



Dunedin City Council – Land Information Memorandum

Property Address: 32 Holyport Close Fairfield

Prepared for: Michael Saville and Claire Maree Saville

Prepared on: 21-May-2026

Property Details:

Property ID	5108418
Address	32 Holyport Close Fairfield
Parcels	LOT 52 DP 346062

Disclaimer:

Issued in accordance with Section 44A of the Local Government Official Information and Meetings Act 1987

Should you require further clarification of any of the information listed in this report, please phone our Customer Services Agency on 03 477 4000.

This Land Information Memoranda (LIM) has been prepared in accordance with Sections 44A, 44B, 44C, and 44D of the Local Government Official Information and Meetings Act 1987. It contains only information obtained from the records held by the Dunedin City Council as at 21-May-2026

The Dunedin City Council has not carried out an inspection of the land and/or buildings for the purposes of preparing this LIM. The Dunedin City Council records may not show illegal or unauthorised buildings or works on the land. Accordingly this report may not necessarily reflect the current status of the property. Examples of situations which affect the property but are not recorded in this report include: unauthorised work not known to Council and breaches of Consents or Licences that are not the subject of a formal Requisition or Notice. The applicant is solely responsible for ensuring that the land or any building or works on the land is suitable for a particular purpose. The applicant should check the Certificate(s) of Title as this report may not include information that is registered on the Certificate(s) of title. The Certificate(s) of title may record further information or obligations relating to the land.

Further information about this property may be available from other agencies such as the Otago Regional Council, Nova Gas, Telecom New Zealand (Chorus) or Delta Utility Services Limited.

Contents

Dunedin City Council – Land Information Memorandum	1
Property Address: 32 Holyport Close Fairfield	1
Prepared for: Michael Saville and Claire Maree Saville.....	1
Prepared on: 21-May-2026	1
Property Details:.....	1
Disclaimer:	1
s44A(2)(a) Information identifying any special feature or characteristics of the land	4
District Plan Hazard Information	4
Other Natural Hazard Information	4
Flood Hazards	4
Land Stability Hazards	4
Coastal Hazards	4
Seismic Hazards	4
Other Natural Hazards.....	4
Otago Regional Council Hazard Information.....	4
Contaminated Site, Hazardous Substances and Dangerous Goods	4
Contaminated Site Information.....	4
Historic Dangerous Goods Licence(s)	4
Hazardous Substances.....	5
s44A(2)(b) Information on private and public stormwater and sewerage drains.....	5
Drainage	5
Foul Sewer and Waste Water	5
Public Sewer Sheets.....	5
Dunedin City Council Private Drainage plans incomplete.....	5
s44A(2)(bb) Information Council holds regarding drinking water supply to the land	5
Water Supply	6
s44A(2)(c) Information relating to any rates owing in relation to the land	6
Rates Details	6
Rates Assessment Details	6
s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land	7
(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and.....	7
(2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004	7
Building and Drainage Consents.....	7
Building and Drainage Permits	8
Building Notices	8
Resource Consents	9
Consent Notices.....	11
Alcohol Licensing	12
Health Licensing.....	12
s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006	12
s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use	12
District Plan	12

District Plan Map	12
s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation.....	12
s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004.....	13
Section 44A(3) Information concerning the land as the authority considers, at its discretion, to be relevant.....	13
Building Information.....	13
Drainage	13
Foul Sewer and Waste Water.....	13
Minimum Floor Levels	14
Planning.....	14
Resource Consents within 50m of 32 Holyport Close Fairfield	14
Other Planning Comments	26
3 Waters	28
Information Regarding Watercourses.....	28
Transport	28
Glossary of Terms and Abbreviations.....	29
Consent, Permit, Licence & Complaint types	29
Terms used in Permits & Consents.....	29
General terms.....	30
Appendices	31

s44A(2)(a) Information identifying any special feature or characteristics of the land

District Plan Hazard Information

Refer to District Plan for Natural Hazards Information *section: s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use.*

Other Natural Hazard Information

Flood Hazards

No information.

Land Stability Hazards

No information.

Coastal Hazards

No information.

Seismic Hazards

LIQUEFACTION

Domain C

Description: Ground predominantly underlain by poorly consolidated marine or estuarine sediments with shallow groundwater, with a moderate to high likelihood of liquefaction-susceptible materials being present

Barrell, D. J. A., Glassey, P. J., Cox, S. C., & Smith Lyttle, B. (2014). *Assessment of liquefaction hazards in the Dunedin City district*. GNS Science.
https://www.dunedin.govt.nz/_data/assets/pdf_file/0011/476084/Assessment-of-liquefaction-hazards-in-the-Dunedin-City-District.pdf

Commissioned by: Otago Regional Council

Purpose: The Otago Regional Council (ORC) contracted GNS Science to assess liquefaction hazards in the Dunedin City territorial authority area (Dunedin district), and delineate areas that may be susceptible to ground damage as a result of liquefaction, and the closely allied phenomenon of lateral spreading. This report presents the results of that assessment.

Scope of report: Dunedin City district

Reference Number: 11407

Other Natural Hazards

No information.

Otago Regional Council Hazard Information

The Regional Council is required to provide information that it holds on Natural Hazards:

<https://www.orc.govt.nz/managing-our-environment/natural-hazards/otago-natural-hazards-database>

Contaminated Site, Hazardous Substances and Dangerous Goods

Contaminated Site Information

No information.

Historic Dangerous Goods Licence(s)

No information.

Hazardous Substances

No information.

WARNING – Change in legislation and management of hazardous substances

On 1 April 2004, all Dunedin City Council Dangerous Goods Licences expired. From this date they became the responsibility of the Environmental Protection Authority (EPA) under the Hazardous Substances and New Organisms Act 1996.

All new licences for hazardous substances were issued by independent Test Certifiers approved by the EPA. The Council no longer holds current information on the use of hazardous substances at these premises and hazardous substances may be present without the Council's knowledge.

The Council was advised by the EPA in 2016 that Worksafe had taken over responsibility for managing Location Test certificates under the Hazardous Substances and New Organisms Act 1996. The EPA no longer hold any information in relation to Location Test Certificates. If you have any questions, please contact Worksafe.

s44A(2)(b) Information on private and public stormwater and sewerage drains

Drainage

Drainage plans on file are indicative only.

Obtaining your own independent review may be required before commencing drainage works.

Foul Sewer and Waste Water

Drainage Reticulation Plans

A copy of the Dunedin City Council's drainage infrastructure in the vicinity of the subject property is attached. Public foul sewers are shown in red and stormwater sewers in green. All public drainage services are available to receive connections from the property and limited flows of stormwater may also be discharged to the street channel or an approved outfall.

Public Sewer Sheets

WARNING. Please note that public sewer reticulation sheets are scaled in either Imperial feet or Metric metres. Please check with the Duty Drainage Inspector if in doubt.

Dunedin City Council Private Drainage plans incomplete

WARNING. The Dunedin City Council's private drainage records (plans) prior to 1 January 1993 may be incomplete or not clearly recorded. Owners therefore are advised to carry out work with due care to avoid damage to any private drain not detailed because of the lack of information filed in the Council's records.

s44A(2)(bb) Information Council holds regarding drinking water supply to the land

Water Supply

Backflow prevention

Any property with a connection to the Dunedin City Council's water supply, where the supply is used for non-domestic purposes (as defined by the Dunedin City Council Water Bylaw 2011), requires a testable backflow prevention device to be fitted at the point of supply. The device must be of a type approved by the Council, and a building consent, or exemption from building consent, is required for its installation. For more information see www.dunedin.govt.nz/backflow.

Private water service - Connected

This property is connected to the Dunedin City Council's water supply via a private water service. The property owner(s) serviced by the private water service are responsible for its maintenance. It is recommended that the applicant check the property for the location and suitability of the water service.

Terms and conditions of supply

All new and existing connections to the Dunedin City Council's water supply network are subject to the terms and conditions of the Dunedin City Council Water Bylaw 2011. The bylaw is available to view at www.dunedin.govt.nz/water-bylaw.

Water pressure

Indicative network water pressure to the property is shown on maps available at www.dunedin.govt.nz/water-pressure. Specific detail is available on request. Please note the Dunedin City Council cannot guarantee the accuracy of water pressure for private connections.

Water reticulation maps

A copy of the water reticulation map of Dunedin City Council infrastructure in the vicinity of the subject property is attached. This shows the location of the DCC owned water mains. It may or may not show the water service to the property. It is recommended that the applicant check the property.

s44A(2)(c) Information relating to any rates owing in relation to the land

Rates Details

Rates Assessment Details

Rate Account	2110162
Address	32 Holyport Close Fairfield
Valuation Number	27861-15521
Latest Valuation Details	
Capital Value	\$1,040,000
Land Value	\$430,000
Value of Improvements	\$610,000
Area (Hectares)	0.1621HA
Units of Use	1

Current Rates

Current Rating Year Starting 01-Jul-2025
Dunedin City Council Rates \$5,036.06

Rates Outstanding for Year \$588.92

For further explanation on the rate account, or to enquire about information referred to on this page, please contact Rates Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

s44A(2)(d) Consents, Certificates, Notices, Orders or Requisitions affecting the land or any buildings on the land

(da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:s44A and

(2)(e) Information concerning any Certificate issued by a Building Certifier pursuant to the Building Act 1991 or the Building Act 2004

Building and Drainage Consents

The following consents are recorded for this property:

Status Key: BC - Building Consent Issued
CCC - Code Compliance Certificate Issued
Archived - In accordance with section 93(2)(b) of the Building Act, the consent was reviewed for code compliance after two years. Compliance with the Building Code could not be established and therefore the Code Compliance Certificate has been refused.
/CCC
Refused
Lapsed - Work has not commenced and no extension of time applied for within 12 months of date of consent issue. Consent is of no further effect

NOTE: This is not a comprehensive list of all building consent statuses

[ABA-2004-305278](#) Building Consent - New Foul & Stormwater Drains (Subdivision Drainage)

Stage 6B

Lodgement Date 19-Aug-2004
Decision Granted
Decision Date 26-Aug-2004
Current Status **CCC Issued**
Previous Number ABA42523
(Applications before 2007)

[ABA-2006-314564](#) Building Consent - Erect Dwelling

Lodgement Date 14-Dec-2006
Decision Granted
Decision Date 29-Jan-2007
Current Status **CCC Issued**
Previous Number ABA63850
(Applications before 2007)

[ABA-2005-310588](#) Building Consent - Stormwater Sewer Extension

Lodgement Date 02-Dec-2005
 Decision Granted
 Decision Date 06-Dec-2005
 Current Status **CCC Issued**
 Previous Number ABA54021
(Applications before 2007)

[ABA-2019-128](#) Building Consent - Add Lounge to Dwelling, Alter Kitchen and Dining Room, Alter Wardrobes

Lodgement Date 31-Jan-2019
 Decision Granted
 Decision Date 12-Mar-2019
 Current Status **CCC Issued**
 Previous Number
(Applications before 2007)

[ABA-2019-2349](#) Building Consent - Amendment to ABA-2019-128 - Add Sliding Door to West

Wall of Lounge

Lodgement Date 13-Nov-2019
 Decision Granted
 Decision Date 27-Nov-2019
 Current Status **CCC Issued**
 Previous Number
(Applications before 2007)

[ABA-2024-1032](#) Building Consent - Alter Dwelling - Install Tiled Shower in Ensuite

Lodgement Date 04-Jul-2024
 Decision Granted
 Decision Date 25-Jul-2024
 Current Status **CCC Issued**
 Previous Number
(Applications before 2007)

Building and Drainage Permits

There are no Building or Drainage Permits recorded for this property. In some instances permits may have been recorded as building consents, please also check the consent section of the LIM.

Building Notices

No Building Notices

Resource Consents

The following Resource Consent(s) are recorded for this property:

[RMA-2002-365818](#) - Resource Management Act (Historical Data)

Description	SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03
Lodgement Date	24-Jul-2002
Decision	Granted
Decision Date	26-Nov-2002
Current Status	s224c Issued
Consent Stages	
Type	s223 Certificate
Issued Date	16 May 2003
Further Details	
Type	s224 Certificate
Issued Date	03 July 2003
Further Details	

[RMA-2002-366370](#) - Resource Management Act (Historical Data)

Description	Objection under Section 357 to conditions of RMA20020472
Lodgement Date	06-Dec-2002
Decision	Granted
Decision Date	17-Jan-2003
Current Status	Consent Issued

[RMA-2003-366467](#) - Resource Management Act (Historical Data)

Description	CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also
Lodgement Date	21-Mar-2003
Decision	Granted
Decision Date	30-Apr-2003
Current Status	Consent Issued

[RMA-2003-366750](#) - Resource Management Act (Historical Data)

Description	REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062
Lodgement Date	20-Jun-2003
Decision	Granted
Decision Date	02-Jul-2003
Current Status	s224c Issued

[RMA-2003-367373](#) - Resource Management Act (Historical Data)

Description	VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062
Lodgement Date	16-Dec-2003
Decision	Granted
Decision Date	28-Jan-2004
Current Status	Consent Issued
Consent Stages	
Type	s223 Certificate
Issued Date	17 March 2005
Further Details	
Type	s224 Certificate
Issued Date	05 July 2005
Further Details	

[RMA-2005-369309](#) - Resource Management Act (Historical Data)

Description	ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA
Lodgement Date	05-Aug-2005
Decision	Granted
Decision Date	01-Sep-2005
Current Status	Consent Issued

[RMA-1993-355803](#) - Resource Management Act (Historical Data)

Description	Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN
Lodgement Date	16-Aug-1993
Decision	Granted
Decision Date	16-Aug-1993
Current Status	s224c Issued

[RMA-2000-364424](#) - Resource Management Act (Historical Data)

Description	Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis
Lodgement Date	13-Nov-2000
Decision	Granted
Decision Date	06-Dec-2000
Current Status	Consent Issued

[RMA-2001-365181](#) - Resource Management Act (Historical Data)

Description	Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725
Lodgement Date	23-Oct-2001
Decision	Granted
Decision Date	16-Nov-2001
Current Status	Consent Issued

[RMA-2000-364494](#) - Resource Management Act (Historical Data)

Description	Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725
Lodgement Date	13-Dec-2000
Decision	Granted
Decision Date	21-Feb-2001
Current Status	Consent Issued

[RMA-2001-365218](#) - Resource Management Act (Historical Data)

Description	SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02
Lodgement Date	05-Nov-2001
Decision	Granted
Decision Date	23-Nov-2001
Current Status	s224c Issued

Consent Stages

Type	s223 Certificate
Issued Date	18 April 2002
Further Details	
Type	s224 Certificate
Issued Date	18 April 2002
Further Details	

[RMA-2001-365128](#) - Resource Management Act (Historical Data)

Description	Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area
Lodgement Date	01-Oct-2001
Decision	Granted
Decision Date	14-Apr-2002
Current Status	Consent Issued

Consent Notices

There are no Consent Notices recorded for this property. It is recommended that the applicant check the Record of Title for any notices or covenants that may affect the property.



Alcohol Licensing

There are no records of any Alcohol Licences for this property.

Health Licensing

There are no records of any Health Licences for this property.

s44A(2)(ea) Information notified under Section 124 of the Weathertight Homes Resolution Services Act 2006

No information.

s44A (2)(f) Information relating to the use to which the land may be put and any conditions attached to that use

District Plan

The information on district plan requirements is correct at the date this LIM is issued. Note that the Dunedin City Second Generation District Plan (“The 2GP”) is subject to change at any time. To check whether any changes have occurred since the date this LIM was issued, consult the information and relevant planning maps in the 2GP, which can be found on our website at <https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan> as well as at all Dunedin City Council service centres and libraries.

SECOND GENERATION DISTRICT PLAN INFORMATION

Zoning

- General Residential 1 (refer Section 15, Residential)

Scheduled Items

- Nil

Overlay Zones

- Nil

Mapped Areas

- Nil

District Plan Map

The District Plan map is available [online here](#). Instructions on how to use the map are [available here](#).

You can also access the District Plan map and instructions by visiting the Dunedin City Council 2GP Website at:

<https://www.dunedin.govt.nz/council/district-plan/2nd-generation-district-plan>

s44A(2)(g) Information regarding the land which has been notified to Council by another statutory organisation

No information.

s44A(2)(h) Information regarding the land which has been notified to Council by any network utility operator pursuant to the Building Act 1991 or Building Act 2004

No information.

Section 44A(3) Information concerning the land as the authority considers, at its discretion, to be relevant.

Building Information

Drainage

Form 5 (building consent) copy

This property contains building consent application/s where a copy of the building consent (Form 5) is not able to be provided.

This may be due to the age of the consent and/or processes that were in place at the time.

Foul Sewer and Waste Water

Restrictions near Council infrastructure

There is Dunedin City Council water infrastructure located within the boundaries of this property, as shown on the attached reticulation plans.

Relevant deposited plans, certificates of title and memoranda of transfer at Land Information New Zealand (www.linz.govt.nz) should be reviewed for information relating to any existing registered easements. However, as the Local Government Act 2002 (LGA) provides statutory rights for public infrastructure, easements are not always registered.

No building or structure shall be constructed within 2.5 metres of any Council-owned underground infrastructure, or as specified on any registered easement, without the written approval of the Council.

Infrastructure shall not be damaged or otherwise interfered with. Prior to commencing any works within the subject property, all Council-owned structures, mains and service pipes, and associated fittings are to be located on-site and, if necessary, protected.

The Council can enter the land to inspect, alter, renew, repair or clean its infrastructure under the LGA. For planned works, reasonable notice will be given.

Within new land subdivisions the Council requires an easement in gross over public water supply infrastructure. The easement in gross must be a minimum of 3 metres wide, centred on the as-built position, and made in accordance with the Dunedin Code of Subdivision and Development 2010: Section 6.3.10.3 (Water).

Planting near infrastructure should be avoided, particularly large trees or other species whose roots could cause damage.

Minimum Floor Levels

Clause E1.3.2 of the New Zealand Building Code requires that surface water, resulting from an event having a 2% probability of occurring annually, shall not enter buildings. This requirement applies to Housing, Communal Housing, Communal Residential and Communal non-residential buildings. For guidance when establishing minimum floor levels please refer to : <https://www.dunedin.govt.nz/services/building-services/minimum-floor-levels> and for links to specific areas: <https://www.dunedin.govt.nz/services/building-services/minimum-floor-levels/mfl-guidance>

For further explanation on the current status of any building consent, or to enquire about information referred to in this section, please contact Building Services Staff between 8:30am and 5:00pm weekdays at the enquiries counter on the Ground floor of the Civic Centre, 50 The Octagon, Dunedin, or by phoning 477 4000.

Planning

Resource Consents within 50m of 32 Holyport Close Fairfield

2324 R Holyport Close Fairfield

[RMA-2006-370019](#) Resource Management Act (Historical Data) CERTIFICATE OF COMPLIANCE FOR TELECOM FACILITIES (Other). The outcome was Granted on 26/04/2006.

5050400 378 Main South Road Green Island

[OUT-2026-2](#) Outline Plan Redevelopment of School with removal of existing buildings and new modular builds and shed. The outcome was No Changes Requested on 10/04/2026.

[OUT-2024-4](#) Outline Plan Installation of a prefabricated classroom. The outcome was No Changes Requested on 18/06/2024.

[OUT-2020-5](#) Outline Plan Outline Plan to construct a similarly sized replacement block over the adjacent hardstand and subsequently demolish the existing Block 1. The outcome was No Changes Requested on 31/08/2020.

[SUB-1987-354601](#) Subdivision Consent Scheme plan 418. The outcome was Granted on 27/04/1987.

[RMA-1998-362554](#) Resource Management Act (Historical Data) OUTLINE PLAN FOR WORK AT TE KURA KAUPAPA PRIMARY SCHOOL (Converted - Ended). The outcome was Granted on 23/12/1998.

[RMA-1995-357348](#) Resource Management Act (Historical Data) EXTEND CLUBROOMS Ownr:GI TOWN & COUNTRY / App: GI TOWN & COUNTRY CL BOX 13081 GREEN ISLAND (Non-Notified - Non Complying). The outcome was Granted on 27/03/1995.

[RMA-1992-355030](#) Resource Management Act (Historical Data) ER DB SIGN Ownr:DOMINION BREWERIES / App: DOMINON BREWERIES (Non-Notified - Non Complying). The outcome was Granted on 12/11/1992.

[RMA-1986-354438](#) Resource Management Act (Historical Data) ERECT A CLUBROOMS,TENNIS COURT & BOWLING Ownr:G I TOWN & COUNTRY C / App: G.I TOWN & COUNTRY C PO BOX 13-079, GREEN ISLA (Notified - Non Complying). The outcome was Granted on 06/11/1986.

5105546 378 Main South Road Green Island

[RMA-1998-362554](#) Resource Management Act (Historical Data) OUTLINE PLAN FOR WORK AT TE KURA KAUPAPA PRIMARY SCHOOL (Converted - Ended). The outcome was Granted on 23/12/1998.

[RMA-1986-354438](#) Resource Management Act (Historical Data) ERECT A CLUBROOMS,TENNIS COURT & BOWLING Ownr:G I TOWN & COUNTRY C / App: G.I TOWN & COUNTRY C PO BOX 13-079, GREEN ISLA (Notified - Non Complying). The outcome was Granted on 06/11/1986.

5108390 38 Holyport Close Fairfield

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108411 18 Holyport Close Fairfield](#)

[RMA-2005-368780](#) Resource Management Act (Historical Data) NEW DWELLING IN FRONT YARD (Non-Notified - Restricted Discretionary). The outcome was Granted on 11/03/2005.

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108412 20 Holyport Close Fairfield](#)

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT)

sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108413 22 Holyport Close Fairfield](#)

[BACT-2022-21](#) Boundary Activity Notice To construct an extension to an attached garage associated with an existing dwelling at 22 Holyport Close with the garage extension being 1910mm from the south-eastern (side) boundary with 24 Holyport Close. The outcome was Issued on 26/05/2022.

[BACT-2021-36](#) Boundary Activity Notice Establishment of a garage extension, breaching height plane as per submitted plans.. The outcome was Issued on 09/06/2021.

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2006-370007](#) Resource Management Act (Historical Data) TECHNICAL NON-COMPLIANCE FOR DWELLING ON LOT 1 CREATED BY BOUNDARY ADJUSTMENT (Non-Notified - Restricted Discretionary). The outcome was Granted on 04/04/2006.

[RMA-2006-370006](#) Resource Management Act (Historical Data) BOUNDARY ADJUSTMENT (Non-Notified - Restricted Discretionary). The outcome was Granted on 04/04/2006.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant:

LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

5108414 24 Holyport Close Fairfield

LUC-2023-308 Land Use Consent An ancillary unit with an outdoor living space contravention.. The outcome was Granted on 25/08/2023.

RMA-2003-366467 Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

RMA-2006-370006 Resource Management Act (Historical Data) BOUNDARY ADJUSTMENT (Non-Notified - Restricted Discretionary). The outcome was Granted on 04/04/2006.

RMA-2003-367373 Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

RMA-2003-366750 Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

RMA-2005-369309 Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

RMA-2002-365818 Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

RMA-2001-365181 Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

RMA-2001-365128 Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

RMA-2000-364494 Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

RMA-2000-364424 Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

RMA-2002-366370 Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

RMA-2001-365218 Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

RMA-1993-355803 Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

5108415 26 Holyport Close Fairfield

RMA-2003-366467 Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2005-369309](#) Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108416 28 Holyport Close Fairfield](#)

[LUC-2009-290](#) Land Use Consent accessory building in an ULCA. The outcome was Granted on 24/07/2009.

[LUC-2007-662](#) Land Use Consent Convert existing garage to a residence. The outcome was Granted on 30/11/2007.

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2006-370533](#) Resource Management Act (Historical Data) Construction of a new garage (Non-Notified - Non Complying). The outcome was Granted on 14/09/2006.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2005-369309](#) Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

5108417 30 Holyport Close Fairfield

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2005-369309](#) Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108419 40 Holyport Close Fairfield](#)

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT)

sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108420 42 Holyport Close Fairfield](#)

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5108421 44 Holyport Close Fairfield](#)

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5111539 34B Holyport Close Fairfield](#)

[RMA-2005-368779](#) Resource Management Act (Historical Data) TWO LOT SUBDIVISION (Non-Notified - Non Complying). The outcome was Granted on 31/03/2005.

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2005-369382](#) Resource Management Act (Historical Data) SEC 127 CHANGE OF CONDITIONS TO RMA20050156 (Other). The outcome was Granted on 01/09/2005.

[RMA-2005-369309](#) Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5111540 34A Holyport Close Fairfield](#)

[RMA-2005-368779](#) Resource Management Act (Historical Data) TWO LOT SUBDIVISION (Non-Notified - Non Complying). The outcome was Granted on 31/03/2005.

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

[RMA-2005-369382](#) Resource Management Act (Historical Data) SEC 127 CHANGE OF CONDITIONS TO RMA20050156 (Other). The outcome was Granted on 01/09/2005.

[RMA-2005-369309](#) Resource Management Act (Historical Data) ESTABLISH RESIDENTIAL ACTIVITY ON VARIOUS SITES WITHIN UCLA (Non-Notified - Restricted Discretionary). The outcome was Granted on 01/09/2005.

[RMA-2002-365818](#) Resource Management Act (Historical Data) SUBDIVIDE BALANCE OF SUNNINGHURST ESTATE PROPERTY TO CREATE 80 NEW RESIDENTIAL SITES IN 3 STAGES Stg4A- DP 320920- sec223-16/5/03; sec224c -3/7/03 (Non-Notified - Non Complying). The outcome was Granted on 26/11/2002.

[RMA-2006-370233](#) Resource Management Act (Historical Data) CANCELLATION OF EASEMENT (Other). The outcome was Granted on 19/06/2006.

[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

[RMA-2001-365128](#) Resource Management Act (Historical Data) Section 127 request for change to conditions of RMA93166 to incorporate new Stage 2A (DP304278) in the development - to create recreation reserve and balance area (Other). The outcome was Granted on 14/04/2002.

[RMA-2000-364494](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA 93166 - for installation of water pipe in stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 21/02/2001.

[RMA-2000-364424](#) Resource Management Act (Historical Data) Section 127 request for variation of conditions of RMA93166 to allocate conditions on a stage by stage basis (Other). The outcome was Granted on 06/12/2000.

[RMA-2002-366370](#) Resource Management Act (Historical Data) Objection under Section 357 to conditions of RMA20020472 (Other). The outcome was Granted on 17/01/2003.

[RMA-2001-365218](#) Resource Management Act (Historical Data) SUBDIVISION - BOUNDARY ADJUSTMENT BETWEEN LOT 51 DP 300725 AND LOT 4 DP 300725 (TO CREATE LOT 68 DP304283 AND BALANCE LOT) sec223,224c re-signed 12/7/02 (Non-Notified - Unrestricted Discretionary). The outcome was Granted on 23/11/2001.

[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5111546 36 Holyport Close Fairfield](#)

[RMA-2003-366467](#) Resource Management Act (Historical Data) CHANGE CONDITIONS OF RMA20020472 stg4a- DP 320920 stgs x, y also (Other). The outcome was Granted on 30/04/2003.

[RMA-2003-367373](#) Resource Management Act (Historical Data) VARIATION OF CONDITIONS OF RMA20030534 TO CHANGE ALLOTMENT STAGING (ESSENTIALLY FURTHER VARIATION TO RMA20020472) see DP 346062 (Non-Notified - Restricted Discretionary). The outcome was Granted on 28/01/2004.

[RMA-2003-366750](#) Resource Management Act (Historical Data) REPLACEMENT OF SUBDIVISION CONSENT RMA20020472 (ESSENTIALLY A VARIATION OF CONDITIONS OF RMA20020472) stg4a- DP 320920 stg X -and stg Y -DP 346062 (Other). The outcome was Granted on 02/07/2003.

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[RMA-2001-365181](#) Resource Management Act (Historical Data) Section 127 request for change to condition of RMA93166 for reduction of width of Right of Way B in Stage 2 of subdivision - DP300725 (Other). The outcome was Granted on 16/11/2001.

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[RMA-1993-355803](#) Resource Management Act (Historical Data) Subdivision of CT OT13D/101 for development of 119 Residential sites in at least 6 stages (Sunninghurst Estate subdivision) - Applicant: LANDCORP PROPERTIES C/- BOX 1083 DN (Non-Notified - Non Complying). The outcome was Granted on 16/08/1993.

[5120857 39 Awa Toru Drive Fairfield](#)

[SUB-2013-23/A](#) Subdivision Consent s127 change of conditions to SUB-2013-23 to include land of Section 1 SO 335608. The outcome was s127 Upheld on 23/08/2017.

[LUC-2013-514](#) Land Use Consent land use consequential to a subdivision consent - earthworks associated with access and bund formation, and for residential activity utilising a private access from Howorth Road serving a total of up to 17 residential units. The outcome was Granted on 20/12/2013.

[SUB-2013-107](#) Subdivision Consent subdivision creating 15 lots (reconfiguration of SUB-2011-126). The outcome was Granted on 20/12/2013.

[SUB-2013-23](#) Subdivision Consent subdivision creating 3 lots (incl ROW over what is now Lot 16 DP 478754). The outcome was Granted on 18/06/2013.

[LUC-2011-440](#) Land Use Consent land use as a consequence of a 14 lot residential 1 subdivision. The outcome was Granted on 27/10/2011.

[SUB-2011-126](#) Subdivision Consent subdivision creating 14 lots. This consent has since Lapsed.

[SUB-2011-103](#) Subdivision Consent boundary adjustment. The outcome was Granted on 09/09/2011.

[POL-2007-350544](#) Planning Other Legislation creation of right of way easement over Section 11 SO 313291 in favour of Sections 12 and 13 SO 313291 (consent lapsed 10 September 2010). This consent has since Lapsed.

[RMA-1996-359755](#) Resource Management Act (Historical Data) Subdivision - Consent Notice: variation approved 11.08.97. The outcome was Granted on 11/08/1997.

Other Planning Comments

Consent Notice

The record of title for this property has a consent notice recorded against it:

- CONO 6512934.7

A copy of the consent notice is attached to this LIM. The conditions in the consent notice must be complied with on an ongoing basis.

The information provided with this LIM on District Plan requirements and resource consents has been verified by City Planning in relation to the subject property only. All information included in relation to other land surrounding the site is indicative.

Accuracy of Boundaries

Knowing the true location of the property boundaries on the ground is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. Please note that the Council's aerial photographs may not accurately depict the extent of the property.

The Record of Title for the site should be checked in the first instance. A surveyor may need to be consulted to establish the true location of the title boundaries on the ground.

Access to Site

The legality of any access to the site is important in determining what can be carried out on the land under the District Plan and in determining whether the current activity complies with the District Plan or any resource consent. It is recommended that the Record of Title and/or a lawyer be consulted regarding the legality of any legal and/or physical access to the site (and the maintenance thereof).

Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 applies in addition to any protection provided to a building or site by the District Plan. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, or modify the whole or any part of an archaeological site, whether or not the land on which the site is located is designated, or a resource or building consent has been issued, without the prior authority of Heritage New Zealand. The Heritage New Zealand Pouhere Taonga Act 2014 defines an archaeological site as a place associated with pre-1900 activity, where there may be evidence relating to the history of New Zealand. Pre-1900 buildings are considered archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014 and are also often associated with subsurface archaeological remains that provide evidence of pre-existing use of the site. Council records may not necessarily identify the precise date upon which an existing building was constructed. Contact the Dunedin office of Heritage New Zealand for further information: infodeepsouth@heritage.org.nz; 03 477 9871.

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 came into force on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. (The current edition of the HAIL is available on the Ministry for the Environment website at www.mfe.govt.nz.) Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent. (The Otago Regional Council should also be consulted for any rules in might have in regards to the use or development of contaminated sites.)

If a person wishes to establish whether a piece of land has had hazardous activities or industries conducted on it, and thus whether activities on that land are controlled by the National Environmental Standard, then the person must pay for a review of the information about the land held by the Council, or pay for a suitably qualified and experienced practitioner to undertake a preliminary site inspection. Formal confirmation from the Council that resource consent is not required under the National Environmental Standard can only be given through a certificate of compliance application.

If you would like a copy of any Resource Consent decision or advice on the current status and relevance of any planning matter referred to in the LIM, enquiries may be made at the Planning Enquiries desk on the Ground Floor of the Civic Centre, 50 The Octagon, or by phoning 477 4000 and asking for the Duty Planner. Planners are available at the Planning Enquiries desk to answer your enquiries between 8:30am and 5:00pm weekdays.

3 Waters

Information Regarding Watercourses

The controlling authority for all water and waterbodies in Dunedin City is the Otago Regional Council. The Regional Plan: Water addresses water take and use, diversions, damming, discharges and bed alteration under the Resource Management Act 1991. They are also responsible for the Flood Protection Management Bylaw 2012.

The controlling authority for watercourses in relation to stormwater drainage, and removal of obstructions in accordance with Local Government Act 1974 is the Dunedin City Council. The Council also issues building and resource consents for certain works around watercourses.

Not all watercourses within Dunedin City are recorded or known to the Council, therefore it is recommended that the applicant inspect the property for watercourses.

For further information on watercourses it is recommended the applicant read the Watercourse Information Sheet. A copy of this document is available on request or for download from the Dunedin City Council website www.dunedin.govt.nz.

Transport

DCC Transport has carried out a desktop inspection of this property and found the following:

Neighbouring property driveway access – vehicle access for the neighbouring properties is over this property's boundary.

Access to the neighbouring properties is over this property's boundary, the maintenance of the private driveway/s is the property owners/users responsibility. Please consult with your Lawyer to find out if this is registered under your property title and/or there is a formal agreement in place between the owners/users of all private accesses in order, to clarify maintenance responsibilities and access permission for the owners/users.

Private stormwater lateral.

Private stormwater laterals collect stormwater from private properties guttering and runs under the footpath to the kerb and channel on the roadside. The stormwater laterals are private pipes and are the responsibility of the landowner who they service, the repair and maintenance of these pipe's rests solely with the property owner. As the landowner you must maintain your stormwater lateral to ensure that it doesn't become a safety hazard for pedestrians or other road users.

For further explanations on property owner obligations in regard to local road encroachments, vehicle entrances, vegetation management or retaining structures please refer to the Dunedin City Council website at <http://www.dunedin.govt.nz/services/roads-and-footpaths> or contact Transport on 477 4000.

For properties abutting the state highway, Waka Kotahi NZ Transport Agency is the Road Controlling Authority.

Glossary of Terms and Abbreviations

The following are abbreviations and terms that may appear as a part of a LIM.

Consent, Permit, Licence & Complaint types

AAB	DCC Building permit
AAD	DCC Drainage permit
AAG	Green Island drainage permit
AAH	Hyde permit
AAK	St Kilda permit
AAM	Mosgiel permit
AAP	Port Chalmers permit
AAS	Silverpeaks permit
AAT	Maniototo permit
ABA	Application Building Act 1991
AMD	Amendment to a Building Consent
BC	Building Consent
BCC	Building Compliance Certificate - Sale and Supply of Alcohol Act
BCM	Building Complaint
CER	Certifier
COA	Certificate of Acceptance
DGL	Dangerous Goods Licensing
ENV	Health complaint
HTH	Health licence
LIQ	Alcohol licence
NTF	Notice to Fix
NTR	Notice to Rectify
PIM	Project Information Memorandum
POL	Planning Other Legislation
RMA	Resource Management Act - Resource consent
RMC	Resource consent complaint
WOF	Building Warrant of Fitness

Terms used in Permits & Consents

ALT	Alteration
ADD	Addition
BD D/C	Board drain in common
BLD	Building
BLDNG	Building
BT	Boundary trap
B/T	Boiler tube
CCC	Code Compliance Certificate
DAP	Drainage from adjacent property
DGE	Drainage
DIC	Drain in common
DR	Drainage
DWG	Dwelling
FS	Foul sewer
HEA	Heater
ICC	Interim Code Compliance

MH Manhole
PL Plumbing
PLB Plumbing
PTE Private
SIS Sewer in section
WC Water course
WT Water table
SW Stormwater

General terms

RDMS Records and Document Management System

Appendices



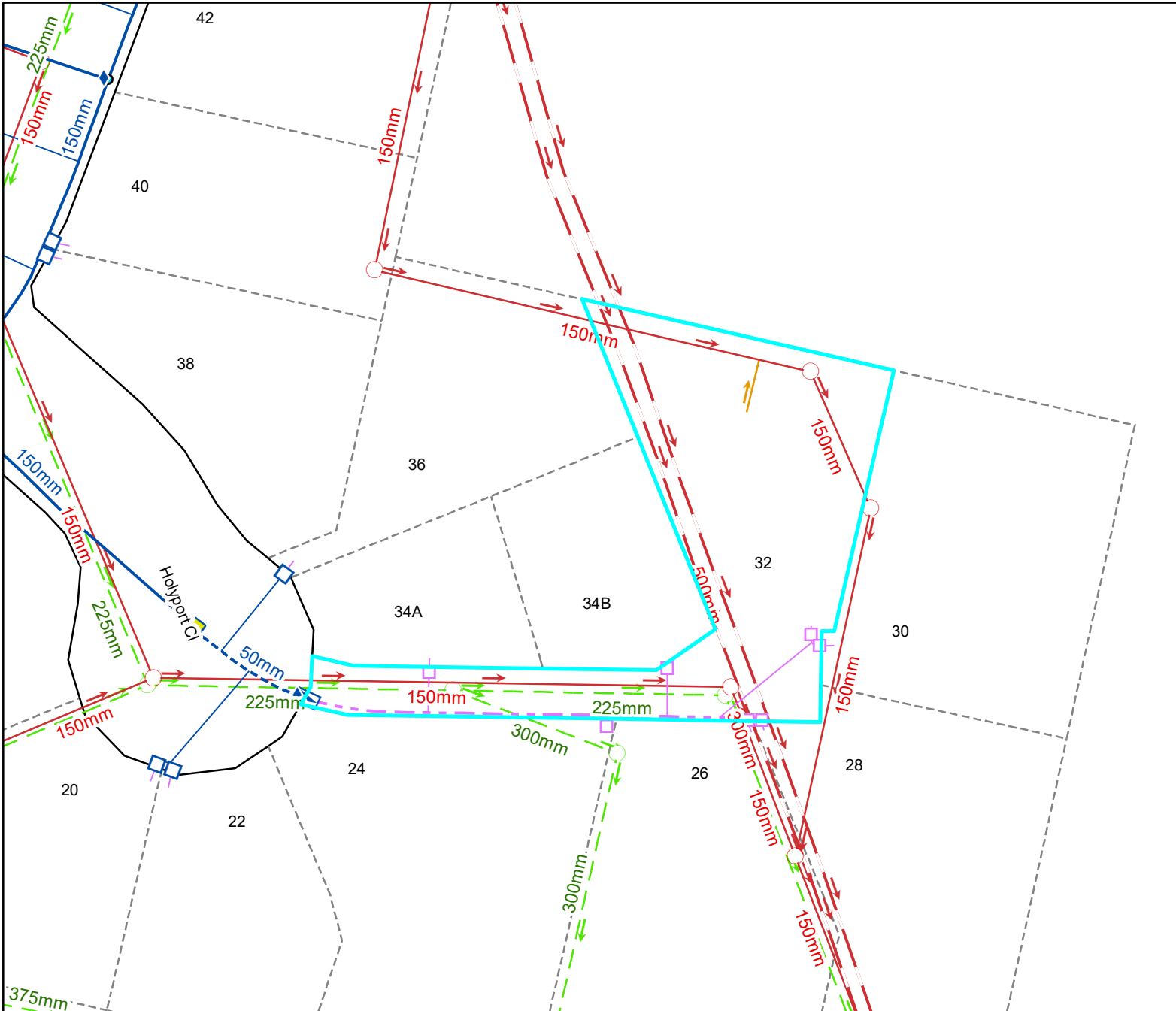
Photographic Map

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PARCEL LINES CAN VARY FROM
LEGAL PARCEL BOUNDARIES
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or orthographic standards. Every effort
has been made to ensure correctness and
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Legend

Water Supply

	Manifold Box		Water Non-Return Valve
	Water Meter		Water Pump Station
	Toby		Water Bore
	Meter without manifold box		Water Treatment Plant
	Retic Flow Meter		Water Storage Tank
	Combination Meter		Supply Main
	Manifold Box With Restrictor		Trunk Main
	Water Valve - Zone		Disused
	Non Return Valve		Reticulation
	Water Valve - Gate		Scour
	Water Valve - Sluice		Water Service Lateral
	Water Hydrant		Water Fire Service Lateral
	Water Backflow Preventor - RPZ		Water Critical Service Lateral
			Water Zone Boundary
			Water Reservoir
			Redundant Water Main

NOTE: Private water services have the same symbols as those above, however they are coloured pink.

