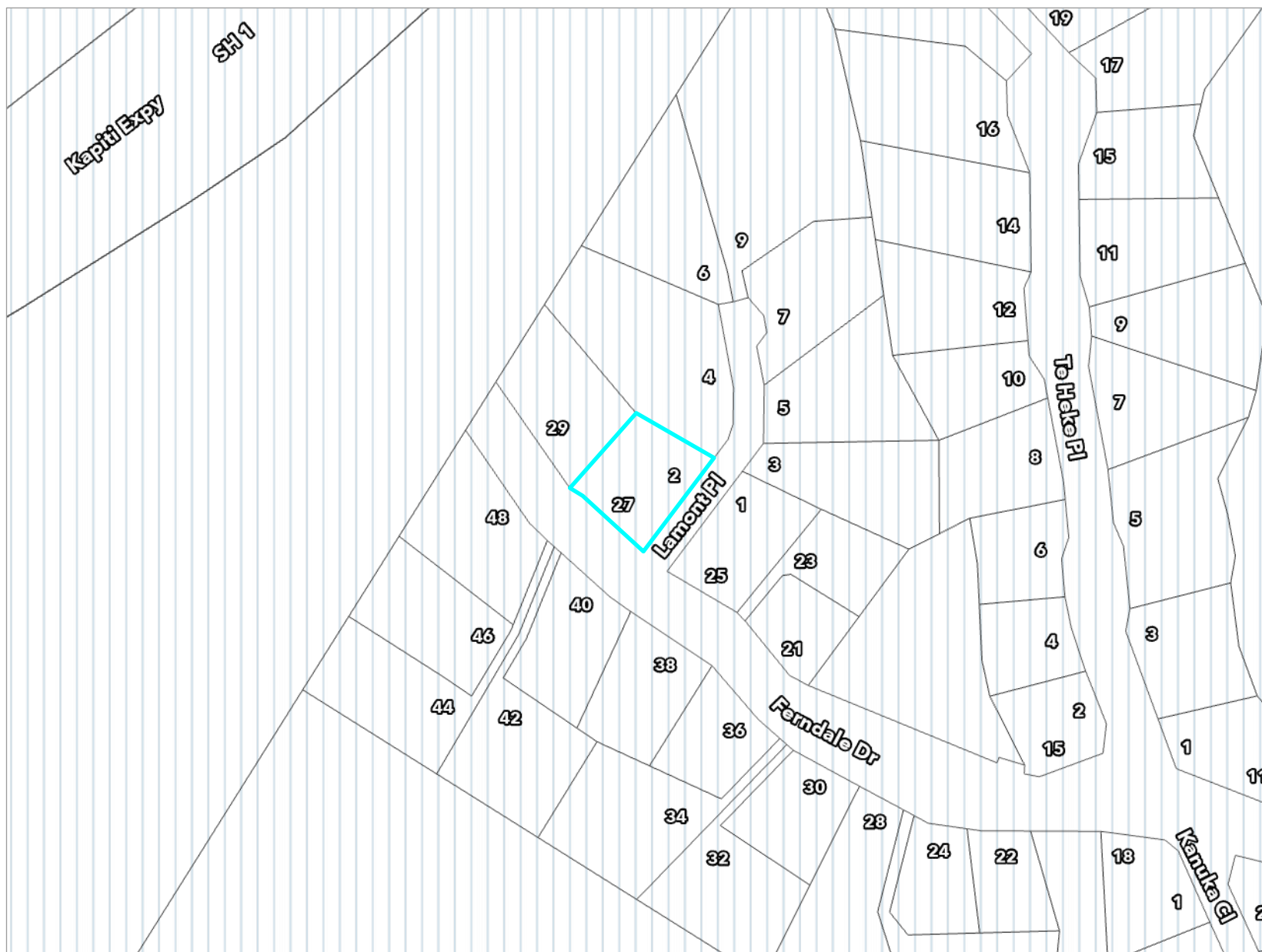
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Operative District Plan 2021 - Historical, Cultural, Infrastructure & Districtwide

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

 Coastal Environment

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



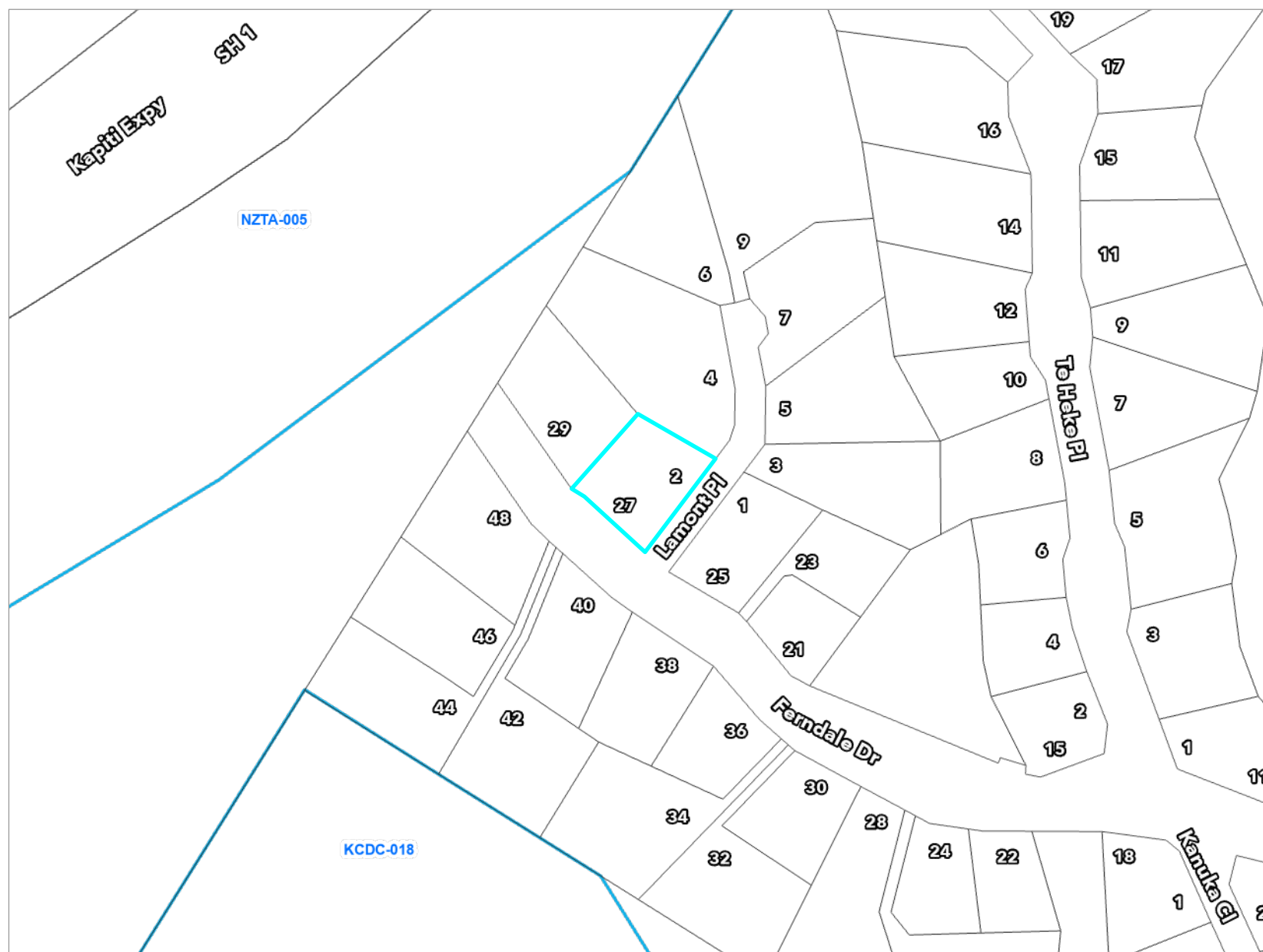
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Scale @ A4 - 1:2,000

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2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Designation

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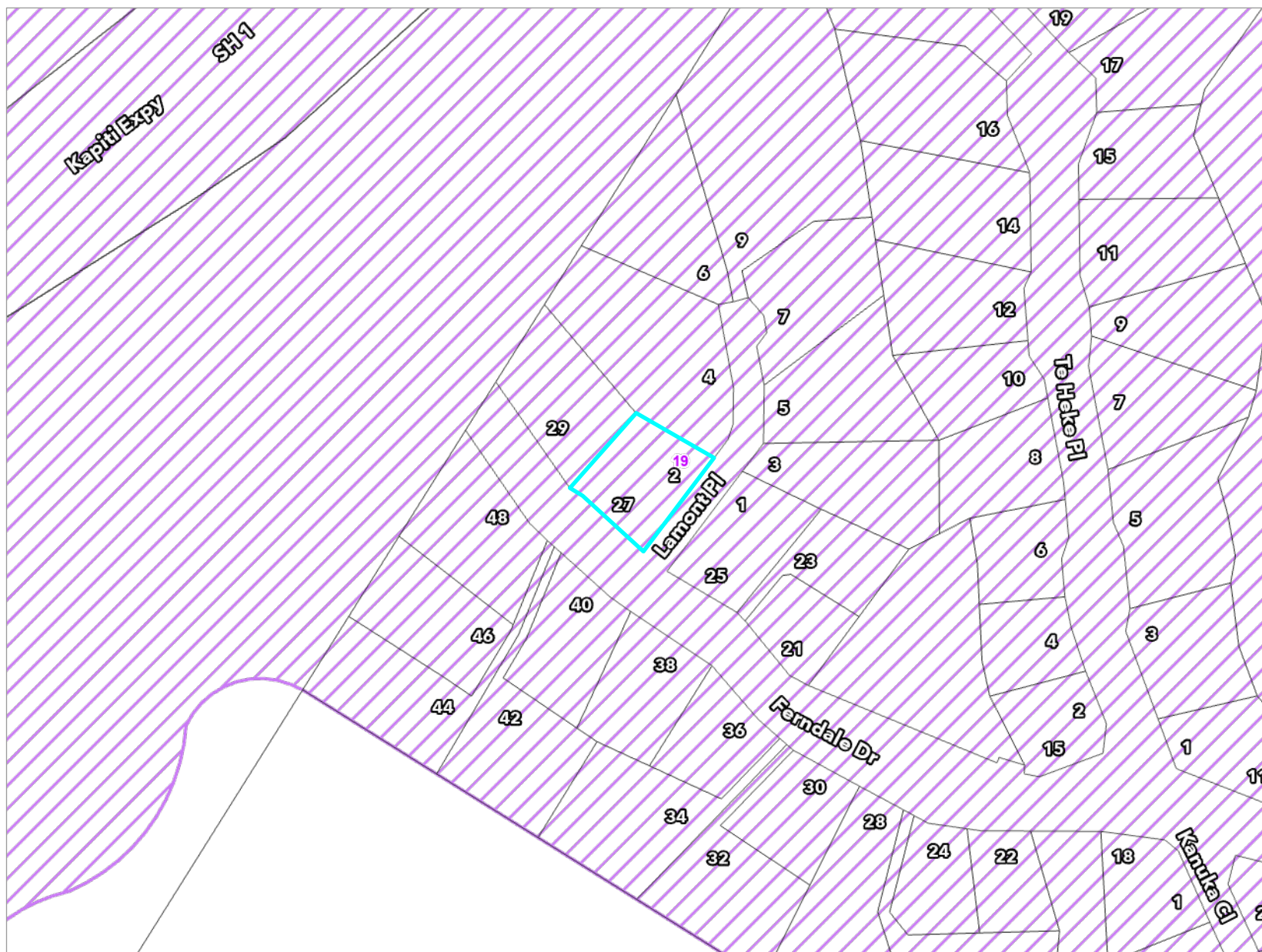
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Operative District Plan 2021 - Natural Features

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

 Special Amenity Landscapes

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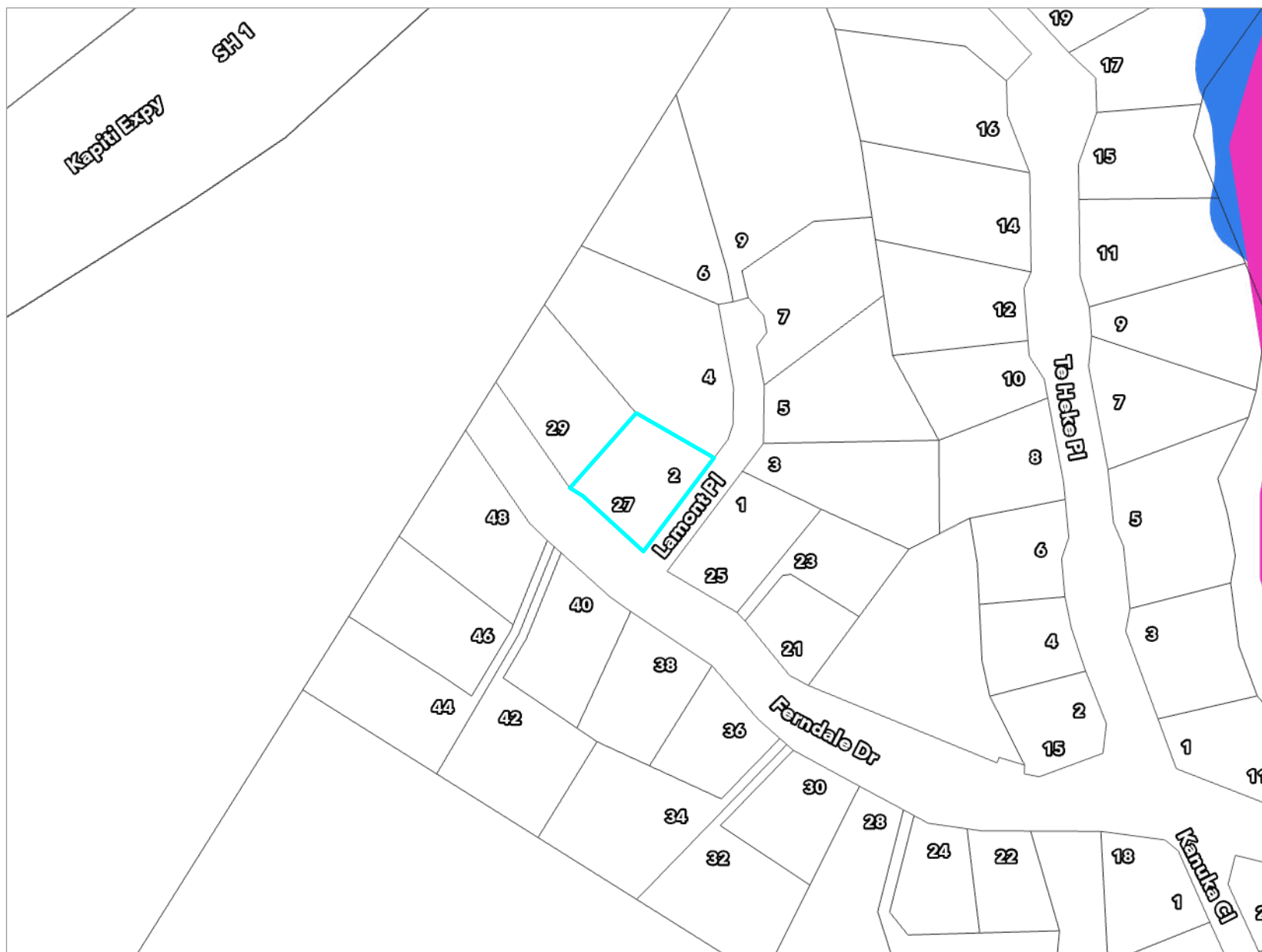
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Date Printed: September 28, 2026

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Operative District Plan 2021 - Natural Hazards