Foul Sewerage

	Standard Manhole		Pump Station
	Valve Chamber (pressurised)		Treatment Plant
	Boundary Kit		Vent
	Non-Return Valve		Foul Sewer Node
	Pump Station Domestic		Foul Drains in Common (public)
	Drop Manhole		Sewer
	Inspection Manhole		Trunk Sewer
	Inspection Opening		Vent Line
	Lamphole		Rising Main
	Outlet		Redundant Foul Sewer Pipe

NOTE: Private foul drains have the same symbols as those above, however they are coloured orange.

Stormwater

	SW Bubble-up Tank		Roading Bubble-Up Tank
	SW Drop Manhole		Roading Mudtank
	SW Insp Chamber and Grating Inlet		Stormwater Main
	SW Inspection Manhole		Stormwater Trunk Main
	SW Inspection Opening		DCC Open Channel
	SW Lamphole		Piped WC
	SW Mudtank Inlet		Open WC
	SW Outlet		Culvert
	SW Pipe Inlet		Stormwater Mudtank Pipe
	SW Pressure Manhole		Redundant Stormwater Main
	SW Standard Manhole		SW Sump
	SW Stormwater Node		SW Pump Station

NOTE: Private stormwater drains have the same symbols as those above, however they are coloured light green.

General

	DCC Water & Waste Structure		Parcel		Road/Rail
	Railway Centreline		Hydro		Motorway Parcels
			Strata		Easment (where recorded)

Full legend can be viewed at <https://www.dunedin.govt.nz/council-online/webmaps/waterservices>



Council Water & Drainage Services

Information shown is the best available at the time of publishing. The accuracy and completeness of this information is variable. Private assets are typically not mapped. Recent changes may not be reflected. Verify on site before commencing work. For all enquiries phone 03 477 4000.

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PARCEL LINES CAN VARY FROM LEGAL PARCEL BOUNDARIES
This map is for illustration purposes only and is not accurate to surveying, engineering or orthographic standards. Every effort has been made to ensure correctness and timeliness of the information presented.

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CODE COMPLIANCE CERTIFICATE

Section 95, Building Act 2004

ISSUED BY:



**DUNEDIN CITY
COUNCIL**

Kaunihera-a-rohe o Otepoti

Telephone No:	477-4000	CCC No:	ABA 42523	Reference No:	2321
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(Insert a cross in each applicable box. Attach relevant documents).

APPLICANT	PROJECT
Owner: CRESCENT DEVELOPMENT COMPANY LIMITED C/O PATERSON PITTS PARTNERS LIMITED P O BOX 1083 DUNEDIN 9015	All <input checked="" type="checkbox"/>
PROJECT LOCATION	Stage Noof an intendedstages
Street Address: SUNNINGHURST DRIVE, FAIRFIELD, DUNEDIN 9006	New Building <input checked="" type="checkbox"/> Alteration <input type="checkbox"/>
LEGAL DESCRIPTION	Intended Use(s) in detail: NEW FOUL & STORMWATER DRAINS (SUBDIVISION DRAINAGE) STAGE 6B
Building Name: Property Number: 2321 Valuation Roll No: Building Use: Year Constructed: Legal Description: PT LOT 2 DP 17134	Intended Life: Indefinite, not less than 50 years <input checked="" type="checkbox"/> Specified as years Demolition <input type="checkbox"/>

The building consent authority named above is satisfied, on reasonable grounds, that:

- (a) The building work complies with the Building Consent, and
- (b) The specified systems in the building are capable of performing to the performance standards set out in the Building Consent.

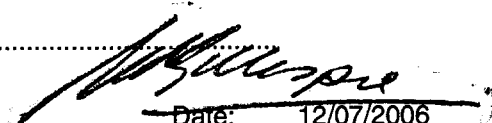
Compliance Schedule attached.

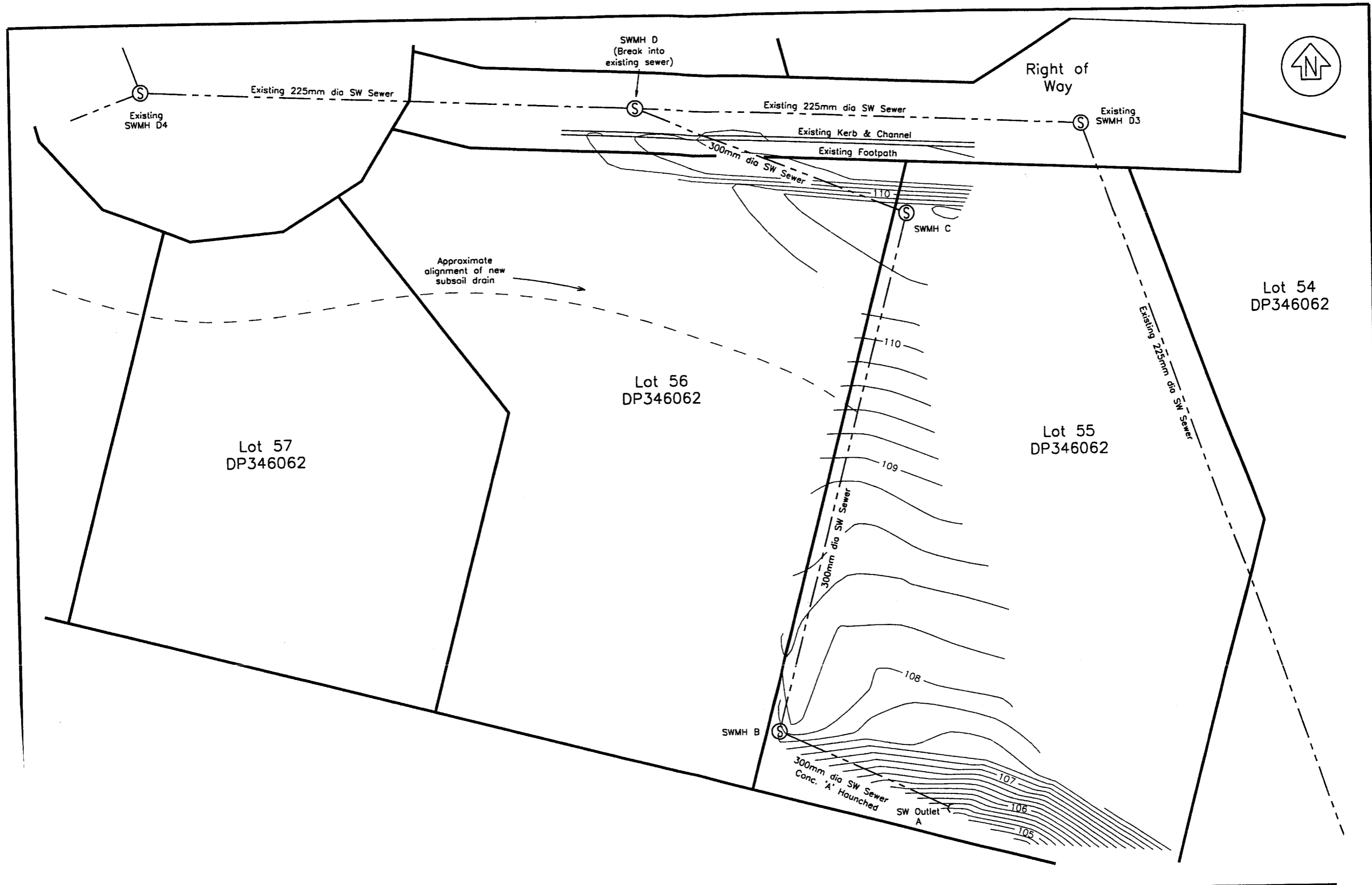
The Council charges payable on the uplifting of this code compliance, in accordance with the attached details are: \$
Receipt No:

Signed for and on behalf of the Council:

Name:.....

Position: AUTHORISED OFFICER


Date: 12/07/2006



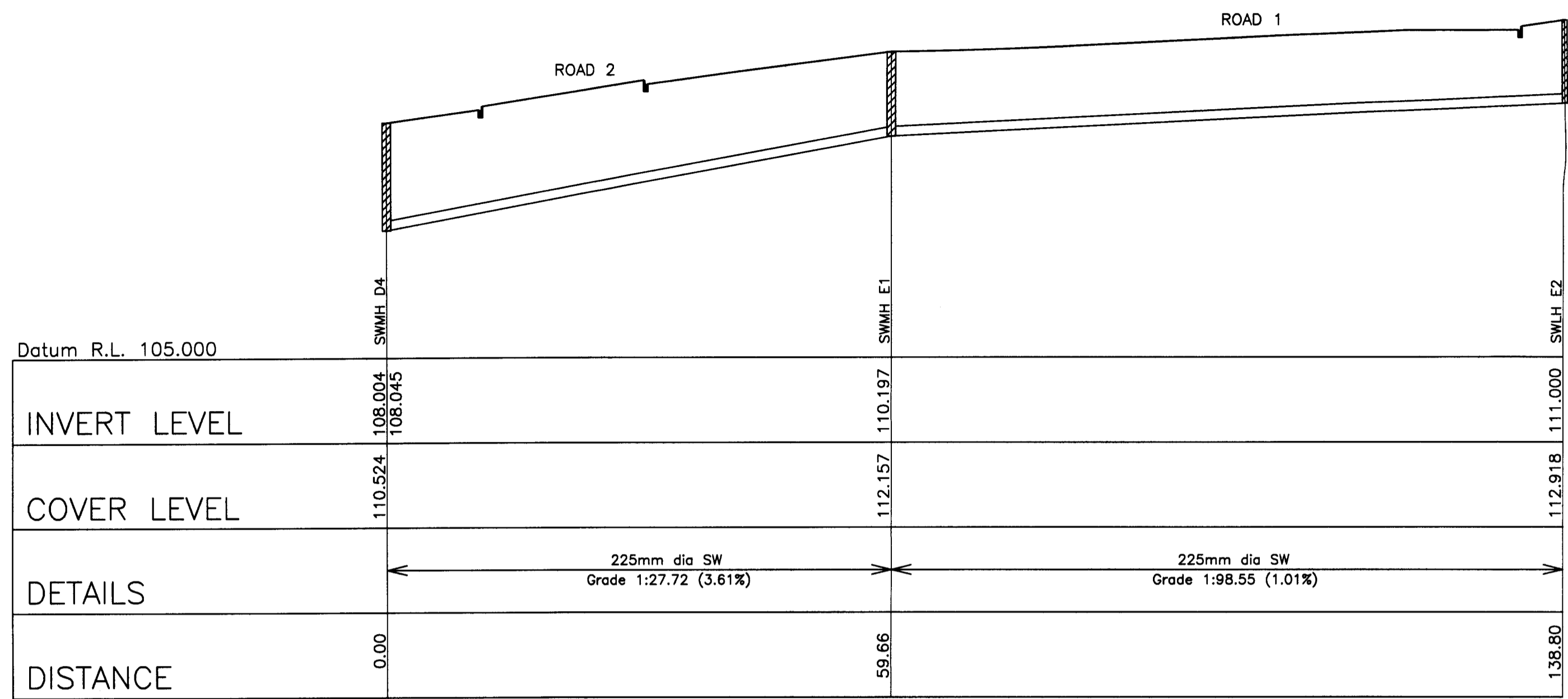
PATERSON PITTS PARTNERS LTD
 Consultants in
 Surveying, Land Planning & Development
 Dunedin, Alexandra, Cromwell, Wanaka, Queenstown

SUNNINGHURST DEVELOPMENT - STAGE 6B
 ADDITIONAL STORMWATER SEWER OVER LOTS 55 & 56

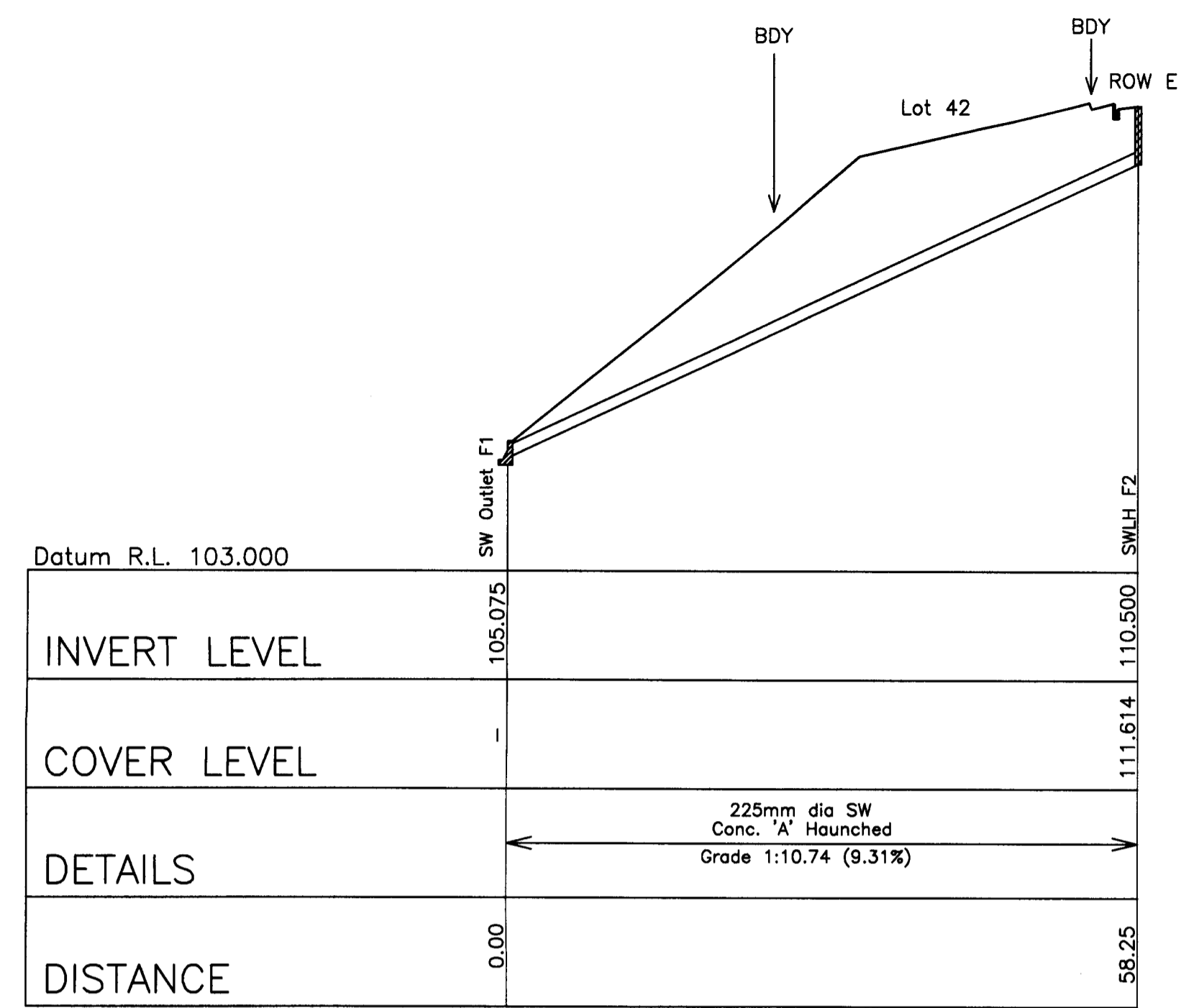
Version	Purpose	Notes
1	SW Sewer design 24/05/05	Levels in terms of Otago Datum Level Origin: Bench Mark 107
		DATE: JUNE 2005
		SCALE: 1:200 (A2)
		CHECKED: K. Bowen

SHEET: 0087

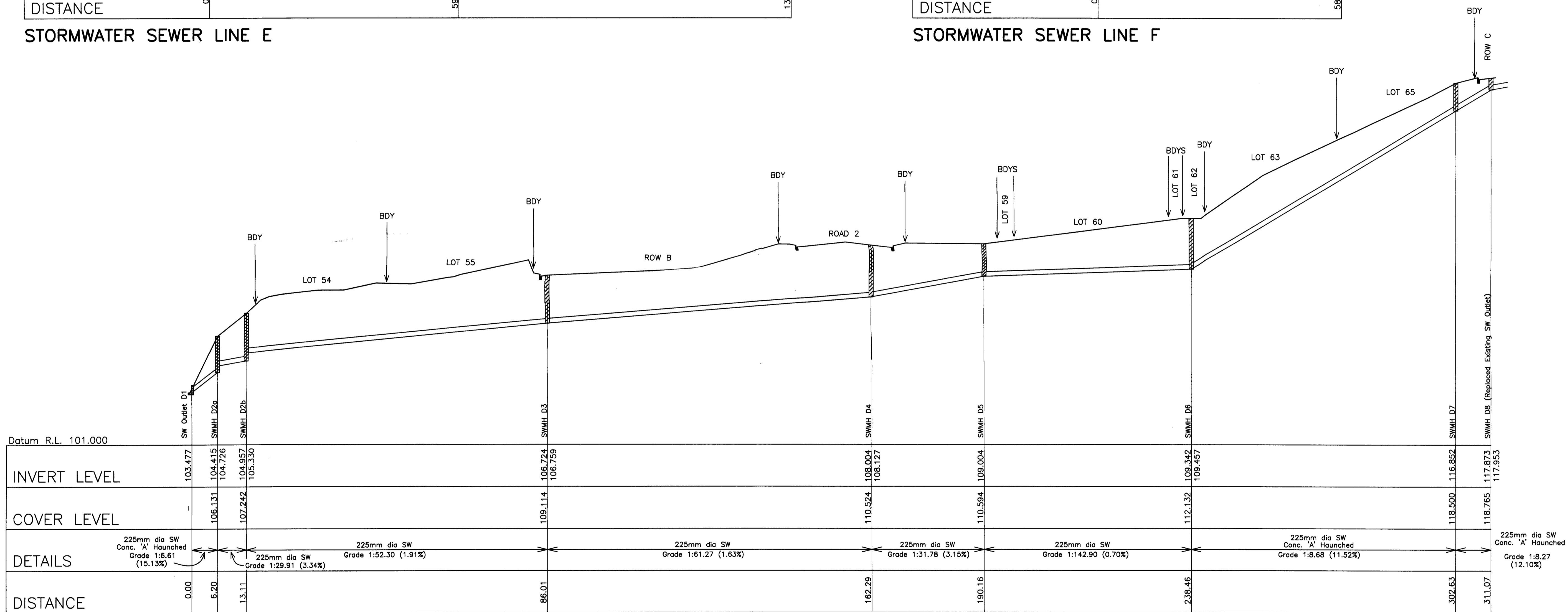
AI



STORMWATER SEWER LINE E



STORMWATER SEWER LINE F

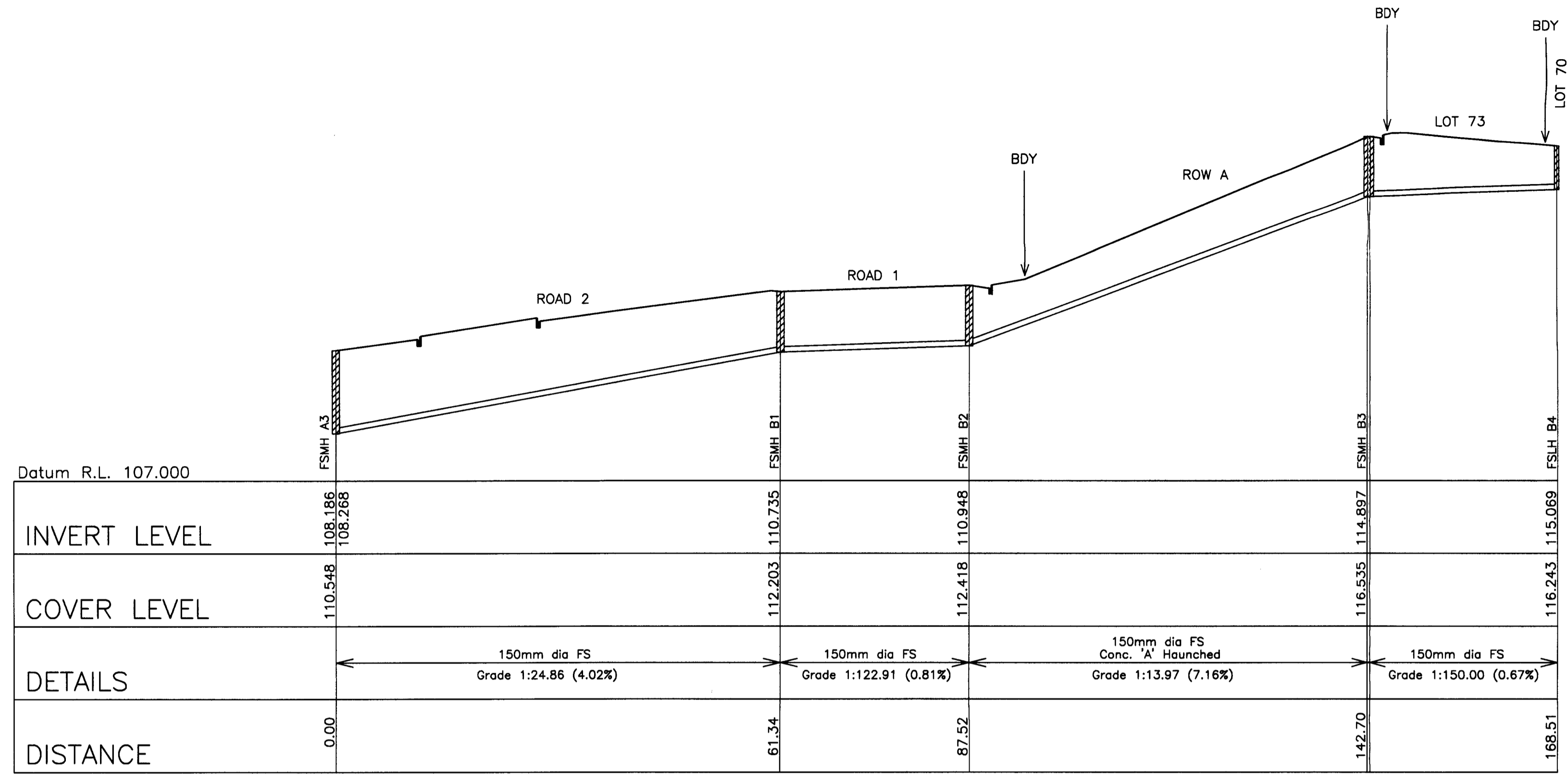


STORMWATER SEWER LINE D

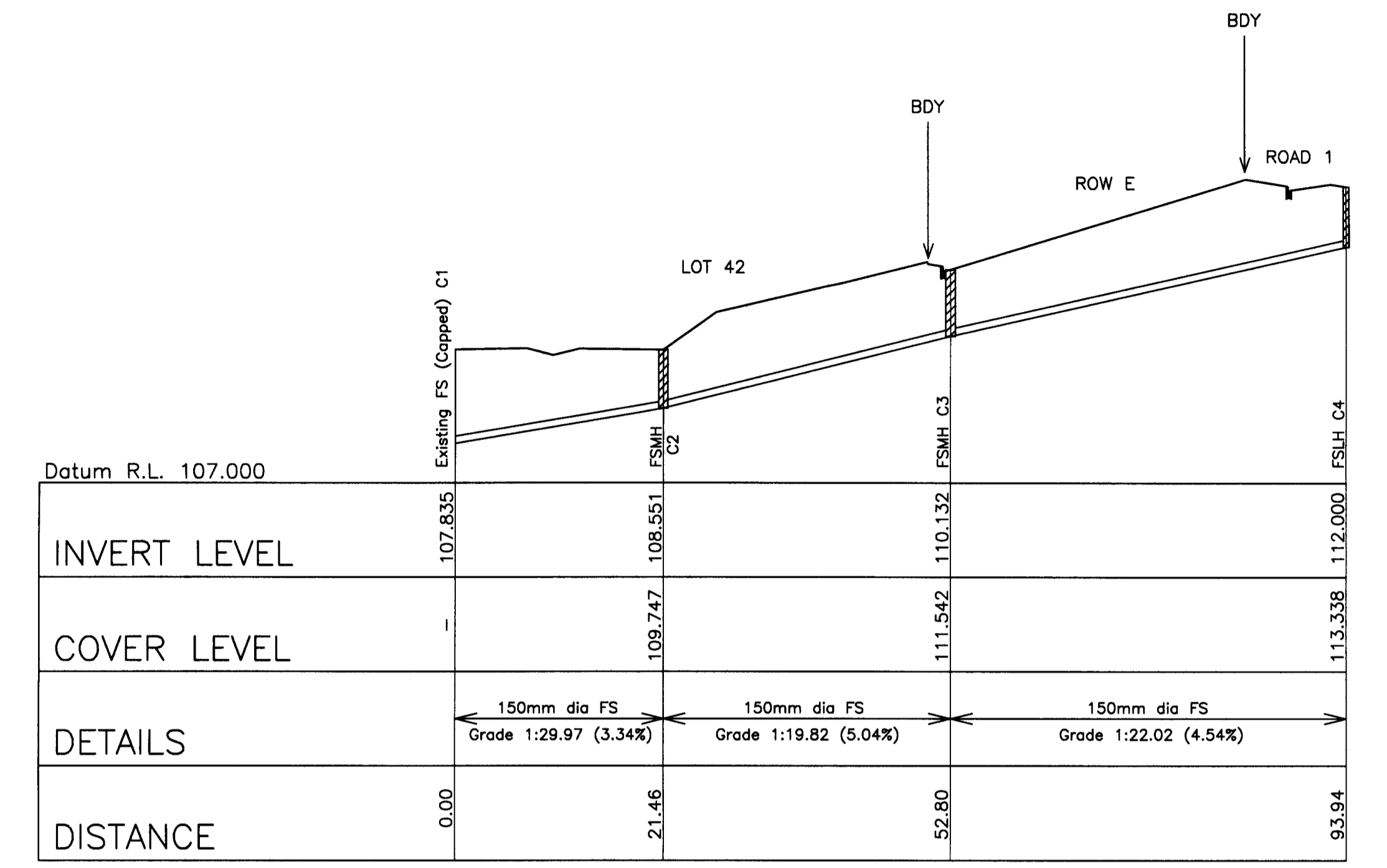
Version	Purpose
1	Tender-Set
2	Contract-Set
3	ROW-E-redesigned-22/07/04
4	As-Built Plans

NOTES: Levels in terms of Otago Datum Level Origin: Bench Mark 107	
DRAWN: B Curtis	DATE: APRIL 2005
CHECKED: K Bowen	SCALE: (Not to Scale)

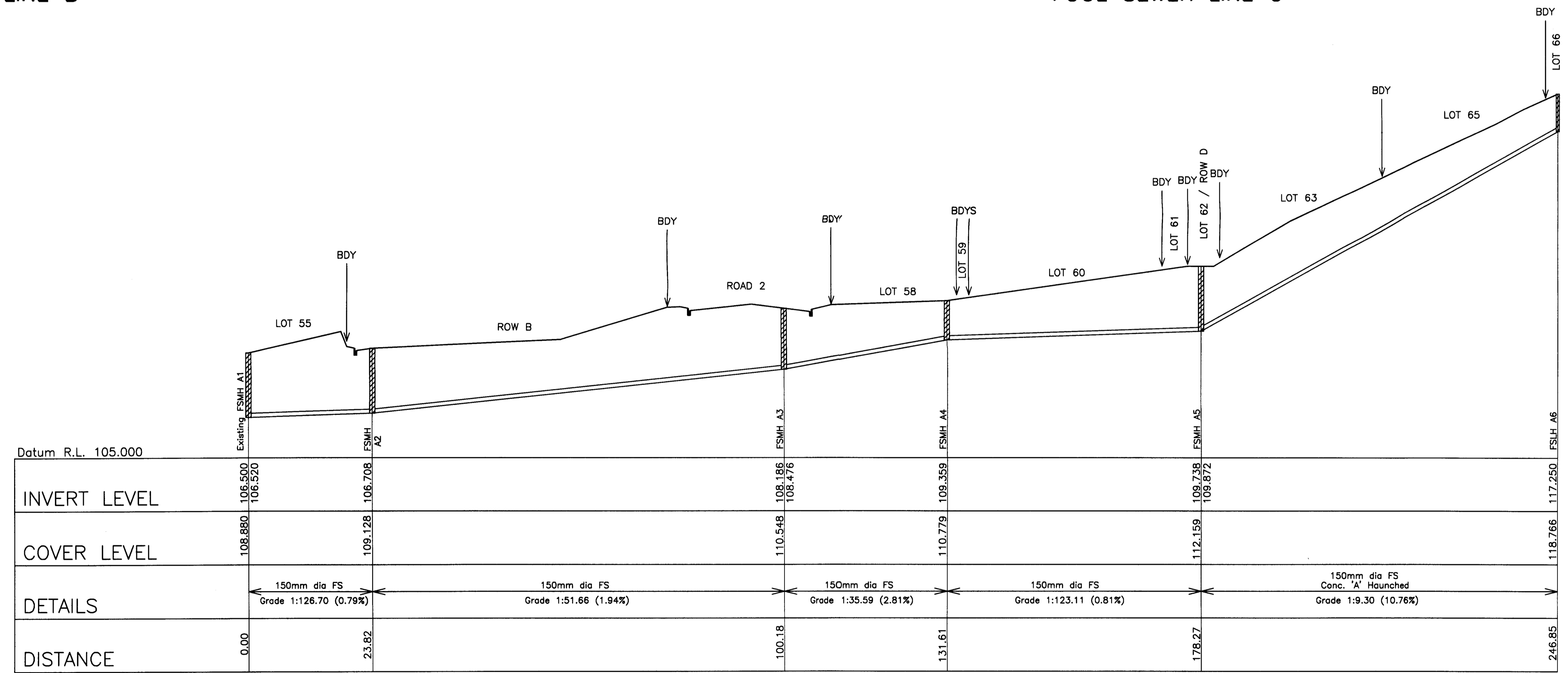
A1



FOUL SEWER LINE B



FOUL SEWER LINE C

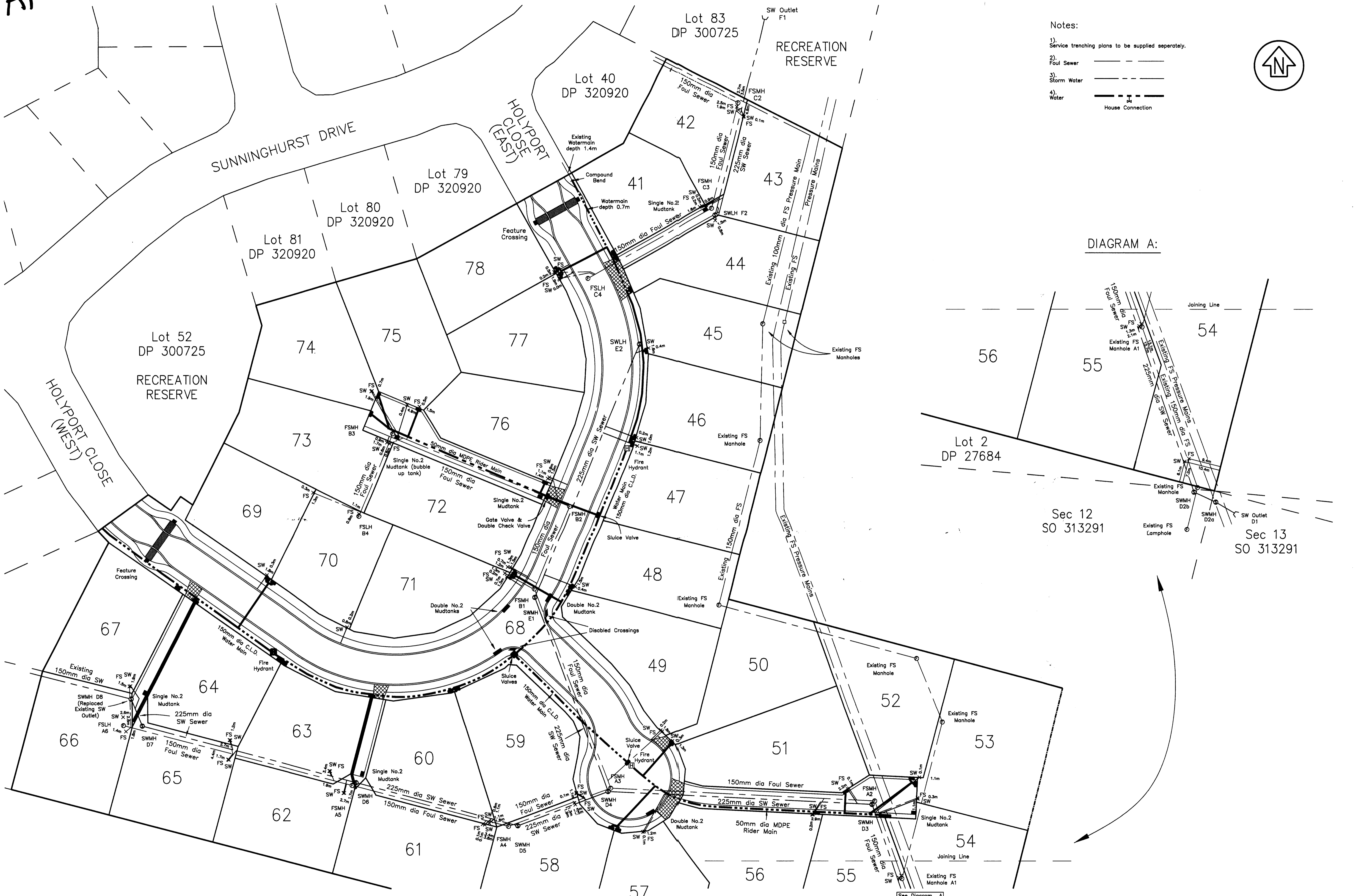


FOUL SEWER LINE A

Version	Purpose
1	Tender Set
2	Contract Set
3	ROW E redesigned 22/07/04
4	As-Built Plans

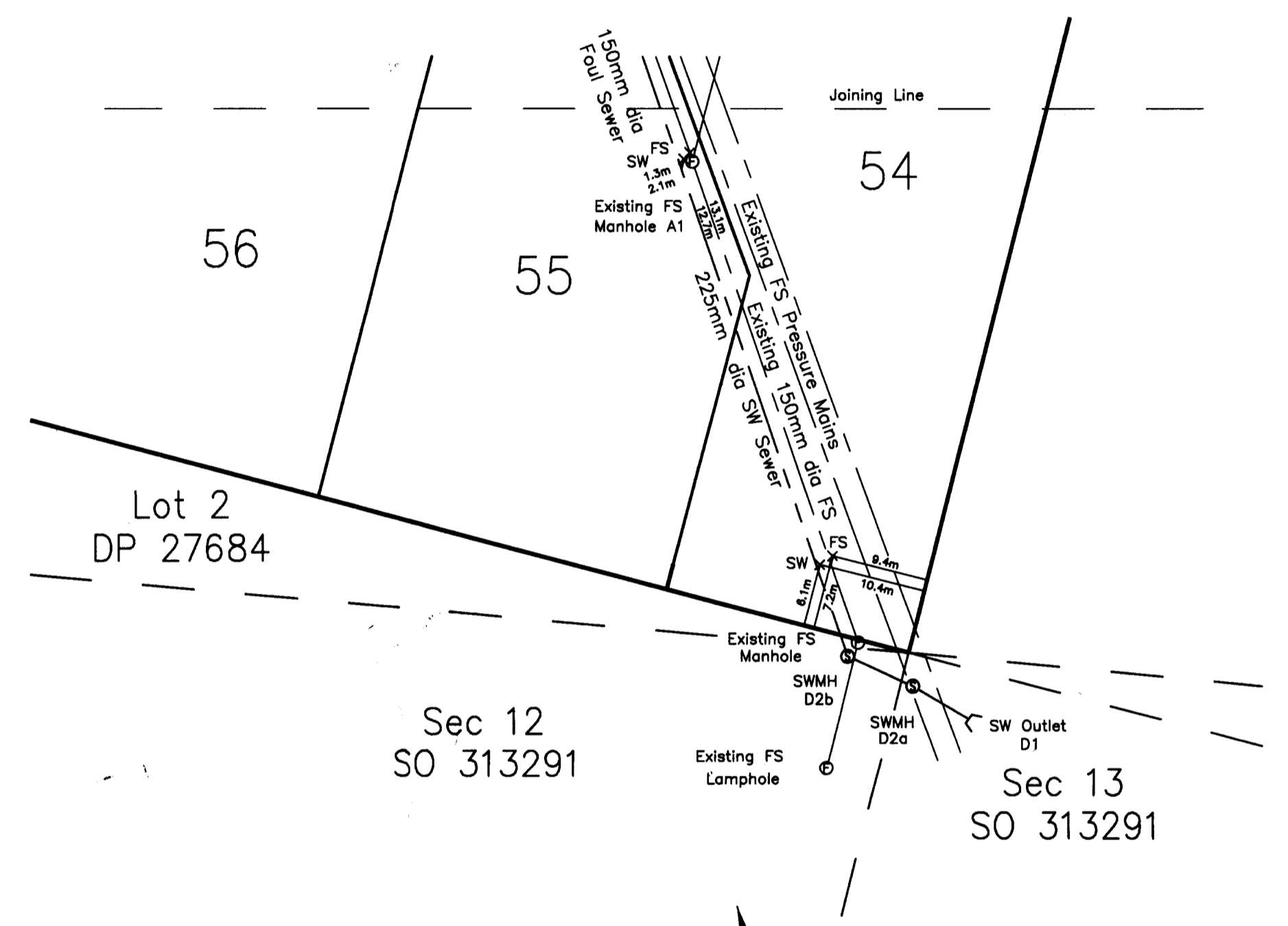
NOTES: Levels in terms of Otago Datum Level Origin: Bench Mark 107	
DRAWN: B Curtis	DATE: APRIL 2005
CHECKED: K Bowen	SCALE: (Not to Scale)

M



- Notes:
- 1) Service trenching plans to be supplied separately.
 - 2) Foul Sewer
 - 3) Storm Water
 - 4) Water
- House Connection

DIAGRAM A:



Version	Purpose
+	Tender-Set
2	Contract-Set
3	ROW-E redesigned-22/07/04
4	As-Built Plans

NOTES:	Dimensions to SW & FS laterals are from nearest boundary corner.
	Levels in terms of Otago Datum
	Level Origin: Bench Mark 107
DRAWN:	B Curtis
CHECKED:	K Bowen
DATE:	APRIL 2005
SCALE:	1:500

CODE COMPLIANCE CERTIFICATE

CCC Form 1

Section 95, Building Act 2004

CCC No:	ABA54021	Telephone No:	03 477 4000
APPLICANT		PROJECT	
Crescent Development Company Limited C/O Linda Mulholland Lucas and Lucas Limited PO Box 5735 Dunedin 9058		Work Type: Plumbing & Drainage	
PROJECT LOCATION		Intended Use/Description of Work: Stormwater Sewer Extension	
24 Holyport Close Fairfield		Intended Life: Indefinite, not less than 50 years.	
LEGAL DESCRIPTION		This CCC also applies to the following Amended Consents:	
Legal Description: LOT 2 DP 369260 Valuation Roll No: 27861-1552527861-15547 Building Name: N/A		N/A	

The Building Consent Authority named above is satisfied, on reasonable grounds, that:

- (a) The building work complies with the Building Consent, and
- (b) The specified systems in the building are capable of performing to the performance standards set out in the Building Consent.