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

-  Stream Corridor
-  Ponding Area

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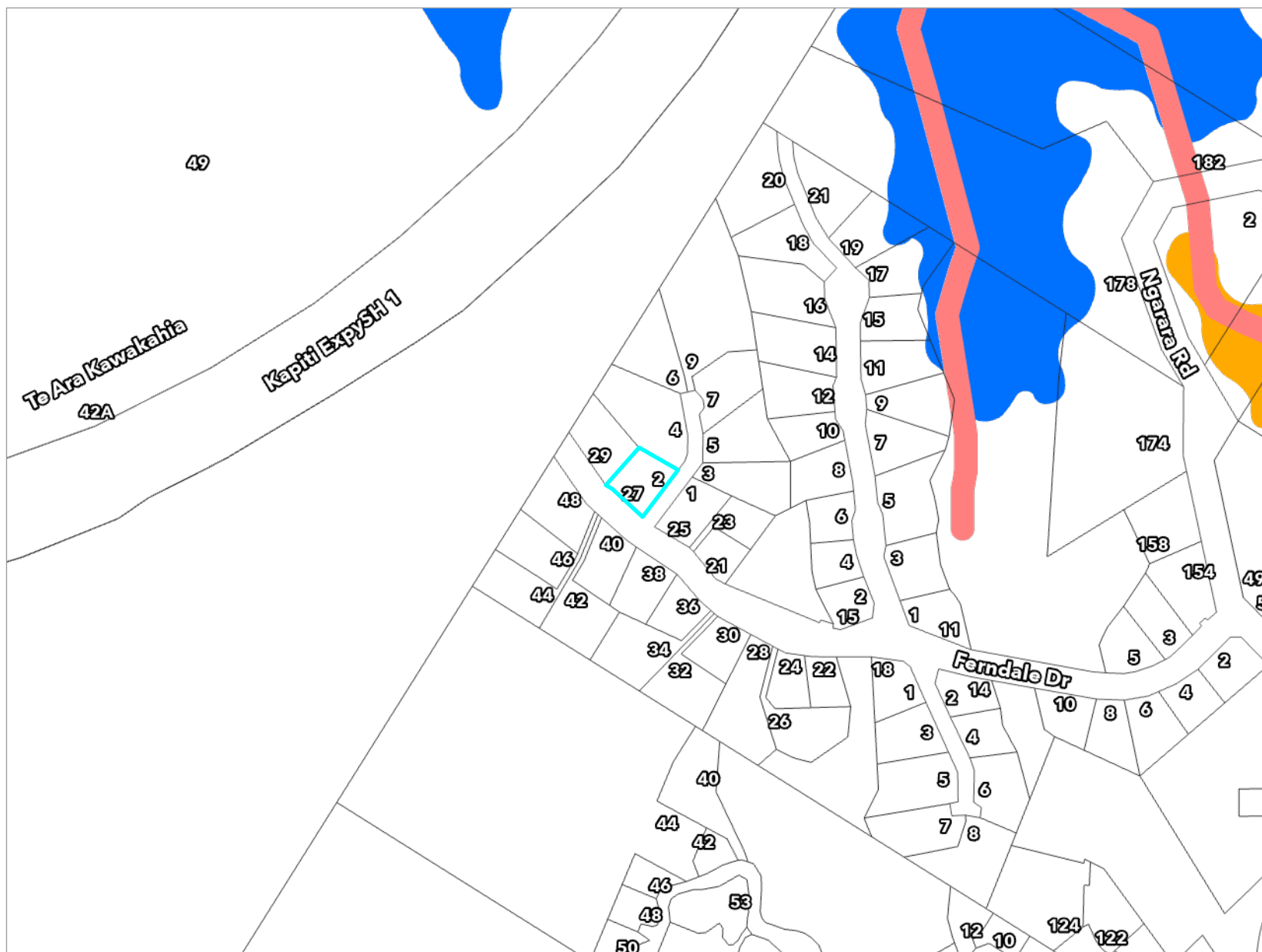
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Latest Flood Hazards

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

-  Stream Corridor
-  Storage
-  Ponding

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



0 90 180 Metres
Scale @ A4 - 1:4,000

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Resource Consents Map

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

 Resource Consents

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



0 10 20 Metres

Scale @ A4 - 1:750

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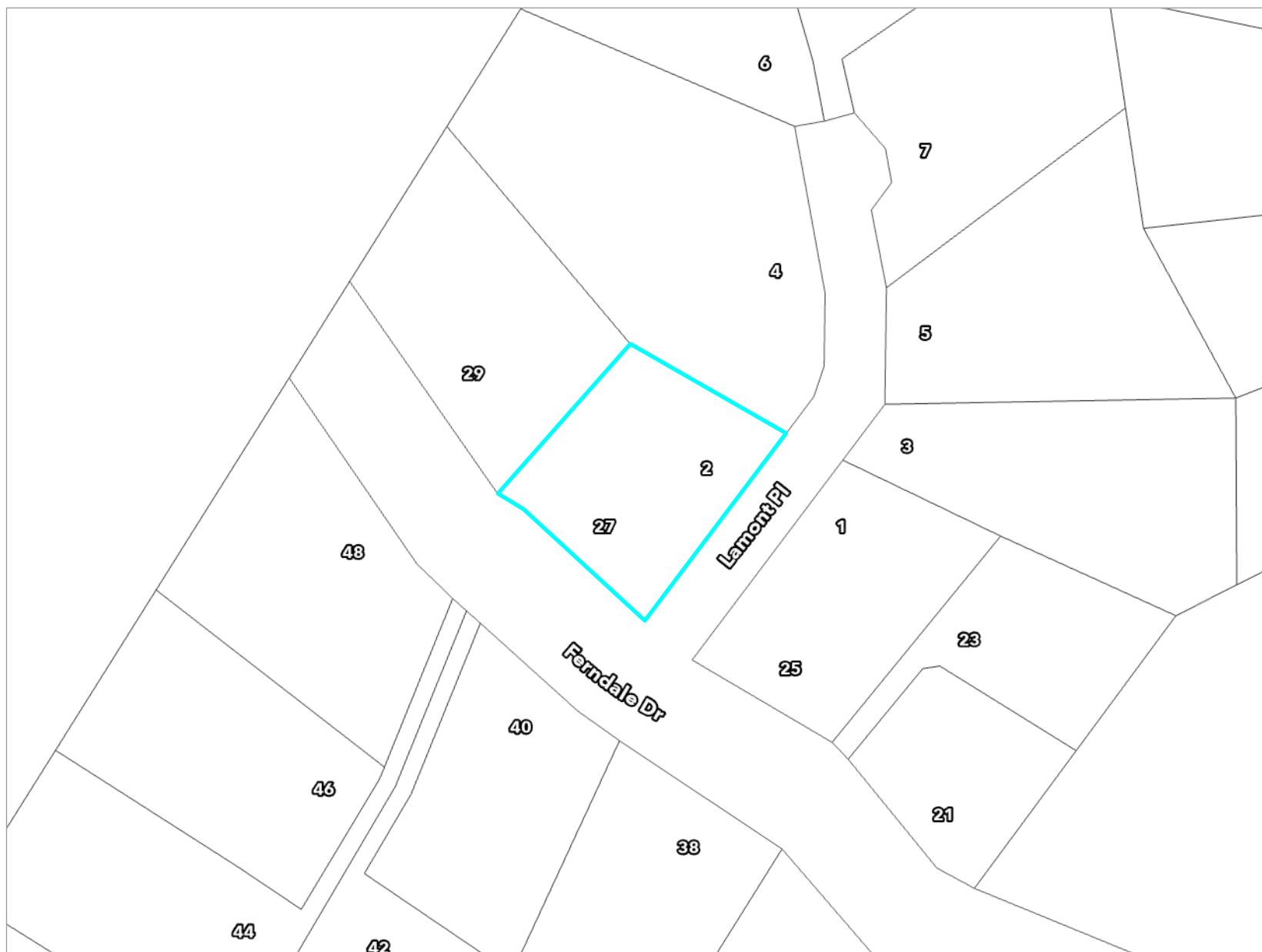
Resource Consents Report

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
190211	40 Ferndale Drive, Waikanae	1494126524	LOT 23 DP 409302 C/T 434077	LD	To undertake earthworks associated with the construction of	N	N	Application Returned incomplete		3/9/2019
190300	21 Ferndale Drive, Waikanae	1494126539	LOT 38 DP 409302 C/T 434092	LD	To construct dwellings within the Ferndale Precinct that do	N	N	Decision Issued	21/1/2020	18/12/2019
200035	46 Ferndale Drive, Waikanae	1494126527	LOT 26 DP 409302 C/T 434080	LD	Construction of a dwelling in the Ferndale Precinct that	N	N	Decision Issued	17/3/2020	20/2/2020
190026	6 Lamont Place, Waikanae	1494126532	Lot 31 DP 409302 C/T 434085	LD	To undertake earthworks and construct a retaining wall and	N	N	Decision Issued	8/4/2019	22/2/2019
170150	1 Lamont Place, Waikanae	1494126537	LOT 36 DP 409302 C/T 434090	LD	To undertake earthworks that do not comply with the	N	N	Decision Issued	19/7/2017	6/7/2017
190230	40 Ferndale Drive, Waikanae	1494126524	LOT 23 DP 409302 C/T 434077	LDR	To undertake earthworks that do not comply with the	N	N	Decision Issued	21/10/2019	25/9/2019

Resource Consent Number	Location	Valuation Number	Property Legal Description	Consent Type	Consent Proposal	Notified Yes/No	Hearing Yes/No	Consent Status	Decision Date	App.Date
190295	6 Lamont Place, Waikanae	1494126532	Lot 31 DP 409302 C/T 434085	LDR	To undertake earthworks that exceed the maximum volume	N	N	Decision Issued	28/1/2020	10/12/2019
180174	2 Lamont Place, Waikanae	1494126530	LOT 29 DP 409302 C/T 434083	LD	To construct a dwelling in the Ferndale Precinct that does	N	N	Decision Issued	29/8/2018	13/8/2018
190075	21 Ferndale Drive, Waikanae	1494126539	LOT 38 DP 409302 C/T 434092	LDR	To undertake earthworks that do not comply with the	N	N	Letter Generated	17/7/2019	15/4/2019
PB210044	23 Ferndale Drive, Waikanae	1494126538	LOT 37 DP 409302 C/T 434091	PB	Retrospective Deck and Fence which encroach minimum side	N	N	Decision Issued	29/6/2021	23/6/2021

Health and Alcohol Licenses

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

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



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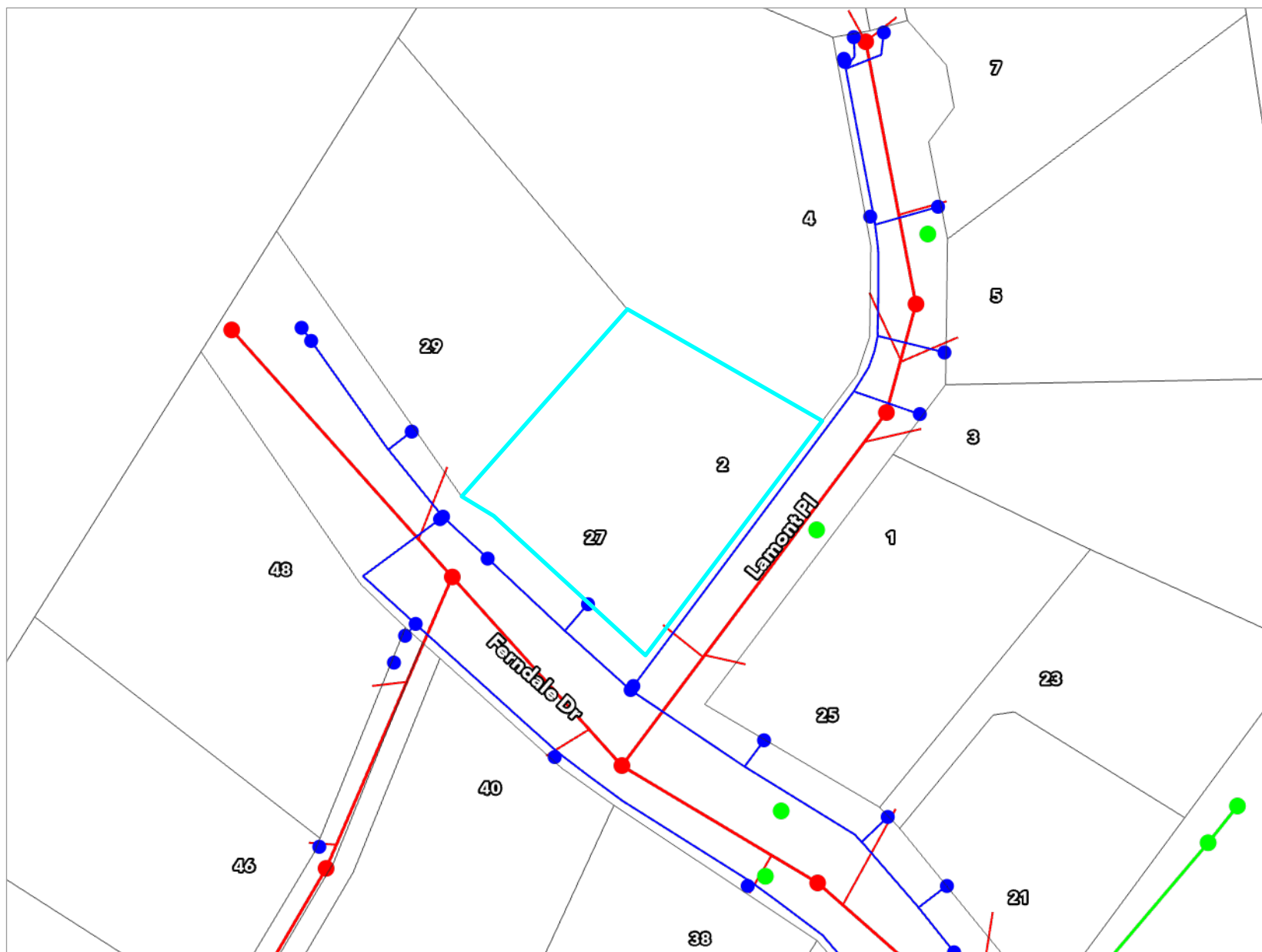
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Services Network

2 Lamont Place Waikanae - LOT 29 DP 409302 C/T 434083



Key to map symbols

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

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



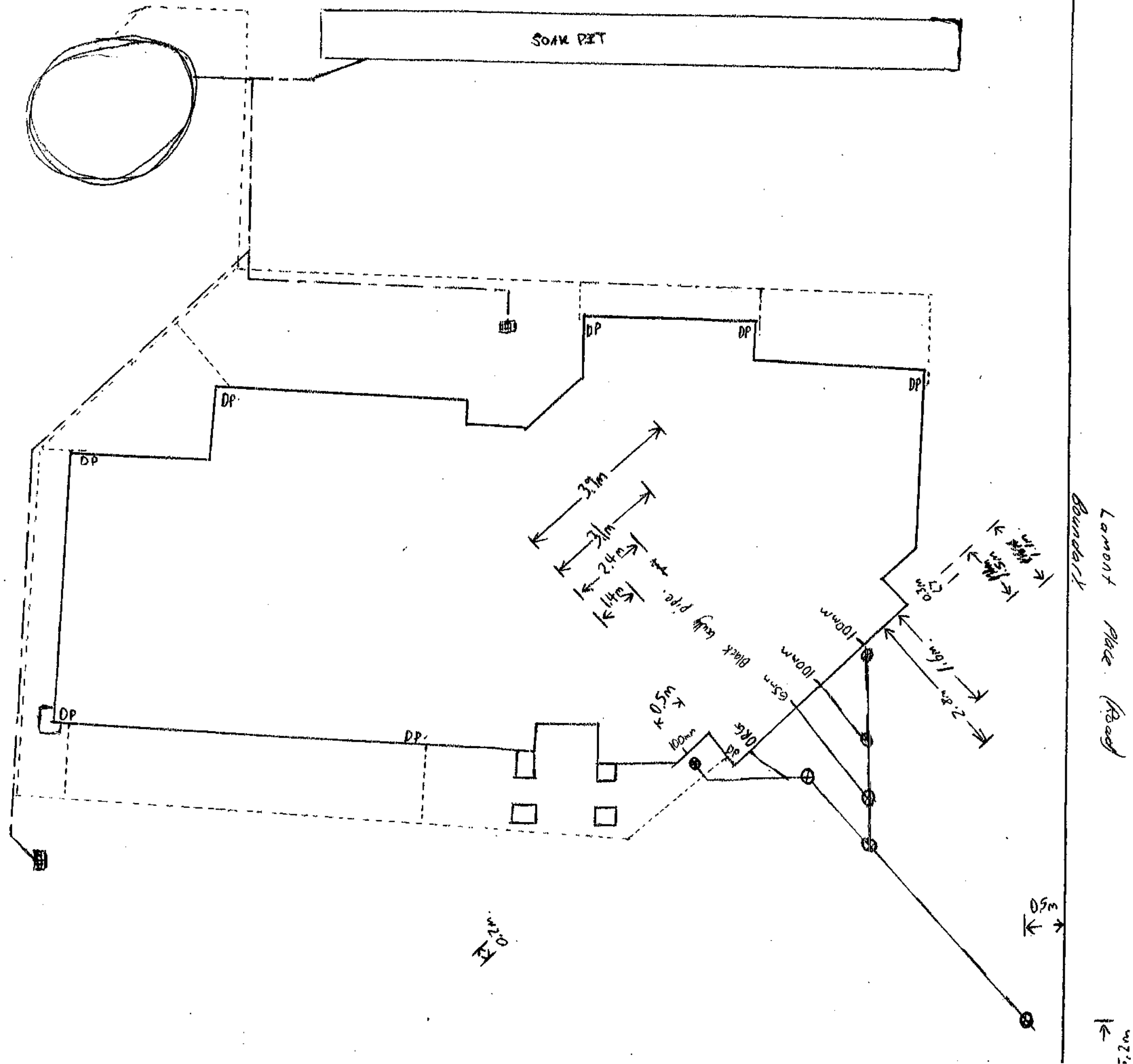
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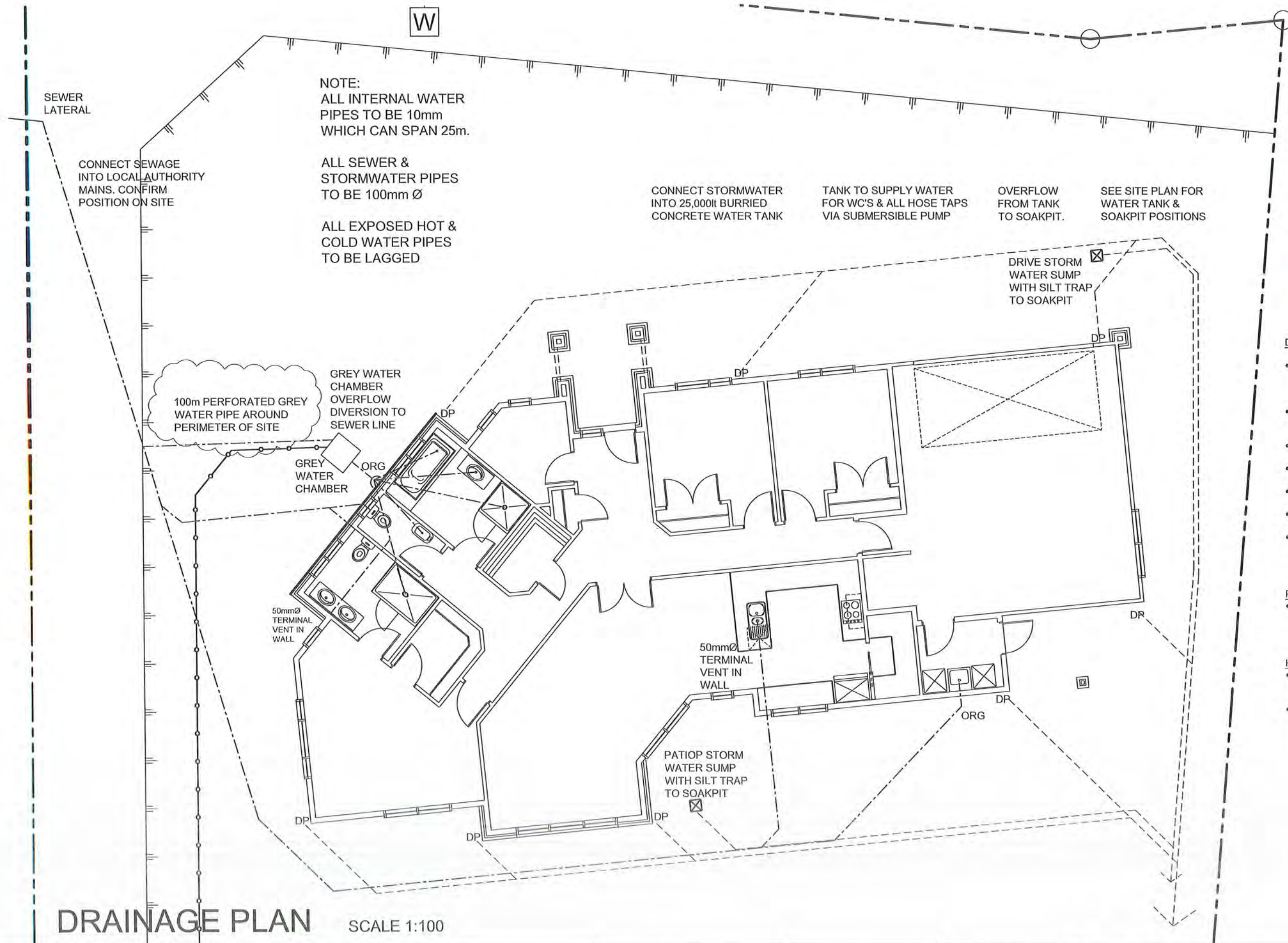
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Date Printed: September 28, 2026

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Sewer 1:60 Fall
storm water to tank
and soak pit.





BC180550
Further Information Received
30/07/2018

DRAINAGE PLAN NOTES:

- All Plumbing and Drainage to be in accordance with AS/NZS 3500.2 for ground floor systems and for single stack systems
- Plumber/drainlayer to fill out producer statement and return to council with an as built drainage plan
- Check PIM information for service connections
- pipes to be inspected before covering with sand
- A tempering valve is required to be installed on the hot water service
- No pipes at any point exceed 10m in length from dn 100 vented drain
- Non-potable supply appropriately protected from cross connection hazards & is identified by appropriate signage

PIPE GRADIENTS

- Minimum grades for drains and discharge pipes
65Ø & less = 1 in 40
80Ø & 100Ø = 1 in 60

HOT & COLD WATER

- All hot & cold water pipes in house to be run in Dux Secura Polybutylene plumbing system
- 20mm for Main, to bath and to HWC
- 15mm to all other branches
- 15mm to exterior taps

DRAINAGE PLAN SCALE 1:100



All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figured dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of Sudfelt Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of Sudfelt Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes

G.J. Gardner. HOMES

New Zealand's favourite home builders

Revisions:

MAY 31 / 2018	rev A
JUNE 15 / 2018	rev B
JULY 6 / 2018	rev C
JULY 13 / 2018	rev D

CONSENT PLANS

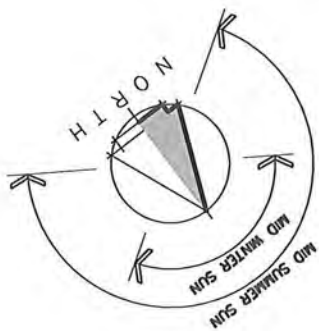
Client:
GK PATE FAMILY TRUST

LOT 29 FERNDAL
WAIKANAE

Drawing Title:
DRAINAGE PLAN

Designer:
COASTAL
ARCHITECTURE LTD.
11 Kodex Place
Paraparaumu
New Zealand
Tel: 04 296 1248
e-mail : coastarchdesign@gmail.com

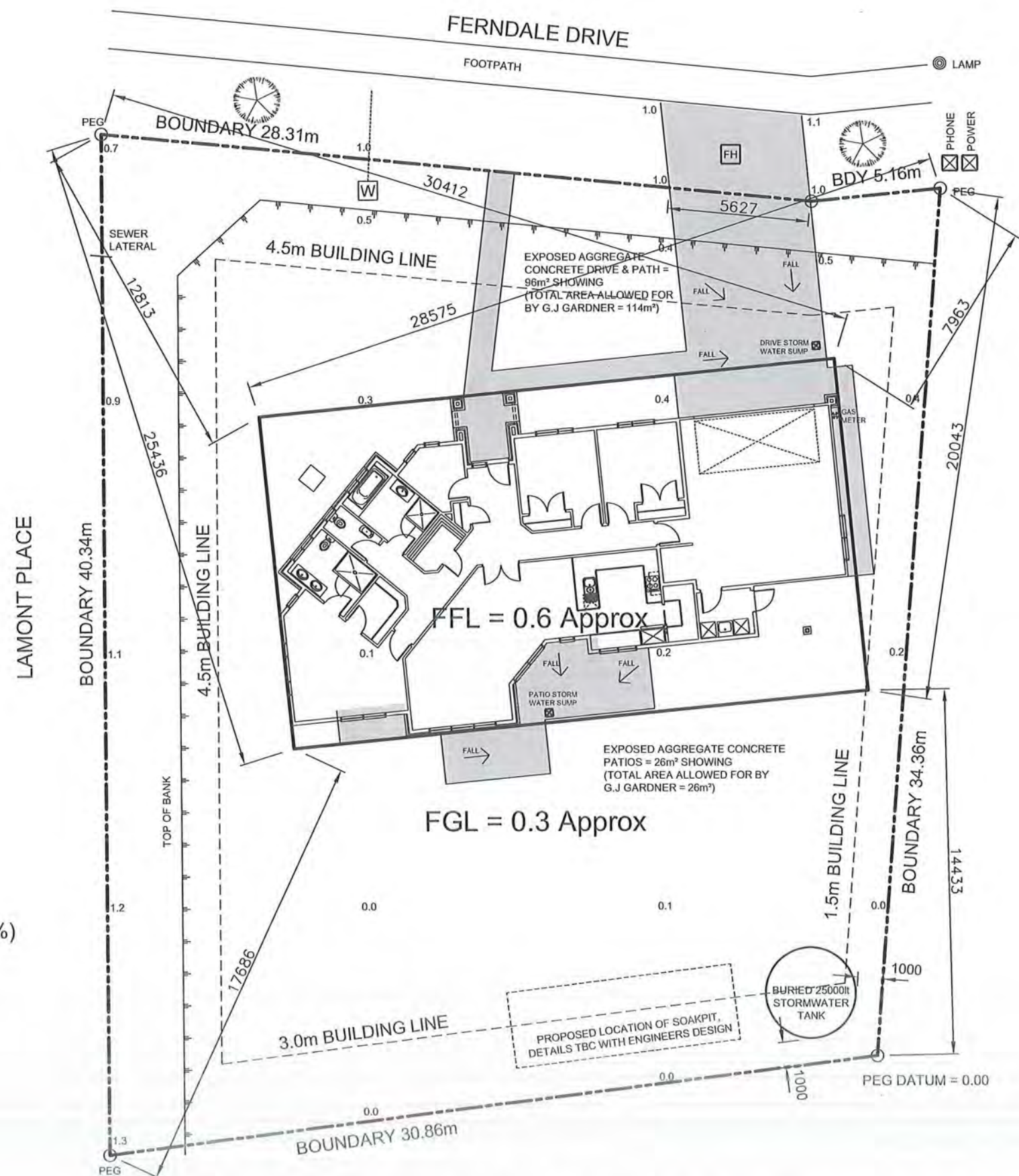
Design: G.J. Gardners	Drawn: bf
Job: 970111	Page of: 2
Rev: D	Scale: as shown



LOT 29
DP 409302
SITE AREA = 1177m²
DWELLING = 200m²
COVERAGE = 17% (MAX 30%)

HIGH WIND ZONE
CORROSION ZONE C

PERMEABLE AREA = 837m² = 71% (MIN 40%)



APPROVED BY
PLANNING
nancyg
24/07/2018

NOTE:
GREY WATER
SYSTEM INCLUDED

SITE PLAN

SCALE 1:200

NOTE: SITE CONCEPT ONLY. SUBJECT TO ENGINEERING APPROVAL



All work shall be in accordance with the NZBC. If in doubt ASK The Contractor must verify all dimensions on the job before commencing any work or shop drawings. Figured dimensions are to be used, scaled dimensions must be verified. This drawing and concept are copyright of Sudfelt Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes. The recipient of this document is prohibited from disclosing its content for any purpose without the prior written consent of Sudfelt Construction Ltd - Kapiti / Wellington Franchisee for G.J. Gardner Homes

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Revisions:

MAY 31 / 2017
JULY 6 / 2017
JULY 13 / 2017

rev A
rev B
rev C

CONSENT PLANS

GK PATE FAMILY TRUST

LOT 29 FERNDAL
WAIKANA

Client:

Drawing Title:
SITE PLAN

COASTAL
ARCHITECTURE LTD.

Designer:

Design:
G.J Gardners

Drawn:
bf
Scale:
s shown

Job:	Page of:	Rev:
970111	1	C

11 Kodex Place
Paraparaumu
New Zealand
Tel: 04 296 1248
e-mail : coastarchdesign@gmail.com

29 August 2018

**Notification and s104 report for resource consent(s) under the
Resource Management Act 1991(RMA)**

Application No.:	RM180174
Applicant:	G K Pate Trust
Site Address:	2 Lamont Place, Waikanae
Legal Description:	LOT 29 DP 409302 C/T 434083
Site Area:	1,177 m ²
Applicant's Address for Service:	c/- GJ Gardner Homes Kapiti/Wellington PO Box 65 Paraparaumu 5254
Proposal:	To construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements.
Operative District Plan Zone:	Residential
Proposed District Plan Zone:	Residential
Activity Status:	Land Use - Discretionary

Report prepared by: Ross Goodman, Resource Consents Planner
Report peer reviewed by: Natalie Allen, Resource Consents Service Planner

Date consent application received: 13 August 2018

1 EXECUTIVE SUMMARY

This report provides an analysis of the resource management issues relating to notification status and the Council's Section 104 decision for the activity proposed under resource consent application 180174. The decisions at sections 9 and 14 are to:

- Consider the proposed development on a non-notified basis (section 9); and
- Grant consent to the proposed activity to construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements (section 14) subject to one condition as set out at the end of this report.

1.1 Application documents (plans and reference documents)

The following information has been provided with the application:

- Application form and Assessment of Environmental Effects prepared by G.J. Gardner dated August 2018
- Plans prepared by Coastal Architecture Ltd. dated July 2017.

The AEE concludes overall, it is considered that any adverse effects on the amenity and character of the surrounding area will be less than minor.

2.1 Description of Proposal

This application seeks resource consent to construct a single storey 3 bedroom dwelling with an attached garage at 2 Lamont Place, Waikanae within the Ferndale Precinct which does not comply with the solar hot water requirements.

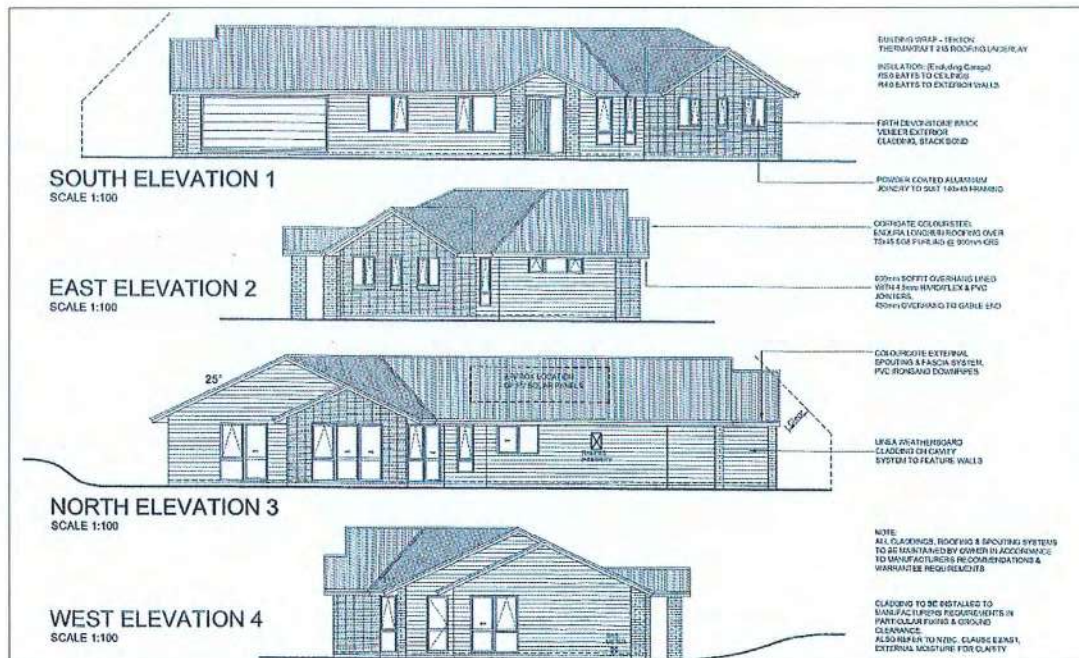


Figure 1: Proposed Elevations

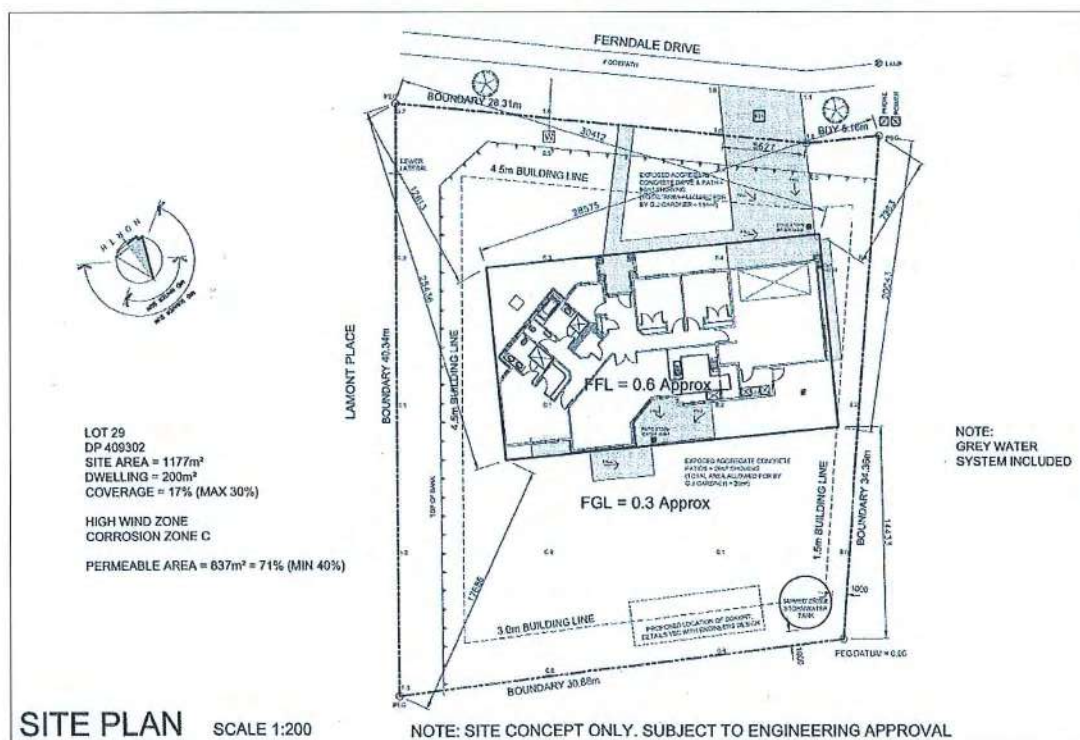


Figure 2: Site plan

3 SITE AND SURROUNDING ENVIRONMENT

3.1 Site Description

The application site known as 2 Lamont Place, Waikanae within the Ferndale Precinct with a legal description of Lot 29 DP 409302 held within certificate of title 434083 is shown to contain an area 1,177m².

The title is subject to a consent notice pursuant to section 221 of the Resource Management Act 1991 which includes the following:

2. **With respect to Lots 1 to 62 inclusive:** Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the Geotechnical Earthworks Report prepared by Connell Wagner Limited (reference 153C) dated 23 December, 2008 and submitted to Council in relation to application No. RM070273. A copy of the report is available in Council's Office at any time the office is open to the public.
3. **With respect to Lots 1 to 62 inclusive:** Each residential lot shall have a stormwater design prepared by a suitably qualified person submitted to Council for approval prior to any application for a building consent. The approved design shall be submitted with the building consent application. The design shall incorporate, as a minimum, stormwater attenuation devices and on-site soakage systems capable of dealing with the 1 in 10 year event where there is a secondary overflow path, or the 1 in 100 year event where there is no secondary overflow path. The approved design must be implemented and maintained in full working order on a continuing basis. Stormwater shall not discharge from the residential properties onto properties adjoining the development.
4. **With respect to Lots 1 to 62 inclusive:** Each residential allotment shall have a greywater dispersal device approved by Council installed at the time of any dwelling construction, unless a report acceptable to Council prepared by a suitably qualified person shows that this is impracticable because of the particular site conditions.