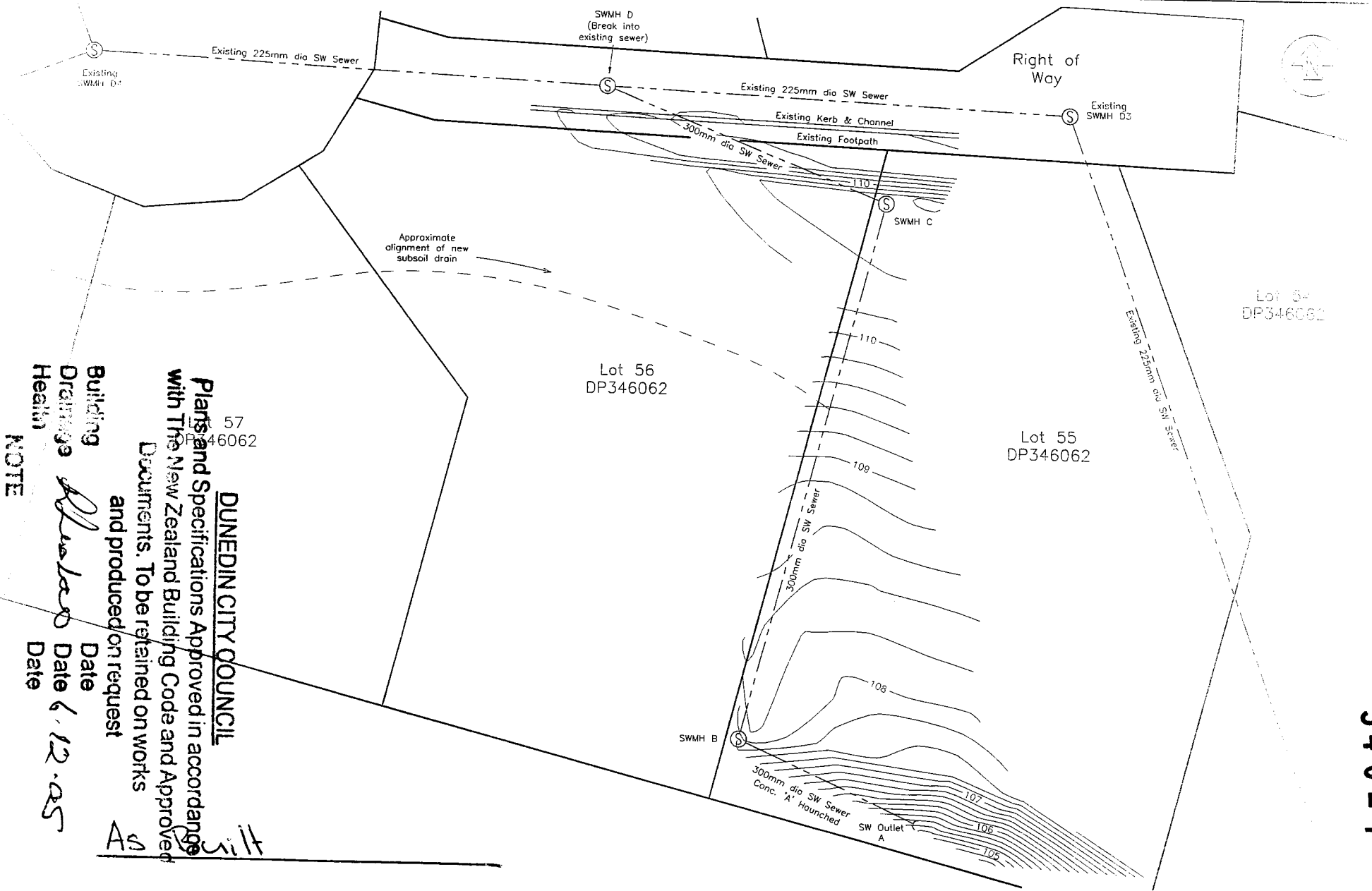
Compliance Schedule attached

Signed for and on behalf of the Council:



TEAM LEADER INSPECTIONS

Date: 14 February 2011



Lot 54
DP346062

Lot 56
DP346062

Lot 55
DP346062

57
DP346062

DUNEDIN CITY COUNCIL
 Plans and Specifications Approved in accordance
 with The New Zealand Building Code and Approved
 Documents. To be retained on works
 and produced on request

Building Date
 Drainage Date
 Health Date

As Built

6.12.05

NOTE

DUNEDIN CITY COUNCIL
 APPROVED BUILDING CONSENT DOCUMENTS

54021

PATERSON PITTS PARTNERS LTD
 Consultants in
 Surveying, Land Planning & Development
 Dunedin Auckland Cromwell Wanaka Queenstown

SUNNINGHURST DEVELOPMENT - STAGE 6B
 ADDITIONAL STORMWATER SEWER OVER LOTS 55 & 56

Version	Purpose
1	SW Sewer design 24/06/05

NOTES:
 Levels in terms of Otago Datum
 Level Origin: Bench Mark 107

DRAWN: B Curtis
 CHECKED: K Bowen

DATE: JUNE 2005
 SCALE: 1:200

CODE COMPLIANCE CERTIFICATE

DCCBCA-F4-07-v3.0

Section 95, Building Act 2004

CCC NO:	ABA-2006-314564	Telephone No:	03 477 4000
APPLICANT		PROJECT	
M Saville and C M Saville 32 Holyport Close Fairfield Dunedin 9018		Work Type: New Construction Intended Use/Description of Work: Erect Dwelling Intended Life: Indefinite, not less than 50 years.	
PROJECT LOCATION		This CCC also applies to the following Amended Consents: N/A	
32 Holyport Close Fairfield			
LEGAL DESCRIPTION			
Legal Description: LOT 52 DP 346062 Valuation Roll No: 27861-15521 Building Name: N/A			

The Building Consent Authority named above is satisfied, on reasonable grounds, that:

- (a) The building work complies with the Building Consent, and
- (b) The specified systems in the building are capable of performing to the performance standards set out in the Building Consent.

Compliance Schedule attached

This Certificate is issued subject to the conditions specified:

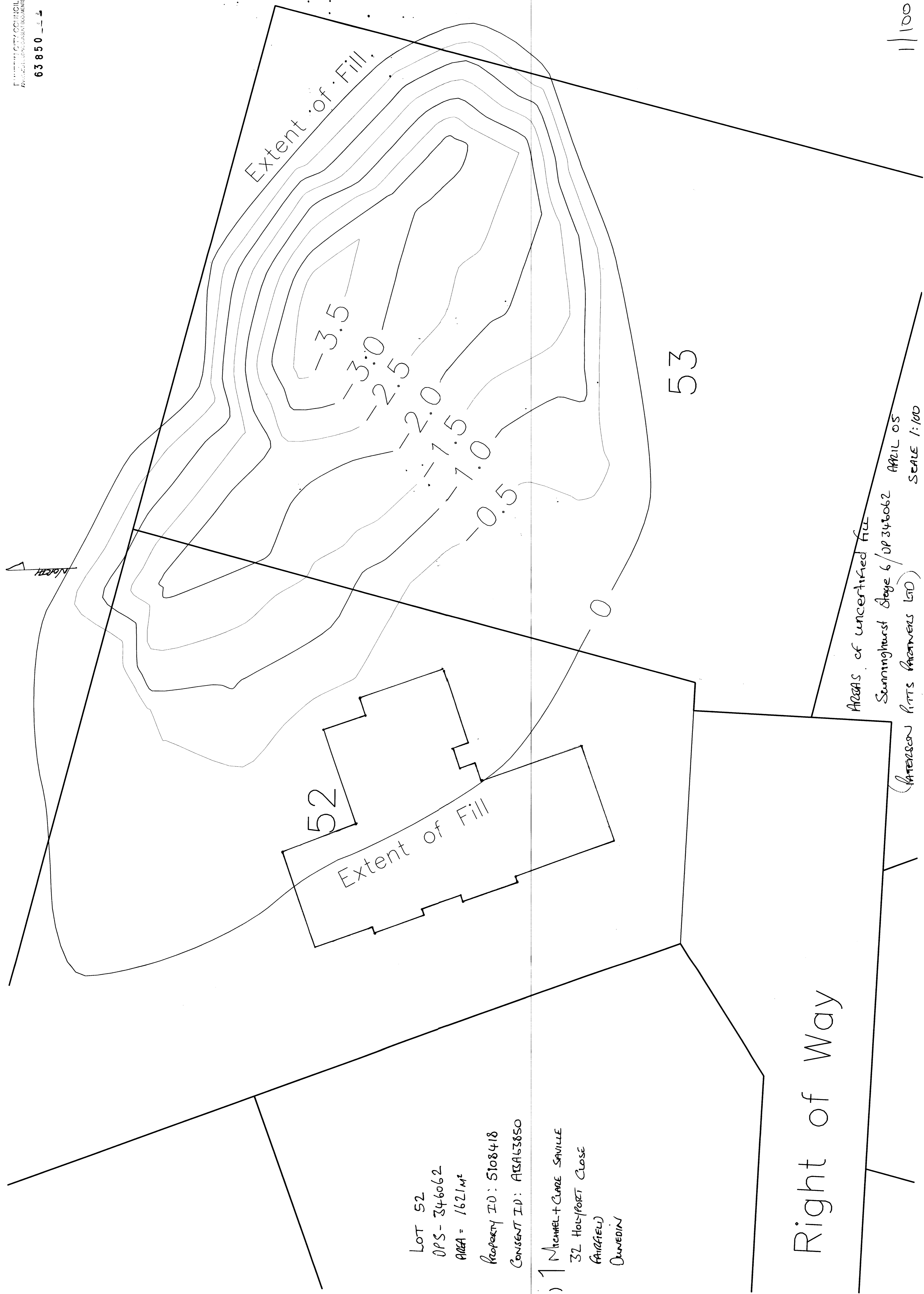
The Building Consent is subject to a modification to the Building Code to the effect that, Clause B2.3.1 applies from 23 November 2007 instead of from time of issue of the Code Compliance Certificate.

Signed for and on behalf of the Council:



Team Leader Inspections

Date: 11 October 2016



LOT 52
OPS - 346062
AREA = 1621m²
PROPERTY ID: 5108418
CONSENT ID: AISA63850

MICHAEL + CLARE SAVILLE
32 HOLYPORT CLOSE
FAIRFIELD
DUNEDIN

Right of Way

AREAS of un-certified fill
Seamington Stage 6/DP 346062 APRIL 05
(ANDERSON PITS PARTNERS LTD) SCALE 1:100

LOT 52 Mr & Mrs Saville



50

63850

51

52

Extent of Fill

53

Extent of Fill

Right of Way

Ma Paterson

25/10/06

M Saville 25/10/06

C Saville

25/10/06

56

19.3

55

Subsoil drain

54

24.0

Extent of Fill

Sec 2
SO 22460

Lot 2
DP 27684

PATERSON PITTS PARTNERS LTD
Consultants in
Surveying, Land Planning & Development
Dunedin Alexandra Cromwell Wanaka Queenstown

Areas of Uncertified Fill

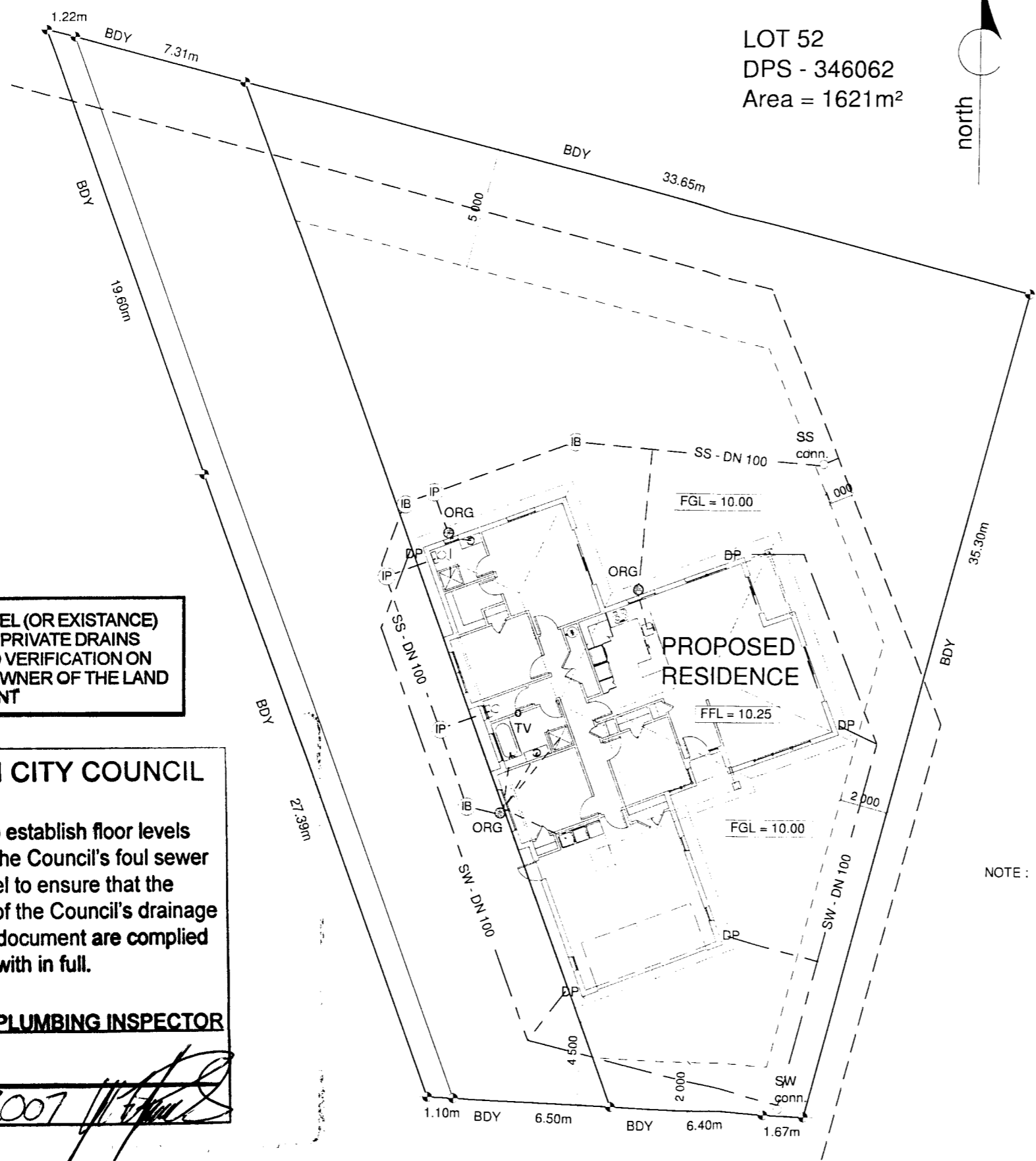
Sunninghurst Stage 6 / DP346062

DATE: April 05

SCALE: 1:500

Pete Collie 27/12/06
Signed Date

LOT 52
DPS - 346062
Area = 1621m²



POSITION, LEVEL (OR EXISTANCE) OF PUBLIC OR PRIVATE DRAINS IS SUBJECT TO VERIFICATION ON SITE BY THE OWNER OF THE LAND OR THEIR AGENT

DUNEDIN CITY COUNCIL
Applicant to establish floor levels in relation to the Council's foul sewer invert level to ensure that the requirements of the Council's drainage specification document are complied with in full.

DRAINAGE & PLUMBING INSPECTOR
24/01/2007 *[Signature]*

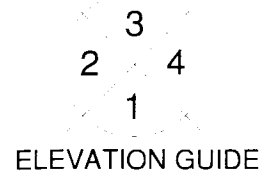
symbol	item
---	100mm pvc SS pipe incl. WC waste min 1:60 gradient
---	100mm pvc SW pipe min 1:60 gradient
---	pvc fixture waste pipes 65mm basins, 65mm shwr, bath, 65mm sink & ldy tub min 1:40 gradient
•	shwr floor waste with clean-out
☐	gully trap (max 4 fixtures)
IP	inspection point
IB	inspection bend
TVo	terminal vent (vented stack pipe with 80mm terminal vent & cap to roof, weatherproofed by plumber with compatible flashing sealed & riveted to roof)
DP	75mm ø upvc downpipe
ORG	overflow relief gully
AAV	Air admittance valve
HT	Hose Tap

NOTE : plumbing to ASNZ:3500.2.2 (min 1:60 pipe gradient) by qualified tradesman. Use 75mm ø uPVC downpipes. Contractor locate all service connections on site prior to earthworks confirm all boundary setbacks & restrictions comply with current regulations prior to commencement of foundations. All waste pipe sizes, fall, venting & discharge to be confirmed by NZ qualified plumber. Confirm positions of available services cabling etc on site prior to any excavation

building located on levelled building platform
topsoil removed to natural ground - site graded level ,
any fill to be dry & approved by engineer & compacted down in accordance with NZS.3604.1999
ensure final building platform & finished ground have an even fall so as to direct water away from the building in all cases

Drawn: SE	Wind Zone: high	Sheet : SITE & DRAINAGE PLAN	All dimensions & underground service locations to be checked prior to commencement of all works. DO NOT scale off drawings. Cross reference all drawings, confirm site levels, floor heights & restrictions prior to earthworks. If any discrepancies occur, ask the designer or contractor immediately before commencing works or ordering. COPYRIGHT. These drawings remain the property of A1 HOMES ltd and are provided for use as described above and may not be used or re-produced in whole or part without written permission. Producer statements issued by all suppliers & tradesmen where applicable. Any site/construction works are not to commence until building permit becomes unconditional.	Client : MICHAEL & CLARE SAVILLE	Date : 17 Nov '06	Job no : OS079
Checked : AC	E/Quake Zone : A			Project : PROPOSED RESIDENCE FOR , LOT 52 32 HOLYPORT ROAD, FAIRFIELD, DUNEDIN	Scale : 1:200	Sheet no : A02
				Revision : A174 Alt-REV		

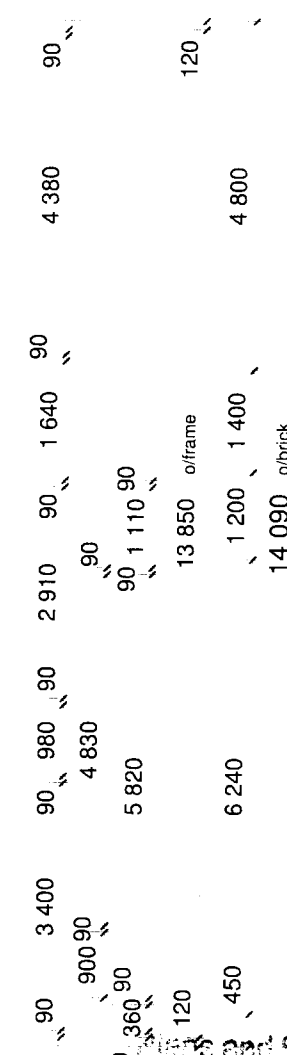
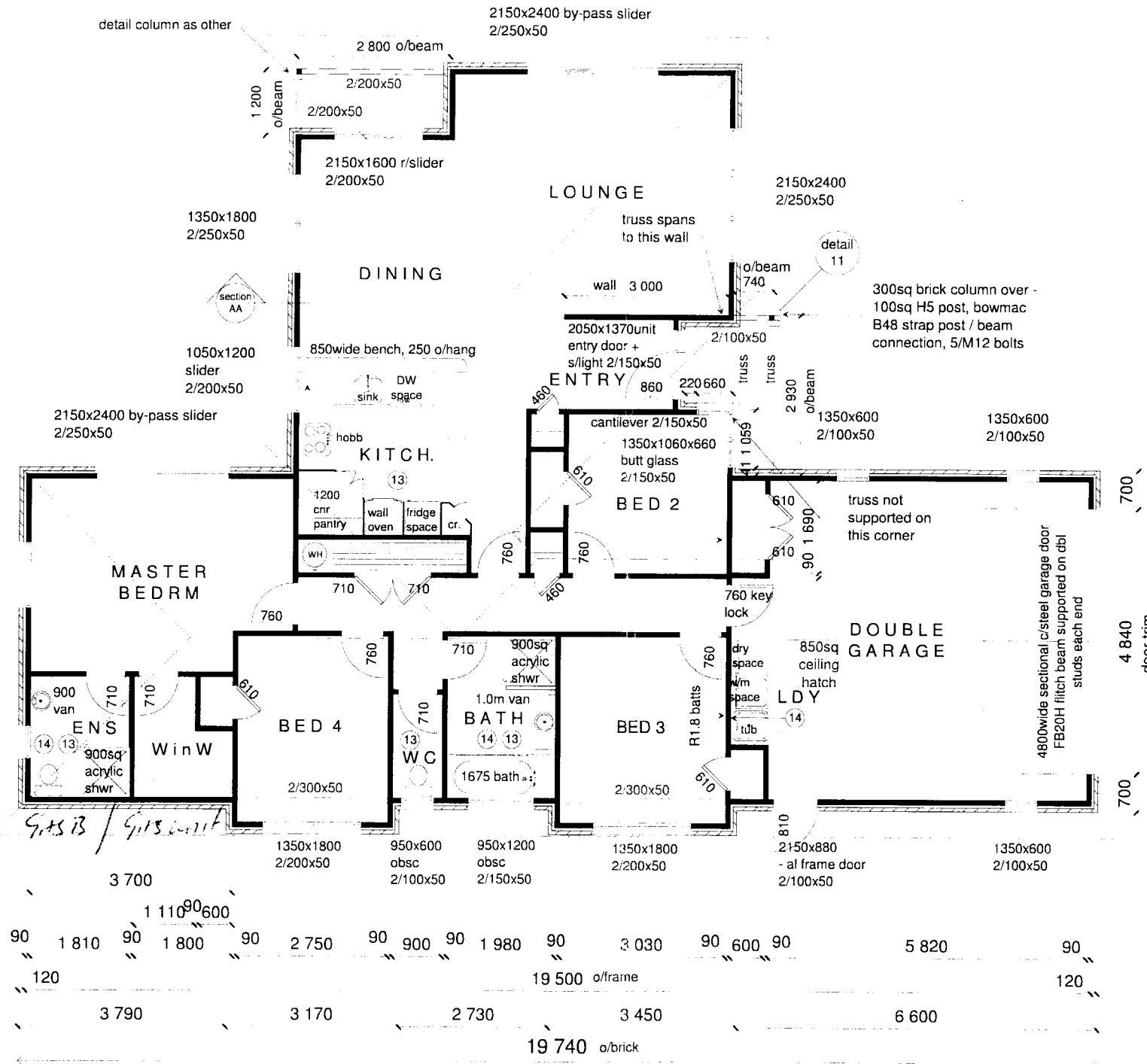
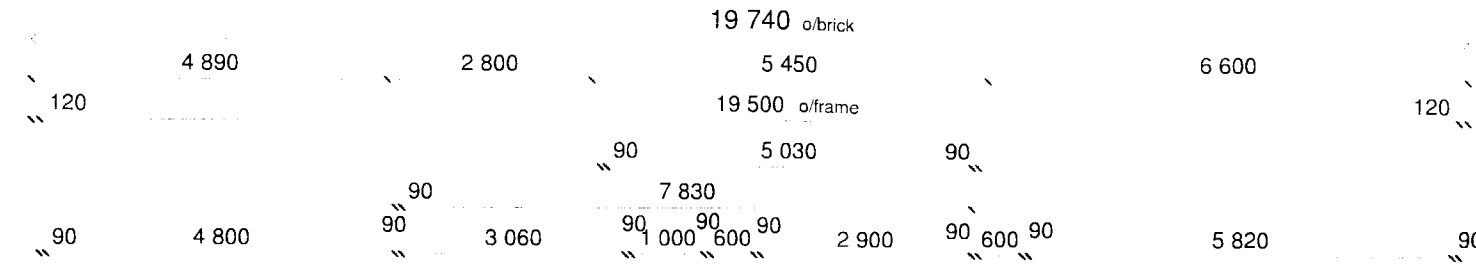
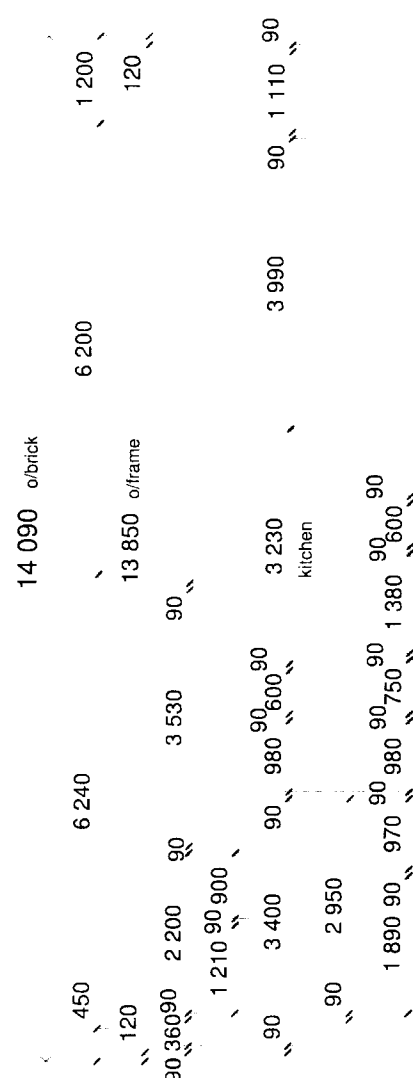




0.5KPa SNOW LOADING

NOTE:
Mains pressure HWC with tempering valve & seismic restraint in accordance with NZBC: 2004 section G12.
Electric hobs with vented r/hood

Where there are more than 3 tapered gib ceiling sheet joins the third join shall be back blocked using gib off-cuts & cove fix adhesive not gib-fix glue, in accordance with winstones gib fixing site guide MAY 2006



FLOOR AREA = 174.0m² o/frame
= 182.4m² o/brick

DCC CITY PLANNING
THESE PLANS ARE APPROVED
This development complies with the District Plan
subject to: RMA 20050706
R. Collins 27/12/06
Signed Dated

DOMESTIC SMOKE ALARM
Smoke alarms complying with the NZBC clause F7 are required in this building.

DUNEDIN CITY COUNCIL
Plans and Specifications Approved in accordance with the Building Code and Approved Documents. To be retained on works and produced on request
Building Date 29/1/07
Date 24/01/07
Date

NOTE
Hard surface stormwater to be collected & discharged to approved outfall.

Drawn: SE
Checked: AC
Wind Zone: high
E/Quake Zone: A

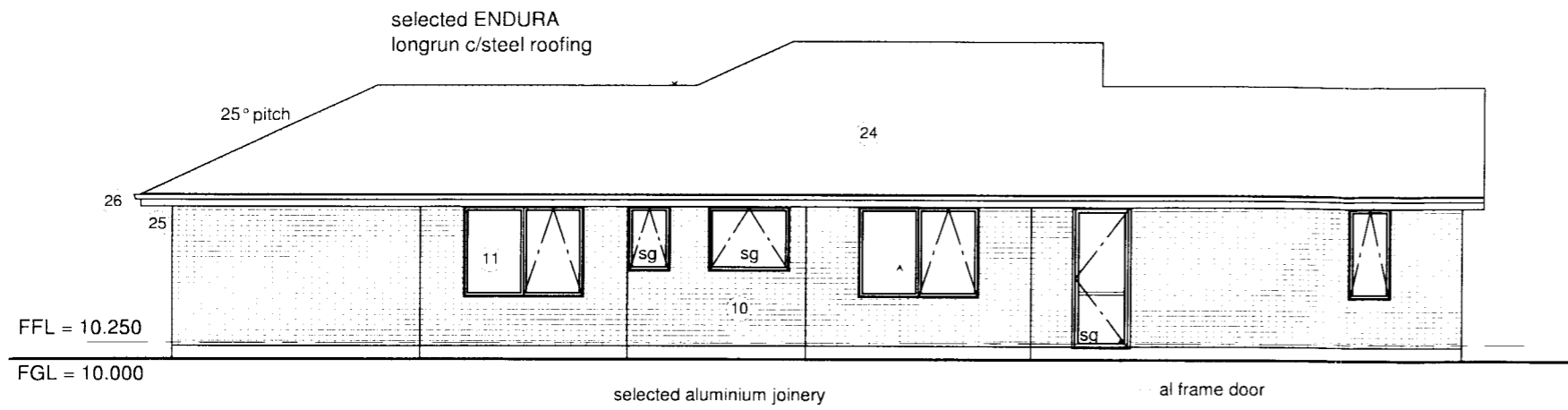
Sheet : FLOOR PLAN

All dimensions & underground service locations to be checked prior to commencement of all works. DO NOT scale off drawings. Cross reference all drawings, confirm site levels, floor heights & restrictions prior to earthworks. If any discrepancies occur, ask the designer or contractor immediately before commencing works or ordering. COPYRIGHT: These drawings remain the property of A1 HOMES Ltd and are provided for use as described above and may not be used or re-produced in whole or part without written permission. Producer statements issued by all suppliers & tradesmen where applicable. Any site/construction works are not to commence until building permit becomes unconditional.

Client : MICHAEL & CLARE SAVILLE
Project : PROPOSED RESIDENCE FOR , LOT 52
32 HOLYPORT ROAD, FAIRFIELD, DUNEDIN

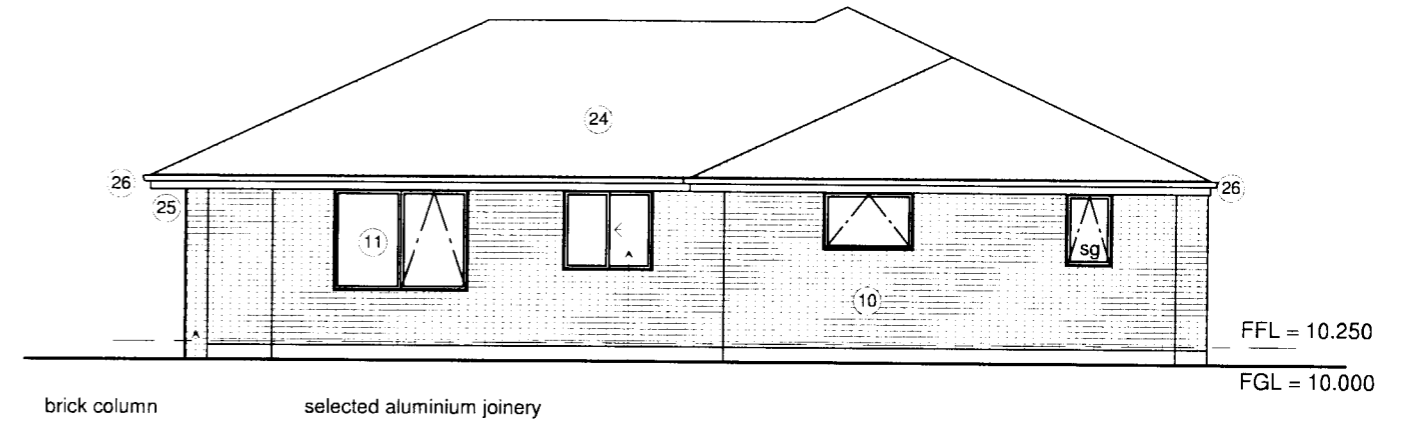
Date : 17 Nov '06
Scale : 1:100
Revision :
Job no : OS079
Sheet no : A04
A174 Alt-REV



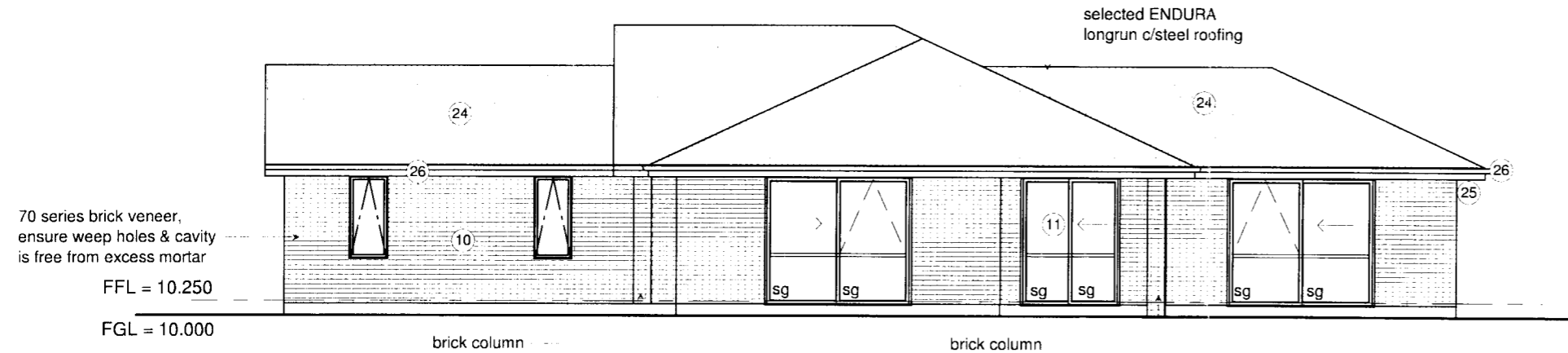


elevation 1

0.5KPa SNOW LOADING
 Safety glass to -
 all glazing units 1.0m ht & under and to all wet areas.
 Glazing in accordance with NZS 4223
 All glazing clear float, except wet areas, obscure glass
 Double glazing throughout excluding garage

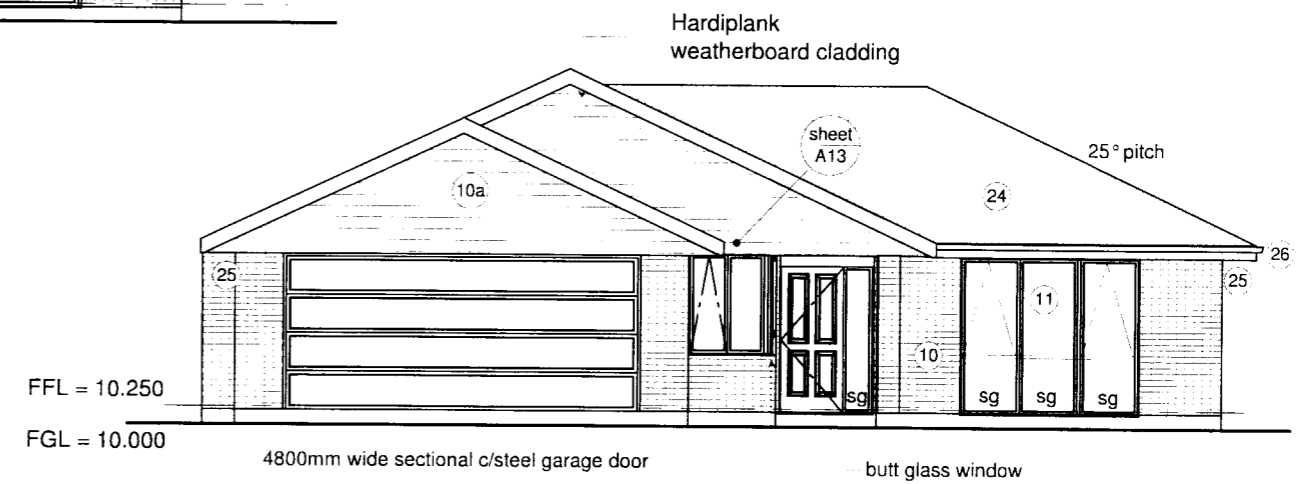


elevation 2



elevation 3

QUALITY PLANNING
 THESE PLANS ARE APPROVED
 The development is in accordance with the Resource Management Act 2005
 Project RMA 20050706
 [Signature] 27/12/06
 Signed Dated



elevation 4

Drawn: SE
 Checked: AC
 Wind Zone: high
 E/Quake Zone: A

Sheet :
ELEVATIONS

All dimensions & underground service locations to be checked prior to commencement of all works. DO NOT scale off drawings. Cross reference all drawings, confirm site levels, floor heights & restrictions prior to earthworks. If any discrepancies occur, ask the designer or contractor immediately before commencing works or ordering. COPYRIGHT: These drawings remain the property of A1 HOMES ltd and are provided for use as described above and may not be used or re-produced in whole or part without written permission. Producer statements issued by all suppliers & tradesmen where applicable. Any site/construction works are not to commence until building permit becomes unconditional.

Client : MICHAEL & CLARE SAVILLE
 Project : PROPOSED RESIDENCE FOR , LOT 52
 32 HOLYPORT ROAD, FAIRFIELD, DUNEDIN
 CLOSE

Date : 17 Nov '06
 Scale : 1:100
 Revision :
 Job no : OS079
 Sheet no : A01
 A174 Alt-REV



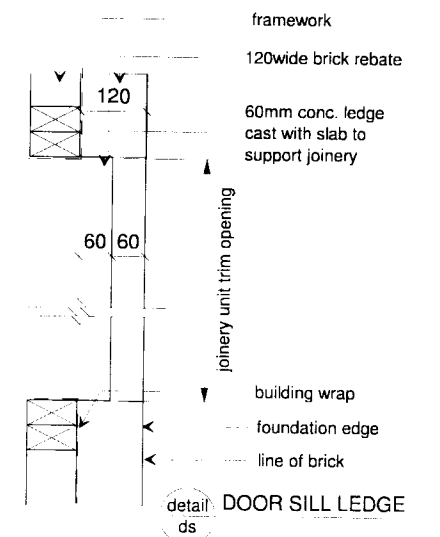
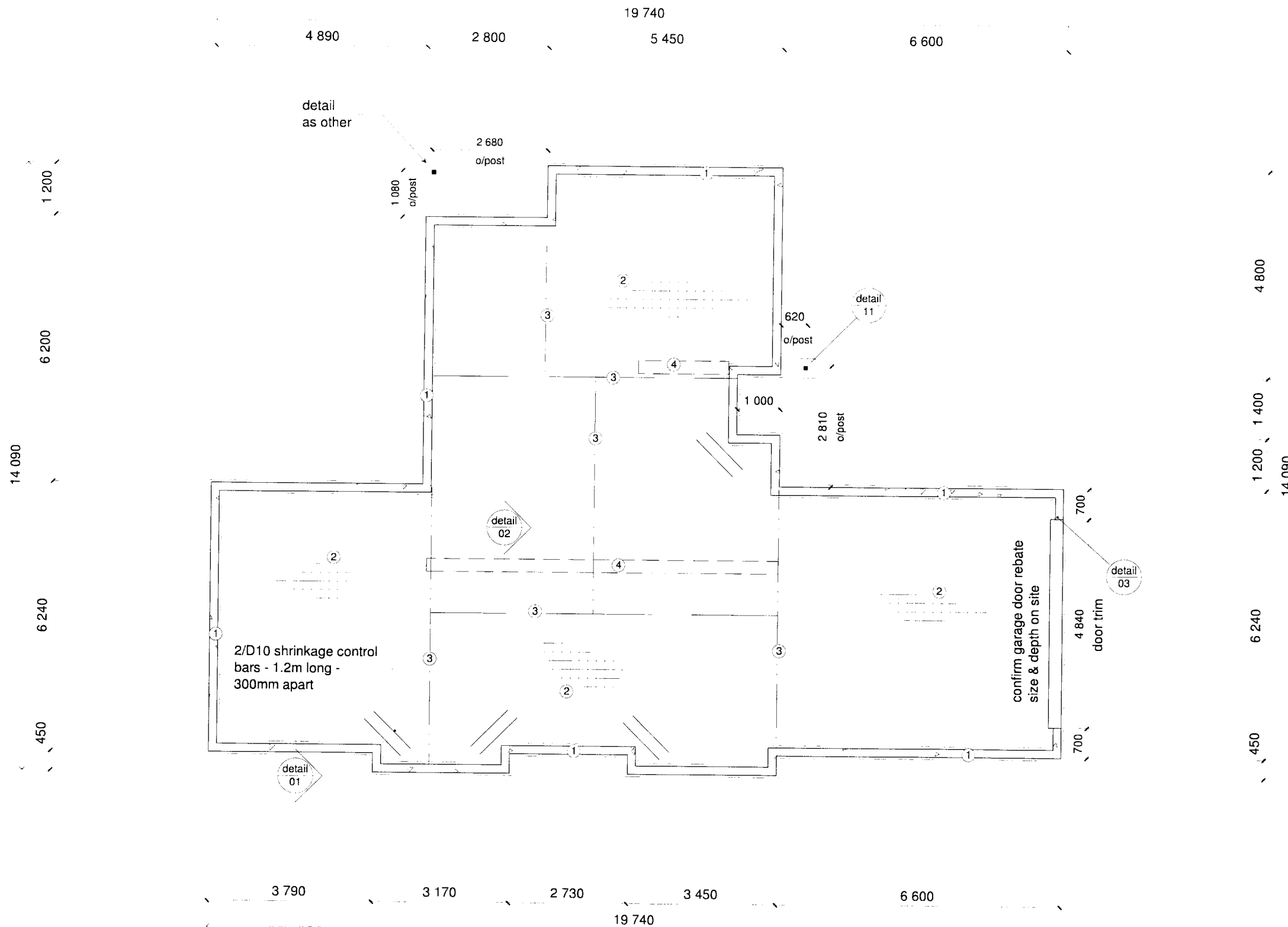
NOTE:

ensure granular hardfill is evenly compacted down in max. 100mm layers to form a solid base with bearing capacity greater than 300kPa. Min. 5mm - 25mm max. sand blinding to cover hardfill to ensure the vapour barrier is protected from any granular protrusions. 450x450x300 deep conc. pads maybe required under girder pointload areas - 300widex200deep slab thickenings maybe required under load bearing walls - see final roof truss layout plan to confirm location conc. floor to comply with NZS.3109, surface tolerances, & NZS.3114, maximum deviations of 3mm

NZS3604:1999 -
Section 7: floors 7.5.8.6.4

The bay dimensions formed by either instruction or shrinkage control joints shall be limited to a maximum ratio of length:width of 2:1.