Any greywater dispersal device shall be maintained in good operating order in accordance with the manufacturer's requirements.
5. **With respect to Lots 1 to 62 inclusive:** Each residential lot that cannot comply with the requirement above regarding the installation of a greywater dispersal device shall be required to have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

Issued in respect of application No. RM 070273 on this 5th day of June, 2009.

The property is a corner site with Lamont Place and Ferndale Drive. The site is rectangular in shape with access to the property available from Ferndale Road. The contours show the property to be relatively flat gently rising to the rear of the site.

As shown below at the time of the site visit preliminary site work was being undertaken in respect to the construction of a dwelling on this site.



Figure 3: View from Ferndale Road



Figure 4: Site and surrounds with contour lines

3.2 Surrounding Environment

The surrounding environment consist of relatively large residential properties that are either being developed for residential use or are currently vacant.

3.3 Written Approvals

No written approvals have been provided for this activity.

3.4 Consent History

The following resource consents have been processed for the subject site:

Application Number	Proposal	Decision Date
RM070273	Subdivision to create 62 residential lots and associated earthworks at Ferndale 148-158 Ngarara Road, Waikanae. (Plan change 67 created mix of residential and open space – previously zoned rural).	12/10/2007
RM080140	Section 127 application to change condition 27 of RM070273, Ferndale, 148 -158 Ngarara Road, Waikanae	22/07/2008

3.5 Consultation

No external consultation was undertaken in respect to this application.

4. District Plans

In November 2012, Council notified the Proposed District Plan (PDP). Following submissions, hearings and the releasing of decisions on 22 November 2017, there was an appeals period. The appeals period closed on 25 January 2018.

As of 26 January 2018, any provisions of the PDP not appealed have legal effect and the corresponding provisions of the Operative District Plan (ODP) 1999 fall away. The ODP Objectives, Policies and Maps still have legal effect and must be considered when processing applications.

The District Plans are assessed below.

5. OPERATIVE DISTRICT PLAN PROVISIONS

5.1 Kapiti Coast Operative District Plan

The Kapiti Coast District Plan sets out the status of the activity within rules, that is whether they are permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited. The Objectives and Policies contained in the District Plan are also important in decision making as they are to be taken into account in the evaluation of the activities.

5.2 Operative District Plan Zoning and Overlays

The property is zoned Residential under the Kapiti Coast Operative District Plan.

5.3 Operative District Plan Relevant Objectives and Policies

The following Objectives and Policies apply to this application:

C.1.1 Objective 1.0

Policy 1 – Amenity Values

C.21.1 Objective 1

Policy 1 – Sustainable management and efficient utilisation of land within the Zone

Policy 2 – Optimum balance between urban development & environmental provision

Policy 6 – Manage effects of urban development

An assessment against these provisions will be undertaken within section 10.9 of this report.

See the Operative District Plan for the complete text of the above Objectives and Policies.

6. PROPOSED KAPITI COAST DISTRICT PLAN 2012

6.1 Proposed District Plan Zoning and Overlays

The property is zoned Residential as shown under the Kapiti Coast Proposed District Plan Decisions Version. The site is shown to be within General Precinct 3: Ferndale.

6.2 Proposed District Relevant Rules and Standards

The Rules and Standards that apply to this application are:

5 Living Zones

5.1.6 Permitted Activities

New buildings, and any minor works, additions or alterations to any building (excluding any listed historic heritage building).

Buildings in the Ferndale Area Precinct

13. Any building in the Ferndale Area Precinct must:

- a) comply with relevant permitted activity standards above and the additional permitted activity standards attached to the Ferndale Area Structure Plan (Appendix 5.3). For the avoidance of doubt, where the attached standards in Appendix 5.3 differ from standards 1-12 above, the Standards in Appendix 5.3 shall apply; and
- b) be in general accordance with the Ferndale Area Structure Plan (Appendix 5.3).

Appendix 5.3

Ferndale Area Structure Plan and Notations

Additional Permitted Activity Standards

- (x) Solar hot water systems and greywater recycling systems.

5A.4 Discretionary Activities

2. Any building, minor works, additions or alterations to any building, which does not comply with one or more of the permitted activity standards under Rule 5A.1.6.

6.3 Activity Status

Under Rule 5A.4 (2) the non-compliance with the provision of a solar hot water system requires this application to be considered as a discretionary activity.

6.4 Relevant Objectives and Policies

The Objectives and Policies in the Proposed Plan have legal effect, and are a matter to have regard to under section 104 of the Act. The following Objectives and Policies of the Proposed Plan are of particular relevance to this application:

Objectives:

- 2.3 – Development management*
- 2.11 – Character and amenity values*
- 2.12 – Housing choice and affordability*
- 2.13 – Infrastructure*

District Wide Policies:

- DW1 – Growth management*
- DW4 – Managing intensification*
- DW5 – Residential density*

Living Environment Policies:

- 5.1 – Zoning framework*
- 5.3 – Housing choice*
- 5.9 – Development and Landforms*
- 5.13 – Residential amenity*
- 5.14 – Residential streetscape*

Infrastructure, Services and Associated Resource Use Policies:

- 11.7 – Infrastructure and Growth Management*
- 11.12 – Efficient Resource use*
- 11.24 – Renewable electricity generation activities*
- 11.28 – Assessment criteria for Renewable Energy generation*

For the full text of the above provisions, reference can be made to the Proposed Plan.

An assessment against these provisions will be undertaken in section 10.9 of this report.

7. RELEVANT NATIONAL ENVIRONMENTAL STANDARDS

The following National Environmental Standards apply to this application:

7.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC) is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary the land is remediated or the contaminants contained to make the land safe for human use.

The NESC came into effect on 1 January 2012.

The NESC is not considered relevant to this proposal as the site is not identified on the

Greater Wellington Regional Council Selected Land Use Register (SLUR) database, nor have any activities prescribed on the Hazardous Activities and Industries List (HAIL) been undertaken on site.

7.2 National Environmental Standard for Electricity Transmission Activities

The National Environmental Standard for Electricity Transmission Activities is a regulation issued under the Resource Management Act 1991 (RMA). It came into effect on 14 January 2010 and establishes a national framework of permissions and consent requirements for activities on existing high-voltage electricity transmission lines, including their operation, maintenance and upgrade. In addition to the lines themselves, the regulation applies to:

- line support structures (i.e. towers and poles);
- conductors (wires); and
- associated construction activities.

The BPE-HAY A and B transmission lines are an 'existing transmission line' as they were operational at the time that the NESETA came into effect, and therefore the proposed works are subject to the NESETA.

Council's District Plan Maps and Geographic Information System (GIS) Maps indicate that there are no High Voltage (HV) Transmission Lines traversing the subject property or located within close proximity to the site.

8. RELEVANT NATIONAL POLICY STATEMENTS

8.1 National Policy Statement for Urban Development Capacity (NPSUDC)

The National Policy Statement on Urban Development Capacity 2016 (NPSUDC) sets out the objectives and policies for providing development capacity under the Resource Management Act 1991.

The NPSUDC came into effect on 1 December 2016.

Paraparaumu has been defined as a 'medium growth' urban area within the district meaning the whole district is subject to the objectives and policies for 'medium growth' urban areas which includes Objectives OA1 to OD2 and policies PA1 to PA4, PC1 to PC4 and policies PD1 to PD4 which are effective immediately.

The proposal is consistent with these Objectives and Policies. The land use allows for the development of housing to meet demand through the creation of a residential dwelling where existing infrastructure is available.

8.2 National Policy Statement for Electricity Transmission (NPSET)

The National Policy Statement on Electricity Transmission 2008 (NPSET) is guidance for local authorities on how to recognise the national significance of our national grid in Resource Management Act 1991 (RMA) planning documents and local decision-making. These documents include regional policy statements, regional plans and district plans.

The NPSET took effect on 10 April 2008.

The NPSET is not considered relevant to the application as there are no Electricity Transmission within proximity to the subject site.

8.3 National Policy Statement for Renewable Electricity Generation (NPSREG)

The National Policy Statement for Renewable Electricity Generation 2011 (NPS REG) sets out the Objective and Policies for renewable electricity generation under the Resource Management Act 1991. The NPS came into effect on 13 May 2011.

The National Policy Statement for Renewable Electricity Generation is guidance for local authorities on how renewable electricity generation should be dealt with in Resource Management Act 1991 planning documents.

The NPSREG is considered relevant to this application and will be assessed at section 11 of this report.

As outlined above in section 9 of this report, the National Policy Statement for Renewable Electricity Generation (NPSREG) is considered relevant to this proposal.

The preamble to the NPSREG states that its purpose is to enable the sustainable management of renewable electricity generation under the Resource Management Act 1991. With respect to this proposal, there is an Objective and a number of Policies which are considered to be relevant. These include:

Objective

To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.

POLICY A

Decision-makers shall recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.

These benefits include, but are not limited to:

- a) maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- b) maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- c) using renewable natural resources rather than finite resources;
- d) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;
- e) avoiding reliance on imported fuels for the purposes of generating electricity.

9. NOTIFICATION

In considering whether or not notification is required, Sections 95A to 95F of the Resource Management Act 1991 must be considered. Sections 95A to 95F are referenced below:

95A Public Notification of consent application at consent authority's discretion

95B Limited notification of consent application

95C Public notification of consent application after request for further information or report

95D Consent authority decides if adverse effects likely to be more than minor

95E Consent authority decides if person is affected person

95F Status of protected customary rights group

95G Status of customary marine title group

For the full text of the above provisions, please refer to the Resource Management Act 1991.

Section 104(6) allows the consent authority to decline a consent application if it has inadequate information to determine the application.

Adequate information was provided to process the application once the additional information was provided to Council.

9.1 Effects that must be disregarded

Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land or a person(s) who have given written approval must be disregarded for the purpose of determining public notification in accordance with Section 95D(a) and Section 95D(e).

For determining who is an affected party under section 95E for the purposes of limited notification, a Consent authority may disregard an adverse effect of the activity on the person if:

- a rule or national environmental standard permits an activity with that effect;
- and in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion

No written approvals have been provided with the application.

9.2 Effects that may be disregarded – permitted baseline assessment

For the purposes of determining public and limited notification, the permitted baseline cannot be used for assessing the magnitude of adverse environmental effects of the proposal.

9.3 Receiving environment

The receiving environment is made up of:

- Similar sized properties (dwellings) that have been developed for residential use.

This is the reasonably foreseeable environment within which the adverse effects of the proposal are considered.

9.4 Adverse Effects

Character and Amenity

As noted at the time of the site visit, the character of the surrounding environment is defined by the residential sites that are either currently vacant or various stages of construction, with some having recently new dwellings constructed upon them.

It is considered that the proposed dwelling is an anticipated outcome in this location and will add to the visual amenity and character of this residential area.

Solar Hot water Systems

Resource Consent is sought because the proposed dwelling does not comply with the requirement to provide solar hot water heating. It is noted that the dwelling will be constructed using modern building materials and will be fitted out with insulation, materials and appliances that comply with the Building Code.

The Applicant has referred to a report from the Parliamentary Commissioner for the Environment in 2012, which concludes that "solar water heaters do little to reduce peak demand in winter and therefore do little to reduce the pressure to build new peaking power plants or power lines".

I concur with the reasoning put forward by the Applicant with regards to minimal energy efficiency gains of solar panels in this situation and with regards to the effects of the proposal on visual amenity being less than what would occur if solar panels were installed.

In my opinion, the non-compliance to provide a solar hot water heating system will have little or no potential or adverse effects on any other party and the wider Ferndale area.

9.5 Conclusion on Adverse Effects

Overall, adverse effects of the proposal on the environmental will be less than minor and any construction effects will be temporary in nature.

9.6 s95A Public Notification

(1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent.

Step 1: mandatory public notification in certain circumstances

(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 2.*

(3) The criteria for step 1 are as follows:

- (a) the applicant has requested that the application be publicly notified;*
- (b) public notification is required under section 95C;*
- (c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.*

Step 2: if not required by step 1, public notification precluded in certain circumstances

(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—

- (a) if the answer is yes, go to step 4 (step 3 does not apply); and*
- (b) if the answer is no, go to step 3.*

(5) The criteria for step 2 are as follows:

- (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- (b) the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - (i) a controlled activity;*
 - (ii) a restricted discretionary or discretionary activity, but only if the activity is a subdivision of land or a residential activity;*

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:

(iv) a prescribed activity (see section 360H(1)(a)(i)).

(6) In subsection (5), residential activity means an activity that requires resource consent under a regional or district plan and that is associated with the construction, alteration, or use of 1 or more dwelling house on land that, under a district plan, is intended to be used solely or principally for residential purposes.

Step 3: if not precluded by step 2, public notification required in certain circumstances

(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 4.

(8) The criteria for step 3 are as follows:

(a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:

(b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

Step 4: public notification in special circumstances

(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

Recommendation:

That the application **need not be publicly notified** in accordance with the steps above and Sections 95A and 95C-95D of the Resource Management Act 1991.

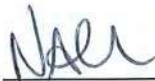
Reported and Recommended by:



Ross Goodman
Resource Consents Planner

Decision: "That the above recommendation be adopted."

Delegated Officer (Peer Reviewer):



Natalie Allen
Resource Consents Service Planner

9.7 s95B Limited Notification

(1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: certain affected groups and affected persons must be notified

(2) Determine whether there are any—

- (a) affected protected customary rights groups; or
- (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) Determine—

- (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and
- (b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

Step 2: if not required by step 1, limited notification precluded in certain circumstances

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

- (a) if the answer is yes, go to step 4 (step 3 does not apply); and
- (b) if the answer is no, go to step 3.

(6) The criteria for step 2 are as follows:

- (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification;
- (b) the application is for a resource consent for either or both of the following, but no other, activities:
 - (i) a controlled activity that requires consent under a district plan (other than a subdivision of land);
 - (ii) a prescribed activity (see section 360H(1)(a)(ii)).

Step 3: if not precluded by step 2, certain other affected persons must be notified

(7) Determine whether, in accordance with section 95E, the following persons are affected persons:

- (a) in the case of a boundary activity, an owner of an allotment with an infringed boundary; and
- (b) in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application.

Step 4: further notification in special circumstances

(10) Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons), and,—

- (a) if the answer is yes, notify those persons; and
- (b) if the answer is no, do not notify anyone else.

Recommendation:

That the application be processed on a **non-notified** basis in accordance with Sections 95B and 95E of the Resource Management Act 1991.

Reported and Recommended by:



Ross Goodman
Resource Consents Planner

Decision: "That the above recommendation be adopted."

Delegated Officer (Peer Reviewer):



Natalie Allen
Resource Consents Service Planner

10. SECTION 104 ASSESSMENT

In considering the merits of an application, Section 104 of the Resource Management Act 1991 must be considered. Section 104 is set out below:

104 Consideration of applications

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
 - (a) any actual and potential effects on the environment of allowing the activity; and
 - (b) any relevant provisions of—
 - (i) a national environmental standard;
 - (ii) other regulations;
 - (iii) a national policy statement;
 - (iv) a New Zealand coastal policy statement;
 - (v) a regional policy statement or proposed regional policy statement;
 - (vi) a plan or proposed plan; and
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.
- (2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.
- (2A) When considering an application affected by section 124 [or 165ZH(1)(c)], the consent authority must have regard to the value of the investment of the existing consent holder.
- (2B) When considering a resource consent application for an activity in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, a consent authority must have regard to any resource management matters set out in that planning document.
- (2C) Subsection (2B) applies until such time as the regional council, in the case of a consent authority that is a regional council, has completed its obligations in relation to its regional planning documents under section 93 of the Marine and Coastal Area (Takutai Moana) Act 2011.
- (3) A consent authority must not,—
 - (a) when considering an application, have regard to—
 - (i) trade competition or the effects of trade competition; or
 - (ii) any effect on a person who has given written approval to the application;
 - (b) [Repealed]
 - (c) grant a resource consent contrary to—
 - (i) section 107, 107A, or 217;
 - (ii) an Order in Council in force under section 152;
 - (iii) any regulations;
 - (iv) wāhi tapu conditions included in a customary marine title order or agreement;
 - (v) section 55(2) of the Marine and Coastal Area (Takutai Moana) Act 2011;

- (d) grant a resource consent if the application should have been notified and was not.
- (4) A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.
- (5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.
- (6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.
- (7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.

Sections 104A-104D set out particular restrictions on determining applications for controlled, restricted discretionary, discretionary, or non-complying activities. The relevant provisions are summarised below:

104B Determination of applications for discretionary or non-complying activities

Section 104B states that after considering an application for a resource consent for a discretionary or non-complying activity, a consent authority-

- (a) May grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

Section 104(6) allows the consent authority to decline a consent application if it has inadequate information to determine the application.

Adequate information was provided to process the application.

10.1 Internal Consultation

No comments were received in relation to this proposed development.

10.2 Actual or potential effects on the environment

Section 104(1)(a) of the RMA requires the council to have regard to any actual and potential effects on the environment of allowing the activity. This includes both the positive and the adverse effects.

Methods of analysis to determine the actual or potential environmental effects of the activity have focused on site visits, studies of Council held data and feedback from other relevant Council departments.

Almost all of the effects related to the proposed development have been discussed in detail above at section 9 of this report. Aspects which have not already been covered are discussed below.

10.3 Positive Effects

The proposed development will enable the development of a new dwelling with a garage on this site which is in accordance with the intention of this area.

10.4 Summary of Actual and Potential Effects

Overall, the development is in general accordance with the intent of the Ferndale Area Structure Plan and District Plan requirements meaning no adverse effects are anticipated by the proposal.

10.5 National Environmental Standard – s104(1)(b)(i)

As outlined in section 7 of this report, there are no National Environmental Standards that are considered applicable to this consent.

10.6 National Policy Statement – s104(1)(b)(iii)

As outlined above in section 8 of this report, the National Policy Statement on Urban Development Capacity 2016 (NPSUDC) is considered relevant to this proposal.

The proposal is consistent with these Objectives and Policies. The land use allows for the development of housing to meet demand through the creation of a residential dwelling where existing infrastructure is available.

The National Policy Statement for Renewable Electricity Generation (NPSREG) is also considered relevant to this proposal.

As the Applicant proposes to orientate the internal living areas of the dwelling to the north and meet the Building Code for energy efficiency, including insulation, the application is considered to be consistent with the NPSREG.

10.7 New Zealand Coastal Policy Statement (NZCPS) – s104(1)(b)(iv)

The site is not located within the Coastal Environment, and therefore the NZCPS is not applicable to this consent application.

10.8 Wellington Regional Policy Statement – s104(1)(b)(v)

The Wellington Regional Policy Statement (RPS) sets out the strategic framework for managing the use, development and protection of the natural and physical resources of the Wellington region in an integrated and co-ordinated manner.

The RPS provides an overview of the resource management issues for the region (within the regional council's functions under s.30 of the RMA), and states the policies and methods required to achieve the integrated management of the region's natural and physical resources. I am of the opinion that none of the Policies and Objectives of the RPS are relevant to this proposal.

10.9 Plan or Proposed Plan – s104(1)(b)(vi)

The relevant policies from both plans have been referenced in section 5.3 and 6.4 respectively.

A common theme throughout the Operative and Proposed District Plan is one that centres on ensuring that there is sustainable development that is managed in a manner that protects character and amenity values.

The proposed activity, construction of a dwelling without a solar hot water system, will occur in a residential environment. Upon completion of this development, it is considered that it will contribute to and maintain the consolidated urban form that is anticipated within this area.

Overall, the proposal is considered consistent with the relevant Proposed Objectives and Policies and assessment criteria of the Operative and Proposed District Plans as it provides for a dwelling in a low density living environment whilst protecting the amenity values.

The Proposed Natural Resources Plan for the Wellington Region was notified on 31 July 2015. I am of the opinion that, in this particular case, none of the provisions of the plan are relevant because there are no hazards on this site and no other provisions of the plan appear to apply.

10.10 Any Other Matters

Section 104(1)(c) provides that when considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

There are no other matters that are relevant to this application that need to be considered.

11. OTHER RELEVANT RESOURCE MANAGEMENT ACT SECTIONS

11.1 Conditions of Resource Consents – s108 or s220

- (1) A consent authority must not include a condition in a resource consent for an activity unless—
- (a) the applicant for the resource consent agrees to the condition; or
 - (b) the condition is directly connected to 1 or both of the following:
 - (i) an adverse effect of the activity on the environment;
 - (ii) an applicable district or regional rule, or a national environmental standard; or
 - (c) the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.
- (2) Subsection (1) does not limit this Act or regulations made under it.
- (3) This section does not limit section 77A (power to make rules to apply to classes of activities and specify conditions), 106 (consent authority may refuse subdivision consent in certain circumstances), or 220 (condition of subdivision consents).
- (4) For the purpose of this section, a district or regional rule or a national environmental standard is applicable if the application of that rule or standard to the activity is the reason, or one of the reasons, that a resource consent is required for the activity.
- (5) Nothing in this section affects section 108(2)(a) (which enables a resource consent to include a condition requiring a financial contribution).

The only condition to be imposed under this consent is one that requires the activity be in general accordance with the plans and information lodged with the resource consent application.

11.3 Review Condition – s128

No review condition is recommended.

11.4 Financial Contribution Conditions

No financial contributions are applicable to this consent as they were paid as part of the subdivision that created the subject site (RM070273).

11.5 Monitoring

No monitoring conditions will be included in this consent.

12. PART 2 MATTERS

Any consideration under Section 104(1) is subject to Part 2 of the Act. Part 2 sets out the purpose and principles of the Act. In addition, Part 2 requires the Council to recognise and provide for matters of national importance (Section 6); have particular regard to other matters (Section 7); and to take into account the principles of the Treaty of Waitangi (Section 8).

12.1 Section 5-Purpose

Section 5(1) states that the purpose of the Act is to promote the sustainable management of natural and physical resources.

The proposal is in accordance with Section 5 of the Act as it allows for the construction of a dwelling in an area identified for urban growth. The proposal promotes the sustainable management of natural and physical resources without having a detrimental impact on the residential environment or any neighbouring properties.

12.2 Section 6-Matters of National Importance

Section 6 establishes eight matters which must be recognised and provided for by all persons exercising functions and powers under the Act.

There are no relevant Matters of National Importance.

12.3 Section 7-Other Matters

Section 7 establishes eleven matters which all persons exercising functions and powers under the Act shall have particular regard to.

The proposal allows for the efficient use and development of a finite resource with reference to parts (b), (c) and (f) because this proposal the construction of a dwelling without having a detrimental impact on the surrounding environment.

12.4 Section 8-Treaty of Waitangi

The proposal is considered to be in accordance with the principles of te Tiriti o Waitangi as the site is not identified as having cultural significance.

12.5 Conclusion on Part 2 matters

Overall, the proposal is consistent with Part 2 matters discussed above.

13. RECOMMENDATION

That the undersigned officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104B of the Resource Management Act 1991, hereby **grant** consent to construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements at 2 Lamont Place, Waikanae (Lot 29 DP 409302) subject to the following condition which was imposed under Section 108 of the Resource Management Act 1991.

Condition:

General

1. The proposed activity shall be undertaken in general accordance with the Coastal Architects Ltd. Plans titled "GK Pate Family Trust" Job 970111 submitted with application RM180174 with reference to:
 - Site Plan, Page 1, Rev C dated July 13/2017
 - Floor Plan, Page 3, Rev E dated July 23/2017
 - Elevations, Page 6, Rev C dated July 23/2017

All stamped as 'Final Approved Plans' on 29 August 2018, except where modified by conditions of consent.

Advice Notes:

- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- Please note that resource consent is not consent to build. A building consent must be issued prior to any building work being undertaken.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- The consent holder shall notify the Council's RMA Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by email to the duty compliance officer at compliance.dutyofficer@kapiticoast.govt.nz, or by fax to (04) 2964 830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
- The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.

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

- If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.

- All works to be undertaken on site are to be in accordance with the section 221 notice issued in respect to application RM07073 on the 5th June 2009.

DECISION

That the above recommendation be adopted under delegated authority.

Reasons for Decision:

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

I consider that the adverse effects of the proposed activity on the environment will be less than minor and that the proposed activity is not contrary to the Objectives and Policies of the Kapiti Coast Operative and Proposed District Plans.



Ross Goodman
Resource Consents Planner
29 August 2018



Natalie Allen
Resource Consents Service Planner

29 August 2018

G K Pate Trust
c/- GJ Gardner Homes Kapiti/Wellington
PO Box 65
Paraparaumu 5254
Attn: Julieanne Mollet

Dear Geoffrey

RM 180174: To construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements at 2 Lamont Place, Waikanae

We are pleased to enclose the decision on your Resource Consent application.

As you will see from the decision, there is one condition that needs to be complied with.

If you do not agree with the conditions of your consent you may lodge an objection with the Council in accordance with Section 357 of the Resource Management Act 1991. The objection would be heard by Hearing Commissioners. Please note that, if you do wish to object, you must advise the Resource Consents Manager no later than 15 working days from the date of receiving this consent.

If you have any concerns regarding the conditions please contact me prior to lodging an objection to discuss on (04) 2964 621 as it may be possible to make minor amendments or corrections outside of the objection process.

If the deposit paid at the time of lodging your resource consent application has not been sufficient to cover the Council's costs of considering your application you will receive an invoice in the next few weeks.

Please note that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Please contact the Council to find out more if you wish to do this.

Our team is continually working to improve the service we provide and we would appreciate your comments about your experience with our Resource Consent process.

We would be grateful if you could please take a few minutes to provide your feedback via the survey in the following link. If the link does not work, please copy the link and paste into the address bar of your internet browser.

<https://www.surveymonkey.com/s/kcdcconsents>

Yours sincerely



Ross Goodman
Resource Consents Planner

**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM180174**

APPLICANT:	G K Pate Trust
LOCATION OF ACTIVITY:	2 Lamont Place, Waikanae
DESCRIPTION OF ACTIVITY:	To construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements.

DECISION:

Granted subject to a condition on 29 August 2018.

That the undersigned officers, acting under authority delegated from the Council and pursuant to Sections 104 and 104B of the Resource Management Act 1991, hereby **grant** consent to construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements 2 Lamont Place, Waikanae, Lot 29 DP 409302 C/T 434083 subject to the following condition which was imposed under Section 108 of the Resource Management Act 1991.

Condition:

General

1. The proposed activity shall be undertaken in general accordance with the Coastal Architects Ltd. Plans titled "GK Pate Family Trust" Job 970111 submitted with application RM180174 with reference to:

- Site Plan, Page 1, Rev C dated July 13/2017
- Floor Plan, Page 3, Rev E dated July 23/2017
- Elevations, Page 6, Rev C dated July 23/2017

All stamped as 'Final Approved Plans' on 29 August 2018, except where modified by conditions of consent.

Advice Notes:

- Under Section 125 of the Resource Management Act 1991, this resource consent will lapse in five years, unless it is given effect to within that time.
- Please note that resource consent is not consent to build. A building consent must be issued prior to any building work being undertaken.
- It is the consent holder's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising this resource consent.
- The consent holder shall notify the Council's RMA Compliance Officer of the start and completion dates of the works in writing 48 hours before the works are carried out. The consent holder shall fill out and return (by email to the duty compliance officer at compliance.dutyofficer@kapiticoast.govt.nz, or by fax to (04) 2964 830 or by post to Private Bag 60601, Paraparaumu) the form that is attached to the decision letter.
- The consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and the actual costs of materials or services which may have to be obtained.

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

- If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.
- The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.
- All works to be undertaken on site are to be in accordance with the section 221 notice issued in respect to application RM07073 on the 5th June 2009.

Reasons for Decision:

In accordance with Sections 104 and 104B of the Resource Management Act 1991, Kapiti Coast District Council has granted consent to this application for the reasons that:

1. The actual and potential effects associated with the proposed activity are less than minor.
2. The proposal is in general accordance with the relevant provisions of the Operative and Proposed District Plan.
3. The proposal is consistent with Part 2 of the RMA.

A full copy of the reasons for granting consent is contained in the decision report.


Ross Goodman
Resource Consents Planner

**POST OR FAX THIS COMPLETED PAGE AT LEAST 48 HOURS
BEFORE CONSTRUCTION TAKES PLACE**

TO:

The RMA Compliance Officer
Kāpiti Coast District Council
Private Bag 60601
PARAPARAUMU
Email: compliance.dutyofficer@kapiticoast.govt.nz

Application No:	RM180174
Site Address:	2 Lamont Place, Waikanae LOT 29 DP 409302 C/T 434083
Proposal:	To construct a dwelling in the Ferndale Precinct that does not comply with the solar hot water requirements

Construction will take place on (date):

Owner's Contact Details

Name:

Postal Address:

Telephone:

Mobile:

Contractor's Contact Details (e.g. house relocation contractors)

Name:

Telephone:

Mobile:

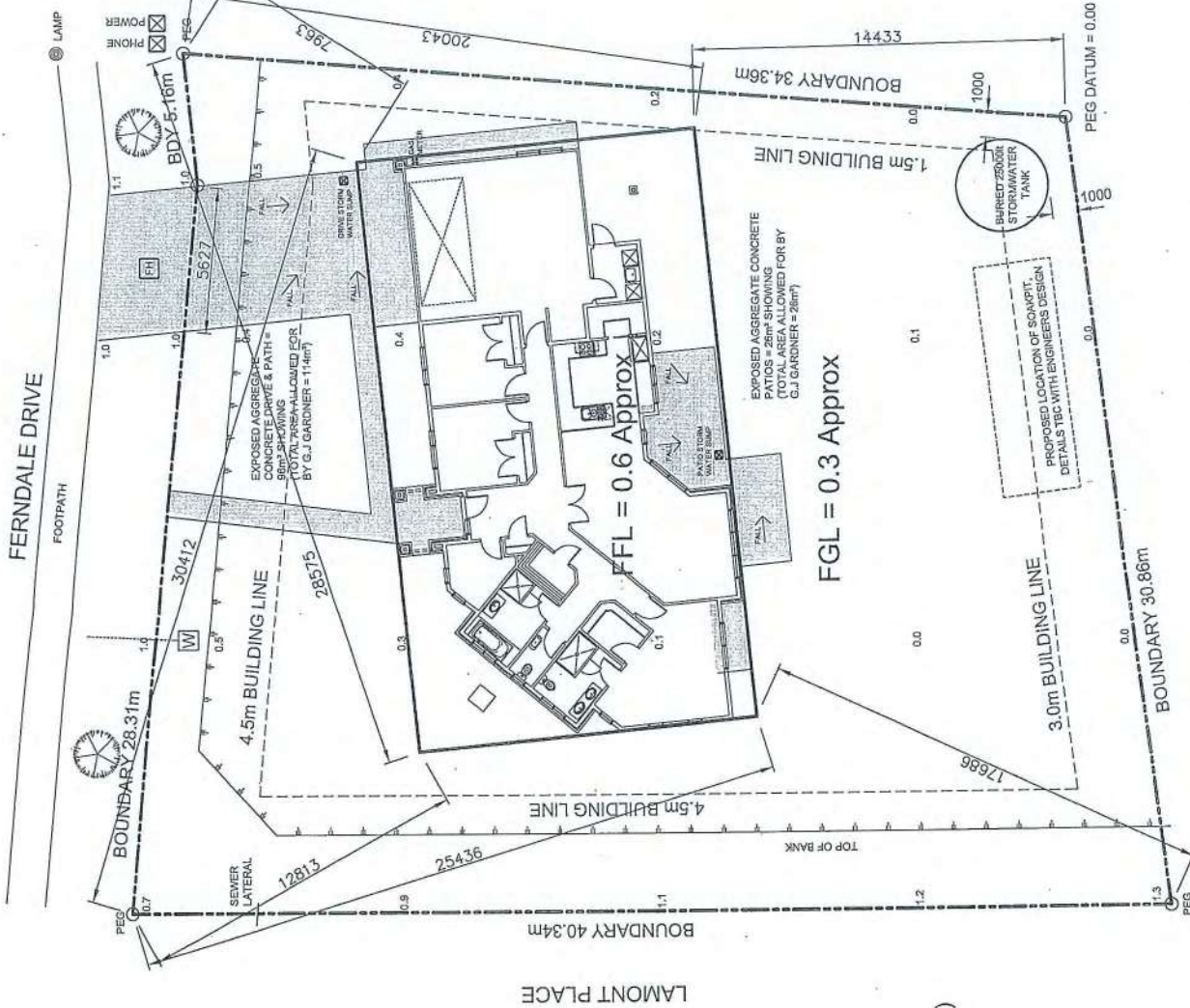
SIGNED:

.....
NAME

.....
DATE

FERNDAL DRIVE

FOOTPATH



LOT 29

DP 409302

SITE AREA = 1177m²

DWELLING = 200m²

COVERAGE = 17% (MAX 30%)

HIGH WIND ZONE

CORROSION ZONE C

PERMEABLE AREA = 837m² = 71% (MIN 40%)

NOTE:

GREY WATER

SYSTEM INCLUDED

SITE PLAN

SCALE 1:200

NOTE: SITE CONCEPT ONLY. SUBJECT TO ENGINEERING APPROVAL



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G.J. Gardner HOMES

New Zealand's favourite home builders

Revisions:

MAY 31 / 2017
JULY 6 / 2017
JULY 13 / 2017

rev A
rev B
rev C

CONSENT PLANS

Client: GK PATE FAMILY TRUST

LOT 29 FERNDAL WAIKANA

Drawing Title: SITE PLAN

Designer: COASTAL ARCHITECTURE LTD.
11 Kodes Place
Papakura
New Zealand
Tel: 04 296 1248
e-mail: coastalarchitect@gmail.com