030



Drawn: SE
Checked: AC

Wind Zone: high
E/Quake Zone: A

Sheet: FOUNDATION

All dimensions & underground service locations to be checked prior to commencement of all works. DO NOT scale off drawings. Cross reference all drawings, confirm site levels, floor heights & restrictions prior to earthworks. If any discrepancies occur, ask the designer or contractor immediately before commencing works or ordering. COPYRIGHT. These drawings remain the property of A1 HOMES Ltd and are provided for use as described above and may not be used or re-produced in whole or part without written permission. Producer statements issued by all suppliers & tradesmen where applicable. Any site/construction works are not to commence until building permit becomes unconditional.

Client: MICHAEL & CLARE SAVILLE
Project: PROPOSED RESIDENCE FOR , LOT 52
32 HOLYPORT ROAD, FAIRFIELD, DUNEDIN
CLOSE

Date: 17 Nov '06
Scale: 1:100
Revision:
Job no: OS079
Sheet no: A03
A174 Alt-REV

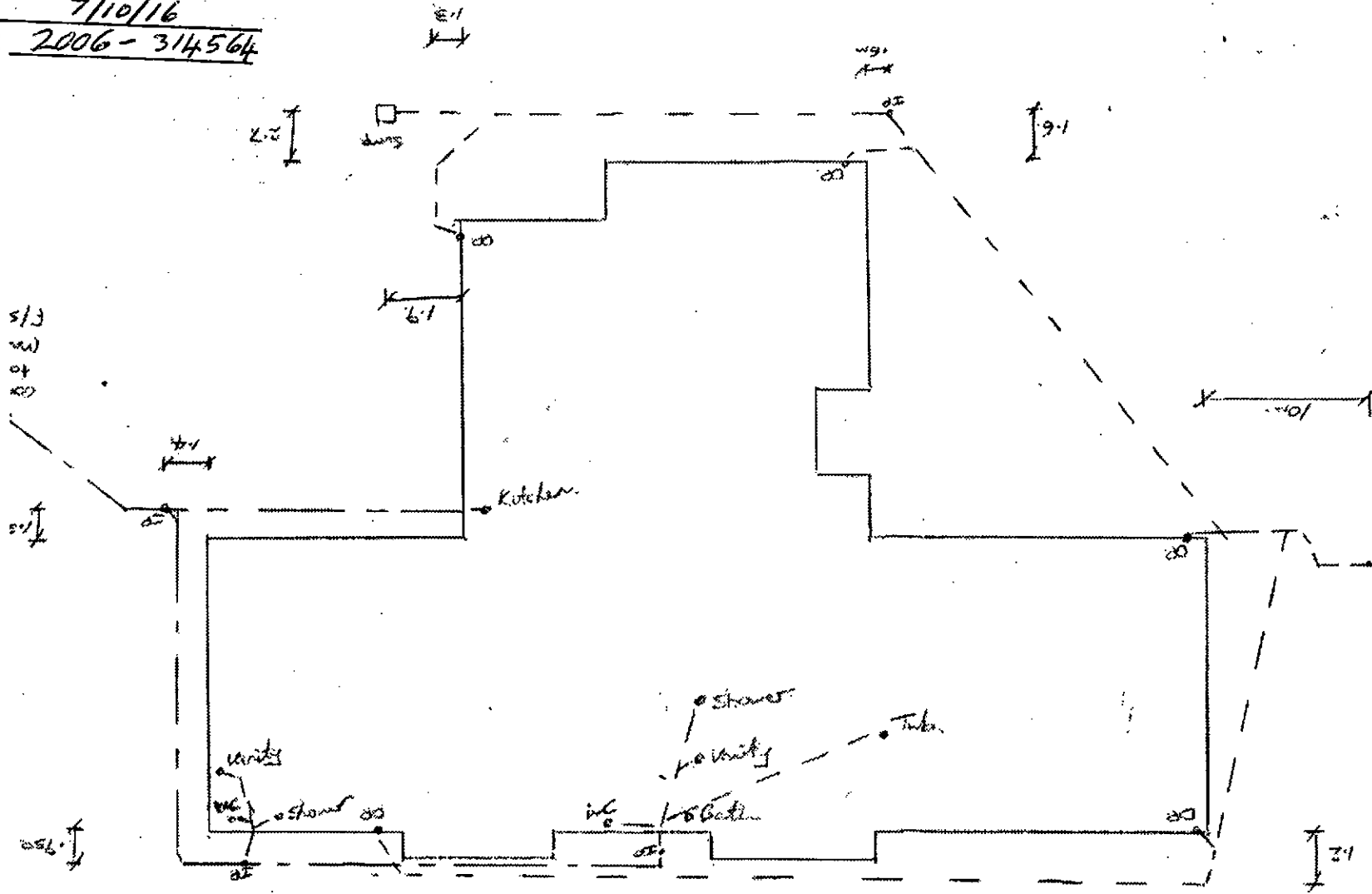


As Built Plan

Received by: NMAC

Date: 7/10/16

ABA No: 2006-314564



32 Holyport Close

ABA 2006 - 314564

Asbuilt Drainage plan

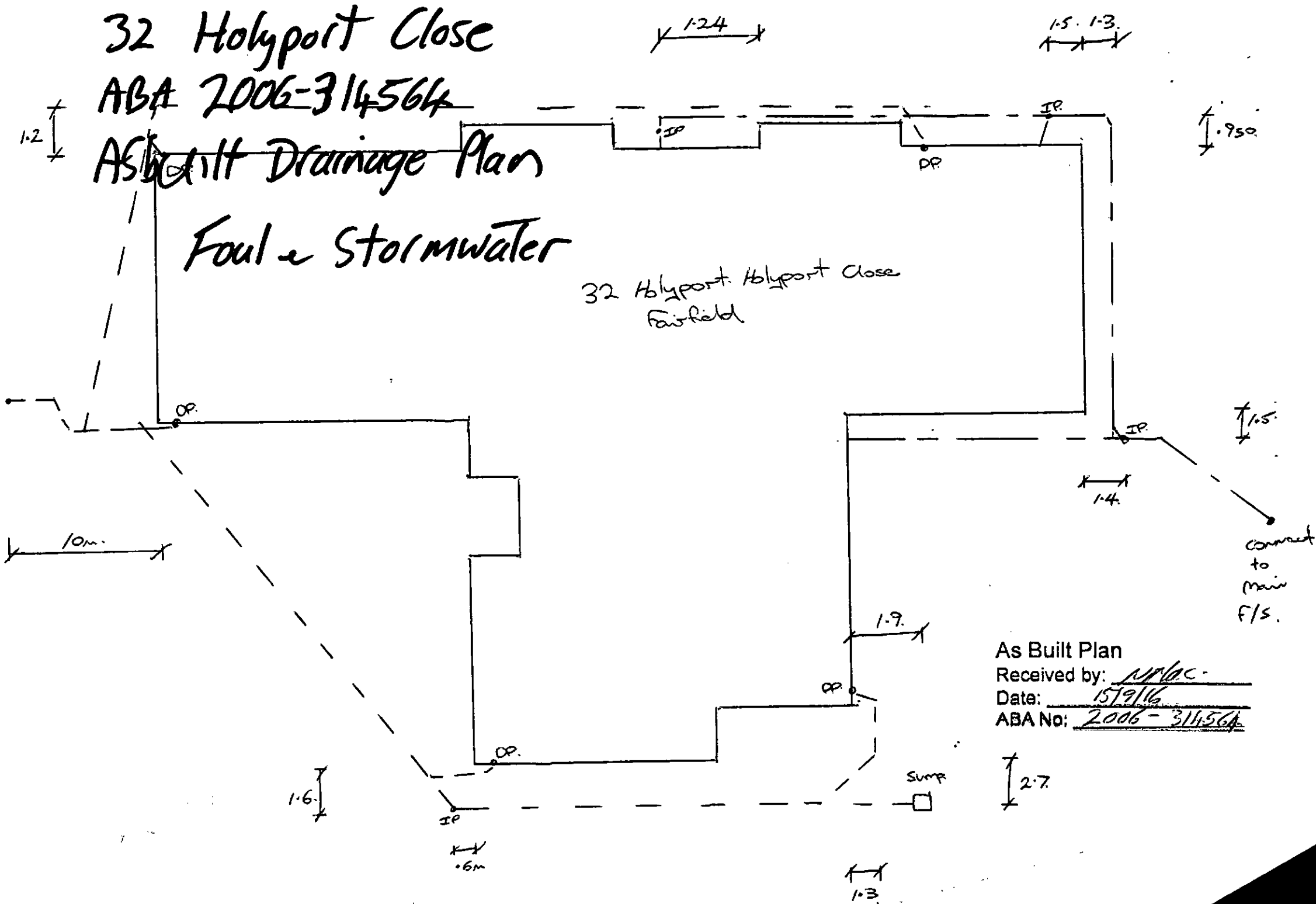
32 Holyport Close

ABA 2006-314564

As Built Drainage Plan

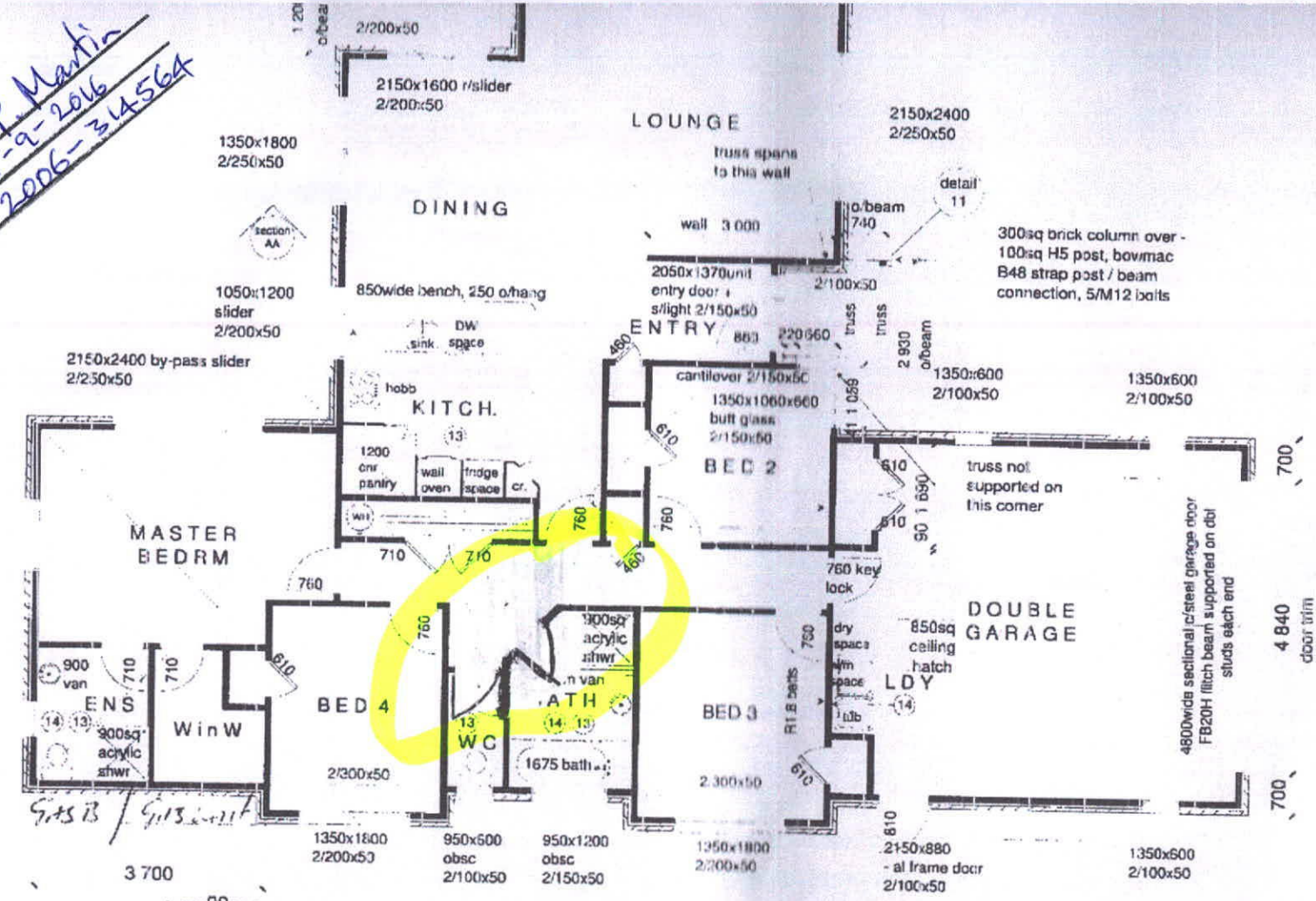
Foul & Stormwater

32 Holyport Holyport Close
Fairfield

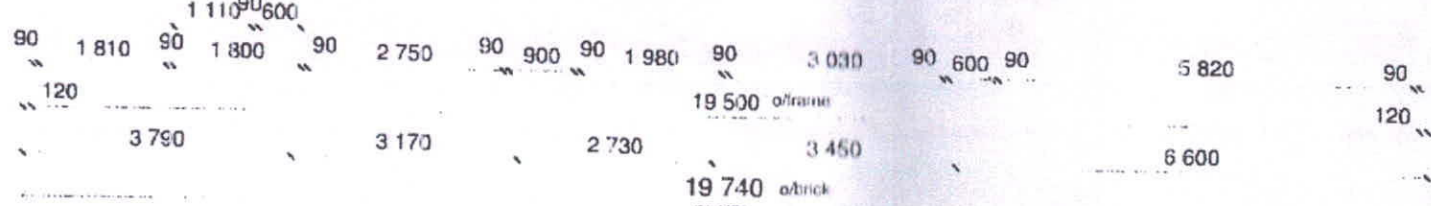


As Built Plan
 Received by: MLAC
 Date: 15/9/16
 ABA No: 2006-314564

As Built Plan
 Received by: P. Martin
 Date: 15-9-2016
 ABA No: 2006-314564



FLOOR AREA = 174.0m² o/frame
 = 182.4m² o/brick



Have
 call
 Out

Wind Zone: high
 E/Quake Zone: A
 Sheet: FLOOR PLAN

All dimensions & underground service locations to be checked prior to commencement of works. DO NOT scale off drawings. Cross reference all drawings, confirm size levels, floor heights & restrictions prior to construction. If any discrepancies occur, ask the designer or contractor immediately before commencing works or ordering. COPYRIGHT: These drawings remain the property of A1 HOMES its and are provided for use as described above and may not be used or re-produced in whole or part without written permission. Product statements issued by all suppliers & tradesmen where applicable. Any site construction works are not to commence until building permit becomes unconditional.

Client: MICHAEL & CLARE SAVILLE
 Project: PROPOSED RESIDENCE FOR , LOT 52
 32 HOLYPORT ROAD, FAIRFIELD, DUNEDIN

Date:	17 Nov '06
Scale:	1:100
Revision:	

Code Compliance Certificate Form 7
Section 95, Building Act 2004

M Saville and C M Saville
32 Holyport Close
Fairfield
Dunedin 9018

The building

Street address of building: 32 Holyport Close Fairfield

Legal description of land where building is located: LOT 52 DP 346062

Building Name: N/A

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

Level/unit Number: N/A

Current, lawfully established, use: Housing

Number of occupants: 8

Year first constructed: 2006

The owner

Name of owner: M Saville and C M Saville

Contact person: M Saville and C M Saville

Mailing address: 32 Holyport Close, Fairfield, Dunedin 9018

Street address/registered office:

Mobile:

Landline:

Email address: savi7@xtra.co.nz

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

Building work

Building Consent Number:

ABA-2019-128 - Add Lounge to Dwelling, Alter Kitchen and Dining Room, Alter Wardrobes

This CCC also applies to the following amended consents:

ABA-2019-2349 - Add Sliding Door to West Wall of Lounge

Issued by: Dunedin City Council

Code Compliance

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

(a) The building work complies with the building consent



Team Leader Inspections
On behalf of Dunedin City Council

Date: 3 February 2022

BUILDING CONSENT - ABA-2019-128

(Section 51, Building Act 2004)
Form 5

The building

Street address of building: 32 Holyport Close Fairfield

Legal description of land where building is located: LOT 52 DP 346062

Building Name: N/A

Location of building within site/block number:

Level/unit Number:

The owner

Name of owner: M Saville and C M Saville

Contact person: M Saville and C M Saville

Mailing address: 32 Holyport Close, Fairfield, Dunedin 9018

Street address/registered office:

Mobile: 027 498 6438

Landline: 03 488 4738

Email address: savi7@xtra.co.nz

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

Building work

The following building work is authorised by this building consent:

Add Lounge to Dwelling, Alter Kitchen and Dining Room, Alter Wardrobes

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

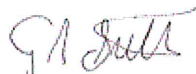
This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

Compliance Schedule

A compliance schedule is not required for the building.

Attachments

Copies of the following documents are attached to this building consent:
Record of required site inspections (section 90(2) of the Building Act 2004)
Project Information Memorandum PIM-2019-35
Certificate attached to Project Information Memorandum



Grant Sutton
Authorised Officer
On behalf of Dunedin City Council

Date: 14 March 2019



Water Supply

	Manifold Box		Water Non-Return Valve
	Water Meter		Water Pump Station
	Toby		Water Bore
	Meter without manifold box		Water Treatment Plant
	Retic Flow Meter		Water Storage Tank
	Combination Meter		Supply Main
	Manifold Box With Restrictor		Trunk Main
	Water Valve - Zone		Disused
	Non Return Valve		Reticulation
	Water Valve - Gate		Rider
	Water Valve - Sluice		Scour
	Water Hydrant		Water Service Lateral
	Water Backflow Preventor - RPZ		Water Fire Service Lateral
			Water Critical Service Lateral
			Water Zone Boundary
			Water Reservoir
			Redundant Water Main

NOTE: Private water services have the same symbols as those above, however they are coloured pink.

Foul Sewerage

	Standard Manhole		Pump Station
	Valve Chamber (pressurised)		Treatment Plant
	Boundary Kit		Vent
	Non-Return Valve		Foul Sewer Node
	Pump Station Domestic		Foul Drains in Common (public)
	Drop Manhole		Sewer
	Inspection Manhole		Trunk Sewer
	Inspection Opening		Vent Line
	Lamphole		Rising Main
	Outlet		Redundant Foul Sewer Pipe

NOTE: Private foul drains have the same symbols as those above, however they are coloured orange.

Stormwater

	SW Bubble-up Tank		Roading Bubble-Up Tank
	SW Drop Manhole		Roading Mudtank
	SW Insp Chamber and Grating Inlet		Stormwater Main
	SW Inspection Manhole		Stormwater Trunk Main
	SW Inspection Opening		DCC Open Channel
	SW Lamphole		Piped WC
	SW Mudtank Inlet		Open WC
	SW Outlet		Culvert
	SW Pipe Inlet		Stormwater Mudtank Pipe
	SW Pressure Manhole		Redundant Stormwater Main
	SW Standard Manhole		SW Sump
	SW Stormwater Node		SW Pump Station

NOTE: Private stormwater drains have the same symbols as those above, however they are coloured light green.

General

	DCC Water & Waste Structure		Parcel
	Railway Centreline		Road/Rail
			Hydro
			Motorway Parcels
			Strata
			Easment (where recorded)

Full legend can be viewed at <http://www.dunedin.govt.nz/council-online/webmaps/waterservices>

Aerial photography DCC, Jan/Feb 2013, CC BY 3.0 NZ



Council Water & Drainage Services

Information shown is the best available at the time of publishing. The accuracy and completeness of this information is variable. Private assets are typically not mapped. Recent changes may not be reflected. Verify on site before commencing work. For all enquiries phone 03 477 4000.

Scale at A3:
1:500
7/02/2019
12:48:15 PM



PARCEL LINES CAN VARY FROM LEGAL PARCEL BOUNDARIES. This map is for illustration purposes only and is not accurate to surveying, engineering or orthophotographic standards. Every effort has been made to ensure correctness and timeliness of the information presented.

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PLUMBING AND DRAINAGE TO COMPLY WITH AS/NZS 3500.2

Fitting:	Size:	Min Fall:
WC	100mm dia	1:60
Bath	50mm dia	1:40
Vanity Basin	50mm dia	1:20
Shower	50mm dia	1:20
Sink	50mm dia	1:20
Tub	50mm dia	1:20
Floor Waste Gully	65mm dia	1:20
Branch Drain	100mm dia	1:60
Foul Water Drain	100mm dia	1:60
Storm Water Drain	100mm dia	1:60

Overflow Relief Gully
To be min 150mm min between overflow level of the gully and lowest fixture measured to top of grate in Floor Waste Gully or shower or top of water seal in soil fixtures. If 150mm cannot be achieved fit a reflux valve to protect fittings within that distance.

Pipes in Concrete
All pipes in concrete to have Denso tape (synthetic fabric based impregnated and coated with organic petroleum based compounds) applied

Expansion Joints
Pipes shall have expansion joints in accordance with Chapter 8 of NZS 7643.

Testing:
Leak test to all drains underslab, and in ground, to the satisfaction of Plumbing and Drainage Inspector

FLOW RATES

Sanitary Fixtures	Flow Rate/Temp pipe:
Sink Hot	0.2 @ 60 degrees 15mm
Sink Cold	0.2 15mm

Rodding Points:
At head of drain and every 50m of drain

Inspection Points:
At every junction and change in direction greater than 45 degrees, or as shown on plan

Underslab Branch Drains
100mm min

Water Supplies
to NZBC G12/AS1

Materials:
Durability to Table 1, NZBC B2/AS1

Copper Pipe:
To NZS 3501 complete with copper alloy compression fittings or crox type joints and seal ring compression joints complete with fittings and accessories brand matched to the pipe.

Surface Water - Minimum Gradients

Drain Internal diameter	Minimum Gradient
100mm Ø	1 in 120
150mm Ø	1 in 200

PLUMBING NOTES

Sink - 40mm Ø waste from fitting to connect to 100mm Ø branch drain under floor. Connect in turn to 100mm Ø main drain.

Polybutylene pipe:
To AS/NZS 2642.1 and AS/NZS 2642.2 complete with fittings and accessories brand matched.

uPVC Pipe:
To AS/NZS 2642.1 and AS/NZZ 2642.2 complete with fittings and accessories brand matched.

Tempering Valve:
to NZS 4617, and to NZBC G12/AS1 Water Supplies

Insulation/ Frost Protection
Intall insulation (lagging) to all cold and hot water pipes, including ceiling and walls.

Testing:
Pressure test to all water supply pipes pipes 1500 kPa, to the satisfaction of Plumbing and Drainage Inspector

DRAINAGE GRADIENT - NUMBER OF DISCHARGE UNITS

DIAMETER	GRADIENT				
	1:20	1:40	1:60	1:80	1:100
80	65	27	16	X	X
100	376	182	115	X	X
150	1959	1148	813	627	509

FIXTURE DISCHARGE PIPE SIZES & DISCHARGE UNITS

SANITARY FIXTURE	DISCHARGE UNITS	MINIMUM PIPE DIAMETER	MINIMUM PIPE GRADIENT
Kitchen Sink	3	40mm	1:40

Total discharge units for house = unchanged

MINIMUM GRADE OF DRAINS

Drains under slab	100mm	1:60
Drains under slab	65mm	1:40

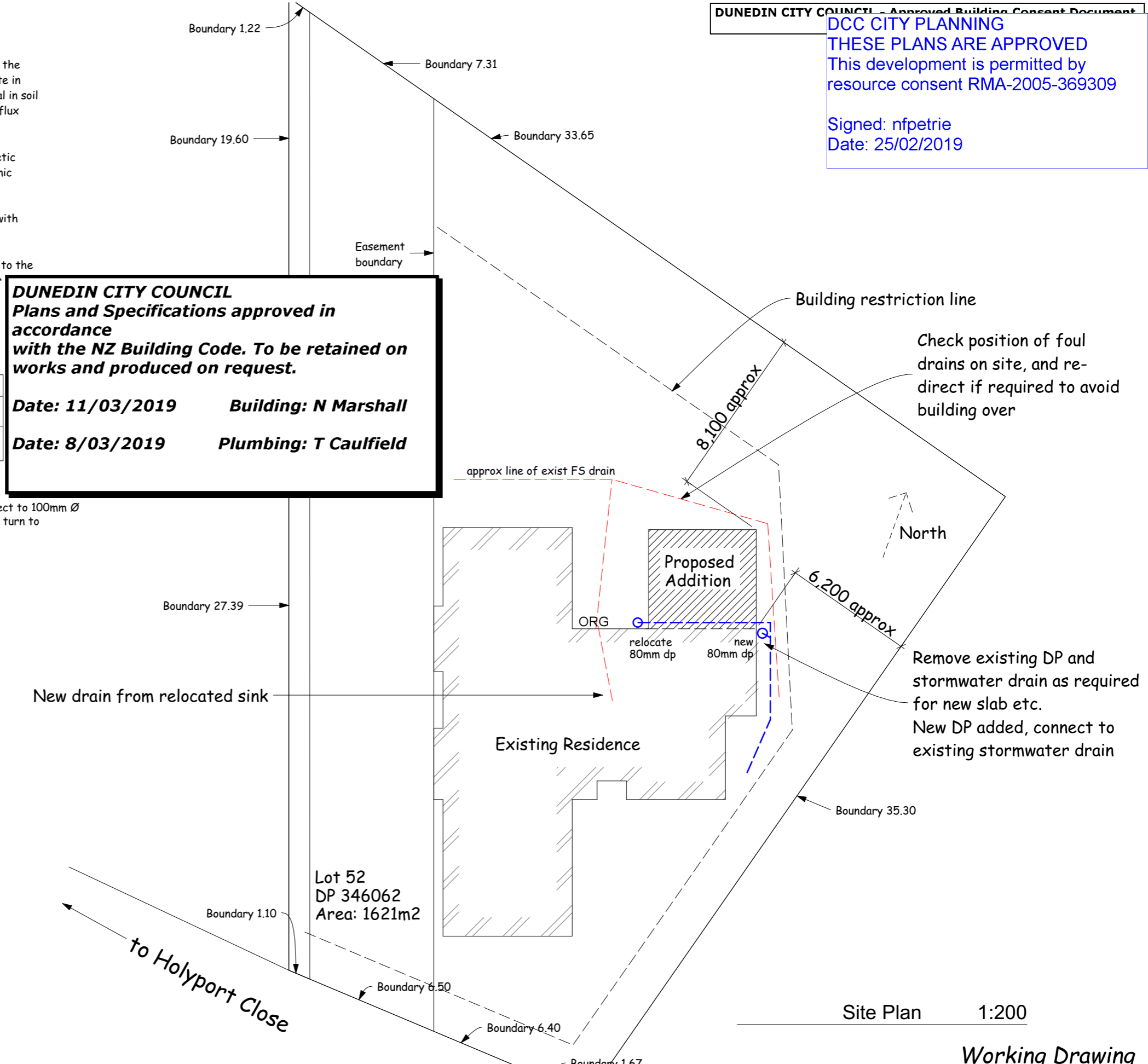
DUNEDIN CITY COUNCIL
Plans and Specifications approved in accordance with the NZ Building Code. To be retained on works and produced on request.

Date: 11/03/2019 Building: N Marshall
Date: 8/03/2019 Plumbing: T Caulfield

DUNEDIN CITY COUNCIL - Approved Building Consent Document

DCC CITY PLANNING
THESE PLANS ARE APPROVED
This development is permitted by resource consent RMA-2005-369309

Signed: nfpetrie
Date: 25/02/2019



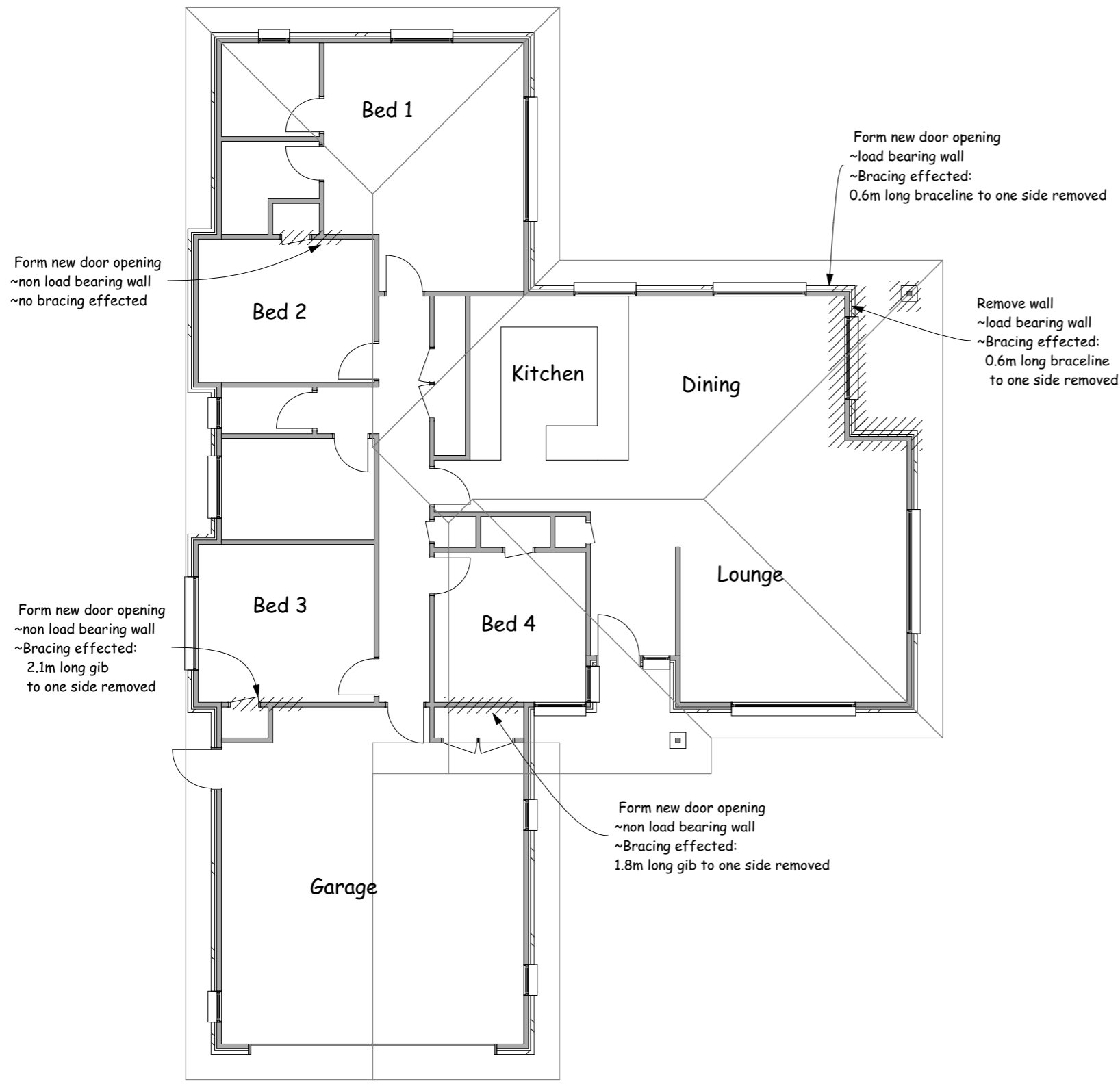
ALISON CAREY
ARCHITECTURAL DESIGNER
3 Kilmarnock Close, Wavy Knowes, Waldronville, DUNEDIN
Phone: 488 2177 Mobile: 027 699 0363 Email: alisoncarey@xtra.co.nz

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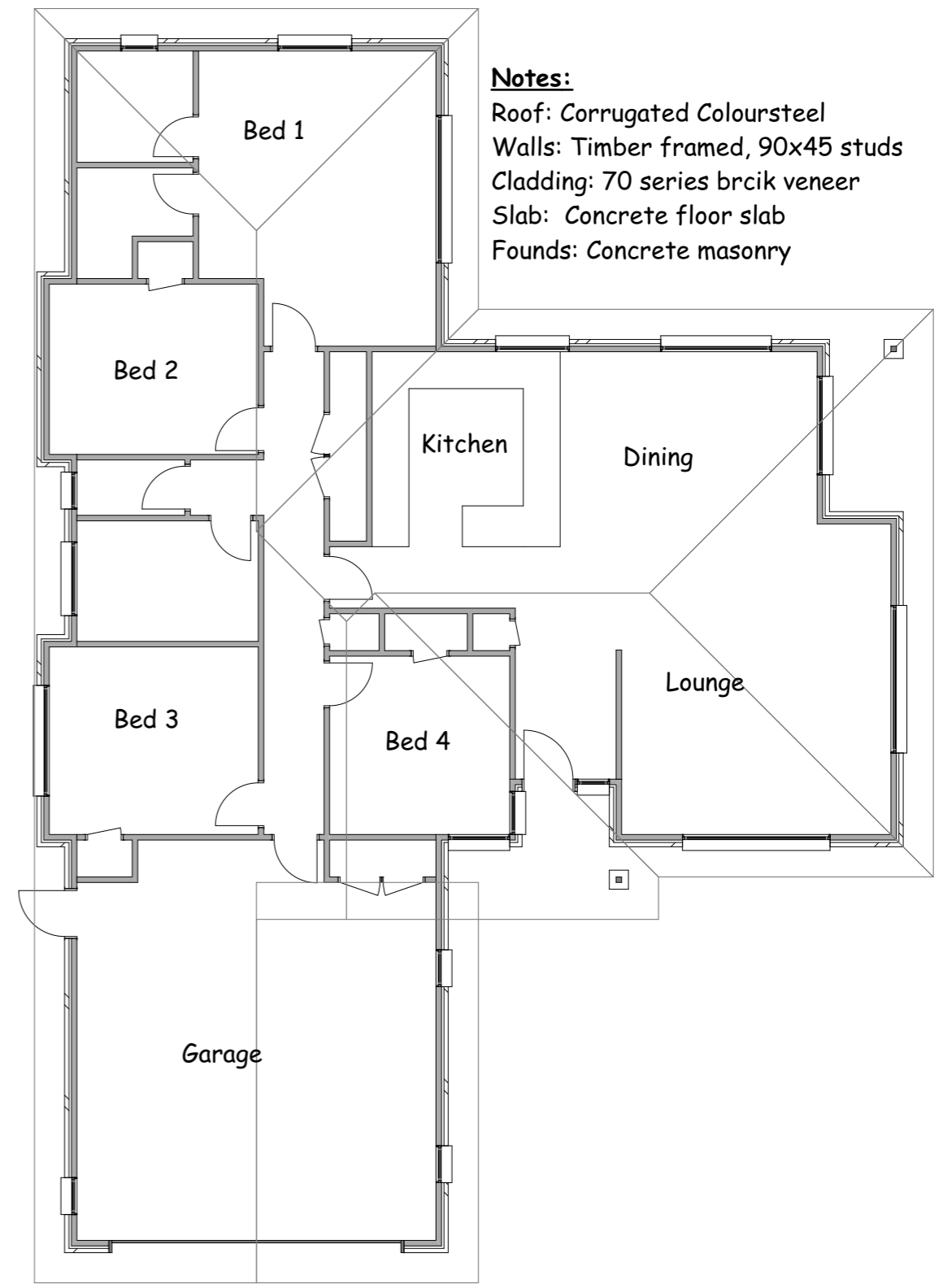


Proposed Alteration of Existing Residence for: Mr M and Mrs C Saville at: 32 Holyport Close, Fairfield, Dunedin

Design Parameters:	Revision Details:	Date:
Wind Zone: High		25.1.19
Earthquake Zone: 1		Job No.: A697
Climate Zone: 3		Sheet No.: 1
Exposure Zone: C		



Demolition Plan 1:100



Notes:
 Roof: Corrugated Coloursteel
 Walls: Timber framed, 90x45 studs
 Cladding: 70 series brick veneer
 Slab: Concrete floor slab
 Founds: Concrete masonry

Existing Floor Plan 1:100

Working Drawing

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 at: 32 Holyport Close, Fairfield, Dunedin

Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
Exposure Zone:	C

Revision Details:

Date:	25.1.19
Job No.:	A697
Sheet No.:	2

Date:	25.1.19
Job No.:	A697
Sheet No.:	2

WINDOW SCHEDULE:

No:	Width:	Height:	Head Ht:	Sill Ht:	Area:	Lintel:	Design by	Notes:	Safety glazed
	r/o mm	r/o mm	from FFL	from FFL	m2				
W1	1600	2180	2180	0	3.49	see truss plan	placemakers	EXISTING DOOR REUSED, site measure opening	yes
W2	1000	1380	2180	800	1.38	see truss plan	placemakers		
W3	1000	1380	2180	800	1.38	see truss plan	placemakers		
W4	3000	2180	2180	0	6.54	see truss plan	placemakers	sliding stacker doors	yes
Area Total:					12.79				

IMPORTANT NOTE: WINDOW HEAD HEIGHT NOTED IS APPROX ONLY AND IS TO BE SITE CONFIRMED

Windows sizes to be confirmed on site with owner prior to manufacture of all frames and windows.
 Window manufacturer to confirm all opening sashes with owner prior to manufacture of all frames and windows.
 Windows heads set at 2.180m above floor level - confirm height on site prior to manufacture of all frames and windows.
 Window glazing to be approved double glazing - refer to the Specification.
 Window lintels have been designed and certified by the truss manufacturer, as supplied by:

DOOR SCHEDULE:

No:	W x H	Notes:	Lintel:
	mm x mm		
D1	2/810 1980	hollow core pair / cavity sliding doors	2/240 x 45 S68 (see truss plan) placemakers
D2	760 1980	hollow core single hinged door	
D3	2/760 1980	hollow core pair, wardrobe sliding doors	
D4	2/760 1980	hollow core pair, wardrobe sliding doors	
D5	760 1980	hollow core single hinged door	
D6	2/760 1980	hollow core pair, wardrobe sliding doors	
D7	810 1980	hollow core single cavity slider	

Confirm all door sizes and styles with owner prior to order and prior to making door frames.