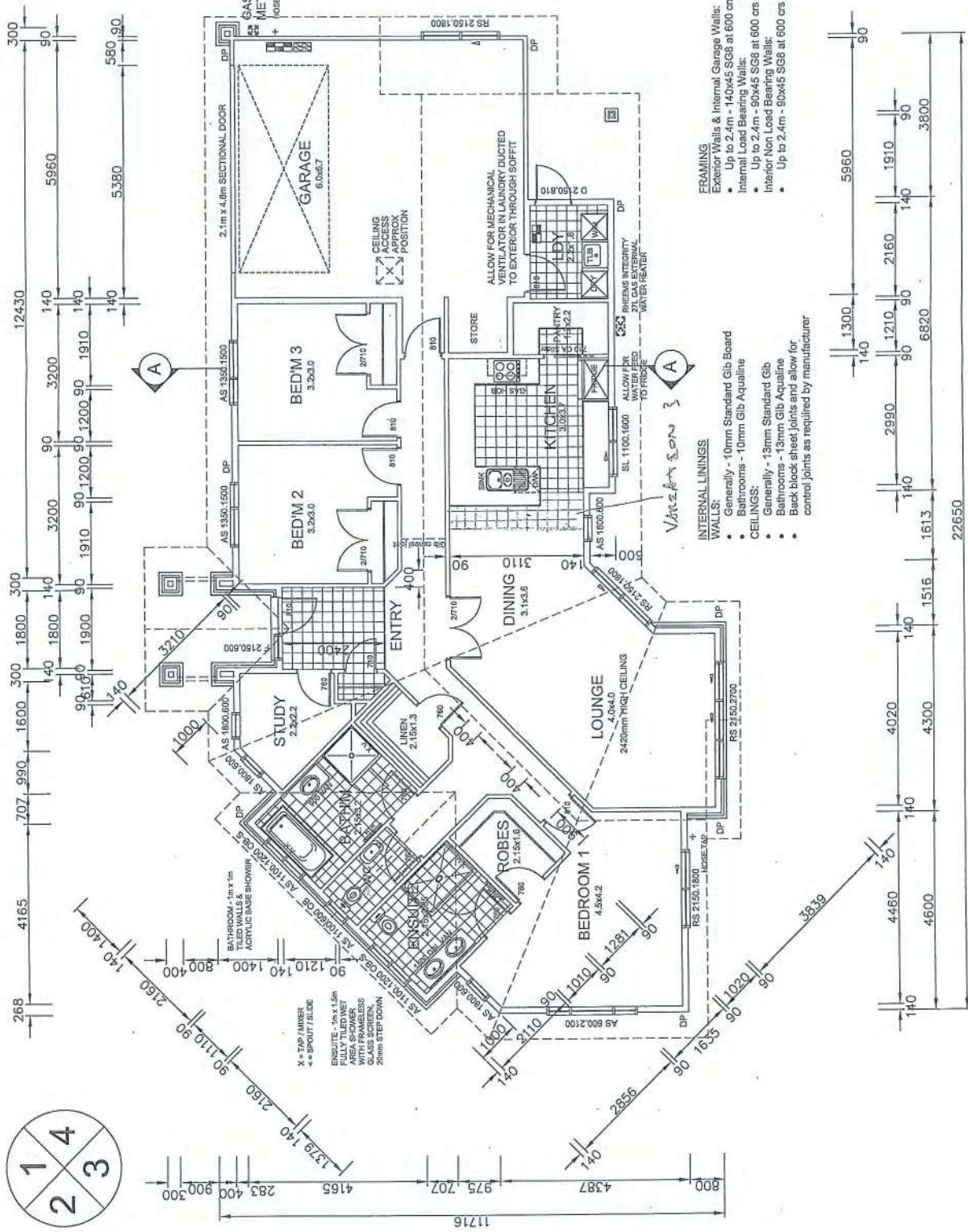
Design: G.J. Gardner
Drawn: G.J. Gardner
Scale: as shown
Job: 970111
Page of: 1
Rev: C

RM 180174
FINAL APPROVED PLANS
29.08.2018

RM 180174
FINAL APPROVED PLANS
15/01/2018

NOTES:

- EXTERIOR FRAMING 140x45 SGB
- R4.0 ULTRA INSULATION TO EXTERIOR WALLS (Excluding Garage)
- R5.0 INSULATION TO CEILING (Excluding Garage)
- ALLOW FOR GAS CENTRAL HEATING
- ALLOW FOR SECURITY SYSTEM
- COLOURSTEEL DOWNPIPES
- ALL INTERNAL DOORS TO BE 'V' GROOVE AVON STYLE
- PV SOLAR IS INCLUDED



FLOOR PLAN

SCALE 1:100 AREA = 197.2m² (200m² OVER BRICK)



G.J. Gardner. HOMES
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Revisions:

MAY 31 / 2018	rev A
JUNE 15 / 2018	rev B
JULY 6 / 2018	rev C
JULY 13 / 2017	rev D
JULY 23 / 2017	rev E

CONSENT PLANS

Client: GK PATE FAMILY TRUST
LOT 29 FERDALE WAIKANA

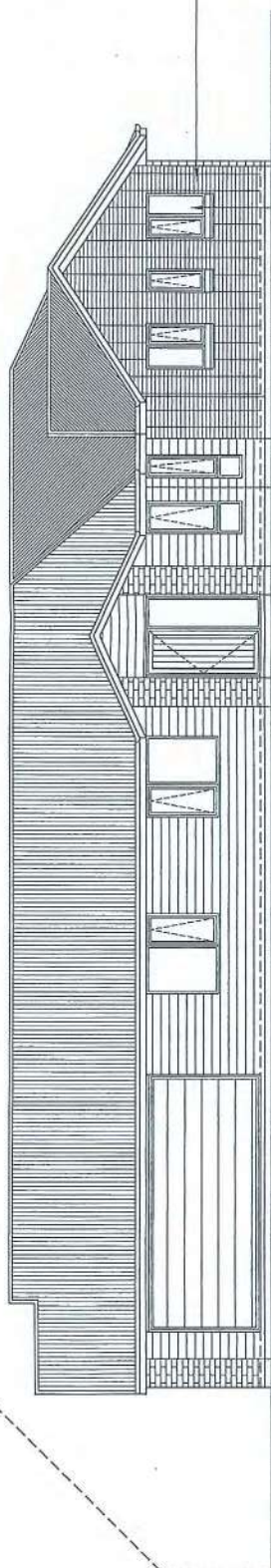
FLOOR PLAN

Design: G.J. Gardner
Drawn: bf
Scale: as shown

Job: 970111
Page of: 3
Rev: E

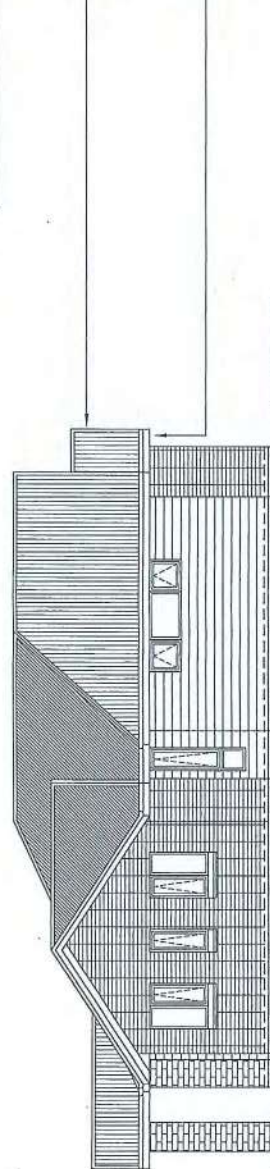
11 Kaitake Road
Porirua
New Zealand
Tel: 04 236 1248
e-mail: coastarchdesign@gmail.com

RM 180174
 29.08.2018
 BUILDING WRAP/INTERKON
 THERMAKRAFT 215 ROOFING UNDERLAY
 INSULATION: Fleecebond Gable
 RS.0 BATTIS TO CEILINGS
 R4.0 BATTIS TO EXTERIOR WALLS



SOUTH ELEVATION 1
 SCALE 1:100

FIRTH DEVONSTONE BRICK
 VENEER EXTERIOR
 CLADDING, STACK BOND



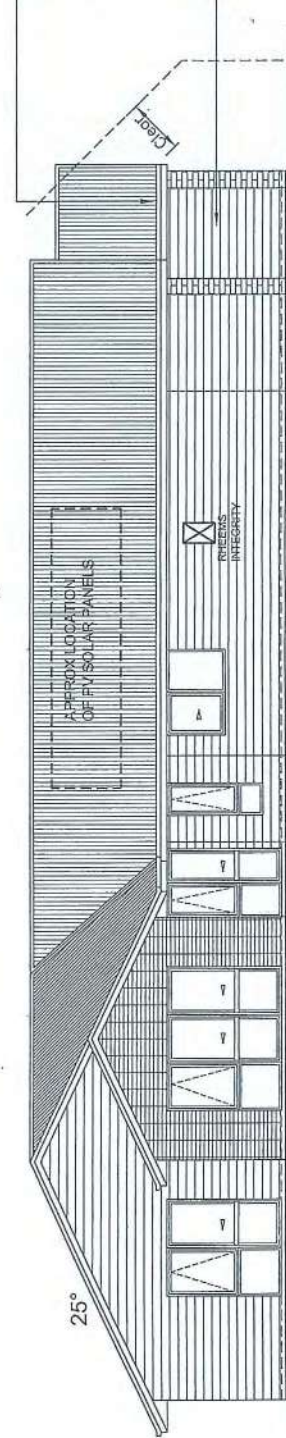
EAST ELEVATION 2
 SCALE 1:100

POWDER COATED ALUMINIUM
 JOINERY TO SUIT 140x45 FRAMING

CORRGATE COLOURSTEEL
 ENDURA LONGRUN ROOFING OVER
 75x45 SGB PURLINS @ 900mm CRS

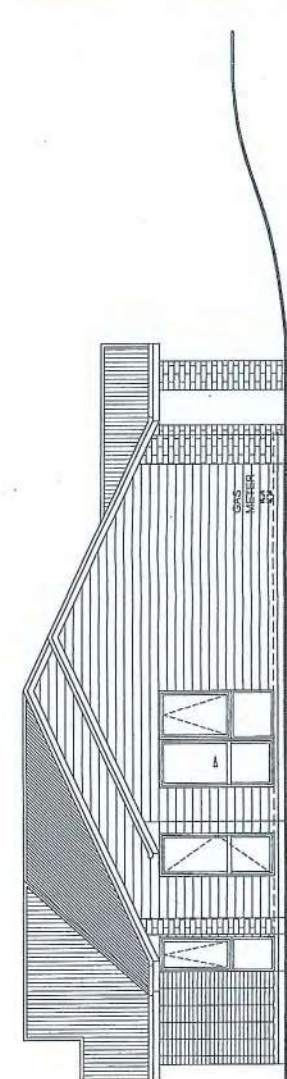
600mm SOFFIT OVERHANG LINED
 WITH 4.5mm HARDIFLEX & PVC
 JOINTERS.
 450mm OVERHANG TO GABLE END

COLOURCOTE EXTERNAL
 SPOUTING & FASCIA SYSTEM,
 PVC IRONSAND DOWNPIPES



NORTH ELEVATION 3
 SCALE 1:100

LINEA WEATHERBOARD
 CLADDING ON CAVITY
 SYSTEM TO FEATURE WALLS



WEST ELEVATION 4
 SCALE 1:100

NOTE:
 ALL CLADDINGS, ROOFING & SPOUTING SYSTEMS
 TO BE MAINTAINED BY OWNER IN ACCORDANCE
 TO MANUFACTURERS RECOMMENDATIONS &
 WARRANTEE REQUIREMENTS

CLADDING TO BE INSTALLED TO
 MANUFACTURERS REQUIREMENTS IN
 PARTICULAR FIXING & GROUND
 CLEARANCE.
 ALSO REFER TO NZBC, CLAUSE E2AS1,
 EXTERNAL MOISTURE FOR CLARITY

At work shall be in accordance with the
 NZBC & if does not the job owner must
 commanding any work or shop drawings.
 Figured dimensions are to be used, scaled
 drawings are to be used, scaled drawings
 and cannot be copyright of South
 Construction Ltd - North Wellington
 The
 purposes of this document is published form
 Building its content for any purposes without
 liability to the owner or the contractor.
 Construction Ltd - North Wellington
 Franchisee for G.J. Gardner Homes

BUILDING PRACTITIONER
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Revisions:	Client:	Drawing Title:	Designer:	Drawn:
MAY 31 / 2018 JUNE 15 / 2018 JULY 23 / 2018	GK PATE FAMILY TRUST	ELEVATIONS	G.J. Gardner	bf
rev A rev B rev C	LOT 29 FERNDAL WAIKANA	CONSENT PLANS	COASTAL ARCHITECTURE LTD.	scale as shown
			11 Kaitake Place New Zealand	Job: 970111
			Tel: 04 296 1248	Page of: 6
			e-mail: coastarchdesign@gmail.com	Rev: C

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

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

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



21 August 2008

Ferndale Trust
C/- Connell Wagner Ltd
P O Box 39
PARAPARAUMU

Attention Guy Forrest

Dear Guy

**RM080167: PROPOSED AMENDMENTS TO YARD SETBACKS, FERNDAL
SUBDIVISION, 148-158 NGARARA RD, WAIKANAE**

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

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

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

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

If you have any concerns or enquiries about the conditions please do not hesitate to contact me on (04) 296 4819.

Yours sincerely

Dean Raymond
Resource Consents Planner



**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM080167**

APPLICANT:	Ferndale Trust
LOCATION OF ACTIVITY:	148-158 Ngarara Road, Waikanae
DESCRIPTION OF ACTIVITY:	Reduced front yards on Lots 6 to 8 and 40 to 58, and reduced rear yards on Lots 1, 2 and 9 of the Ferndale Trust subdivision at Ngarara Road, Waikanae as shown on the Plan by Connell Wagner Ltd drawing number C104 revision 02, submitted to Council in relation to consent number RM080167

DECISION: Granted subject to conditions on 21 August 2008.

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

1. Any part of any dwelling on Lots 6 to 8 and 40 to 58 closer than 4.5 metres from the road boundary shall include habitable rooms(s) with windows of those rooms facing the street.
Note: For the purposes of this condition 'habitable room' is as defined in Part Q of the Kapiti Coast District Plan.
2. No building or part of a building comprising a garage, workshop, or shed shall be permitted to be located, erected or established closer than 4.5 metres from the front boundary of Lots 6 to 8 and 40 to 58.

Reason for Conditions:

- The reason for Conditions 1 and 2 is to ensure that the activity does not go beyond the scope of the application.

Advice Notes:

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

Reasons for Decision:

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



Dean Raymond
Resource Consents Planner

Received
Connell Wagner

FILE 530

- 8 JUL 2008

REVIEWED BY:
ACTION REQUIRED: YES/NO

PT LOT 2
DP.47188

LOT 2
DP.50172

NOTE:
RECREATION RESERVES TO VEST IN
KAPITI COAST DISTRICT COUNCIL

LEVELS AND CONTOURS IN TERMS OF
WLLINGTON DATUM.

NOTE:
THIS PLAN HAS BEEN PREPARED TO
ACCOMPANY AN APPLICATION FOR RESOURCE
CONSENT. IT IS TO BE USED ONLY IN
CONJUNCTION WITH OUR REPORT TO COUNCIL.
THE CONCEPT DEPICTED HEREON IS SUBJECT
TO COUNCIL APPROVAL AND THEIR CONDITIONS
OF CONSENT

AREAS AND DIMENSIONS ARE APPROXIMATE
ONLY AND SUBJECT TO FINAL SURVEY

TOTAL AREA = 14.8755 ha

-  = RESERVE AREA
-  = NEW ROAD
-  = NO BUILD ZONE
-  = RIGHT OF WAY
-  = 3m ROAD SETBACK
(DWELLING EXCL GARAGE)
-  = 5m YARD SETBACK

Rev	Date	Revision Details	By	Ver.	App.
01	23/6/08	FOR INFORMATION	GF		

Connell Wagner

Connell Wagner Limited
Rimu Road (PO Box 36)
Paraparaumu, New Zealand

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Client:
FERNDALE TRUST

Project:
**"FERNDALE"
NGARARA ROAD
WAIKANAE**

Drawing Title:
**AMENDMENT TO REAR YARD AND
ROAD SETBACK REQUIREMENTS**

Drawn	Signed	Date	Verified	Signed	Date
JB		23/6/08	AJW		23/6/08
Designed	Signed	Date	Approved	Signed	Date
GF		23/6/08	NB		23/6/08
Cw Project No.			Scale: 1:1000 @ A1 1:2000 @ A3		
153C :50			Revision:		
Drawing No.			C104		
			01		

RM 080167
FINAL APPROVED PLANS
21.8.08

PT LOT 8
DP.20118

LOT 1
DP.78530

PT Ngarara West A42

LOT 2
DP.319570

LOT 1
DP.319570

CEMETERY

PRELIMINARY

20 10 0 10 20 30 40 50 100m

Kapiti Coast District Council

Private Bag 601
Paraparaumu 5254

Tel. (04) 296 4700

Fax (04) 296 4830

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



12 October 2007

Ferndale Trust
c/- Connell Wagner Ltd
P O Box 1591
WELLINGTON
Attention: Corey Roderick

Dear Corey

**RM070273: SUBDIVISION CONSENT TO CREATE 62 RESIDENTIAL LOTS AND
ASSOCIATED EARTHWORKS AT FERNDAL 148-158 NGARARA ROAD, WAIKANAE.
(REFER PLAN CHANGE 67)**

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

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

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

There is no deposit for an objection. However, a fee of \$180.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a proportion of costs will be charged.

Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Council may grant an extension if it is satisfied that the criteria set out in Section 125 of the Resource Management Act 1991 are met.

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

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely

Ross Goodman
Resource Consents Planner



**RESOURCE CONSENT UNDER PART IV OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM070273**

APPLICANT: Ferndale Trust

LOCATION OF ACTIVITY: 148 – 158 Ngarara Road, Waikanae

DESCRIPTION OF ACTIVITY: Subdivision consent to create 62 residential lots and associated earthworks at 148 – 158 Ngarara Road, Waikanae (Refer Plan Change 67)

DECISION:

Granted subject to conditions on 12 October 2007.