Construction and Demolition Hazards:

~to comply with NZBC F5/AS1
 Construction and demolition work on this building shall be performed in a manner that avoids the likelihood of:
 ~Objects falling onto people on or off the site,
 ~Objects falling on property off the site,
 ~Other hazards arising on the site affecting people off the site and other property, and
 ~Unauthorised entry of children to hazards on the site.

It is the responsibility of the main contractor to achieve this:
 Suitable construction methods shall be used to avoid the likelihood of tools or materials falling onto places where people might be present. Where construction or demolition work presents a hazard in places to which the public has access, barriers shall be provided and shall:
 ~Be of appropriate height and construction to prevent site hazards from harming traffic or passersby,
 ~Be difficult to climb,
 ~Have no openings other than those approved by the territorial authority for access and viewing,
 ~Have no gates or doors which project beyond the site when opened
 ~Contain no projection that would be a hazard to traffic or people, and
 ~Be clearly marked where the barrier itself may otherwise present a hazard to traffic or passersby.

Where a construction or demolition site contains any hazard which might be expected to attract the unauthorised entry of children, the hazard shall be enclosed to restrict access by children.
 Suitable barriers shall be constructed to provide a safe route for people where lifting equipment creates a risk of accident from objects falling on a place of public access, or where a similar risk results from the height at which construction or demolition work is being carried out.

TIMBER FRAMING:

Walls are to be constructed to comply with the requirements of NSZ3604:2011 for a "High Wind Zone" area as follows:

- **Ground Floor Level:**
 Loadbearing walls at 2.4m high = 90 x 45 studs at 600mm crs
 Non-loadbearing walls at 2.4m high = 90 x 45 studs at 600mm crs

MECHANICAL VENTILATION

Allow to mechanically ventilate the rooms listed below through roof or wall to outside and fit weatherproof cowl to same.

Kitchen - rangehood duct thru ceiling space to discharge out thru soffit.

 indicates impervious vinyl floors, or similar.

DOMESTIC SMOKE ALARMS

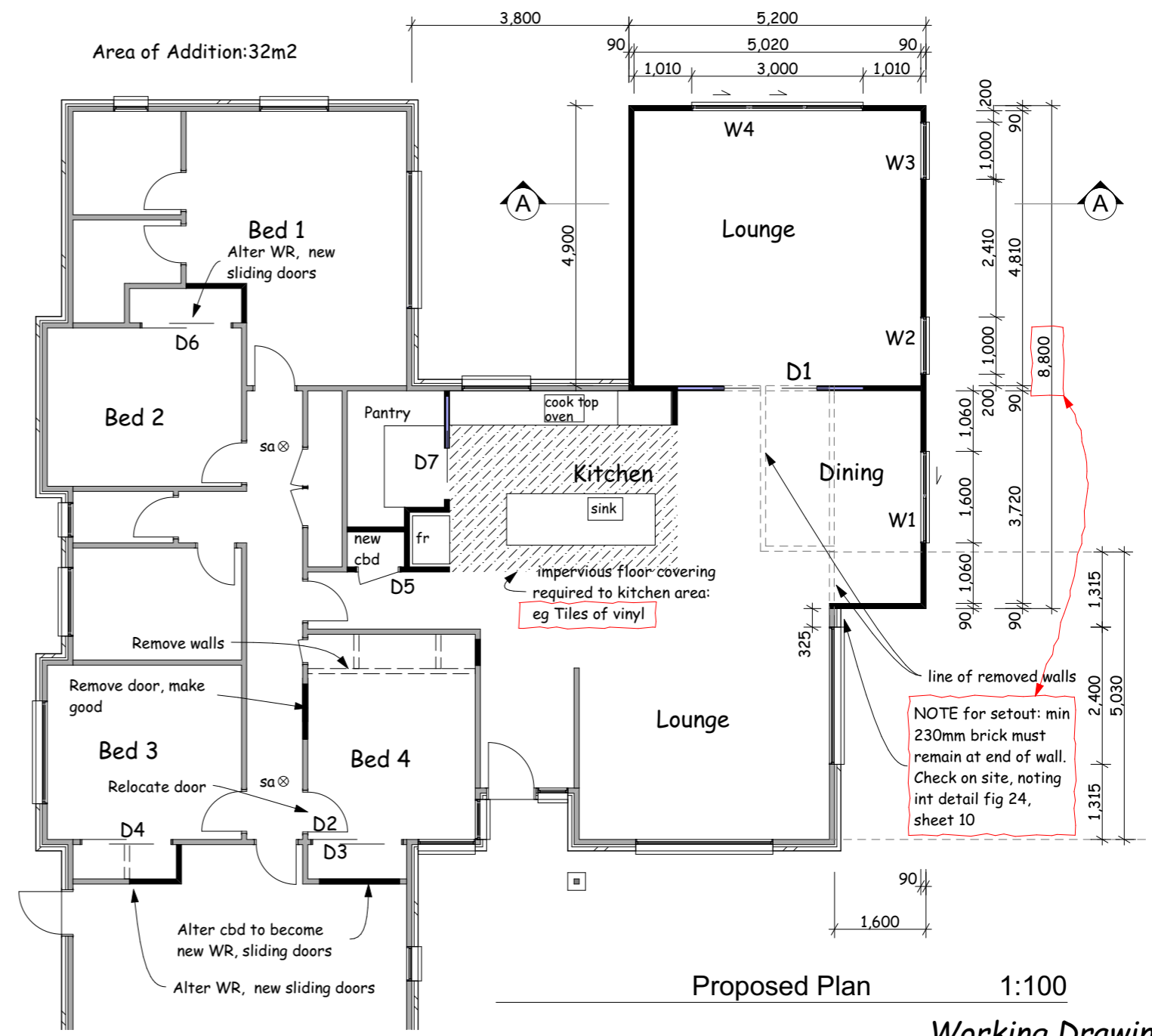
sa ⊗ indicates smoke alarm

Allow to provide Ionisation type or similar approved battery operated smoke alarms to be installed as per manufacturers written instructions and to comply to the requirements of NZBC F7.

Smoke alarms shall be located on the escape routes on all levels within the household unit. On levels containing sleeping spaces, the smoke alarms shall be located either:

- In every sleeping space, or
- Within 3.0 m of every sleeping space door. In this case the alarms must be audible to the sleeping occupants on the other side of closed doors.

The smoke alarms shall be 9v battery powered with a hush facility, and are not required to be interconnected.



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 at: 32 Holyport Close, Fairfield, Dunedin

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 Earthquake Zone: 1
 Climate Zone: 3
 Exposure Zone: C

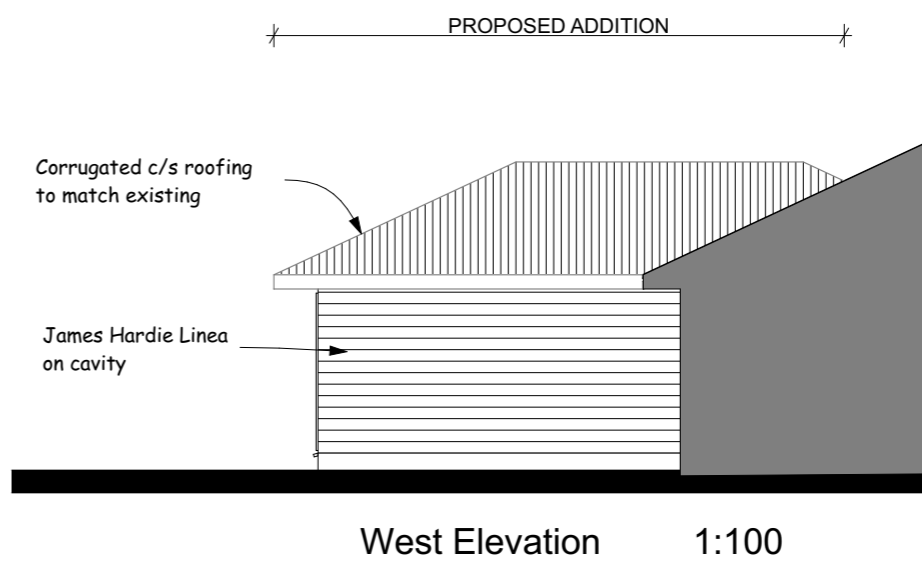
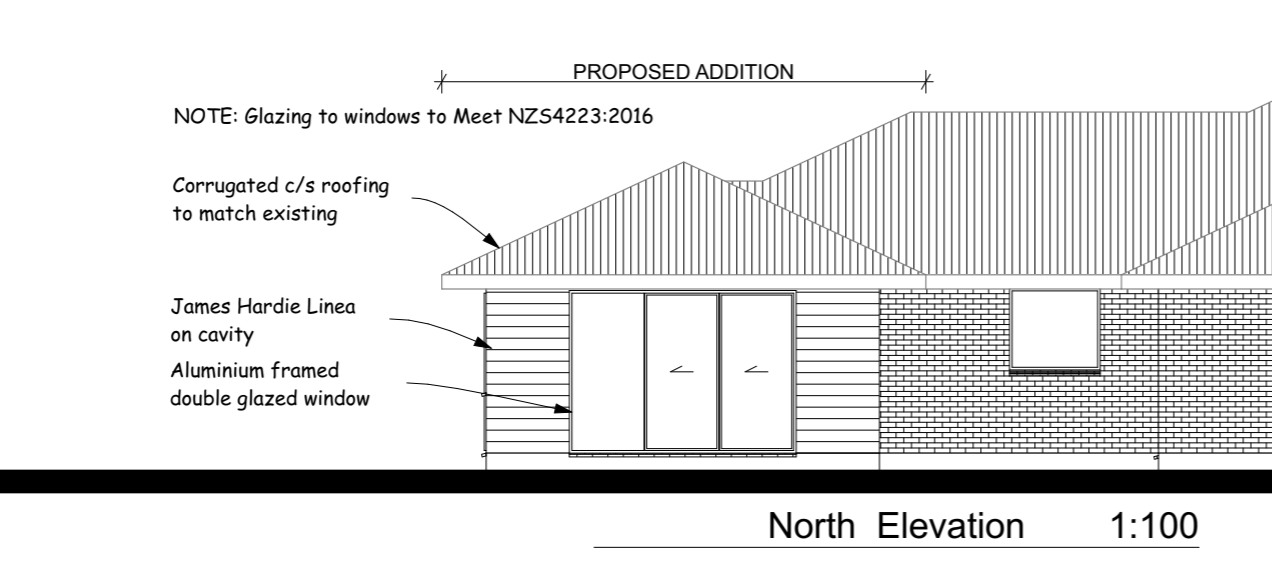
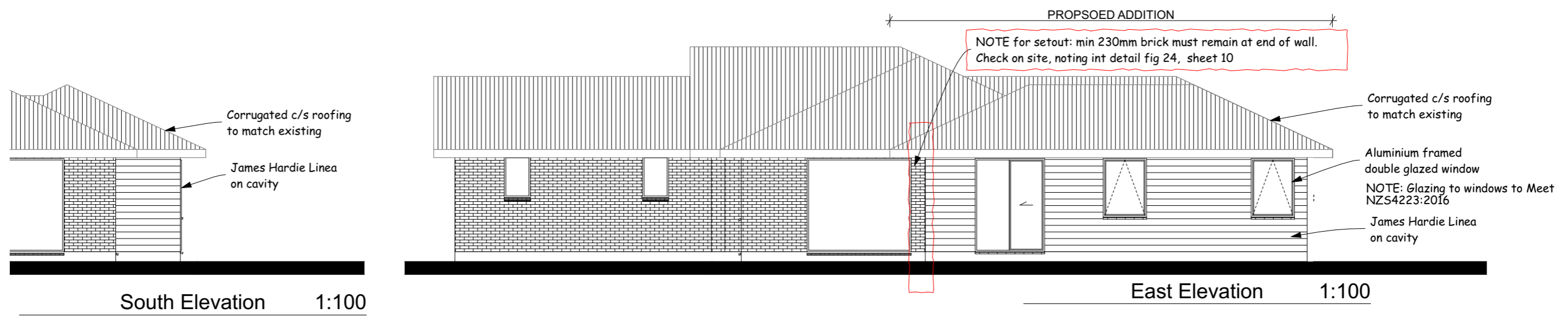
Revision Details:
 A: Note added re lintel over D1. Kitchen floor noted as tiles or vinyl
 B: Revised addition dimension to retain brick wall at edge of exist lounge window (east side)

Date: 25.1.19
 Job No.: A697
 Sheet No.: 3 B

NZBC E2 RISK MATRIX

Project No: A697	Project Name: Saville Residence
Date: 4-11-18	Project Address: 32 Holyport Close, Dunedin

Risk Item	Selection	Description	Score
Wind Zone	H	High wind zone	1
Storeys	L	1 storey	0
Roof/Wall Intersection	L	Fully protected (e.g. hip & gable with eaves)	0
Eaves Width	M	450 - 600mm at 1st floor level, or greater than 600mm at 2nd floor	1
Envelope Complexity	H	Complex, angular or curved shapes (e.g. Y or arrowhead) with multiple cladding types	3
Deck Design	L	None, timber slat deck or porch at ground level	0
Total Risk Factor			5



Working Drawing

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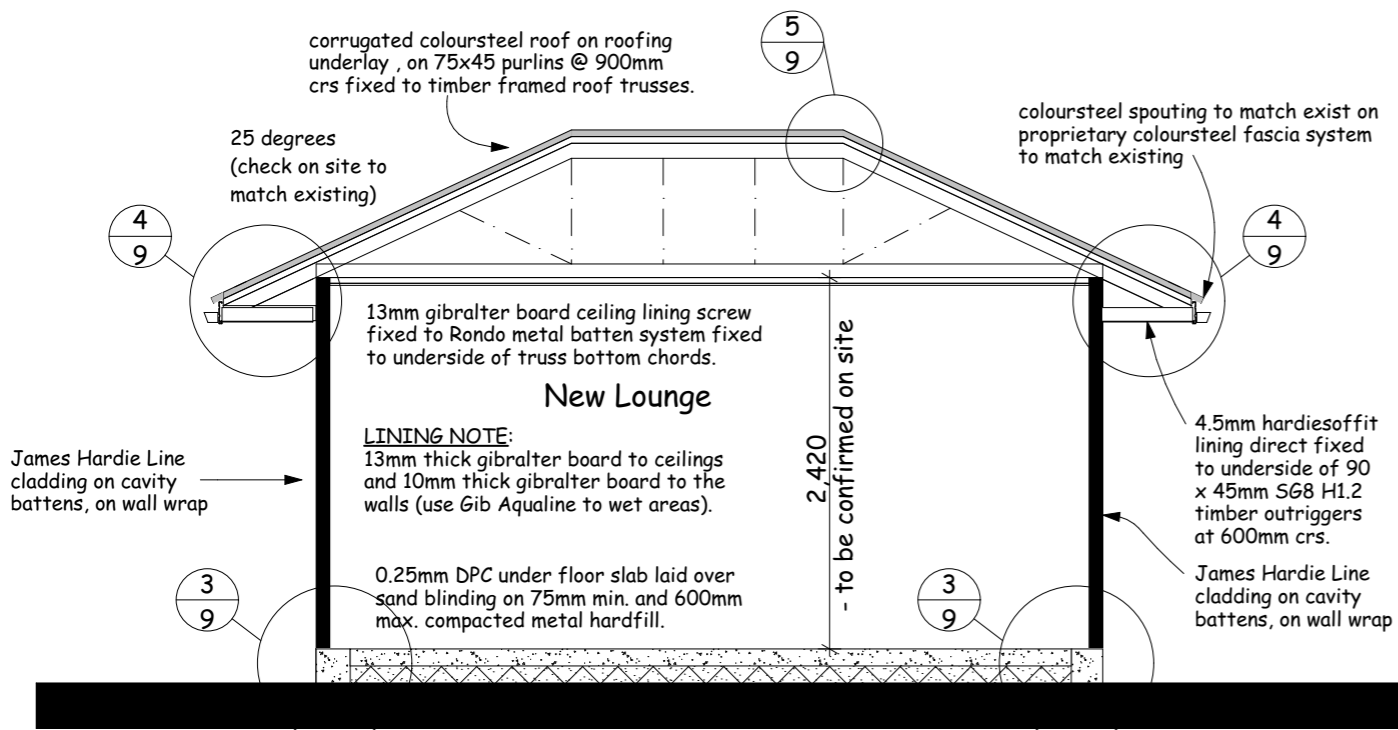
Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
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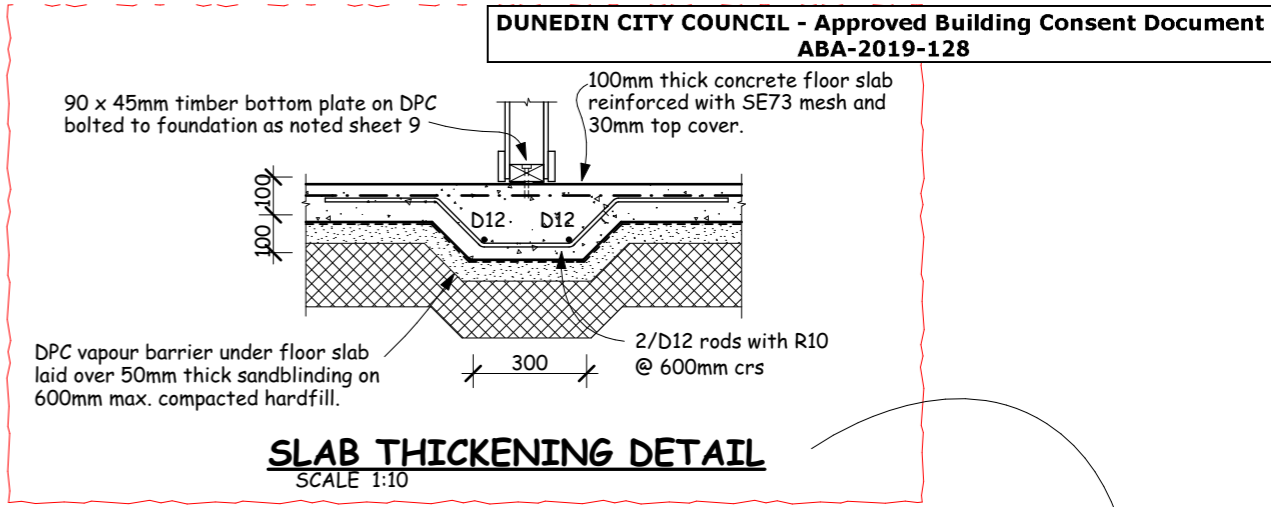
Revision Details:

A:	Revised addition dimension to retain brick wall at edge of exist lounge window (east side)
----	--

Date:	25.1.19
Job No.:	A697
Sheet No.:	4 A



A Section A~A 1:50



NOTE:
 1. PS4 required for Ground Conditions
 2. PS4 required for footing design once ground conditions have been ascertained.
 The Site is partially covered by uncertified fill.
 As a result a Structural Engineer is required to be engaged at time of excavating the footings to approve the ground conditions and suitability of the NZS 3604 designed foundations. Should the designed footings not be appropriate then the engineer shall redesign and provided a PS4 for same.

H1 INSULATION CALCULATIONS: - "Schedule Method"

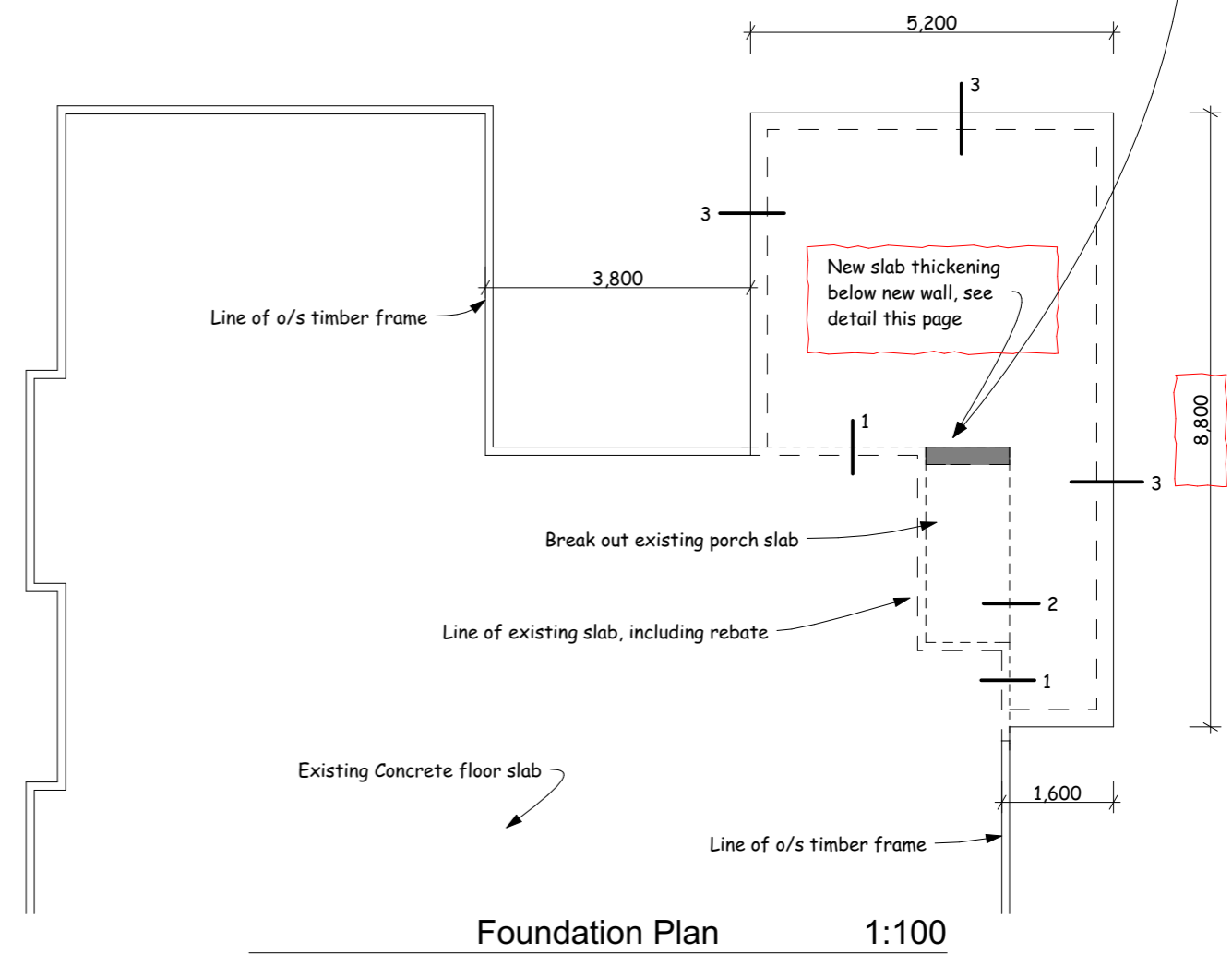
Floor Slab Area (m2)	35	North Walls Length:	5.2
Walls Perimeter (m)	28.2	North Walls Height:	2.465
Wall Height (m)	2.465	North Walls Area:	12.818
Glass Area(m2)	12.79	ESW Wall Area:	56.695
Wall Area: (m2)	69.513	ESW Glass Area:	6.49
Area / Perim Ratio	1.24		
ALL WALLS GLAZING TOTAL %	18.40	ESW GLAZING TOTAL %	11.45

Insulation Chart:		Insulation			
R Values:	Schedule Method	R Value	material	R Value	Thickness:
Zone 3	Construction Type:	Required	R Value	Achieved:	Insulation provided:
Roof	Longrun iron roofing, timber framed roof trusses at 900mm crs.	3.30	3.6	3.4	Pink Batts Ultra, R3.6 Ceiling
Wall	Linea cladding on cavity battens Studs 600crs, dwangs 800crs.	2.00	2.8	2.1	Pink Batts Ultra, R2.8 Wall
Floor	Concrete Floor, 90mm stud wall, Area:35m2 Perimeter: 28.2m2 Area:Perim Ratio: 1.24	1.30	~	1.40	no additional insulation required slab on grade complies
Glazing	Aluminium frame, double clear	0.26	~	0.26	Double Glazing
Skylights	N/A	0.31	~	~	~

Figures taken from BRANZ House Insulation Guide, 3rd edition, and Design-navigator website

Schedule Method used as:

1. Total Glazing Area as % of total wall area < 30%
2. Total Glazing Area of E,S,W as % of total E,S,W wall area < 30%
3. No skylights, no leadlight windows



Foundation Plan 1:100

Working Drawing

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 for: Mr M and Mrs C Saville
 at: 32 Holyport Close, Fairfield, Dunedin

Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
Exposure Zone:	C

Revision Details:

A: Note added re PS4 required for ground and founds. Note added to form load bearing wall thickening, detail added.
 B: Revised addition dimension to retain brick wall at edge of exist lounge window (east side)

Date:	25.1.19
Job No.:	A697
Sheet No.:	5 B



Demand Calculation Sheet

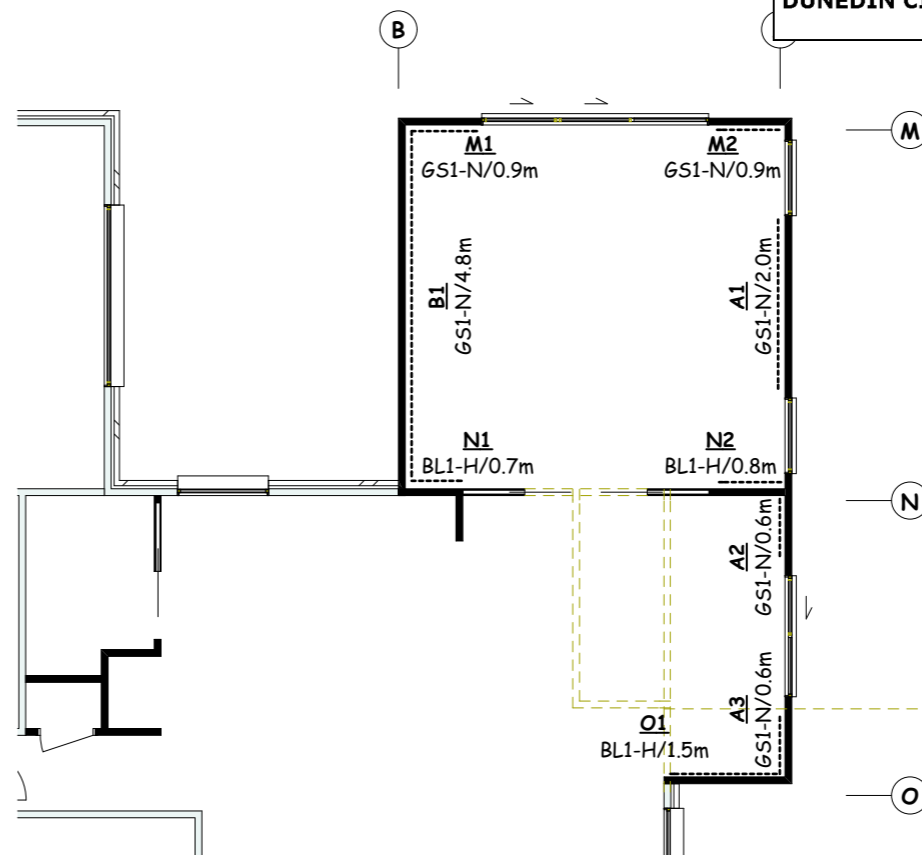
Job Details	
Name:	Saville Addition to Residence
Street and Number:	32 Holyport Close
Lot and DP Number:	Lot 52, DP 346062
City/Town/District:	Dunedin
Designer:	Alison Carey
Company:	Alison Carey Architectural Designer
Date:	Wednesday, December 12, 2018

Building Specification	
Number of Storeys	1
Floor Loading	2 kPa
Foundation Type	Slab
Single	
Cladding Weight	Heavy
Roof Weight	Light
Room in Roof Space	No
Roof Pitch (degrees)	25
Roof Height above Eaves (m)	2.540
Building Height to Apex (m)	5.100
Ground to Lower Floor (m)	0.225
Average Stud Height (m)	2.4
Building Length (m)	9
Building Width (m)	5.2
Building Plan Area (m ²)	46

Building Location	
Wind Zone = High	Earthquake Zone 1
	Soil Type D & E (Deep to Very Soft)
	Annual Prob. of Exceedance: 1 in 500 (Default)

	Bracing Units required for Wind	
	Along	Across
Single Level	283	494

	Bracing Units required for Earthquake	
	Along & Across	
Single Level	191	



- All bracing elements to be fixed to walls in accordance with the manufacturers written instructions, specifications and shall comply with NZS 3604:2011 regulations.
- The bracing has been calculated by the designer, refer to the GIB EzyBrace calculations sheets and bracing elements installation instructions attached.
- Refer to the Gib Bracing Handbook 2016, and the Bracing Charts for details.

- BRACING LEGEND**
- Extent of bracing element.
 - A1** GS1-N/1.2m Bracing element type / length.
 - A** --- Bracing grid-line.
- BRACING SYSTEMS**
- GS1-N - 10mm Gib Standard plasterboard on one side of wall framing (0.4m min. length).
 - BL1-H - 10mm Gib Braceline on one side of wall framing complete with Gib HandiBrac hold down at each end of the bracing element (0.4m min. length).

GIB EzyBrace® Bracing Software

Single Level Along Resistance Sheet

Job Name: Saville Addition to Residence

Line	Element	Length (m)	Angle (degrees)	Stud Ht. (m)	Type	Supplier	Wind (BUs)	EQ (BUs)	Wind	EQ
									Demand	Achieved
A	A1	2.00		2.4	GS1-N	GIB®	138	120	283	191
	A2	0.60		2.4	GS1-N	GIB®	34	35	206 OK	190 OK
	A3	0.60		2.4	GS1-N	GIB®	34	35		
External Length = 8.8									206 OK	190 OK
B	B1	4.80		2.4	GS1-N	GIB®	331	288	331 OK	288 OK
	External Length = 5									331 OK

Single Level Across Resistance Sheet

Job Name: Saville Addition to Residence

Line	Element	Length (m)	Angle (degrees)	Stud Ht. (m)	Type	Supplier	Wind (BUs)	EQ (BUs)	Wind	EQ
									Demand	Achieved
M	M1	0.90		2.4	BL1-H	GIB®	102	92	204 OK	185 OK
	M2	0.90		2.4	BL1-H	GIB®	102	92		
External Length = 5.2									204 OK	185 OK
N	N1	0.70		2.4	BL1-H	GIB®	73	71	159 OK	153 OK
	N2	0.80		2.4	BL1-H	GIB®	87	82		
External Length = 1.5									159 OK	153 OK
P	P1	1.50		2.4	BL1-H	GIB®	192	156	192 OK	156 OK

Working Drawing

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Revision Details:

A:	Revised addition dimension to retain brick wall at edge of exist lounge window (east side)
----	--

Date:	25.1.19
Job No.:	A697
Sheet No.:	6 A

FIXING SCHEDULE NOTES:

GENERAL:

Lintels up to 1.5m with a loaded dimension of less than 2m can be fixed as per the Nailing Schedule Table 8.19 of NZS 3604-2011

TRUSS CONNECTION:

Refer to truss manufacturers design documents.

PURLIN CONNECTION:

Purlins to be connected to timber rafters/trusses with "Fixing Type T" 1/10g self-drilling screw 80mm long (Alternative fixing capacity of 2.4kN), fixings as for NZS3604:2011 Table 10.10 for a High Wind Zone.

TOP PLATE CONNECTION:

Top plate to stud connection to be 2/90 x 3.15 skewed nails and 2 wire dogs per stud as for NZS3604:2011 Table 8.18 for a High Wind Zone and Loaded Dimension 3.0-4.0m

LINTEL CONNECTION:

All lintels shall be held down against uplift with 25 x 1mm strap braces as for NZS3604:2011 Fig. 8.12 for a High Wind Zone (Alternative fixing capacity of 7.5kN).

ROOF FRAMING NOTES:

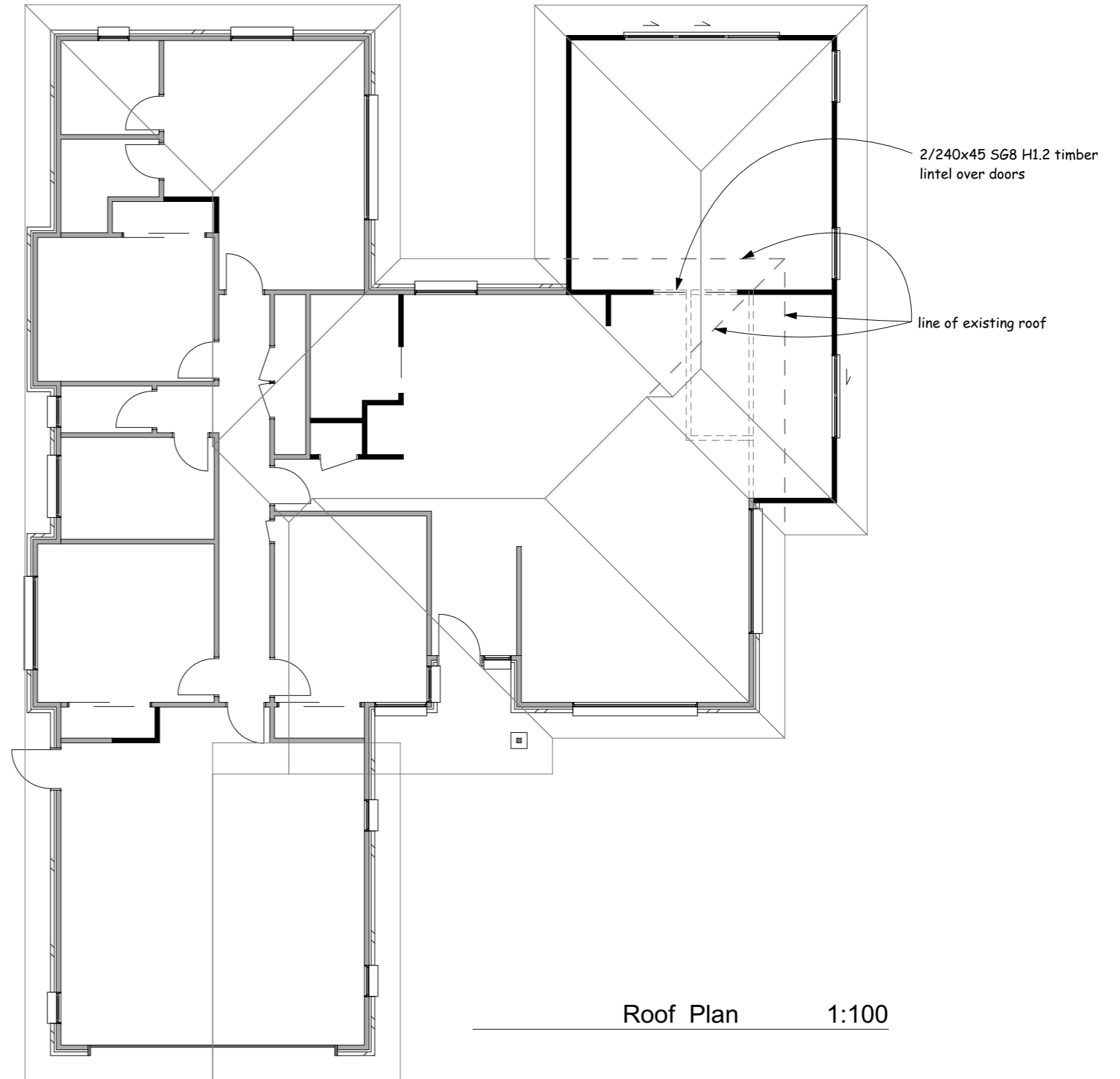
ROOF TRUSS NOTES:

- 1) Timber framed roof trusses shall be designed and certified by the truss manufacturer - the truss drawings to be supplied.
- 2) Refer to the truss manufacturers drawings for areas of the trussed roof that require addition supplementary timber roof framing.

ROOF FRAMING NOTES:

- 1) Generally the timber roof framing to House shall be approved timber framed roof trusses as indicated on the drawings, unless otherwise noted, designed and certified by the truss manufacturer.
- 2) Where indicated on the drawings allow to frame up roof areas with timber rafters as noted.
- 3) All roof framing has been calculated for a 2kPa snow load.

NOTE: additional bolts/strap fixings may be required by the specified bracing element. Confirm all braced panel fixings with the manufacturers instructions.



Roof Plan 1:100

Working Drawing

<p>ALISON CAREY ARCHITECTURAL DESIGNER 3 Kilmarnock Close, Wavy Knowes, Waldronville, DUNEDIN Phone: 488 2177 Mobile: 027 699 0363 Email: alisoncarey@xtra.co.nz</p> <p><small>DO NOT SCALE OFF THESE DRAWINGS. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY.</small></p>			<p>Proposed Alteration of Existing Residence for: Mr M and Mrs C Saville at: 32 Holyport Close, Fairfield, Dunedin</p>	<p>Design Parameters:</p> <p>Wind Zone: High Earthquake Zone: 1 Climate Zone: 3 Exposure Zone: C</p>	<p>Revision Details: A: Notes added</p>	<p>Date: 25.1.19 Job No.: A697 Sheet No.: 8 A</p>
---	--	--	--	--	---	---

BUILDING CONSENT - ABA-2019-2349

(Section 51, Building Act 2004)
Form 5

The building

Street address of building: 32 Holyport Close Fairfield

Legal description of land where building is located: LOT 52 DP 346062

Building Name: N/A

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

Level/unit Number: N/A

The owner

Name of owner: M Saville and C M Saville

Contact person: M Saville and C M Saville

Mailing address: 32 Holyport Close, Fairfield, Dunedin 9018

Street address/registered office:

Mobile: 027 498 6438

Landline: 03 488 4738

Email address: savi7@xtra.co.nz

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

Building work

The following building work is authorised by this building consent:

Amendment to ABA-2019-128 - Add Sliding Door to West Wall of Lounge

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

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

Compliance Schedule

A compliance schedule is not required for the building.

Attachments

Copies of the following documents are attached to this building consent:

Record of required site inspections (section 90(2) of the Building Act 2004)



Grant Sutton
Authorised Officer
On behalf of Dunedin City Council

Date: 29 November 2019

WINDOW SCHEDULE:

No:	Width:	Height:	Head Ht:	Sill Ht:	Area:	Lintel:	Design by	Notes:	Safety glazed
	r/o mm	r/o mm	from FFL	from FFL	m2				
W1	1600	2180	2180	0	3.49	see truss plan	placemakers	EXISTING DOOR REUSED, site measure opening	yes
W2	1000	1380	2180	800	1.38	see truss plan	placemakers		
W3	1000	1380	2180	800	1.38	see truss plan	placemakers		
W4	3000	2180	2180	0	6.54	see truss plan	placemakers	sliding stacker doors	yes
Area Total:					12.79				

IMPORTANT NOTE: WINDOW HEAD HEIGHT NOTED IS APPROX ONLY AND IS TO BE SITE CONFIRMED

- Windows sizes to be confirmed on site with owner prior to manufacture of all frames and windows.
- Window manufacturer to confirm all opening sashes with owner prior to manufacture of all frames and windows.
- Windows heads set at 2.180m above floor level - confirm height on site prior to manufacture of all frames and windows.
- Window glazing to be approved double glazing - refer to the Specification.
- Window lintels have been designed and certified by the truss manufacturer, as supplied by:

DOOR SCHEDULE:

No:	W x H	Notes:	Lintel:
	mm x mm		
D1	2/810 1980	hollow core pair / cavity sliding doors	2/240 x 45 MSG8 (see truss plan) placemakers
D2	760 1980	hollow core single hinged door	
D3	2/760 1980	hollow core pair, wardrobe sliding doors	
D4	2/760 1980	hollow core pair, wardrobe sliding doors	
D5	760 1980	hollow core single hinged door	
D6	2/760 1980	hollow core pair, wardrobe sliding doors	
D7	810 1980	hollow core single cavity slider	

Confirm all door sizes and styles with owner prior to order and prior to making door frames.

DUNEDIN CITY COUNCIL
 Plans and Specifications approved in accordance with the NZ Building Code.
 To be retained on works and produced on request.
 Date: 27/11/2019 Building: MJ Hart

Construction and Demolition Hazards:

- ~to comply with NZBC F5/AS1
- Construction and demolition work on this building shall be performed in a manner that avoids the likelihood of:
 - ~Objects falling onto people on or off the site,
 - ~Objects falling on property off the site,
 - ~Other hazards arising on the site affecting people off the site and other property, and
 - ~Unauthorised entry of children to hazards on the site.

It is the responsibility of the main contractor to achieve this:

- Suitable construction methods shall be used to avoid the likelihood of tools or materials falling onto places where people might be present.
- Where construction or demolition work presents a hazard in places to which the public has access, barriers shall be provided and shall:
 - ~Be of appropriate height and construction to prevent site hazards from harming traffic or passersby,
 - ~Be difficult to climb,
 - ~Have no openings other than those approved by the territorial authority for access and viewing,
 - ~Have no gates or doors which project beyond the site when opened
 - ~Contain no projection that would be a hazard to traffic or people, and
 - ~Be clearly marked where the barrier itself may otherwise present a hazard to traffic or passersby.

Where a construction or demolition site contains any hazard which might be expected to attract the unauthorised entry of children, the hazard shall be enclosed to restrict access by children.

Suitable barriers shall be constructed to provide a safe route for people where lifting equipment creates a risk of accident from objects falling on a place of public access, or where a similar risk results from the height at which construction or demolition work is being carried out.

TIMBER FRAMING:

Walls are to be constructed to comply with the requirements of NSZ3604:2011 for a "High Wind Zone" area as follows:

- **Ground Floor Level:**
 - Loadbearing walls at 2.4m high = 90 x 45 studs at 600mm crs
 - Non-loadbearing walls at 2.4m high = 90 x 45 studs at 600mm crs

MECHANICAL VENTILATION

Allow to mechanically ventilate the rooms listed below through roof or wall to outside and fit weatherproof cowl to same.

Kitchen - rangehood duct thru ceiling space to discharge out thru soffit.

 indicates impervious vinyl floors, or similar.

DOMESTIC SMOKE ALARMS

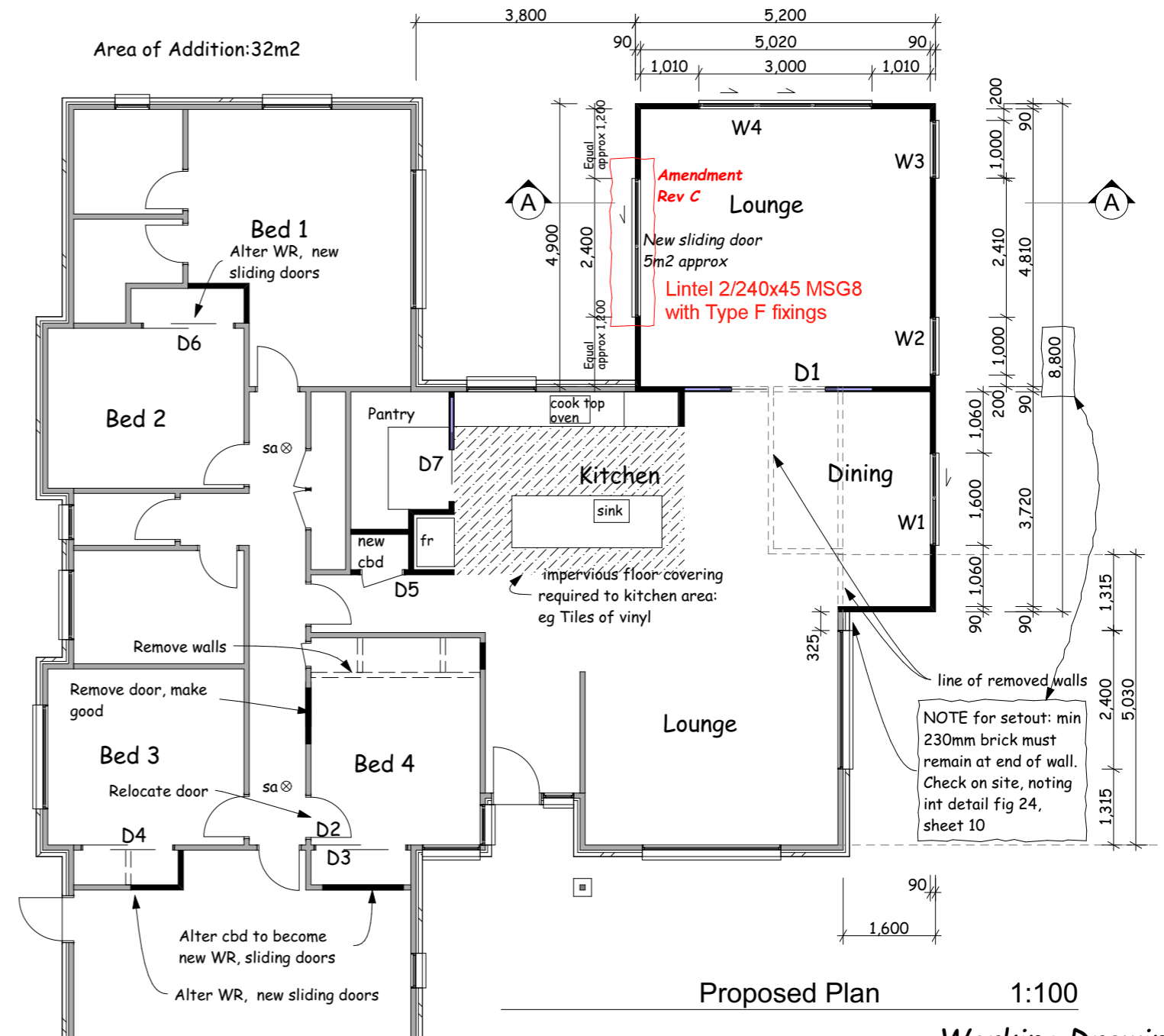
sa ⊗ indicates smoke alarm

Allow to provide Ionisation type or similar approved battery operated smoke alarms to be installed as per manufacturers written instructions and to comply to the requirements of NZBC F7.

Smoke alarms shall be located on the escape routes on all levels within the household unit. On levels containing sleeping spaces, the smoke alarms shall be located either:

- In every sleeping space, or
- Within 3.0 m of every sleeping space door. In this case the alarms must be audible to the sleeping occupants on the other side of closed doors.

The smoke alarms shall be 9v battery powered with a hush facility, and are not required to be interconnected.



Proposed Plan 1:100

Working Drawing

ALISON CAREY
 ARCHITECTURAL DESIGNER
 3 Kilmarnock Close, Wavy Knowes, Waldronville, DUNEDIN
 Phone: 488 2177 Mobile: 027 699 0363 Email: alisoncarey@xtra.co.nz
 DO NOT SCALE OFF THESE DRAWINGS. CONFIRM ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY.

APNZ
 Architectural Designers
 Professional Member

LICENSED BUILDING PRACTITIONER
 www.dbh.govt.nz
 BUILDING CONFIDENCE

Proposed Alteration of Existing Residence
 for: Mr M and Mrs C Saville
 at: 32 Holyport Close, Fairfield, Dunedin

Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
Exposure Zone:	C

Revision Details:

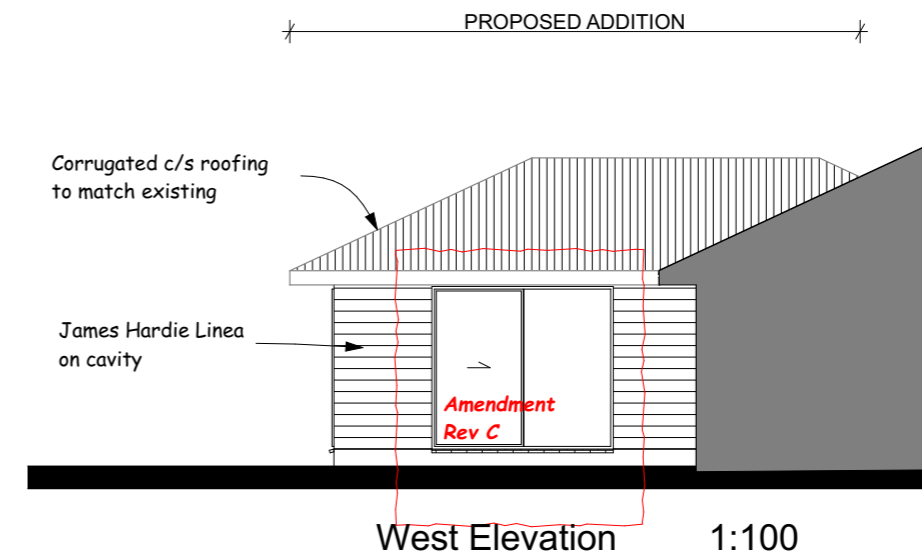
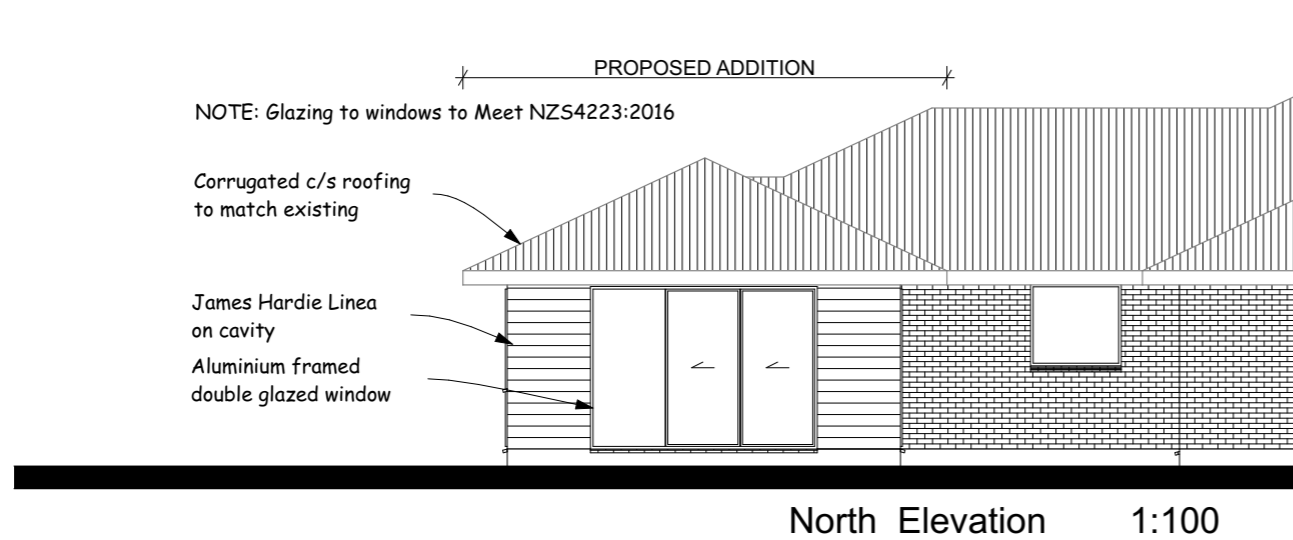
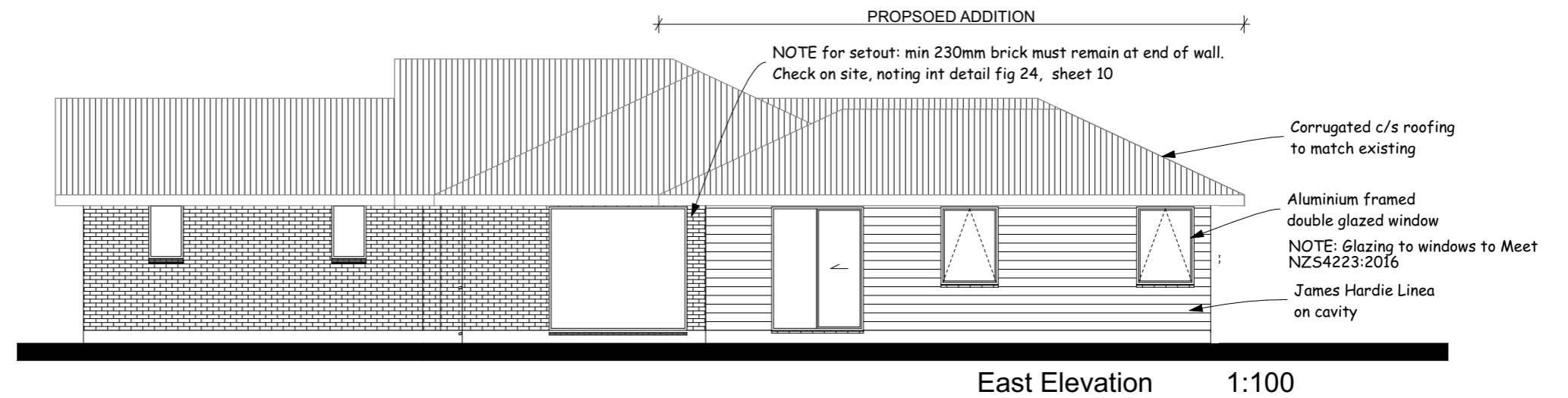
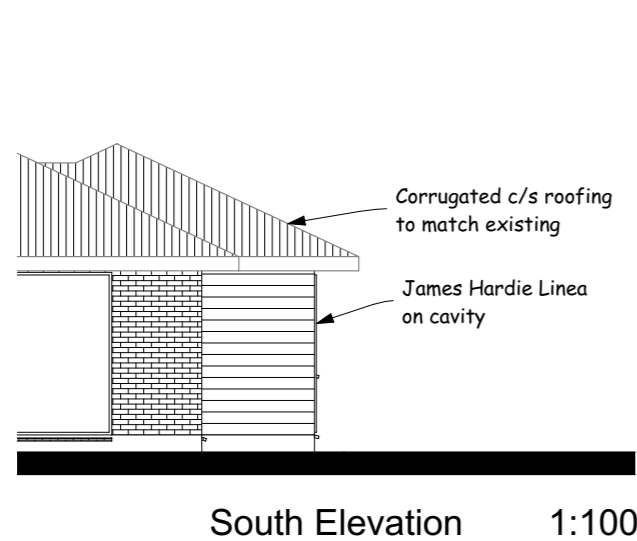
A:	Note added re lintel over D1. Kitchen floor noted as tiles or vinyl
B:	Revised addition dimension to retain brick wall at edge of exist lounge window (east side)
C:	11.19 Sliding door added to Lounge

Date:	25.1.19
Job No.:	A697
Sheet No.:	3 C

NZBC E2 RISK MATRIX

Project No: A697	Project Name: Saville Residence
Date: 4-11-18	Project Address: 32 Holyport Close, Dunedin

Risk Item	Selection	Description	Score
Wind Zone	H	High wind zone	1
Storeys	L	1 storey	0
Roof/Wall Intersection	L	Fully protected (e.g. hip & gable with eaves)	0
Eaves Width	M	450 - 600mm at 1st floor level, or greater than 600mm at 2nd floor	1
Envelope Complexity	H	Complex, angular or curved shapes (e.g. Y or arrowhead) with multiple cladding types	3
Deck Design	L	None, timber slat deck or porch at ground level	0
Total Risk Factor			5



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Proposed Alteration of Existing Residence
for: Mr M and Mrs C Saville
at: 32 Holyport Close, Fairfield, Dunedin

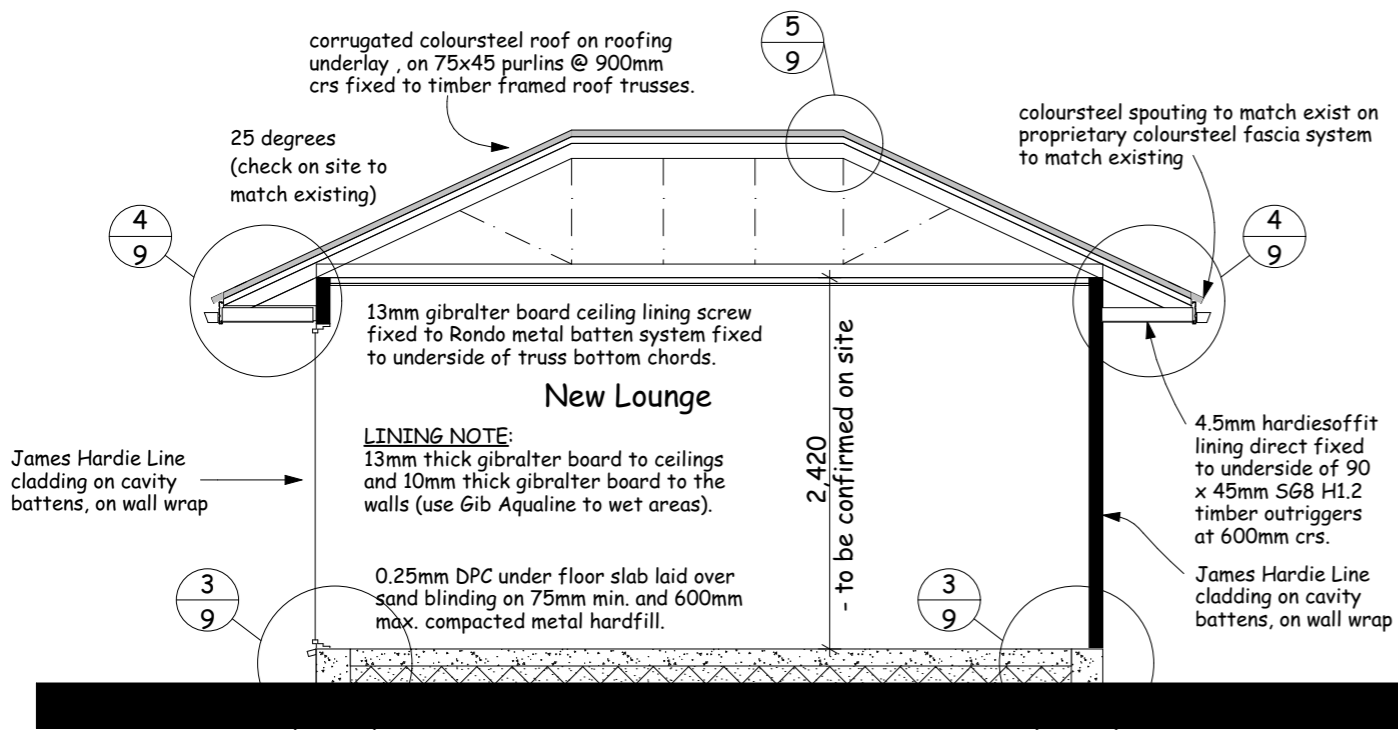
Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
Exposure Zone:	C

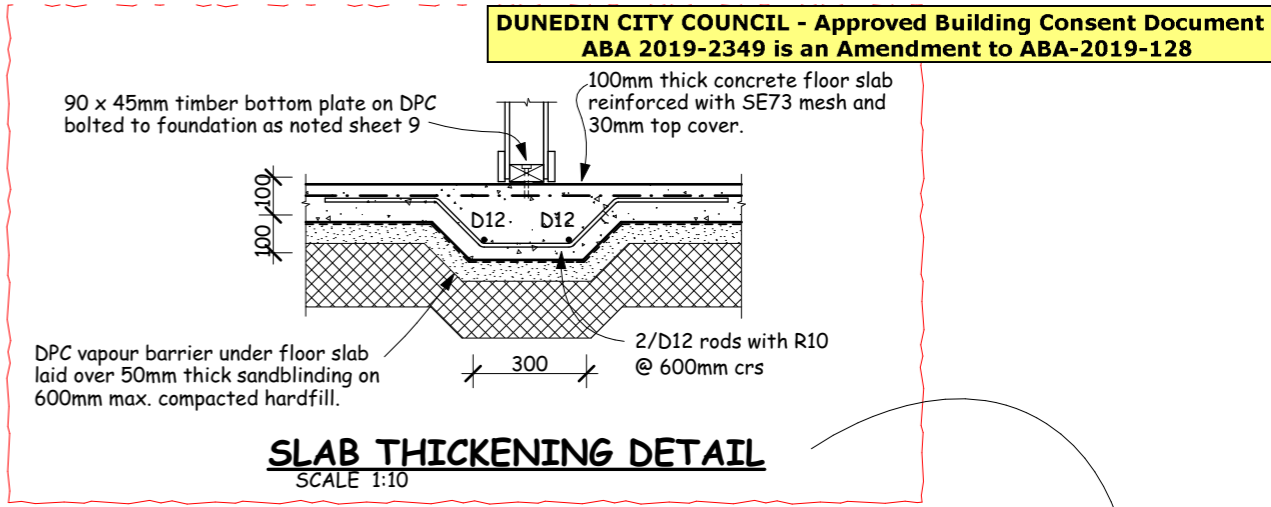
Revision Details:

A:	Revised addition dimension to retain brick wall at edge of exist lounge window (east side)
B:	11.11.19 Sliding door added to Lounge

Date:	25.1.19
Job No.:	A697
Sheet No.:	4 B



A Section A~A 1:50



SLAB THICKENING DETAIL
SCALE 1:10

NOTE:
 1. PS4 required for Ground Conditions
 2. PS4 required for footing design once ground conditions have been ascertained.
 The Site is partially covered by uncertified fill.
 As a result a Structural Engineer is required to be engaged at time of excavating the footings to approve the ground conditions and suitability of the NZS 3604 designed foundations. Should the designed footings not be appropriate then the engineer shall redesign and provided a PS4 for same.

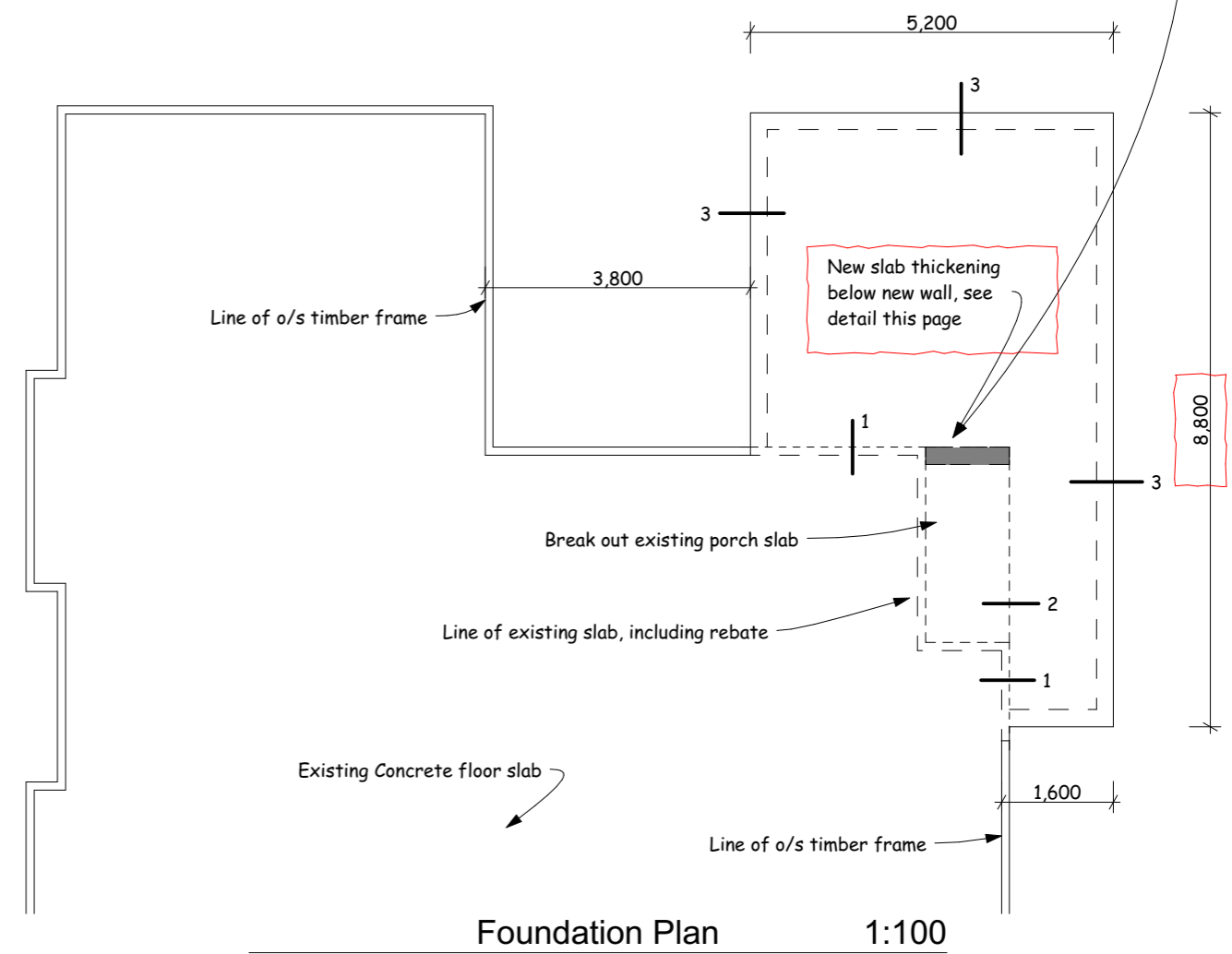
H1 INSULATION CALCULATIONS: - "Schedule Method"

Floor Slab Area (m2)	35	North Walls Length:	5.2
Walls Perimeter (m)	28.2	North Walls Height:	2.465
Wall Height (m)	2.465	North Walls Area:	12.818
Glass Area(m2)	17.79 (added lounge window)	ESW Wall Area:	56.695
Wall Area: (m2)	69.513	ESW Glass Area:	11.49
Area / Perim Ratio	1.24		
ALL WALLS GLAZING TOTAL %	25.59	ESW GLAZING TOTAL %	20.27

Insulation Chart:		Insulation			
R Values:	Schedule Method	R Value	material	R Value	Thickness:
Zone 3	Construction Type:	Required	R Value	Achieved:	Insulation provided:
Roof	Longrun iron roofing, timber framed roof trusses at 900mm crs.	3.30	3.6	3.4	Pink Batts Ultra, R3.6 Ceiling
Wall	Linea cladding on cavity battens Studs 600crs, dwangs 800crs.	2.00	2.8	2.1	Pink Batts Ultra, R2.8 Wall
Floor	Concrete Floor, 90mm stud wall, Area:35m2 Perimeter: 28.2m2 Area:Perim Ratio: 1.24	1.30	~	1.40	no additional insulation required slab on grade complies
Glazing	Aluminium frame, double clear	0.26	~	0.26	Double Glazing
Skylights	N/A	0.31	~		

Figures taken from BRANZ House Insulation Guide, 3rd edition, and Design-navigator website

- Schedule Method used as:
1. Total Glazing Area as % of total wall area < 30%
 2. Total Glazing Area of E,S,W as % of total E,S,W wall area < 30%
 3. No skylights, no leadlight windows



Foundation Plan 1:100

Working Drawing

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 BUILDING CONFIDENCE

Proposed Alteration of Existing Residence
 for: Mr M and Mrs C Saville
 at: 32 Holyport Close, Fairfield, Dunedin

Design Parameters:	Revision Details:	Date:
Wind Zone: High	A: Note added re PS4 required for ground and	25.1.19
Earthquake Zone: 1	foundations. Note added to form load bearing wall	Job No.: A697
Climate Zone: 3	thickening, detail added.	Sheet No.: 5c
Exposure Zone: C	B: Revised addition dimension to retain brick wall at edge of exist lounge window (east side)	
	C:12.11.19 revised insulation calc chart - new lounge window	

GIB EzyBrace® Bracing Software



Demand Calculation Sheet

Job Details

Name:	Saville Addition to Residence
Street and Number:	32 Holyport Close
Lot and DP Number:	Lot 52, DP 346062
City/Town/District:	Dunedin
Designer:	Alison Carey
Company:	Alison Carey Architectural Designer
Date:	Wednesday, December 12, 2018

Building Specification

Number of Storeys	1
Floor Loading	2 kPa
Foundation Type	Slab
Cladding Weight	Single Heavy
Roof Weight	Light
Room in Roof Space	No
Roof Pitch (degrees)	25
Roof Height above Eaves (m)	2.540
Building Height to Apex (m)	5.100
Ground to Lower Floor (m)	0.225
Average Stud Height (m)	2.4
Building Length (m)	9
Building Width (m)	5.2
Building Plan Area (m ²)	46

Building Location

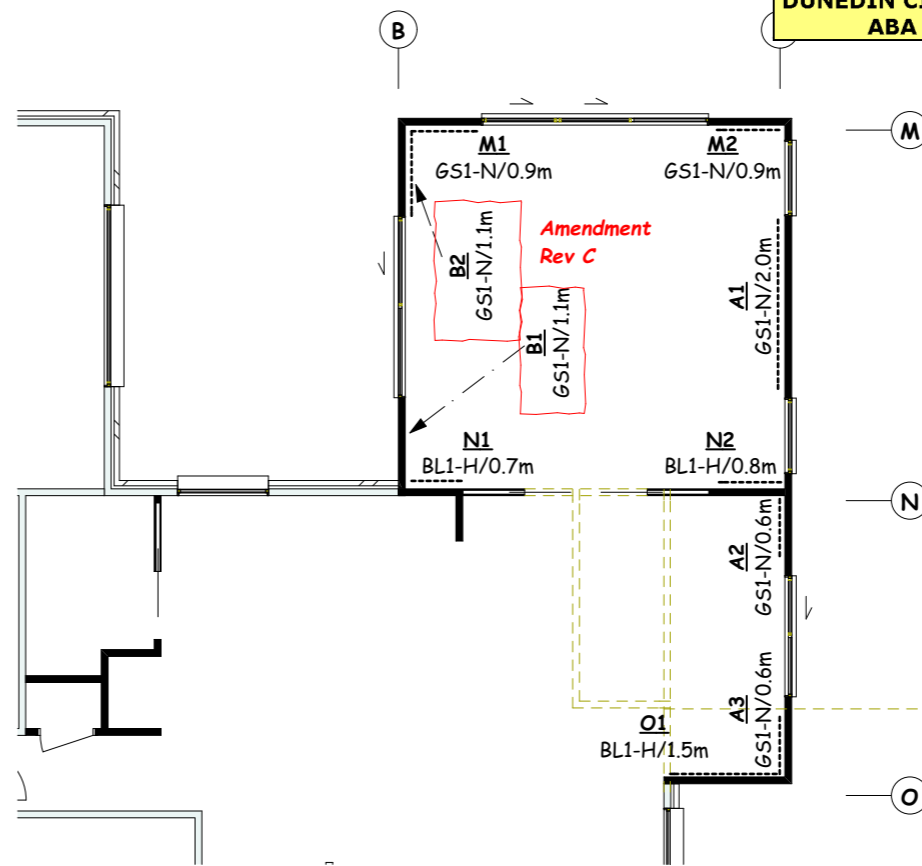
Wind Zone = High	Earthquake Zone 1
	Soil Type: D & E (Deep to Very Soft)
	Annual Prob. of Exceedance: 1 in 500 (Default)

Bracing Units required for Wind

	Along	Across
Single Level	283	494

Bracing Units required for Earthquake

	Along & Across
Single Level	191



DUNEDIN CITY COUNCIL - Approved Building Consent Document
ABA 2019-2349 is an Amendment to ABA-2019-128

- All bracing elements to be fixed to walls in accordance with the manufacturers written instructions, specifications and shall comply with NZS 3604:2011 regulations.
- The bracing has been calculated by the designer, refer to the GIB EzyBrace calculations sheets and bracing elements installation instructions attached.
- Refer to the Gib Bracing Handbook 2016, and the Bracing Charts for details.

BRACING LEGEND

- Extent of bracing element.
- A1** GS1-N/1.2m Bracing element type / length.
- A** Bracing grid-line.

BRACING SYSTEMS

- GS1-N - 10mm Gib Standard plasterboard on one side of wall framing (0.4m min. length).
- BL1-H - 10mm Gib Braceline on one side of wall framing complete with Gib HandiBrac hold down at each end of the bracing element (0.4m min. length).

GIB EzyBrace® Bracing Software



Single Level Along Resistance Sheet

Job Name: Saville Addition to Residence

Line	Element	Length (m)	Angle (degrees)	Stud Ht. (m)	Type	Supplier	Wind BUs	EQ BUs	Demand	
									354	322
A	A1	2.00		2.4	GS1-N	GIB®	138	120	206 OK	190 OK
	A2	0.60		2.4	GS1-N	GIB®	34	35		
	A3	0.60		2.4	GS1-N	GIB®	34	35		
External Length = 8.8										
B	B1	1.10	Amendment	2.4	GS1-N	GIB®	74	66	147 OK	131 OK
	B2	1.10	Rev C	2.4	GS1-N	GIB®	74	66		
External Length = 5										

Single Level Across Resistance Sheet

Job Name: Saville Addition to Residence

Line	Element	Length (m)	Angle (degrees)	Stud Ht. (m)	Type	Supplier	Wind BUs	EQ BUs	Demand	
									555	493
M	M1	0.90		2.4	BL1-H	GIB®	102	92	204 OK	185 OK
	M2	0.90		2.4	BL1-H	GIB®	102	92		
External Length = 5.2										
N	N1	0.70		2.4	BL1-H	GIB®	73	71	159 OK	153 OK
	N2	0.80		2.4	BL1-H	GIB®	87	82		
External Length = 1.50										
P	P1	1.50		2.4	BL1-H	GIB®	192	156	192 OK	156 OK

Working Drawing

ALISON CAREY
ARCHITECTURAL DESIGNER
3 Kilmarnock Close, Wavy Knowes, Waldronville, DUNEDIN
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APNZ Architectural Designers New Zealand
Professional Member

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www.dbh.govt.nz
BUILDING CONFIDENCE

Proposed Alteration of Existing Residence
for: Mr M and Mrs C Saville
at: 32 Holyport Close, Fairfield, Dunedin

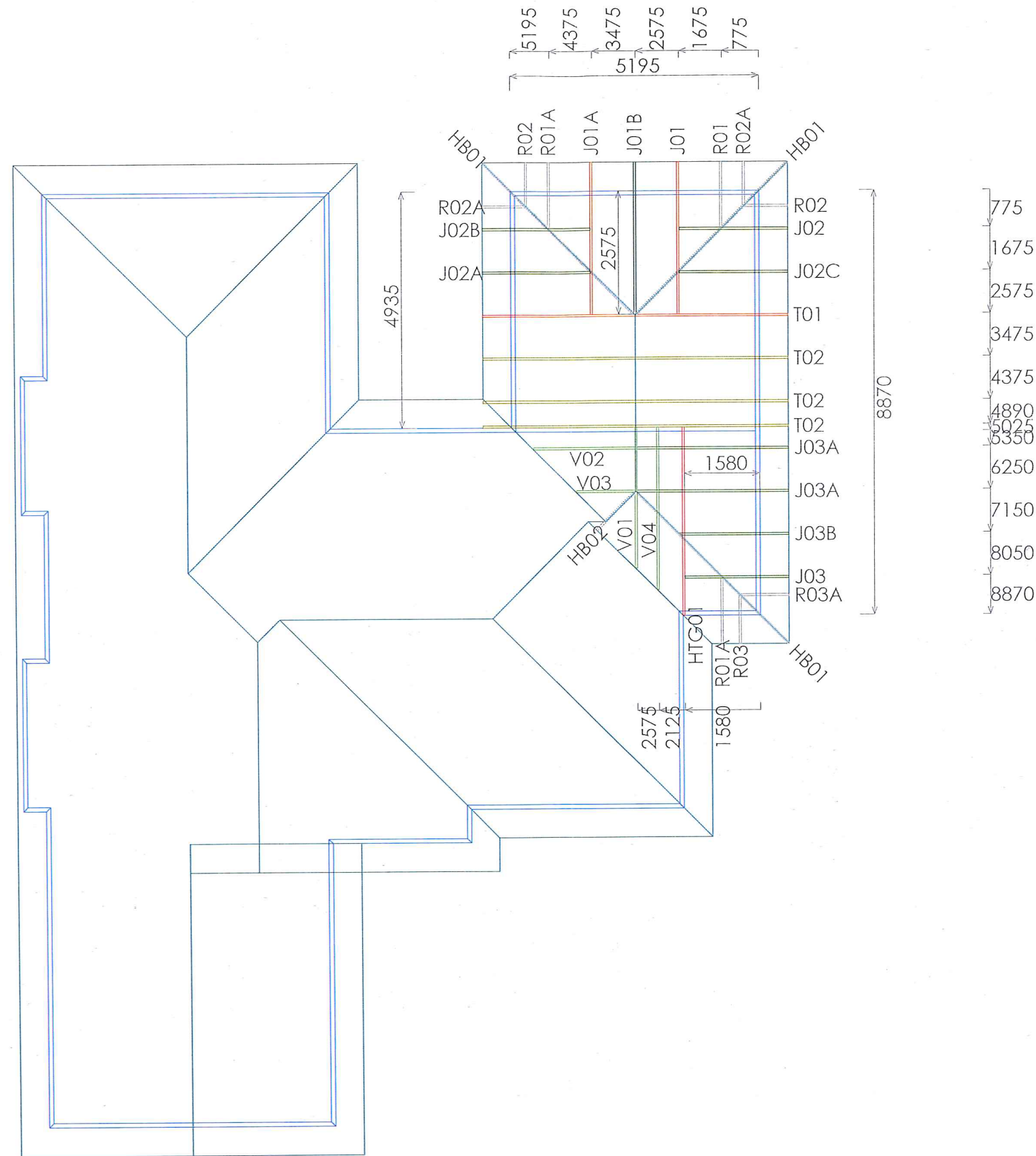
Design Parameters:

Wind Zone:	High
Earthquake Zone:	1
Climate Zone:	3
Exposure Zone:	C

Revision Details:

A: Revised addition dimension to retain brick wall at edge of exist lounge window (east side)
B: 11.11.19 Sliding door added to Lounge, so bracing element B1 revised to B1,B2