The following conditions were imposed under Sections 108 and 220 of the Resource Management Act 1991:

Conditions:

General

- 1 The e-Survey Data Set shall be in accordance with the plan submitted by Connell Wagner titled Ferndale Trust "Ferndale" Ngarara Road Waikanae, Proposed Subdivision of Part Lot 6 DP 20118, Drawing No. C13, dated 21/08/07, and stamped 'Final Approved Plans' on 12/10/07 and other information submitted with the application RM070273, except where modified by the conditions below.
- 2 The earthworks to be undertaken shall be in accordance with the plan submitted by Connell Wagner titled Ferndale Trust "Ferndale" Ngarara Road Waikanae, Cut Fill Depth Plan Drawing No. C15, the plan submitted by URS Titled Ferndale Trust, Ferndale Development Landfill Gas Control, Concept Layout Plan Drawing Number FG-100 Rev. A, and stamped 'Final Approved Plans' on 12/10/07 and other information submitted with the application RM070273.
- 3 The consent holder shall notify the Council's Compliance Officer in writing **48 hours** before works related to the consent commence. The consent holder shall fill out and return (by fax 04 296 4830 or post Private Bag 601, Paraparaumu) the form attached to the decision letter.

- 4 That the consent holder shall pay to the Kapiti Coast District Council the actual and reasonable costs associated with the monitoring of conditions [or review of consent conditions], or supervision of the resource consent as set in accordance with Section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

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

Engineering

- 5 The consent holder shall pay Council Engineering Fees of \$450, plus \$270 per lot, (total \$17,190 GST inclusive) for work that may be required for plan approvals, site inspections and consent compliance monitoring prior to the Section 224(c) certification of the subdivision.
Extra fees may apply in accordance with the Engineering Fees Schedule adopted by Council from 1 July 2006.

Note: The current charge out rate is \$90.00 (GST inclusive) per hour.

- 6 The consent holder shall comply with the requirements of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 unless alternatives are proposed by the consent holder and approved by the Council.
- 7 The consent holder shall submit to Council for approval copies of the plans and specifications for the engineering development in accordance with Paragraph 1 of Schedule 1 contained in Part 4 of the Council's Subdivision and Development requirements. No work shall commence until the plans and specifications have been approved by the Council in writing.
- 8 The consent holder shall advise the names and their professional qualifications and experience of Suitably Qualified Persons required in terms of Clause B(iii) of Part 3 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005. If the Council considers any of the nominated persons are not acceptable then the consent holder shall nominate alternative persons, or the Council may require the consent holder to employ a specified Suitably Qualified Person or Persons at the consent holders cost. Suitably Qualified Persons are required for, but not necessarily limited to, the following areas:
 - Geotechnical Engineering
 - Foundation recommendations
 - Stormwater and flood issues
- 9 The consent holder shall provide a copy signed by the consent holder's contractor of the Contractor Health and Safety Obligation Form as set out in Appendix 2 of Section 6 of the Council's Health and Safety Manual for those situations where connections are to be made to Council owned existing services or roads.

- 10 A bench mark, level reference point, with respect to Mean Sea Level, (Wellington) shall be provided within close vicinity of the subdivision to the approval of the Council.
- 11 Those Lots affected by the old Waikanae landfill shall have the hazardous material removed and the area treated in accordance with the recommendations in the URS reports, Ferndale Development Site Investigation, dated 22 December 2006 and Ferndale Development –Landfill Gas Protection Concept Design dated 21 August 2007.

- 12 The designation over the affected landfill area shall be uplifted prior to the issue of any Section 224 certification covering the affected Lots.

Note: The Council is willing to consider the uplifting of the designation once all the hazardous material is removed and work to protect the proposed sites from the hazards in the neighbouring property has been completed.

- 13 The consent holder shall comply with the requirements of the approved earthworks management plan. Any proposed amendments to the earthworks management plan shall be submitted to the Council for approval. If approved, then the amended earthworks management plan becomes the approved plan.

Note: The earthworks management plan submitted with the application is approved.

- 14 Earthworks shall comply with the requirements of the current issue of NZS 4431, unless otherwise specifically approved by the Council. At the completion of earthworks the consent holder shall provide a report and certificates in the form of Appendix A of NZS 4431 and Schedule 2A of NZS 4404 by a suitably qualified person.

- 15 The consent holder shall supply to Council a report by a suitably qualified person detailing site investigation work and findings together with recommendations for foundation design for those allotments not subjected to earthworks in accordance with NZS 4431.

Where specifically designed foundations may be required in accordance with the Building Act 2004, then the Council may issue a Consent Notice under Section 221 of the Resource Management Act recording that specifically designed foundations may be required.

- 16 Should a waahi tapu or other cultural site be unearthed during earthworks the contractor and/or owner shall :-
- (a) cease operations;
 - (a) inform local iwi (Te Ati Awa ki Whakarongotai);
 - (b) inform the NZ Historic Places Trust (NZHPT) and apply for an appropriate authority if required;
 - (c) Take appropriate action, after discussion with the NZHPT, Council and iwi to remedy damage and/or restore the site.

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

- 17 The consent holder shall notify Te Ati Awa ki Whakarongotai in writing a minimum of 48 hours prior to undertaking any earthworks on the site.
- 18 Where the existing land or vegetative cover is disturbed, suitable ground cover shall be established as soon as practicable following earthworks or within 5 days of completion whichever shall occur first. For this condition "suitable ground cover" means application of basecourse, topsoil, grassing or mulch, or another type of application to the satisfaction of the Council.
- 19 The consent holder shall incorporate the recommendations from the Traffic Design Group Stage 2 Road safety Audit dated 17 September 2007 into the roading design and construction, unless otherwise agreed with the Council.
- 20 The consent holder shall provide all signs and install all road markings for compliance with Land Transport Safety Authority/Transit New Zealand Manual of Traffic Signs and Markings, unless otherwise approved by the Council.

The associated costs of legalising any no stopping lines, give way and compulsory stops that are required shall be met by the consent holder.

- 21 Three names per new road shall be forwarded to Council for approval.
- 22 To meet the requirement for sign posts and/or name plates to be provided for each road the consent holder shall pay a fee of \$250 (GST inclusive) per required sign.
- 23 Stormwater disposal design shall be in general accordance with the design methodology in the Connell Wagner Stormwater Design Report dated 23 August 2007 included with the consent application.
- 24 Each residential Lot shall have a stormwater design prepared by a suitably qualified person submitted to the Council for approval prior to any application for a building consent. The approved design shall be submitted with the building consent application. The design shall incorporate, as a minimum, stormwater attenuation devices and on-site soakage systems capable of dealing with the 1 in 10 year event where there is a secondary overflow path, or the 1 in 100 year event where there is no secondary overflow path. Stormwater shall not discharge from the residential properties onto properties adjoining the development.

The Council will issue a Consent Notice under Section 221 of the Resource Management Act recording this requirement on an ongoing basis.

- 25 Attenuation areas and ponds located on private land shall be clearly identified on the survey plan. These areas shall have no-build and no earthworks restrictions enforced through Consent Notices under Section 221 of the Resource Management Act placed on the titles. Maintenance obligations with respect to the retention of the form and continued efficient operation of the attenuation areas shall also be included in the Section 221 notices.
- 26 Each residential Lot shall have a greywater dispersal device approved by the Council installed at the time of dwelling construction, unless a report by a suitably qualified person shows that this is impracticable because of the particular site conditions.

The greywater dispersal device shall be maintained in good operating order in

accordance with the manufacturer's requirements.

The Council will issue a Consent Notice under Section 221 of the Resource Management Act recording the above requirements on an ongoing basis.

- 27 Each Residential Lot shall have a water supply restricted to no more than 1000 litres per day (0.0116litres per second).

The Council will issue a Consent Notice under Section 221 of the Resource Management Act recording this requirement on an ongoing basis.

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

Easements in favour of the Council are required over any stormwater attenuation areas and ponds that are located within private land. Documentation for these easements shall be submitted for approval by the Council's Stormwater Engineer.

The Council may require other easements.

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

- 29 This approval is conditional on the granting or reserving of all easements for rights of way and/or services.

- 30 Lots 100, 101, 102 and 103 shall vest as a recreation reserve. A Certificate of Title for each reserve allotment is required to be issued in the name of the Kapiti Coast District Council. A cash deposit or secured bond in the sum of \$2,000 will be required prior to the issue of certification pursuant to s.224(c) of the Resource Management Act 1991 to ensure compliance with this condition. The bond will be refunded once evidence is submitted that the covenants have been registered on the appropriate titles.

- 31 Lots 100, 101, 102 and 103 shall be fenced along the boundaries of adjoining lots in accordance with Part 8 of NZS4404 and Schedule 8 of the Kapiti Coast District Council Subdivision and Development Principles and Requirements 2005 and as approved by the Council.

- 32 The consent holder shall enter into a fencing covenant to ensure that Council shall not be liable for, or called upon to erect or maintain or contribute towards the cost of erection or maintenance of any fence along the reserve boundaries. The consent holder shall enter into a bond or cash deposit of \$500 per lot subject to the covenant on application for the Section 224(c) certificate. The bond will be refunded once appropriate documentary evidence is submitted that the covenants have been registered on the appropriate titles.

- 33 The consent holder shall submit to the Council for approval a comprehensive Landscape Plan for the development in general accordance with the provisions outlined in the resource consent application. Landscape work shall be completed in accordance with the approved Landscape Plan and shall be maintained by the consent holder for a period of 2 years from the date of the Section 224 certification.

34 The consent holder shall supply a copy of the Title Plan and shall list and indicate how each condition has been met to the satisfaction of the Council.

Reasons for Conditions:

- The reasons for Conditions 1 & 2 is to ensure that the proposal does not go beyond the scope of the application.
- The reason for Conditions 3 & 4 is to ensure that the works undertaken are in accordance with the approved plans
- The reason for Condition 5 is to ensure that Council recovers costs for Engineering Fees.
- The reason for Condition 8 is to ensure that suitably qualified persons are employed to undertake the activity.
- The reason for condition 30 is to ensure that the land shown within the proposed reserves is put in the ownership of the Kapiti Coast District Council
- The reason for Condition 6, 7, 9, 10-33 is to ensure that the development is undertaken in accordance with Council's guidelines.
- The reason for Condition 34 is to ensure that Council is informed when the conditions of consent have been met.

Advice Notes:

- A. The total reserves contribution requirements will be met by the land and works that are proposed to be credited.
- B. Costs arising from any of the above conditions shall be borne by the consent holder unless otherwise agreed to by Council.
- C. Those new roads and rights-of-way that require to be second coat sealed may have this requirement met by lodging a cash contribution with the Council calculated at \$6.50 per square metre of the area for first coat seal.
- D. This Land Use Consent incorporates the approval for Earthworks required under the Kapiti Coast District Council Earthworks Bylaw.
- E. The consent holder should not encroach onto adjacent land owned by others without having first obtained their written consent.
- F. Contravention of the Land Drainage Act is not permitted and natural drainage patterns are to be preserved.
- G. A separate application is required for a building consent if any earth-retaining structure is intended as part of this work and the wall is higher than 1.5 metres or is subject to surcharging.

- H. Development Contributions will be required pursuant to section 198 of the Local Government Act 2002 and the 2006/2007 Council's Development Contributions Policy when creating new allotments. The contributions will be calculated and levied in accordance with the fees that apply at the time of uplifting the section 224(c) certificate:

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

Stormwater Development contributions will not be required in recognition of the on-site stormwater control measures that are proposed.

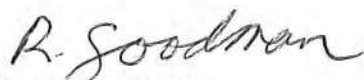
Other contributions may be used as a credit towards agreed works to be funded by the Council.

If the consent holder considers that other remissions are justified then an application should be made to the Council quantifying the remissions sought with appropriate justification.

Reasons for Decision:

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

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



Ross Goodman
Resource Consents Planner

Kapiti Coast District Council

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W: www.kapiticoast.govt.nz



**POST OR FAX THIS COMPLETED PAGE WITHIN 48 HOURS
BEFORE CONSTRUCTION TAKES PLACE**

The Compliance Officer
Resource Consents
Kapiti Coast District Council
Private Bag 601
PARAPARAUMU
Fax: (04) 296 4830

Application No: RM070273

Site Address: 148-158 Ngarara Road, Waikanae
Part Lot 6 DP 20118

Proposal: Subdivision consent to create 62 residential lots and
associated earthworks at 148-158 Ngarara Road, Waikanae.
(Refer Plan Change 67)

Development works will commence on (date):

Owner's contact details

Name:

Telephone: Mobile phone:

Postal address:

Contractor's contact details (e.g. house relocation contractors)

Name:

Telephone: Mobile phone:

Signed:

Name: Date:



LEVELS AND CONTOURS IN TERMS OF
WLLINGTON DATUM.

NOTE:
THIS PLAN HAS BEEN PREPARED TO
ACCOMPANY AN APPLICATION FOR RESOURCE
CONSENT. IT IS TO BE USED ONLY IN
CONJUNCTION WITH OUR REPORT TO COUNCIL.
THE CONCEPT DEPICTED HEREON IS SUBJECT
TO COUNCIL APPROVAL AND THEIR CONDITIONS
OF CONSENT.

AREAS AND DIMENSIONS ARE APPROXIMATE
ONLY AND SUBJECT TO FINAL SURVEY

TOTAL AREA = 14.8755 ha

-  = RESERVE AREA
-  = NEW ROAD
-  = NO BUILD ZONE
-  = RIGHT OF WAY

RM 070273
FINAL APPROVED PLANS
12/10/07

01	21/08/07	FOR INFORMATION	GF		
Rev	Date	Revision Details	By	Ver.	App.

Connell Wagner

Connell Wagner Limited
Rimu Road (PO Box 90)
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Client:
FERNDALE TRUST

Project:
**"FERNDALE"
NGARARA ROAD
WAIKANAE**

Drawing Title:
**PROPOSED SUBDIVISION OF
PART LOT 6 DP. 20118**

Drawn	Signed	Date	Verified	Signed	Date
JB		21/08/07	IRR		21/08/07
Designed	Signed	Date	Approved	Signed	Date
GF		21/08/07	CR		21/08/07
CW Project No.			Scale: 1:1000 @ A1 1:2000 @ A3		
Drawing No.			Revision: 01		

0 10 20 30 40 50 60 70 80 90 100m

PT LOT 2
DP.47188

LOT 2
DP.50172

NOTE:
RECREATION RESERVES TO VEST IN
KAPITI COAST DISTRICT COUNCIL

LOT 1
DP.78530

PT LOT 8
DP.20118

LOT 2
DP.319570

LOT 1
DP.319570

PT Ngarara West A42

CEMETERY

PRELIMINARY





- = RESERVE AREA
 = CUT AREA
 = FILL AREA
 = CUT / FILL

02		LANDFILL INFORMATION ADDED	JB		CE
01		FOR INFORMATION	GF		
Rev	Date	Revision Details	By	Ver.	App.

Connell Wagner

Connell Wagner Limited
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Client:

FERNDALE TRUST

Project:

"FERNDALE"
NGARARA ROAD
WAIKANAE

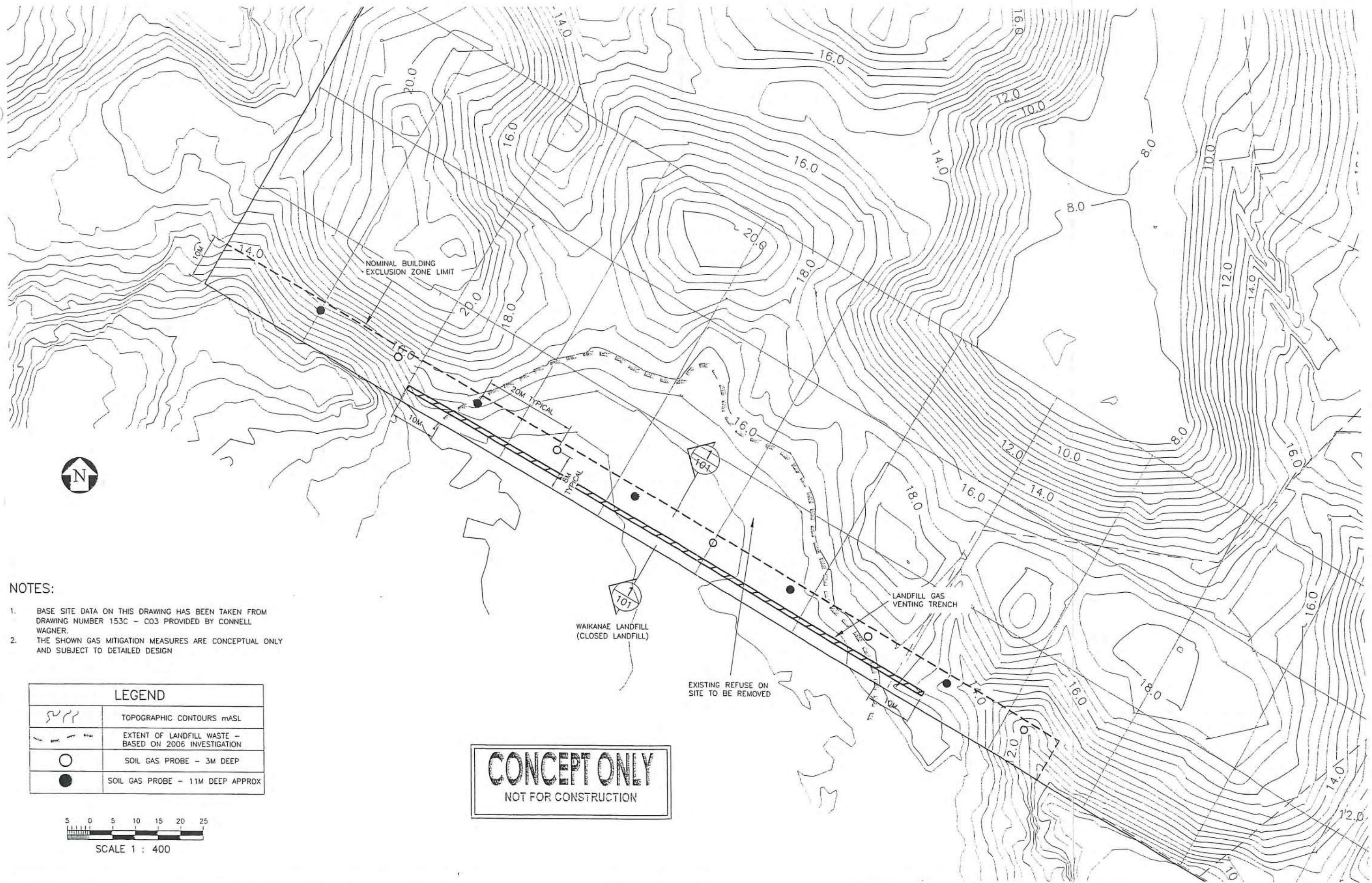
Drawing Title:

CUT FILL DEPTH PLAN

Drawn	Signed	Date	Verified	Signed	Date
JB			IRR		
Designed	Signed	Date	Approved	Signed	Date
GF			NB		
CW Project No.			Scale: 1:1000 @ A1 1:2000 @ A3		
Drawing No.			Revision:		
153C :50			C15		
			02		

PRELIMINARY

20 10 0 10 20 30 40 50 100m



NOTES:

1. BASE SITE DATA ON THIS DRAWING HAS BEEN TAKEN FROM DRAWING NUMBER 153C - CO3 PROVIDED BY CONNELL WAGNER.
2. THE SHOWN GAS MITIGATION MEASURES ARE CONCEPTUAL ONLY AND SUBJECT TO DETAILED DESIGN

LEGEND	
	TOPOGRAPHIC CONTOURS mASL
	EXTENT OF LANDFILL WASTE - BASED ON 2006 INVESTIGATION
	SOIL GAS PROBE - 3M DEEP
	SOIL GAS PROBE - 11M DEEP APPROX

5 0 5 10 15 20 25
SCALE 1 : 400

CONCEPT ONLY
NOT FOR CONSTRUCTION

		Tab land fill	
		Scales	
		1:400	
		Original Size A1	
Rev	Revision Description	Designed	Drawn
A	CONCEPT	MR	NME
		Checked	Approved
			Date

URS
Engineering and Environmental Management

URS New Zealand Limited
Level 6, URS Centre
13-15 College Hill, Auckland
Phone: 9-355 1300

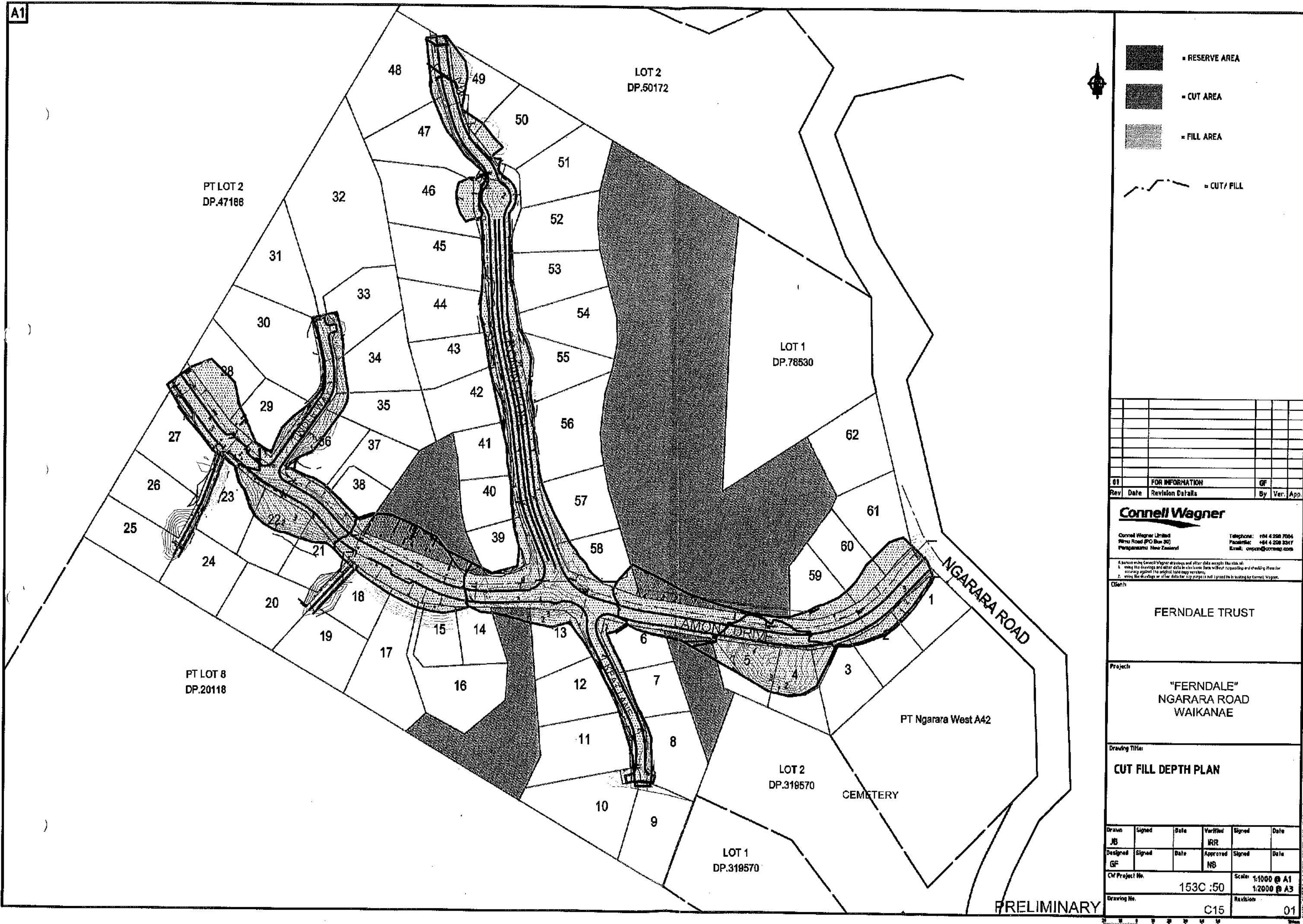
FERNDALE TRUST

FERNDALE DEVELOPMENT LANDFILL GAS CONTROL

CONCEPT
LAYOUT PLAN

Status CONCEPT

Drawing Number FG-100
Revision A



7 July 2008

RM 080140

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

APPLICANT:	Ferndale Trust
LOCATION:	148 – 158 Ngarara Road, Waikanae
LEGAL DESCRIPTION:	Pt Lot 6 DP 20118
ZONE:	Residential
DATE CONSENT GRANTED:	12 October 2007
PROPOSAL:	To change condition 27 of RM070273

DELEGATED AUTHORITY TO PROCESS APPLICATION NON-NOTIFIED EXERCISED

BY: Ross Goodman and Wayne Gair

SITE HISTORY

On the 12th October 2007 Kapiti Coast District Council approved a Subdivision consent - To create 62 residential allotments and associated earthworks at 148 – 158 Ngarara Road, Waikanae. The file reference being RM070273.

Consent was granted subject to 34 conditions.

Condition 26 reads: Each Residential lot shall have a grey water disposal device approved by the Council installed at the time of dwelling construction, unless a report by a suitably qualified person shows that this is impracticable because of the particular site conditions. The grey water dispersal device shall be maintained in good operating order in accordance with the manufacturers requirements.

Condition 27 reads: Each Residential lot shall have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

The Council will issue a Consent Notice under Section 221 of the Resource Management Act recording this requirement on an ongoing basis.

APPLICATION

The applicants propose to amend Condition 27 of Resource Consent RM070273.

The condition reads as follows:

Each Residential lot shall have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

The Council will issue a Consent Notice under Section 221 of the Resource Management Act recording this requirement on an ongoing basis.

The amendment sought by the applicant would read:

Each Residential Lot that cannot comply with Condition 26 regarding the installation of a grey water dispersal device shall be required to have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

The Council will issue a Consent Notice under section 221 of the Resource Management Act 1991 recording this requirement on an ongoing basis.

SECTION 127 OF THE RESOURCE MANAGEMENT ACT 1991

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

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

- (1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:*
 - (a) The holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
 - (b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) Repealed.*
- (3) Sections 88 to 121 apply, with all necessary modifications, as if —*
 - (a) the application were an application for a resource consent for a discretionary activity; and*
 - (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who*
 - (a) made a submission on the original application; and*
 - (b) may be affected by the change or cancellation.*

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

An application for a change or cancellation of conditions is subject to sections 88 through to 121, except for section 93 (that is if an application is to be notified, notice is served on all interested parties).

However, section 94 still applies which refers to applications not requiring notification.

NOTIFICATION ANALYSIS

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

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

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

In addition there are no special circumstances that warrant the notification of this application in accordance with section 94C(2) of the Act. This determination was made after researching Council File RM 080140.

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

CONSULTATIONS

Rita O'Brien Council's Subdivisional Engineer has considered the application and has no objection to the change.

The local iwi representative Te Waari Carkeek was consulted on 15 July, 2008 and no concerns were raised.

ASSESSMENT

On the 1st February, 2008 Kapiti Coast District Council publicly notified Plan Change No. 75 Water Demand Management that states:

All new or relocated dwellings shall install one of the following:

- a) Rainwater storage tanks with a minimum capacity of 10,000 litres for the supply of non-potable water for outdoor use and indoor toilets. Restricted top-up of a maximum 600 litres per day from the public potable water supply shall be provided to the tank when it falls below 1000 litres storage to ensure that sufficient water to flush toilets is available.
- b) Rainwater storage tanks with a minimum capacity of 4,500 litres for the supply on non-potable water for outdoor use and indoor toilets, and a greywater re-use system for outdoor irrigation. Restricted top-up of a maximum 600 litres per day from the public potable water supply shall be provided to the tank when it falls below 1000 litres storage to ensure that sufficient water to flush toilets is available.

Submissions closed on 13 March, 2008 in respect to the Plan Change. No hearing date has been set to consider the Plan Change.

The applicant explains that consultation has been undertaken with Council staff and the following direction has been given by Dale Wills - Council's Sustainable Team Leader.

As Ferndale Trust as part of their design guidelines have stipulated that each residential lot shall have a 20,000 litre rain water tank on site, together with the installation of a grey water

disposal system, the Council would be prepared to remove the condition to have potable water restrictors on each water connection, restricting the flow to 1000 litres per day.

It is considered, that the proposed variation to the condition will not alter the intention of the resource consent RM070273, complies with Council's requirements and Proposed Change No. 75, that being to reduce the amount of potable water used on each allotment.

As such, it considered that the effects of the proposal will remain less than minor.

CONCLUSION

There is no reason to decline this application.

It is considered that the effects of the proposed variation will not have a significant adverse effect on the environment and could result in beneficial environmental effects.

I therefore believe that the application to change condition 27 can be granted pursuant to Section 127 of the Resource Management Act 1991.

DECISION

Pursuant to section 127 of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council GRANT consent to the application to change condition 27 of resource consent RM070273 to read:

Each Residential Lot that cannot comply with Condition 26 regarding the installation of a grey water dispersal device shall be required to have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

The Council will issue a Consent Notice under section 221 of the Resource Management Act 1991 recording this requirement on an ongoing basis.

DECISION: APPROVED

RM080140

DATED 22 July 2008


Ross Goodman
Resource Consents - Planner


Wayne Gair
Principal Planner - Subdivision

Rm 070273 ✓
Sust. Design ✓

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

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

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



22 July 2008

Ferndale Trust
Connell Wagner Ltd
P O Box 39
PARAPARAUMU
Attention: Guy Forrest

Dear Guy

**RM080140: APPLICATION TO CHANGE CONDITION 27 OF RM070273, FERNDALE,
148-158 NGARARA RD, WAIKANAЕ.**

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

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

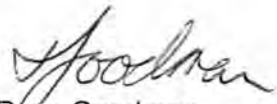
There is no deposit for an objection. However, a fee of \$200.00 (including GST) is required if Council's Subdivisional Engineer is involved. Time and costs will also be charged unless waived by the Hearing Commissioners and if an objection is upheld there will be no charges; if upheld in part then a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

Please note also that this consent will lapse within 5 years of the date of issue of this decision unless it is given effect to within that time. You may apply for an extension of the consent before the consent lapses. Council may grant an extension if it is satisfied that the criteria set out in Section 125 of the Resource Management Act 1991 are met.

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

Thank you for dealing with the Kapiti Coast District Council.

Yours sincerely


Ross Goodman
Resource Consents - Planner

Kapiti Coast District Council
Private Bag 601
Paraparaumu 5254

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**RESOURCE CONSENT UNDER PART VI OF THE
RESOURCE MANAGEMENT ACT 1991
CONSENT NO: RM080140**

APPLICANT:	Ferndale Trust
LOCATION OF ACTIVITY:	148-158 Ngarara Road, Waikanae
DESCRIPTION OF ACTIVITY:	To change condition 27 of RM070273.

DECISION:

Granted on 22 July 2008.

Pursuant to section 127 of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council **grant** consent to the application to change condition 27 of resource consent RM070273 to read:

Each Residential Lot that cannot comply with Condition 26 regarding the installation of a grey water dispersal device shall be required to have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

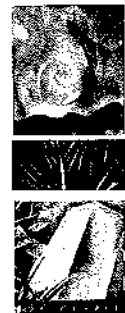
The Council will issue a Consent Notice under section 221 of the Resource Management Act 1991 recording this requirement on an ongoing basis.

Reasons for Decision:

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

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

Ross Goodman
Resource Consents - Planner



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

**IN THE MATTER OF A PLAN LODGED FOR
DEPOSIT UNDER NUMBER 409302
AND RESOURCE CONSENT NO. RM 070273**

**(BEING THE SUBDIVISION OF PART LOT 6 DP 20118),
AT 148 – 158 NGARARA ROAD, WAIKANAE
FOR FERNDAL TRUST**

The Regional Regulatory Titles Officer at Wellington

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

1. **With respect to Lots 32 to 35, 37, 42 to 54, 56 and 57 inclusive:** Within the attenuation and ponding areas of the respective allotments as identified in the schedule below, the following restrictions/obligations apply:
 - No Earthworks are permitted as the existing landform must be retained;
 - No buildings may be erected or established;
 - The continued efficient operation of any attenuation and/or pond facility must be ensured on a continuing basis.

Schedule:

- Lot 32 areas marked as S and AE on DP 409302
- Lot 33 area marked as R on DP 409302
- Lot 34 area marked as Q on DP 409302
- Lot 35 area marked as P on DP 409302
- Lot 37 area marked as O on DP 409302
- Lot 42 area marked as Z on DP 409302
- Lot 43 area marked as Y on DP 409302
- Lot 44 area marked as X on DP 409302
- Lot 45 area marked as W on DP 409302
- Lot 46 area marked as V on DP 409302
- Lot 47 area marked as U on DP 409302
- Lot 48 areas marked as T and AF on DP 409302
- Lot 49 area marked as H on DP 409302
- Lot 50 area marked as H on DP 409302
- Lot 51 area marked as J on DP 409302
- Lot 52 area marked as K on DP 409302
- Lot 53 area marked as L on DP 409302
- Lot 54 area marked as AA on DP 409302
- Lot 56 area marked as M on DP 409302
- Lot 57 area marked as N on DP 409302

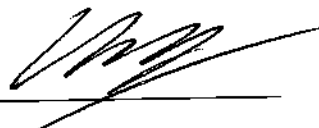
2. With respect to Lots 1 to 62 inclusive: Foundation design and construction for any new building or additions and alterations to a building shall take into account the findings and recommendations within the Geotechnical Earthworks Report prepared by Connell Wagner Limited (reference 153C) dated 23 December, 2008 and submitted to Council in relation to application No. RM070273. A copy of the report is available in Council's Office at any time the office is open to the public.
3. With respect to Lots 1 to 62 inclusive: Each residential lot shall have a stormwater design prepared by a suitably qualified person submitted to Council for approval prior to any application for a building consent. The approved design shall be submitted with the building consent application. The design shall incorporate, as a minimum, stormwater attenuation devices and on-site soakage systems capable of dealing with the 1 in 10 year event where there is a secondary overflow path, or the 1 in 100 year event where there is no secondary overflow path. The approved design must be implemented and maintained in full working order on a continuing basis. Stormwater shall not discharge from the residential properties onto properties adjoining the development.
4. With respect to Lots 1 to 62 inclusive: Each residential allotment shall have a greywater dispersal device approved by Council installed at the time of any dwelling construction, unless a report acceptable to Council prepared by a suitably qualified person shows that this is impracticable because of the particular site conditions.

Any greywater dispersal device shall be maintained in good operating order in accordance with the manufacturer's requirements.
5. With respect to Lots 1 to 62 inclusive: Each residential lot that cannot comply with the requirement above regarding the installation of a greywater dispersal device shall be required to have a water supply restricted to no more than 1000 litres per day (0.0116 litres per second).

Issued in respect of application No. RM 070273 on this 5th day of June, 2009.



David Wayne Gair
AUTHORISED OFFICER



Colin John Bridges
AUTHORISED OFFICER