Date:	25.1.19
Job No.:	A697
Sheet No.:	6 B



34 Carncross Street
 Mosgiel
 Ph 03 484 7280

Site Address :
 Saville Addition
 32 Holyport Close
 Fairfield

Sheet Title :
 ABA 2019-128
 As Built Layout

Date : 30 Oct, 2019
 Drawn : Craig Murphy
 Scale : 1: 100
 System : MiTek 20/20

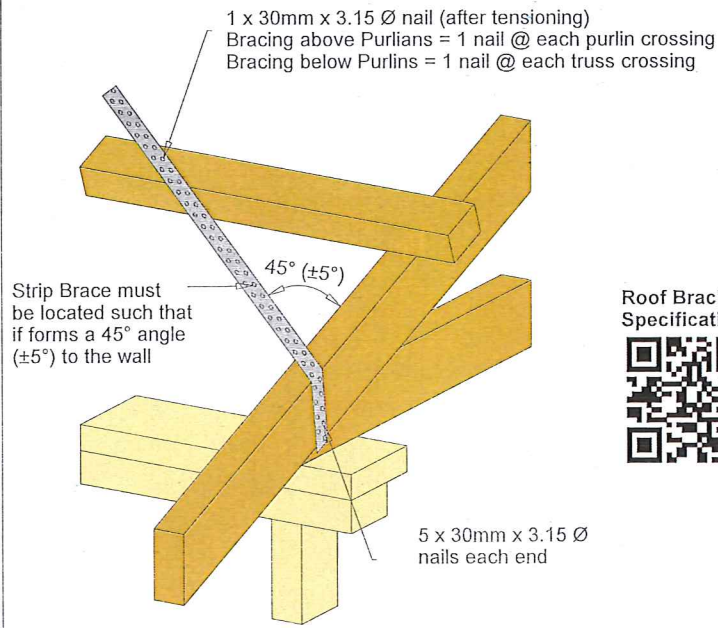
Job Details:
 Roof Pitch : 25.00deg
 Roof Material : Longrun Iron .55mm
 Ceiling Material : Gib Board 12mm
 Wind Zone : High
 Roof Snow Load : 0.441kPa

Truss Centres : 900mm
 Roof Live Load : 0.250kPa
 Floor Live Load :
 Wind Speed : 44m/s
 Overhang : 600mm



PrimeCad v4.7.334
 Job Title :
 124901D
 Sheet :
 1
 Revision Number :

LUMBERLOK[®] ROOF BRACING



Refer to:
 LUMBERLOK Roof Bracing Specifications 10/2011
 MiTek Structural Fixings On-Site Guide for Building Code Compliance
 (As per NZS 3604:2011)

LUMBERLOK[®] TRUSS FIXINGS

- D - Pair of Wire Dogs and 2 x 90mm 3.15mm skew nails
- X - LUMBERLOK JH47x90 Joist Hanger
- Z - LUMBERLOK JH47x120 Joist Hanger
- P - LUMBERLOK JH47x190 Joist Hanger
- E - LUMBERLOK JH95x165 Joist Hanger
- T - LUMBERLOK CT200 Ceiling Tie
- O - Pair of LUMBERLOK CT200 Ceiling Ties
- H - LUMBERLOK CT400 Cyclone Tie
- B - LUMBERLOK CT600 Cyclone Tie
- 4 - LUMBERLOK Multi Grip
- M - Pair of LUMBERLOK Multi Grips
- NP - LUMBERLOK Nailon Plate
- N - LUMBERLOK N21 Diagonal Cleat
- V - LUMBERLOK CPC40 Cleat
- W - Pair of LUMBERLOK CPC40 Cleats
- K - LUMBERLOK TTP 16kN Truss to Top Plate set
- G - LUMBERLOK TTP 9kN Truss to Top Plate set

Joist Hanger Installation



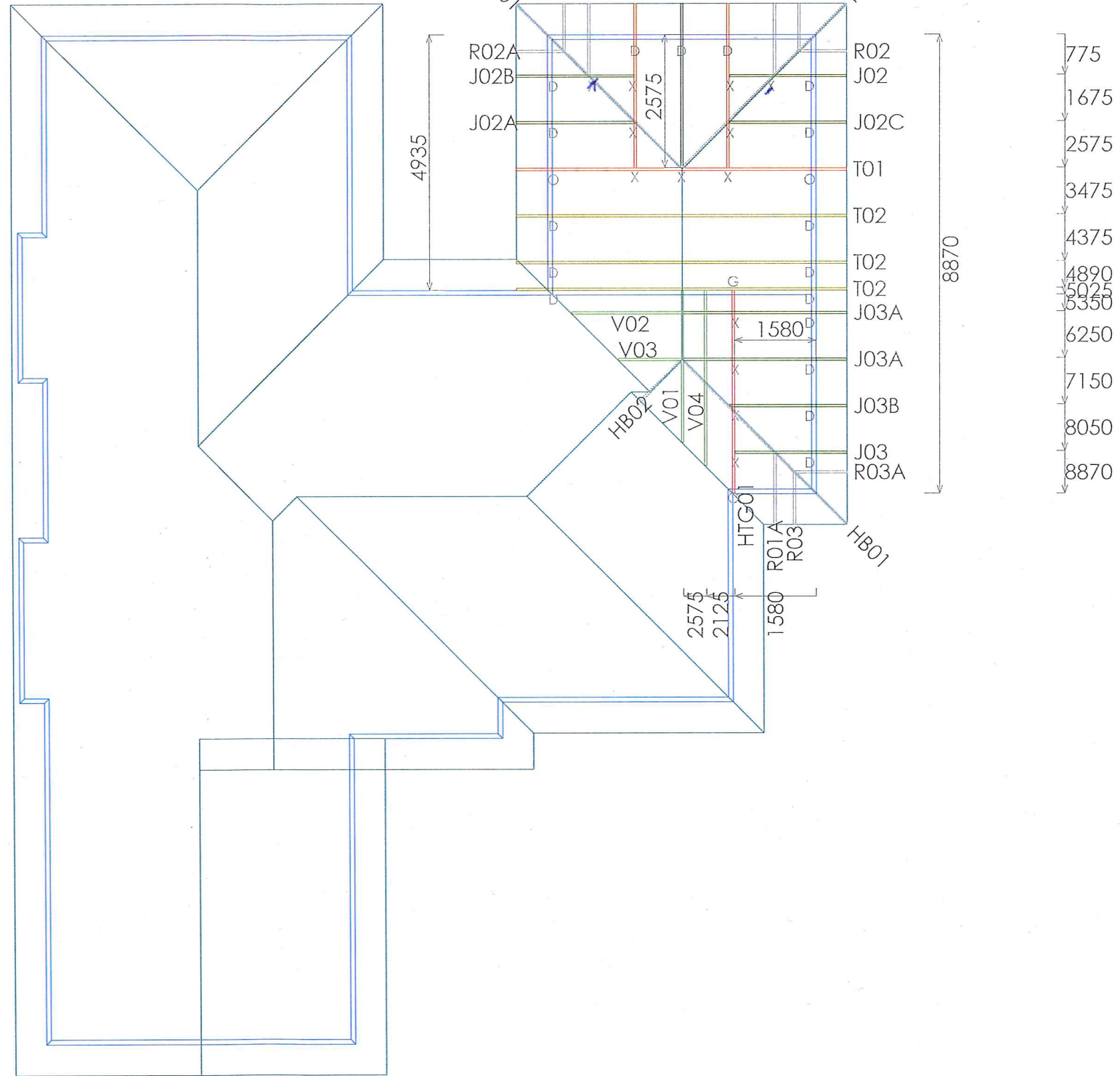
CT200 Truss to Top Plate Fixing Installation



16kN & 9kN Truss to Top Plate Fixing Installation



Notes:
 All other areas must have the minimum 2 x 90mm 3.15mm skew nails and 2 x wire dogs for truss to top plate connections
 Refer to:
 LUMBERLOK Timber Connectors Characteristic Loadings Data Brochure 08/2014



Site Address :
 Saville Addition
 32 Holyport Close
 Fairfield

Sheet Title :
 ABA 2019-128
 As Built Layout

Date : 30 Oct, 2019 Drawn : Craig Murphy
 Scale : 1: 100 System : MiTek 20/20

Job Details:
 Roof Pitch : 25.00deg
 Roof Material : Longrun Iron .55mm
 Ceiling Material : Gib Board 12mm
 Wind Zone : High
 Roof Snow Load : 0.441kPa

Truss Centres : 900mm
 Roof Live Load : 0.250kPa
 Floor Live Load :
 Wind Speed : 44m/s
 Overhang : 600mm

PrimeCad v4.7.334

Job Title :
 124901D
 Sheet :
 2
 Revision Number :

Code Compliance Certificate Form 7

Section 95, Building Act 2004

M Saville and C M Saville
32 Holyport Close
Fairfield
Dunedin 9018

The building

Street address of building: 32 Holyport Close Fairfield

Legal description of land where building is located: LOT 52 DP 346062

Building name: N/A

Location of building within site/block number:

Level/unit number:

Current, lawfully established, use: Housing

Number of occupants:

Year first constructed: 2007

The owner

Name of owner: M Saville and C M Saville

Contact person: M Saville and C M Saville

Mailing address: 32 Holyport Close, Fairfield, Dunedin 9018

Street address/registered office:

Mobile: 027 498 6138

Landline:

Email address: savi7@xtra.co.nz

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

Building work

Building Consent Number: ABA-2024-1032 - Alter Dwelling - Install Tiled Shower in Ensuite

This CCC also applies to the following amended consents: N/A

Issued by: Dunedin City Council

Code Compliance

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

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



Team Leader Inspections
On behalf of Dunedin City Council

Date: 28 January 2025

Building Consent - ABA-2024-1032

(Section 51, Building Act 2004)

Form 5

The building

Street address of building: 32 Holyport Close Fairfield

Legal description of land where building is located: LOT 52 DP 346062

Building name: N/A

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

Level/unit number: N/A

Owner

Name of owner: M Saville and C M Saville

Contact person: M Saville and C M Saville

Mailing address: 32 Holyport Close, Fairfield, Dunedin 9018

Street address/registered office:

Mobile: 027 498 6138

Landline:

Email address: savi7@xtra.co.nz

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

Building work

The following building work is authorised by this building consent:

Alter Dwelling - Install Tiled Shower in Ensuite

This building consent is issued under Section 51 of the Building Act 2004. This building consent does not relieve the owner of the building (or proposed building) of any duty or responsibility under any other Act relating to or affecting the building (or proposed building). This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

This building consent is subject to the following conditions:

Agents authorised by the building consent authority for the purposes of the Building Act 2004 section 90(1) are entitled at all times during normal working hours or while building work is being done, to inspect land and buildings.

Compliance Schedule

A compliance schedule is not required for the building.

Attachments

Copies of the following documents are attached to this building consent:

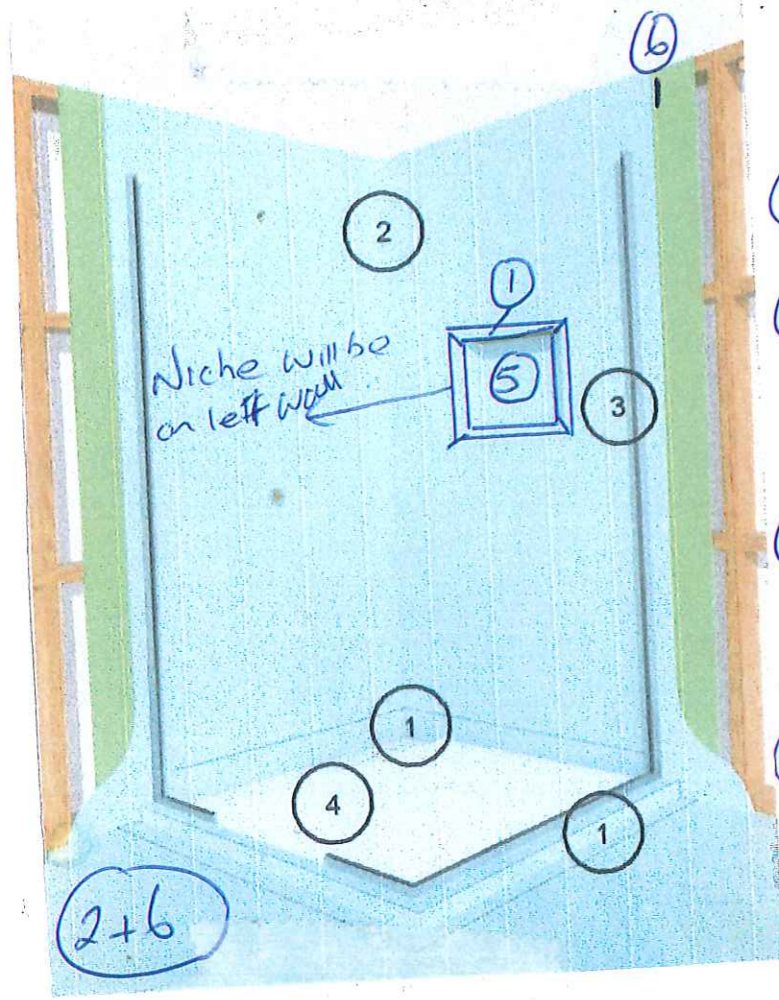
Record of required site inspections - Building Act 2004 section 90(2)



Team Leader Processing (Building Consents)

On behalf of Dunedin City Council

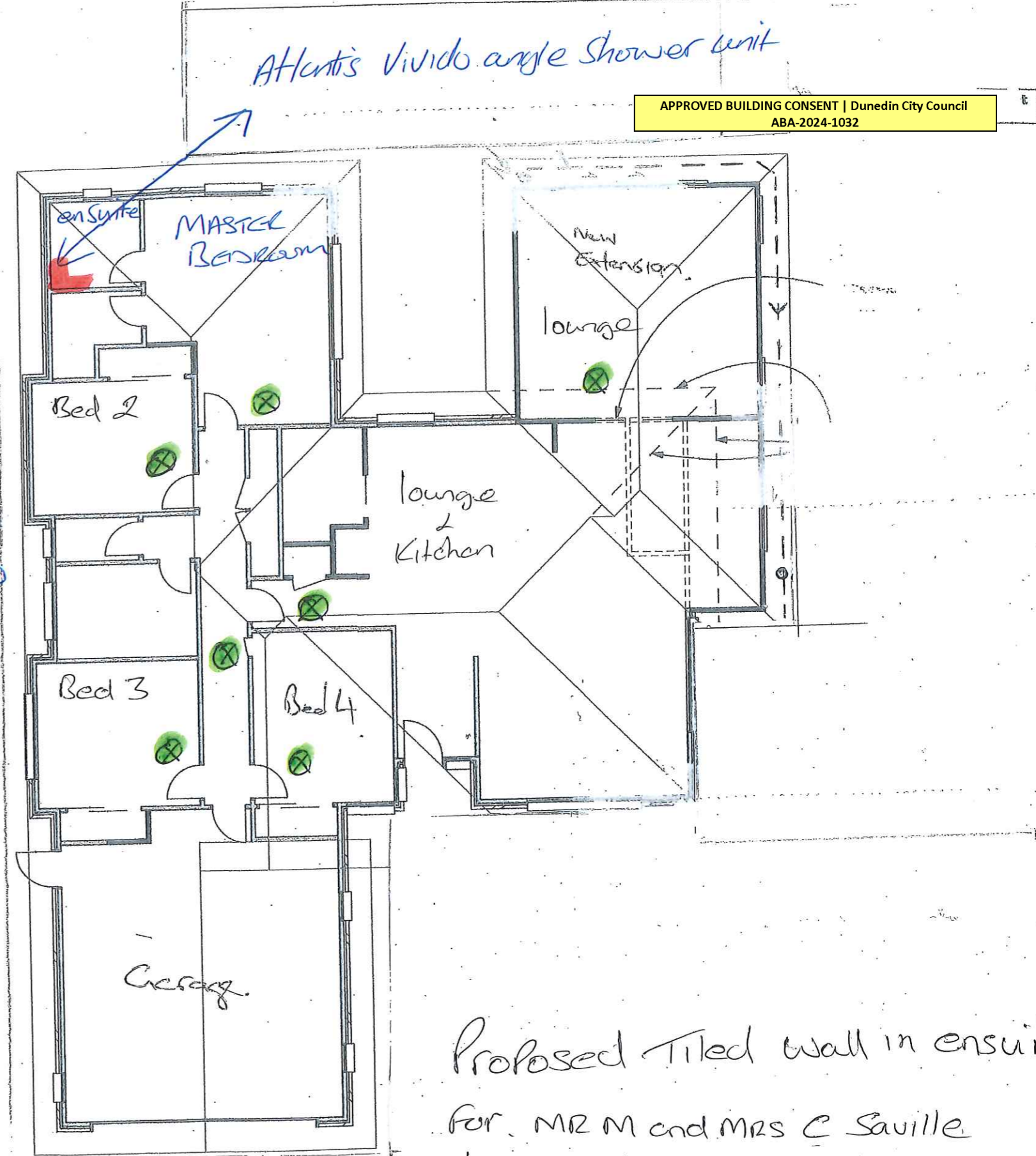
Date of issue: 7 August 2024



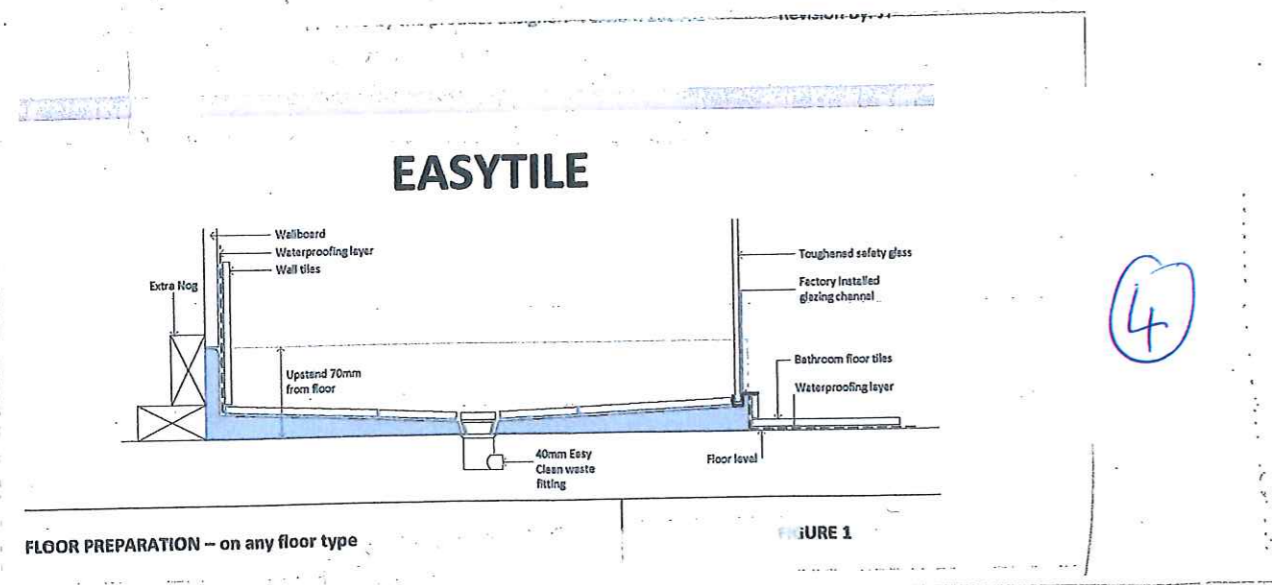
- ① ~~Mapetex Set~~
Mapebund SA 100mm
- ② Mapegum WPS
- ③ wall glazing-channel installed directly to the cured ~~mapetex~~ waterproofing
- ④ Atlantis easytile over base (vividio angle front shower)
- ⑤ Atlantis easyniche tiled over shelf EN450
- ⑥ Mapel Primer 3296

⊗ SMOKE ALARMS

Note, Council has not reviewed and makes no statement as to whether any other building work (other than those for which this consent is granted) either existing or proposed, referred to or shown on the application, plan, diagram or specification, comply with the NZ Building Code or has been legally established.



Proposed tiled wall in ensuite
for MR M and MRS C Saville
at 32 Holyport Close
Fairfield, Dunedin



Savita@extra.co.nz

Sheet 1

0274986138

Reference: Dev 100: 37 Howorth St, Fairfield /RMA 20000796

Enquiries To: Jo Harvey

Direct Phone: 474 3564

6 December 2000

Paterson Pitts Partners

PO Box 1083

DUNEDIN

Attention: Nigel Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 2000/0796

37 HOWORTH STREET

FAIRFIELD, DUNEDIN

Your application for a variation of conditions of subdivision consent RMA93166 was considered under delegated authority and **granted** on **6 December 2000**.

BACKGROUND TO APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004.

Consent was granted for the original development was to be undertaken in Stages 1a, 1b, 2, 3 and 4. Landcorp Properties Ltd, the previous owner, has completed the majority of the original Stage 1a in 1993.

The construction of six allotments (Lots 18, 19, 20 (new Stage 1a) and Lots 8, 47 and 48 (new Stage 1b)) is presently being undertaken. Stage 2 now consists of 22 allotments, two rights of way, three roads and a reserve.

DESCRIPTION OF APPLICATION

The applicant now asks that the conditions of the subdivision consent be varied, such that the conditions are allocated on a stage-by-stage basis. The original consent was issued with a list of conditions attached in a schedule that related to Stages 1b, 2, 3 and 4. There was no indication of the stages at which the conditions were required to be complied with.

In recent times, it has become Council's preferred practice to impose conditions in a manner such that each stage had a list of conditions that had to be completed before the respective stage of the development could be signed and sealed by Council.

The applicant therefore promotes this change in Council procedure as a 'change in circumstances' resulting in the conditions of the original consent becoming inappropriate.

Furthermore, the applicant has experienced difficulties with LINZ in that the new software recently being introduced in the department can no longer handle staged developments in certain situations. Where plans for various stages of development on the same site are submitted in quick succession, the LINZ system will not allow one plan to deposit until the title process is completed for the prior stages. The applicant is addressing their concerns about the process through the relevant channels at LINZ and is expecting an acceptable outcome, possibly as an interim measure. In the meantime, the reorganisation of conditions in a manner that allows completion stage-by-stage will avoid further delays with LINZ procedures.

In addition, the applicant requests that Condition 3(c)(v) imposed on RMA93166 by the then Water Department, be varied.

That condition presently reads:

That the 150mm diameter pipe be supported on a pipe bridge at least 600mm clear of average winter water level across the pond in recreation reserve 122 between the Main Road and residential lot 103.

The applicant advises that a civil engineering inspection of the site has shown that it may be the most appropriate option for the pipe to pass under the pond rather than be supported by a bridge over the pond. The applicant requests that the condition be varied such that the option of crossing underneath the pond is available to them.

PLANNING ASSESSMENT

Section 127(1) of the Resource Management Act 1991 states:

(1) The holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent ...-

(a) At any time specified for that purpose in the consent; or

(b) Whether or not the consent allows the holder to do so, at any time on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary.

As stated above, the applicant promotes the Council's recent preference for staging of conditions of consent and the problems experienced with LINZ's new systems as being circumstantial changes warranting the variation in conditions.

With regard to altering the condition requiring the bridging over the pond in Recreation Reserve 122, the change in circumstances promoted by the applicant is information gleaned from a civil engineering inspection.

The Council is satisfied that circumstances are now such that a variation to the conditions can be considered.

DECISION

*That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to Sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants in part** consent to the variation of the conditions of Subdivision Consent 93166, such that the conditions may be staged. Condition 3(c)(v) of resource consent 93166 shall remain unchanged. The conditions shall now read as follows:*

All Stages

1 The subdivision may be undertaken in stages, but any stage plan presented for Council's seal and certification pursuant to sections 223 and 224(c) of the Resource Management Act 1991 will have first satisfied all conditions relevant to the stage presented, in conformity with the access and servicing requirements of the Council's Code of Subdivision, and on completion of the whole of the subdivision covered by this consent, all conditions shall have been complied with.

2 Each stage plan shall show the balance land left in the subject title as an allotment on the Title Plan.

3 That the proposed easements appurtenant to allotments within the subdivision be duly granted or reserved by inclusion in a Memorandum of Easements on the Staged Title Plans, as specified.

4 That any other appropriate easements for services be duly granted or reserved by inclusion in a Memorandum of Easements, as specified.

5 That if during site earthworks, the subdivider uncovers evidence of old mine shafts, or subsurface collapse, Montgomery Watson shall be notified and their advice as to remedial measures followed. Any remedial or protective measures to be adopted shall be approved by the Technical Services Engineer before implementation. He may require more extensive work to be done or additional buffer zones to be provided if appropriate.

Stage 1a (Lots 18, 19 and 20)

1 That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:

(i) Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.

(ii) Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.

(iii) Easements are required over the lots where a foul and/or a stormwater drain will pass over them.

- (iv) An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
- (v) All drainage work is to be carried out under a building consent.
- (vi) All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
- (vii) Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
- (viii) The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - (a) A 150mm diameter watermain connection off the existing main in Howorth Road opposite Road 1.
 - (b) 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
- (ix) Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.
- (x) An 'As-built' drawing on the water reticulation pipes laid in Stage 1a including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
- (xi) Any on-street landscaping work, trees, shrubs etc shall be submitted to the Council's Parks and Recreation Manager for approval.
- (xii) The subdivider shall contribute the sum of \$1,485.00 plus GST towards the cost of constructing the new footpath metal course and asphaltic concrete surfacing and topsoil and grass the batters/berms over that part of Howorth Road frontage, fronting Lots 18, 19 and 20. This contribution shall be made prior to the completion of Stage 1a.
- (xiii) All roading works shall be:
 - (a) Carried out by reputable contractors.
 - (b) Carried out in accordance with plans and specifications approved by the Roothing Manager.

(xiv) A reserves contribution of \$10,125.00 (incl GST) shall be paid. This has been calculated as follows:

$$3 \times (\$45,000 \times 7.5\%) = \$10,125.00.$$

Stage 1b (Lots 8, 47 and 48)

1 That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:

- (i) Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
- (ii) Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
- (iii) Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
- (iv) An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
- (v) All drainage work is to be carried out under a building consent.
- (vi) All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
- (vii) Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
- (viii) The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a) A new 150mm diameter watermain from the existing watermain in Howorth Rad throughout the length of Road 1 located within Stage 1b.
 - b) 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
- (ix) Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.

(x) An 'As-built' drawing on the water reticulation pipes laid in Stage 1b including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.

(xi) Part Road 1 shall be vested as Legal Road free of compensation and costs.

(xii) The roads shall be constructed in accordance with the submitted plan, that is:

a) 18.0 metre reserve (minimum)

b) Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.

c) Footpaths both sides 2.0 metres wide.

d) Grass berms both sides 2.5 metres wide.

e) Pavement design to be in accordance with TNZ Design Manual.

f) All services to be laid underground.

g) Street lighting to be installed in accordance with requirements of Council's Rooding Manager.

h) Any on-street landscaping work, trees, shrubs etc shall be approved by the Council's Parks and Recreation Manager.

(xiii) The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

(xiv) All rooding works shall be:

(xiii) Carried out by reputable contractors.

(xiv) Carried out in accordance with plans and specifications approved by the Rooding Manager.

(xv) A reserves contribution of \$10,575.00 (incl GST) shall be paid. This has been calculated as follows:

$$3 \times (\$47,000 \times 7.5\%) = \$10,575.00$$

Stage 2 (Lots 9-13, 21-23, 45, 46, 51, 109-115, 119, 120, 52 (reserve) and Part Roads 1, 2 and 3

1 That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:

- (i) Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
- (ii) Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
- (iii) Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
- (iv) An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
- (v) All drainage work is to be carried out under a building consent.
- (vi) All Rights of Way are to be drained for stormwater in accordance with the Building Code.

- (vii) All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
- (viii) Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
- (ix) The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - (a) A 150mm diameter watermain within Road 1 and Road 2, extended to connect to the existing 100mm diameter watermain in State Highway 1 in accordance with the plan supplied by the Water Department.
 - (b) 100mm watermain in that portion of Road 3 included in Stage 2.
 - (c) 40mm and 25mm rider mains as shown on the plan supplied by the Water Department.
 - (d) 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
 - (e) The 150mm diameter pipe shall be supported on a pipe bridge at least 600mm clear of the average winter water level across the pond in Recreation Reserve 122 between the Main Road and residential Lot 103.
 - (f) Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.
 - (x) An 'As-built' drawing on the water reticulation pipes laid in Stage 12 including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
- (xi) All roads shall be vested as Legal Road free of compensation and costs.

- (xii) The roads shall be constructed in accordance with the submitted plan, that is,
- a) 18.0 metre reserve (minimum)
 - b) Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.
 - c) Footpaths both sides 2.0 metres wide.
 - d) Grass berms both sides 2.5 metres wide.
 - e) Pavement design to be in accordance with TNZ Design Manual.
 - f) All services to be laid underground.
 - g) Street lighting to be installed in accordance with requirements of Council's Rooding Manager.
 - h) Any on-street landscaping work, trees, shrubs etc shall be to the approval of the Council's Parks and Recreation Manager.
 - i) Temporary metalled turning circles, of a minimum 9.0m diameter shall be provided at the ends of Roads 1, 2 and 3 within Stage 2.

(xiii) The Rights of Way shall be constructed as follows:

- a) Right of Way 'A' shall be formed with a 4.5 metre wide sealed pavement and kerb and channel down one side.
- b) All services except for foul sewers shall be laid in the berm strips.
- c) All stormwater shall be collected in a sump, inside the boundary and piped to the street channel unless it can be piped direct to a stormwater sewer.
- d) Right of Way 'B' shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xiv)(c) above.
- e) Where the Rights of Way have a 90° bend in them (ie, G/H) the pavement width at the angle shall be increased to 5.0 metres width.
- f) The legal width of all Rights of Way shall be in accordance with the District Plan.

(xv) The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

(xiv) All rooding works shall be:

- (a) Carried out by reputable contractors.
- (b) Carried out in accordance with plans and specifications approved by the Rooding Manager.

(xv) Fill areas within the subdivision shall be controlled such that either:

(a) All areas comprise engineered fill of uniform density and bearing capacity suitable for dwellings, permitting non-specific design of foundations.

or

(b) Where fill is not controlled as above specific building foundation designs are to be undertaken. The relevant titles are to have consent notices requiring specific foundation design or designation of building platforms clear of fill ground.

The methods to be adopted shall be notified to and approved by the Technical Services Engineer before work commences. Such notification shall include details of the methods and specifications to be worked to, together with details of how control and monitoring of the work is to be effected. Certification by an appropriately qualified and experienced person will be required if Option (a) is adopted.

(xvi) The subdivider shall submit to Council's Technical Services Engineer 'As-built" drawings of the subdivision earth works as each stage of development is completed.

(xvii) That Lot 52 vest as reserve. In addition a landscape plan for the Lot 52 is to be prepared by a suitably qualified person in consultation with the Parks and Recreation Department and Drainage Department. This plan is to include tree planting to an appropriate level. Parks and Recreation department requirements are as follows:

(a) Compliance with the recommendations of the landscape plan.

(b) Removal of gorse and noxious weeds within the reserve.

(c) Fencing covenants are to be registered on the titles which adjoin Lot 52 absolving Council from liability for fencing costs.

(xvi) The reserves contribution for Stage 2 shall be met by the vesting of the landscaped reserve (Lot 52) in Council without compensation, such vesting, together with the landscaping discharging the reserves contribution applicable to the 23 allotments. An additional reserves contribution is payable on the creation of five allotments which has been calculated as follows:

$$5 \times (\$45,000 \times 7.5\%) = \$16,875.00 \text{ (incl GST).}$$

Stages 3, 4 and 5 (Previously 2, 3 and 4)

1 That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:

(i) Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.

- (ii) Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
- (iii) Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
- (iv) An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
- (v) All drainage work is to be carried out under a building consent.
- (vi) All Rights of Way are to be drained for stormwater in accordance with the Building Code.

- (vii) The Chief Environmental Health Officer may consider that odour control measures need to be implemented for the vent valve in Lot 84 prior to the construction of Stage 6 (previously Stage 5). Should this be the case the applicant is to provide land suitable for the construction of these measures in either Stage 4 or 5. A soil filter is the most likely form of control.

- (viii) All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
- (ix) Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
- (x) The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a) 100mm diameter mains and ridermains shall be provided in accordance with the plan supplied by the Water Department.
 - b) 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection. Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.
- (xi) An 'As-built' drawing on the water reticulation pipes laid in Stages 3, 4 & 5 including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.

- (xii) All roads (except for Road 4) shall be vested as Legal Road, free of compensation and costs.
- (xiii) The roads shall be constructed in accordance with the submitted plan, that is:
 - a) 18.0 metre reserve (minimum)
 - b) Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.

- c) Footpaths both sides 2.0 metres wide.
- d) Grass berms both sides 2.5 metres wide.
- e) Turning circles to be a minimum of 9 metres radius.
- f) Pavement design to be in accordance with TNZ Design Manual.
- g) All services to be laid underground.
- h) Street lighting to be installed in accordance with requirements of Council's Roading Manager.
- i) Any on-street landscaping work, trees, shrubs etc shall be to the approval of Council's Community and Recreation Planning Manager.

(xvii) The Rights of Way shall be constructed as follows:

- a) All Rights of Way (except for 'N' and 'C') shall be formed with a 4.5 metre wide sealed pavement and kerb and channel down one side.
- b) All services except for foul sewers shall be laid in the berm strips.
- c) All stormwater shall be collected in a sump, inside the boundary and piped to the street channel unless it can be piped direct to a stormwater sewer.
- d) Rights of Way 'N' and 'C' shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xvi)(c) above.
- e) Where the Rights of Way have a 90° bend in them (ie, G/H) the pavement width at the angle shall be increased to 5.0 metres width.
- f) The legal width of all Rights of Way shall be in accordance with the District Plan.

(xviii) The accessway linking Road 2 with State Highway 1 shall be formed with a 3 metre side (minimum) AC path and with street lighting.

(xix) No approval is sought for Stage 6 (previously Stage 5) at the present time, however, it is required that the subdivider should make provision for road access to the area from Road 2. No guarantee is given that approval would be forthcoming for both property and road access to Main South Road, even after the State Highway is relocated. Provision could be allowed for pedestrian access only. May be the proposed accessway as shown on the plan could be combined with the road connection if necessary.

(xx) The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

(xxi) All roading works shall be:

- a) Carried out by reputable contractors.
- b) Carried out in accordance with plans and specifications approved by the Roading Manager.

(xxii) Access satisfactory to the Roding Manager shall be provided from Road 3 to the land situated between the motorway corridor and the southern boundary of the subdivision.

(xxiii) The Coal Mine Buffer Zone of 5820m² approximate area shown on the Sunnyvale Estate Plan, fronting Main South Road, shall be required. A consent notice is to exclude any future building on this land.

(xviii) Fill areas within the subdivision shall be controlled such that either:

(a) All areas comprise engineered fill of uniform density and bearing capacity suitable for dwellings, permitting non-specific design of foundations.

or

(b) Where fill is not controlled as above specific building foundation designs are to be undertaken. The relevant titles are to have consent notices requiring specific foundation design or designation of building platforms clear of fill ground.

The methods to be adopted shall be notified to and approved by the Technical Services Engineer before work commences. Such notification shall include details of the methods and specifications to be worked to, together with details of how control and monitoring of the work is to be effected. Certification by an appropriately qualified and experienced person will be required if Option (a) is adopted.

(xxiv) The subdivider shall submit to Council's Technical Services Engineer "As-built" drawings of the subdivision earthworks as each stage of development is completed.

(xxv) That Lots 121, 122, 123 and 124 vest as reserve. In addition a landscape plan for the lots mentioned above is to be prepared by a suitably qualified person in consultation with the Parks and Recreation Department and Drainage Department. The plan is to include tree planting to an appropriate level. It is also to include a requirement for minor channelling within the vicinity of Lot 121 to allow cleaning of the watercourse immediately upstream. The requirements of the Parks and Recreation Department are as follows:

(a) Compliance with the recommendations of the landscape plan.

(b) Removal of gorse and noxious weeds within the reserves.

(c) Provision of a cyclone fence between residential lots and the passive reserve being Lots 121, 122, 123 and 124.

(d) Fencing covenants are to be registered on the titles that adjoin Lots 121, 122, 123 and 124 absolving Council from liability for fencing costs.

Note, the completion of landscaping and vesting of the reserves represented by Lots 121, 122, 123 and 124 shall, together with Lot 52 of Stage 2, discharge the reserve contribution accruing to the whole development and any bonds maintained shall be cancelled.

Advice Note

The Council understands that it is the applicant's intention to bond the reserves contribution requirements. Such a bond is to be arranged separately outside of the consent decision and does therefore not form part of the condition, as originally proposed by the applicant.

REASONS

The Council is satisfied that the suggested variations are appropriate. The staging of the conditions provides certainty for the applicant such that it is clear the conditions that must be complied with at the completion of each stage. Furthermore, imposing the conditions on a stage-by-stage basis makes Council's signing and sealing process more simple in that each department is able to clearly see the conditions relating to their requirements to ascertain whether they have been satisfactorily complied with.

The Planning Engineer, Water Business Unit, advises that an underwater alternative for the 150mm diameter pipe is not an acceptable alternative. If the pipeline is to be taken over by the Water Business Unit, then the condition must remain unchanged. The applicant is advised that if the pipeline were to remain in private ownership then it may go above or below the water. It is recommended that the applicant pursue this further under separate cover if they wish the pipe to be in private ownership.

The conditions that were imposed on the original consent have been generally reimposed. The formatted conditions do contain minor changes that result from an amendment to the location of Rights of Way 'A' and 'B' to improve the access provisions and to separate out the reserves contribution requirements for each stage as land is to be vest as reserve throughout the development. These alterations do not introduce any new effects on the environment.

The variation to the conditions of the subdivision consent remains consistent with the objectives and policies of the relevant District Plan.

No persons will be adversely affected by the staging of the conditions. All conditions will still be complied with at the appropriate stage of the development.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent

prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the Applicants attention that under the terms of section 125 of the Resource Management Act 1991, this consent shall lapse if effect has not been given to it before 3 December 2004 or Council has not granted an extension of time.

BUILDING CONSENT

This is a resource consent only and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Dunedin City Council

P O Box 5045

DUNEDIN

Attn: Senior Planner- Enquiries 1st Floor

Yours faithfully

Jo Harvey

PLANNER

Reference: Dev 100: 37 Howorth Rd, Fairfield /RMA 20000876

Enquiries To: Helen Fleming

Direct Phone: 474 3731

22 February 2001

Paterson Pitts Partners

PO Box 1083

DUNEDIN

Attention: Nigel Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 2000/0876

37 HOWORTH ROAD FAIRFIELD, DUNEDIN

Thank you for your letter dated 8 December 2000 requesting a change to a condition of Subdivision Consent 93166 pursuant to Section 127 of the Resource Management Act 1991 for 37 Howorth Road, Fairfield. Your application was considered by Council's Senior Planner and granted under delegated authority on 21 February 2001 pursuant to Section 127(1)(b) of the Resource management Act 1991.

DESCRIPTION OF APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004. Consent was granted for the original development was to be undertaken in Stages 1a, 1b, 2, 3 and 4. Landcorp Properties Ltd, the previous owner, has completed the majority of the original Stage 1a in 1993.

The construction of six allotments (Lots 18, 19, 20 (new Stage 1a) and Lots 8, 47 and 48 (new Stage 1b)) is presently being undertaken. Stage 2 now consists of 22 allotments, two rights of way, three roads and a reserve. Consent 2000/0796 enabled the conditions of the subdivision consent 93166 to be varied.

The applicant now requests that condition 1(ix)(e), stage 2 of Consent 93166 as varied by 2000/0796 be changed. That condition presently reads:

The 150mm diameter pipe shall be supported on a pipe bridge at least 600mm clear of the average winter water level across the pond in recreation reserve 122 between the main Road and residential Lot 103.

PLANNING ASSESSMENT

Section 127(1)(b) of the Resource Management Act 1991 allows Council to consider a change of conditions for a resource consent " *at any time on the grounds that a change in circumstances has caused the condition(s) to become inappropriate or unnecessary.*"

The applicant advised that the optimum solution was now have the 150mm diameter water pipe crossing below the floor of the gully. A civil design submitted for stage 2 was acceptable to the Water Engineer, following an assurance that no pond is to be created within the future reserve in the vicinity of the pipe crossing. The applicant requests that the condition be varied such that the option of the pipe crossing below the floor of the gully is available to them.

The change in circumstances promoted by the applicant with regard to altering the condition for the pipe crossing, is the acceptance by the Water Engineer of the design specifications submitted to Council for the 150mm diameter pipe for Stage 2. The original condition is therefore unnecessary.

The Council is satisfied that circumstances are now such that a change to the condition can be considered. No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

It was noted that the original stage 2 conditions contained two conditions labelled "xv" - these have now been labelled xv(A) and xv.

DECISION

That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council agrees to change, in part, the conditions of Resource Consent 93166 as varied by Consent 20000796, by now varying condition 1(ix)(e) of the stage 2 conditions. The conditions shall now read as follows:

All Stages

1. The subdivision may be undertaken in stages, but any stage plan presented for Council's seal and certification pursuant to sections 223 and 224(c) of the Resource Management Act 1991 will have first satisfied all conditions relevant to the stage presented, in conformity with the access and servicing requirements of the Council's Code of Subdivision, and on completion of the whole of the subdivision covered by this consent, all conditions shall have been complied with.
2. Each stage plan shall show the balance land left in the subject title as an allotment on the Title Plan.
3. That the proposed easements appurtenant to allotments within the subdivision be duly granted or reserved by inclusion in a Memorandum of Easements on the Staged Title Plans, as specified.

4. That any other appropriate easements for services be duly granted or reserved by inclusion in a Memorandum of Easements, as specified.

That if during site earthworks, the subdivider uncovers evidence of old mine shafts, or subsurface collapse, Montgomery Watson shall be notified and their advice as to remedial measures followed. Any remedial or protective measures to be adopted shall be approved by the Technical Services Engineer before implementation. He may require more extensive work to be done or additional buffer zones to be provided if appropriate.

Stage 1a (Lots 18, 19 and 20

1. That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:
 - i. Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
 - ii. Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
 - iii. Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
 - iv. An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
 - v. All drainage work is to be carried out under a building consent.
 - vi. All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
 - vii. Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
 - viii. The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a. A 150mm diameter watermain connection off the existing main in Howorth Road opposite Road 1.
 - b. 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
 - i. Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.

- ii. An 'As-built' drawing on the water reticulation pipes laid in Stage 1a including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
- iii. Any on-street landscaping work, trees, shrubs etc shall be submitted to the Council's Parks and Recreation Manager for approval.
- iv. The subdivider shall contribute the sum of \$1,485.00 plus GST towards the cost of constructing the new footpath metal course and asphaltic concrete surfacing and topsoil and grass the batters/berms over that part of Howorth Road frontage, fronting Lots 18, 19 and 20. This contribution shall be made prior to the completion of Stage 1a.
- v. All roading works shall be:
 - a. Carried out by reputable contractors.
 - b. Carried out in accordance with plans and specifications approved by the Roothing Manager.

(xiv) A reserves contribution of \$10,125.00 (incl GST) shall be paid. This has been calculated as follows:

$$3 \times (\$45,000 \times 7.5\%) = \$10,125.00.$$

Stage 1b (Lots 8, 47 and 48)

1. That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:
 - i. Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
 - ii. Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
 - iii. Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
 - iv. An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
 - v. All drainage work is to be carried out under a building consent.
 - vi. All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
 - vii. Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the

commencement of work and that no work being prior to the receipt of the Manager's written approval.

- viii. The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a. A new 150mm diameter watermain from the existing watermain in Howorth Rad throughout the length of Road 1 located within Stage 1b.
 - b. 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
 - i. Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.
 - ii. An 'As-built' drawing on the water reticulation pipes laid in Stage 1b including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
 - iii. Part Road 1 shall be vested as Legal Road free of compensation and costs.
- iv. The roads shall be constructed in accordance with the submitted plan, that is:
 - a. 18.0 metre reserve (minimum)
 - b. Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.
 - c. Footpaths both sides 2.0 metres wide.
 - d. Grass berms both sides 2.5 metres wide.
 - e. Pavement design to be in accordance with TNZ Design Manual.
 - f. All services to be laid underground.
 - g. Street lighting to be installed in accordance with requirements of Council's Roding Manager.
 - h. Any on-street landscaping work, trees, shrubs etc shall be approved by the Council's Parks and Recreation Manager.
 - i. The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

- ii. All roading works shall be:
 - i. Carried out by reputable contractors.

- ii. Carried out in accordance with plans and specifications approved by the Roading Manager.

(xv) A reserves contribution of \$10,575.00 (incl GST) shall be paid. This has been calculated as follows:

$$3 \times (\$47,000 \times 7.5\%) = \$10,575.00$$

Stage 2 (Lots 9-13, 21-23, 45, 46, 51, 109-115, 119, 120, 52 (reserve) and Part Roads 1, 2 and 3

1. That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:
 - i. Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
 - ii. Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
 - iii. Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
 - iv. An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
 - v. All drainage work is to be carried out under a building consent.
 - vi. All Rights of Way are to be drained for stormwater in accordance with the Building Code.
 - vii. All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
 - viii. Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
 - ix. The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a. A 150mm diameter watermain within Road 1 and Road 2, extended to connect to the existing 100mm diameter watermain in State Highway 1 in accordance with the plan supplied by the Water Department.
 - b. 100mm watermain in that portion of Road 3 included in Stage 2.
 - c. 40mm and 25mm rider mains as shown on the plan supplied by the Water Department.

- d. 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection.
- e. The 150mm diameter water pipe shall cross below the floor of the gully, in a duct, as in the design specifications submitted to Council for stage 2.
- f. Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.
- i. An 'As-built' drawing on the water reticulation pipes laid in Stage 12 including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
- ii. All roads shall be vested as Legal Road free of compensation and costs.
- iii. The roads shall be constructed in accordance with the submitted plan, that is,
 - a. 18.0 metre reserve (minimum)
 - b. Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.
 - c. Footpaths both sides 2.0 metres wide.
 - d. Grass berms both sides 2.5 metres wide.
 - e. Pavement design to be in accordance with TNZ Design Manual.
 - f. All services to be laid underground.
 - g. Street lighting to be installed in accordance with requirements of Council's Roading Manager.
 - h. Any on-street landscaping work, trees, shrubs etc shall be to the approval of the Council's Parks and Recreation Manager.
 - i. Temporary metalled turning circles, of a minimum 9.0m diameter shall be provided at the ends of Roads 1, 2 and 3 within Stage 2.
- i. The Rights of Way shall be constructed as follows:
 - a. Right of Way 'A' shall be formed with a 4.5 metre wide sealed pavement and kerb and channel down one side.
 - b. All services except for foul sewers shall be laid in the berm strips.
 - c. All stormwater shall be collected in a sump, inside the boundary and piped to the street channel unless it can be piped direct to a stormwater sewer.
 - d. Right of Way 'B' shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xiv)(c) above.
 - e. Where the Rights of Way have a 90° bend in them (ie, G/H) the pavement width at the angle shall be increased to 5.0 metres width.
 - f. The legal width of all Rights of Way shall be in accordance with the District Plan.

(xv)(A) The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

- i. All roading works shall be:
 - a. Carried out by reputable contractors.**
 - b. Carried out in accordance with plans and specifications approved by the Roding Manager.****
- i. Fill areas within the subdivision shall be controlled such that either:
 - a. All areas comprise engineered fill of uniform density and bearing capacity suitable for dwellings, permitting non-specific design of foundations.****

or

- b. Where fill is not controlled as above specific building foundation designs are to be undertaken. The relevant titles are to have consent notices requiring specific foundation design or designation of building platforms clear of fill ground.**

The methods to be adopted shall be notified to and approved by the Technical Services Engineer before work commences. Such notification shall include details of the methods and specifications to be worked to, together with details of how control and monitoring of the work is to be effected. Certification by an appropriately qualified and experienced person will be required if Option (a) is adopted.

- i. The subdivider shall submit to Council's Technical Services Engineer 'As-built' drawings of the subdivision earth works as each stage of development is completed.**
- ii. That Lot 52 vest as reserve. In addition a landscape plan for the Lot 52 is to be prepared by a suitably qualified person in consultation with the Parks and Recreation Department and Drainage Department. This plan is to include tree planting to an appropriate level. Parks and Recreation department requirements are as follows:
 - a. Compliance with the recommendations of the landscape plan.**
 - b. Removal of gorse and noxious weeds within the reserve.**
 - c. Fencing covenants are to be registered on the titles which adjoin Lot 52 absolving Council from liability for fencing costs.****
- i. The reserves contribution for Stage 2 shall be met by the vesting of the landscaped reserve (Lot 52) in Council without compensation, such vesting, together with the landscaping discharging the reserves contribution applicable to the 23 allotments. An additional reserves contribution is payable on the creation of five allotments which has been calculated as follows:**

5 x (\$45,000 x 7.5%) = \$16,875.00 (incl GST).

Stages 3, 4 and 5 (Previously 2, 3 and 4)

1. That prior to certifications pursuant to section 224(c) Resource Management Act 1991 for each Stage Plan presented, the application shall complete the following:
 - i. Provide detailed plans and specifications of the foul and stormwater sewers for the approval of the Drainage Reticulation Engineer and construct services in accordance with the approved details.
 - ii. Provide foul and stormwater laterals to all lots where a sewer does not go through the lot.
 - iii. Easements are required over the lots where a foul and/or a stormwater drain will pass over them.
 - iv. An easement in gross in favour of the Dunedin City Council is required for the Fortex pressure sewer.
 - v. All drainage work is to be carried out under a building consent.
 - vi. All Rights of Way are to be drained for stormwater in accordance with the Building Code.
 - vii. The Chief Environmental Health Officer may consider that odour control measures need to be implemented for the vent valve in Lot 84 prior to the construction of Stage 6 (previously Stage 5). Should this be the case the applicant is to provide land suitable for the construction of these measures in either Stage 4 or 5. A soil filter is the most likely form of control.
 - viii. All water reticulation work shall be carried out in compliance with the Dunedin City Council "Water Department Requirements for Urban Residential Subdivisions".
 - ix. Provide plans and specifications for the water reticulation work accompanied by a standard Dunedin City Council Water Department "Application for a Water Supply" form to the Water Manager and accepted in writing at least 48 hours prior to the commencement of work and that no work being prior to the receipt of the Manager's written approval.
 - x. The water reticulation work in the subdivision shall be installed generally as indicated on the attached plan of the Sunnyvale Estate marked in blue (plan was included with the Stage 1 consent). The work shall include:
 - a. 100mm diameter mains and rider mains shall be provided in accordance with the plan supplied by the Water Department.
 - b. 15mm diameter and 20mm diameter service connections as shown on the plan such that each residential unit has a separate connection. Appropriate easements shall be registered on the titles of privately owned land traversed by both public and private water pipes.

- i. An 'As-built' drawing on the water reticulation pipes laid in Stages 3, 4 & 5 including the location of all service pipes, valves and hydrants and the material type of each pipe shall be submitted to the Water Manager and accepted in writing.
- ii. All roads (except for Road 4) shall be vested as Legal Road, free of compensation and costs.
- iii. The roads shall be constructed in accordance with the submitted plan, that is:
 - a. 18.0 metre reserve (minimum)
 - b. Carriageway width to be 9.0 metres, face of kerb-face of kerb. Parking one side only.
 - c. Footpaths both sides 2.0 metres wide.
 - d. Grass berms both sides 2.5 metres wide.
 - e. Turning circles to be a minimum of 9 metres radius.
 - f. Pavement design to be in accordance with TNZ Design Manual.
 - g. All services to be laid underground.
 - h. Street lighting to be installed in accordance with requirements of Council's Roading Manager.
 - i. Any on-street landscaping work, trees, shrubs etc shall be to the approval of Council's Community and Recreation Planning Manager.
- i. The Rights of Way shall be constructed as follows:
 - a. All Rights of Way (except for 'N' and 'C') shall be formed with a 4.5 metre wide sealed pavement and kerb and channel down one side.
 - b. All services except for foul sewers shall be laid in the berm strips.
 - c. All stormwater shall be collected in a sump, inside the boundary and piped to the street channel unless it can be piped direct to a stormwater sewer.
 - d. Rights of Way 'N' and 'C' shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xvi)(c) above.
 - e. Where the Rights of Way have a 90° bend in them (ie, G/H) the pavement width at the angle shall be increased to 5.0 metres width.
 - f. The legal width of all Rights of Way shall be in accordance with the District Plan.
- i. The accessway linking Road 2 with State Highway 1 shall be formed with a 3 metre side (minimum) AC path and with street lighting.
- ii. No approval is sought for Stage 6 (previously Stage 5) at the present time, however, it is required that the subdivider should make provision for road access to the area from Road 2. No guarantee is given that approval would be forthcoming for both property and road access to Main South Road, even after the

State Highway is relocated. Provision could be allowed for pedestrian access only. May be the proposed accessway as shown on the plan could be combined with the road connection if necessary.

- iii. The subdivider shall meet the cost of supplying and erecting the new street name plates. The work is to be organised by the Council's Transportation Planning Department.

Note: The names of the new street shall be approved by Council, however, the subdivider may make suggestions for consideration.

- iv. All roading works shall be:
 - a. Carried out by reputable contractors.
 - b. Carried out in accordance with plans and specifications approved by the Roding Manager.
- i. Access satisfactory to the Roding Manager shall be provided from Road 3 to the land situated between the motorway corridor and the southern boundary of the subdivision.
- ii. The Coal Mine Buffer Zone of 5820m² approximate area shown on the Sunnyvale Estate Plan, fronting Main South Road, shall be required. A consent notice is to exclude any future building on this land.
- i. Fill areas within the subdivision shall be controlled such that either:
 - a. All areas comprise engineered fill of uniform density and bearing capacity suitable for dwellings, permitting non-specific design of foundations.

or

- b. Where fill is not controlled as above specific building foundation designs are to be undertaken. The relevant titles are to have consent notices requiring specific foundation design or designation of building platforms clear of fill ground.

The methods to be adopted shall be notified to and approved by the Technical Services Engineer before work commences. Such notification shall include details of the methods and specifications to be worked to, together with details of how control and monitoring of the work is to be effected. Certification by an appropriately qualified and experienced person will be required if Option (a) is adopted.

- i. The subdivider shall submit to Council's Technical Services Engineer "As-built" drawings of the subdivision earthworks as each stage of development is completed.
- ii. That Lots 121, 122, 123 and 124 vest as reserve. In addition a landscape plan for the lots mentioned above is to be prepared by a suitably qualified person in consultation with the Parks and Recreation Department and Drainage Department. The plan is to include tree planting to an appropriate level. It is also to include a requirement for minor channelling within the vicinity of Lot 121 to allow cleaning of the watercourse immediately upstream. The requirements of the Parks and Recreation Department are as follows:

- a. Compliance with the recommendations of the landscape plan.
- b. Removal of gorse and noxious weeds within the reserves.
- c. Provision of a cyclone fence between residential lots and the passive reserve being Lots 121, 122, 123 and 124.
- d. Fencing covenants are to be registered on the titles that adjoin Lots 121, 122, 123 and 124 absolving Council from liability for fencing costs.

Note, the completion of landscaping and vesting of the reserves represented by Lots 121, 122, 123 and 124 shall, together with Lot 52 of Stage 2, discharge the reserve contribution accruing to the whole development and any bonds maintained shall be cancelled.

Advice Note

The Council understands that it is the applicant's intention to bond the reserves contribution requirements. Such a bond is to be arranged separately outside of the consent decision and does therefore not form part of the condition, as originally proposed by the applicant.

REASONS

Condition 1(ix)(e) for stage 2 has now been changed.

No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to your attention that under the terms of Section 125 of the *Resource Management Act 1991*, this consent shall lapse if effect has not been given to it, before 3 December 2004 unless Council has granted an extension of time.

BUILDING CONSENT

This is a resource consent only and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with Section 357 of the *Resource Management Act 1991* you may seek a review of this decision or any of its conditions within fifteen (15) working days of

the decision being received by applying to the Dunedin City Council Hearings Commissioner.

Applications should be addressed to:

The Planning Administrator

City Planning

Dunedin City Council

P O Box 5045

DUNEDIN

Yours faithfully

Helen Fleming

PLANNER

Reference: Dev 100: 41 Howorth Road, Fairfield /RMA 20010628
Enquiries To: Helen Fleming
Direct Phone: 474 3731



14 April 2002

Paterson Pitts Partners
PO Box 1083
DUNEDIN

Attention: Nigel Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 20010628
41 HOWORTH ROAD
FAIRFIELD, DUNEDIN

Your application for a variation of conditions of subdivision consent RMA93166 as varied by RMA 20000796, 20000876 and 20010684 was considered under delegated authority and **granted subject to conditions on 14 April 2002**. The application was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991.

BACKGROUND TO APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004.

Consent was granted for the original development was to be undertaken in Stages 1a, 1b, 2, 3 and 4.

Stages 1a) and 1b) have been given effect to (DPs 300313 and 300356). The construction of two allotments - Lots 1 and 2 (new Stage 2a) is presently being undertaken (DP 304278).

DESCRIPTION OF APPLICATION

The applicant now asks that the conditions of the subdivision consent be varied, such that the further stage - stage 2A can be included in the development.

This further stage consists of two allotments, Lot 1 (which is to become Recreation Reserve to vest in the Dunedin City Council) and Lot 2 (the balance area).

X

PLANNING ASSESSMENT



Section 127(1) of the Resource Management Act 1991 states:

DUNEDIN CITY COUNCIL

- (1) *The holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent ...-*
 - (a) *At any time specified for that purpose in the consent; or*
 - (b) *Whether or not the consent allows the holder to do so, at any time on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary.*

The Council is satisfied that circumstances are now such that a variation to the conditions can be considered to enable part of the reserve to vest before stages 3-5.

CONSENT DECISION

*That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to Sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the variation of the conditions of Subdivision Consent 93166 as varied by 2000796 and 20000876, such that a stage 2A be included.*

Advice Note

It is the applicant's intention to bond the reserves contribution requirements. Such a bond is to be arranged separately outside of the consent decision and does therefore not form part of the condition, as originally proposed by the applicant.

REASONS

The Council is satisfied that the suggested variation is appropriate for the further staging of the stage 2 conditions as depicted on plan 304278.

The variation to the conditions of the subdivision consent remains consistent with the objectives and policies of the relevant District Plan.

No persons will be adversely affected by the further staging of stage 2 conditions. All conditions will still be complied with at the appropriate stage of the development.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT



It is brought to the Applicants attention that under the terms of ~~Section 227 of the Resource Management Act 1991~~ Section 227 of the Resource Management Act 1991, this consent shall lapse if effect has not been given to it before 3 December 2004 or Council has not granted an extension of time.

BUILDING CONSENT

This is a resource consent only and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive
Dunedin City Council
P O Box 5045
DUNEDIN
Attn: Senior Planner- Enquiries 1st Floor

Yours faithfully

A handwritten signature in black ink, appearing to read 'Helen Fleming'.

Helen Fleming
PLANNER

Report



TO: Senior Planner

FROM: Planner

DATE: 14 April 2002

Reference: Dev 100: 41 Howorth Road, Fairfield /RMA 20010628

Enquiries To: Helen Fleming

Direct Phone: 474 3731

14 April 2002

Paterson Pitts Partners
PO Box 1083
DUNEDIN

Attention: Nigel Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 20010628
41 HOWORTH ROAD
FAIRFIELD, DUNEDIN

Your application for a variation of conditions of subdivision consent RMA93166 as varied by RMA 20000796, 20000876 and 20010684 was considered under delegated authority and **granted subject to conditions on 14 April 2002**. The application was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991.

BACKGROUND TO APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004.

Consent was granted for the original development was to be undertaken in Stages 1a, 1b, 2, 3 and 4. Stages 1a) and 1b) have been given effect to (DPs 300313 and 300356). The construction of two allotments - Lots 1 and 2 (new Stage 2a) is presently being undertaken (DP 304278).

DESCRIPTION OF APPLICATION

The applicant now asks that the conditions of the subdivision consent be varied, such that the further stage - stage 2A can be included in the development.

This further stage consists of two allotments, Lot 1 (which is to become Recreation Reserve to vest in the Dunedin City Council) and Lot 2 (the balance area).

PLANNING ASSESSMENT

Section 127(1) of the Resource Management Act 1991 states:

- (1) *The holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent ...-*
 - (a) *At any time specified for that purpose in the consent; or*
 - (b) *Whether or not the consent allows the holder to do so, at any time on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary.*

The Council is satisfied that circumstances are now such that a variation to the conditions can be considered to enable part of the reserve to vest before stages 3-5.

RECOMMENDED CONSENT DECISION

*That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to Sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the variation of the conditions of Subdivision Consent 93166 as varied by 2000796 and 20000876, such that a stage 2A be included.*

Advice Note

It is the applicant's intention to bond the reserves contribution requirements. Such a bond is to be arranged separately outside of the consent decision and does therefore not form part of the condition, as originally proposed by the applicant.

REASONS

The Council is satisfied that the suggested variation is appropriate for the further staging of the stage 2 conditions as depicted on plan 304278.

The variation to the conditions of the subdivision consent remains consistent with the objectives and policies of the relevant District Plan.

No persons will be adversely affected by the further staging of stage 2 conditions. All conditions will still be complied with at the appropriate stage of the development.

Recommendation

That for the reasons outlined in this report, Council grant consent to the variation of stage 2 conditions of Subdivision Consent 93166 as varied by 2000796, 2000876, 20010684 under delegated authority, in accordance with section 127 of the Act.

Helen Fleming
PLANNER

DATE

Decision

That the above recommendation be adopted under delegated authority.

Bruce Richards
TEAM LEADER, CONSENTS

DATE

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the Applicants attention that under the terms of section 125 of the Resource Management Act 1991, this consent shall lapse if effect has not been given to it before 3 December 2004 or Council has not granted an extension of time.

BUILDING CONSENT

This is a resource consent only and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Reference: Dev 100: 37 Howorth Rd, Fairfield /RMA 20010684
Enquiries To: Helen Fleming
Direct Phone: 474 3731



16 November 2001

Paterson Pitts Partners
PO Box 1083
DUNEDIN

Attention: Kurt Bowen

Dear Kurt

RESOURCE CONSENT APPLICATION: 20010684
37 HOWORTH ROAD
FAIRFIELD, DUNEDIN

Thank you for your letter dated 16 October 2001 requesting a change to a condition of Subdivision Consent 20000876 pursuant to Section 127 of the Resource Management Act 1991 for 37 Howorth Road, Fairfield. Your application was considered by Council's Senior Planner under delegated authority on 16 November 2001.

DESCRIPTION OF APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004. Consents 20000796 and 20000876 enabled conditions of subdivision consent 93166 to be varied. The applicant now requests that condition (xiii)(d), stage 2 of Consent 93166 as varied by 20000876 be changed. That condition presently reads:

Right of Way "B" shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xiii)(c).

PLANNING ASSESSMENT

Section 127(1)(b) of the Resource Management Act 1991 allows Council to consider a change of conditions for a resource consent " *at any time on the grounds that a change in circumstances has caused the condition(s) to become inappropriate or unnecessary.* "

The applicant advised that Right of Way 'B' has been constructed to a width of 3.0 metres and is in compliance with the DCC Code of Subdivision. The applicant requests that the condition

be varied such that the width requirement for the right of way is reduced from 4.0 metres to 3.0 metres. This will be a permanent feature of the subdivision.

The change in circumstances promoted by the applicant with regard to altering the condition, is the acceptance by Transportation Planning of the reduction in width of the design specifications submitted to Council.

The Council is satisfied that circumstances are now such that a change to the condition can be considered. No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

CONSENT DECISION

*That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **agrees to change** condition 1 (xiii) (d) of stage 2 Resource Consent 93166 as varied by Consent 20000876. The condition shall now read as follows:*

- 1 (xiii) (d) Right of way 'B' shall be formed with a 3 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1 (xiii)(c).

REASONS

Condition 1(xiii)(d) for stage 2 has now been changed. The constructed 3.0 metres wide right of way complies with The Code of Subdivision, is to be a permanent feature of the subdivision and is acceptable to Transportation Planning.

No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to your attention that under the terms of Section 125 of the *Resource Management Act 1991*, this consent shall lapse if effect has not been given to it within two (2) years, unless Council has granted an extension of time.

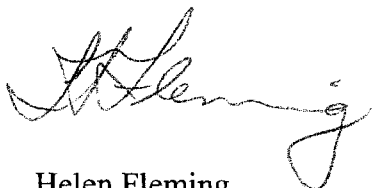
RIGHTS OF APPEAL

In accordance with Section 357 of the *Resource Management Act 1991* you may seek a review of this decision or any of its conditions within fifteen (15) working days of the decision being received by applying to the Dunedin City Council Hearings Commissioner.

Applications should be addressed to:

The Planning Administrator
City Planning
Dunedin City Council
P O Box 5045
DUNEDIN

Yours faithfully

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

Helen Fleming
PLANNER

IN THE MATTER of Section 221 of the
Resource Management Act 1991
AND

IN THE MATTER of Application for
Subdivision Consent No
2000/0876

CONSENT NOTICE

Whereas Council has granted consent to the proposed subdivision comprised in Deposited Plan 300725 subject to the following conditions, which are required to be compiled with on a continuing basis by the owners and subsequent owners of the land or part thereof being those conditions specified in the operative part.

Operative Part

This condition relates to:

- Lot 9 DP 300725 and shall be placed on Certificate of Title 3557 (Otago Registry)
- Lot 10 DP 300725 and shall be placed on Certificate of Title 3558 (Otago Registry)
- Lot 11 DP 300725 and shall be placed on Certificate of Title 3559 (Otago Registry)
- Lot 12 DP 300725 and shall be placed on Certificate of Title 3560 (Otago Registry)
- Lot 13 DP 300725 and shall be placed on Certificate of Title 3561 (Otago Registry)
- Lot 15 DP 300725 and shall be placed on Certificate of Title 3562 (Otago Registry)
- Lot 49 DP 300725 and shall be placed on Certificate of Title 3568 (Otago Registry)
- Lot 109 DP 300725 and shall be placed on Certificate of Title 3570 (Otago Registry)
- Lot 112 DP 300725 and shall be placed on Certificate of Title 3573 (Otago Registry)
- Lot 115 DP 300725 and shall be placed on Certificate of Title 3576 (Otago Registry)
- Lot 119 DP 300725 and shall be placed on Certificate of Title 3577 (Otago Registry)

The condition of this consent is as follows:

"Where dwellings are to be sited on filled ground (annotated on the accompanying Diagram) within the above scheduled allotments then a specific foundation design shall be prepared by a suitably experienced registered civil engineer and approved by Dunedin City Council's Technical Services Division prior to the issue of a Building Consent."

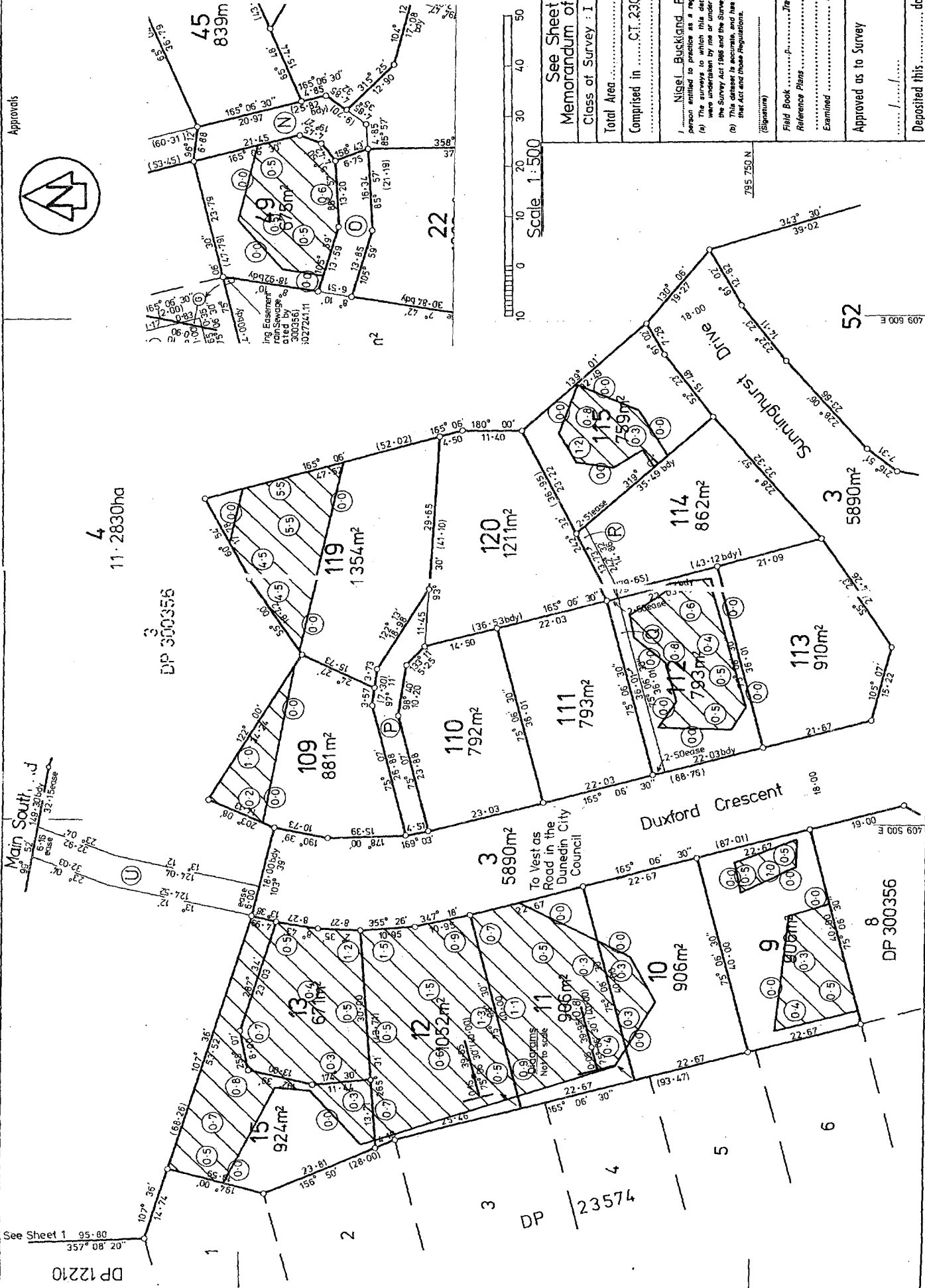
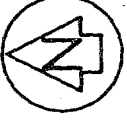
DATED at Dunedin this 16th day of October 2001

Signed for and on behalf of
Dunedin City Council by its
Principal Administrative Officer

.....*Doonan*.....

*orig →
survey 16/10/01
subdiv Pt*

Approvals



See Sheet 2 for Memorandum of Easements

Class of Survey : I

Total Area.....

Comprised in C.T. 2308.....

I, Nigel Buckland Pitts, being a person entitled to practice as a registered surveyor, certify that -
 (a) The surveys to which this deponent relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1988;
 (b) This deponent is accurate, and has been created in accordance with the Act and those Regulations.

(Signature) (Date)

Field Book
 Reference Plans
 Examined Correct

Approved as to Survey

Chief Surveyor

Deposited this day of 19

Registrar-General of Land

File Received Instructions DP 300725

PATERSON PITTS PARTNERS LTD
 SURVEYING CONSULTANTS
 DUNEDIN CROMWELL WAIKANA QUEENSTOWN

Areas of Fill on Lots 9, 10-15, 49, 109, 112, 115 and 119 DP 300725 - Stage II Sun ninghurst

LAND DISTRICT Otago.....
 SURVEY BLK. & DIST. Green Island West.....
 NZMS 261 SHT I.44 RECORD MAP NO

Helen Fleming

From: Jacinda Baker
Sent: Monday, 11 February 2002 11:47 am
To: Helen Fleming
Subject: Sunning hurst pipeline

Judy says flick it to us and we will deal with it.

Jacinda Baker
Recreation Planner
Dunedin City Council
50 The Octagon, PO Box 5045
Dunedin
PH: +64-3-474 3695 Fax: +64-3-474 3789
E-Mail: jacinda.baker@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

Helen Fleming

From: Tracey Waters
Sent: Wednesday, 30 January 2002 1:21 pm
To: Helen Fleming
Subject: Plse ring Brian at Paterson Pitts 477 3245

Phod Brian - He wanted to know
progress re plan / sec 127
for DP. 304278.

- "will get back to him"
as I understand we are waiting for
a landscape plan for sty 2A to be
approved & costs finalized by CARS.

Helen Fleming

From: Helen Fleming
Sent: Tuesday, 18 December 2001 8:54 am
To: Paul Pope
Subject: Sunninghurst

Hi Paul

Have you managed to confirm the landscape plan for this one and reassess the bond ?

Its my last day today and i would like to be able to move this on
Thanks

Helen

Helen Fleming
City Planning Dunedin City Council
50 The Octagon, PO Box 5045, Dunedin
Ph: (03)474-3731 Fax: (03)4743451
Email: hfleming@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

letters of 26th Nov

D.P. 3 04278

- sec 127

Memorandum



TO: Jayson Kelly, Parks and Reserves, CARS

FROM: Reserves Planner
Policy Team
Community and Recreation Services

DATE: 10 December 2001

FILE REFERENCE: CAM 100/10 Howorth Rd and RPL 2/5

SUBJECT: **SUNNINGHURST SUBDIVISION - FARFIELD**

Jayson

A new resource consent is to be lodged for the remaining development of the Sunninghurst subdivision. Work on the issues outlined below is to be carried out prior to the resource consent being lodged to endeavour to get reserve contribution matters and consent conditions sorted early and reduce potential delays once the application is lodged.

As the resource consent is subdivision, and primarily related to reserves contribution, final comments lodged with the City Planning Department should be coordinated through the CARS Policy Unit. Please pass the Parks and Reserves comments back to the Policy Unit for a coordinated response.

In accordance with the original comments made by the Parks and Recreation Manager in 1993, the purpose of taking the reserve is as a landscape linkage, providing visual appeal and an ecological corridor with the Kaikorai Estuary. It was anticipated that this would be a low maintenance wetland and the area would not be developed specifically for recreation.

The developers new proposal is to develop a road through the wetland. It is appropriate for the Parks and Reserve Unit to seek input from an ecological consultant regarding the road design and the impacts on the wetland. This should be done in conjunction with Council's roading engineers. The aim is to see what, if any, road design would be possible without impeding the proper functioning of the wetland. Information regarding the proposed road design is attached.

The proposal also includes realigning the path of water flow and putting a walking track along the length of the wetland. The impact or necessity of these will also need to be addressed. Our view is that the track would serve very little purpose, as at this stage it does not lead anywhere and would only be likely to be used by locals in the immediate area. The intention of the area was not for recreation. Provision of a track could result in isolation of ecological areas or may have a negative impact on the wetland system. A track may encourage people to take dogs into the wetland causing problems for any wildlife.

The developer is proposing an access strip, through the residential housing to the reserve. As development as a wetland, rather than as a recreation area, is the main reason for taking the

reserve, it may not be appropriate to encourage people into the reserve via an access way. Encouraging use of the reserve may also result in higher expectations, such as a more manicured reserve than was the original intention.

Parks and Reserves Unit will need to provide conditions of resources consent to be included with the consent generally and at specific stages.

Conditions for the overall consent will need to include (as per original resource consent):

- The construction of cyclone fences between the reserve and residential lots prior to development of residential buildings to ensure clear identification of boundaries.
- A covenant registered on the titles excluding the Council from any ongoing fencing requirements.

Conditions for the different stages of the consent will need to consider the transfer and landscaping of the reserve, these will depend on the value of the reserve contribution owed at each stage, eg.

- Stage 1 may involve the transfer of all land to be reserve
- Stage 2 may be the landscaping of half of the area, to agreed landscape plan
- Stage 3 rest of landscaping, etc

At this stage we do not know how many stages there will be. Discussions with City Planning will be necessary for you to determine the best way to deal with the staged subdivision and associated consent conditions. It is important for the landscaping to be specified as a condition of consent so that the final sign off of their consent can not be done until the work is carried out or bonded for.

It is considered that taking all or most of the land first, then landscaping progressively is better than taking a small area of landscaped reserve with each stage. This means Council will own the whole reserve even if all stages of the subdivision do not proceed and Council could landscape it later if it wished, rather than owning only a small section of landscaped reserve that would not serve its original purpose.

To conclude, could you please proceed with the following:

- have a consultant explore the road design options in consultation with Councils' roading engineers and provide information on the impacts of such designs on the wetland system, with an aim to determining if there is an appropriate design that will not impede proper functioning of the wetland
- determine what conditions you consider appropriate for the resource consent, considering the information above
- provide the Policy Unit with your comments and conditions for a coordinated response.

Information on the road proposal is attached. The CAM 100/10 Howorth Rd file provides further detail of the previous consents and recent staff communications with the developers agent.

Your urgent attention to these matters would be appreciated to ensure progress during this pre application consultation.

Thank you for your assistance.

Jacinda Baker
RESERVES PLANNER

Reference: Dev 100: 37 Howorth Rd, Fairfield /RMA 20010684
Enquiries To: Helen Fleming
Direct Phone: 474 3731



16 November 2001

Paterson Pitts Partners
PO Box 1083
DUNEDIN

Attention: Kurt Bowen

Dear Kurt

RESOURCE CONSENT APPLICATION: 20010684
37 HOWORTH ROAD
FAIRFIELD, DUNEDIN

Thank you for your letter dated 16 October 2001 requesting a change to a condition of Subdivision Consent 20000876 pursuant to Section 127 of the Resource Management Act 1991 for 37 Howorth Road, Fairfield. Your application was considered by Council's Senior Planner under delegated authority on 16 November 2001.

DESCRIPTION OF APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004. Consents 20000796 and 2000876 enabled conditions of subdivision consent 93166 to be varied. The applicant now requests that condition (xiii)(d), stage 2 of Consent 93166 as varied by 20000876 be changed. That condition presently reads:

Right of Way "B" shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xiii)(c).

PLANNING ASSESSMENT

Section 127(1)(b) of the Resource Management Act 1991 allows Council to consider a change of conditions for a resource consent " *at any time on the grounds that a change in circumstances has caused the condition(s) to become inappropriate or unnecessary.*"

The applicant advised that Right of Way 'B' has been constructed to a width of 3.0 metres and is in compliance with the DCC Code of Subdivision. The applicant requests that the condition

be varied such that the width requirement for the right of way is reduced from 4.0 metres to 3.0 metres. This will be a permanent feature of the subdivision.

The change in circumstances promoted by the applicant with regard to altering the condition, is the acceptance by Transportation Planning of the reduction in width of the design specifications submitted to Council.

The Council is satisfied that circumstances are now such that a change to the condition can be considered. No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

CONSENT DECISION

*That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **agrees to change** condition 1 (xiii) (d) of stage 2 Resource Consent 93166 as varied by Consent 20000876. The condition shall now read as follows:*

- 1 (xiii) (d) Right of way 'B' shall be formed with a 3 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1 (xiii)(c).

REASONS

Condition 1(xiii)(d) for stage 2 has now been changed. The constructed 3.0 metres wide right of way complies with The Code of Subdivision, is to be a permanent feature of the subdivision and is acceptable to Transportation Planning.

No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to your attention that under the terms of Section 125 of the *Resource Management Act 1991*, this consent shall lapse if effect has not been given to it within two (2) years, unless Council has granted an extension of time.

RIGHTS OF APPEAL

In accordance with Section 357 of the *Resource Management Act 1991* you may seek a review of this decision or any of its conditions within fifteen (15) working days of the decision being received by applying to the Dunedin City Council Hearings Commissioner.

Applications should be addressed to:

The Planning Administrator
City Planning
Dunedin City Council
P O Box 5045
DUNEDIN

Yours faithfully

Helen Fleming
PLANNER

Reference: Dev 100: 41 Howorth Road/RMA2001-0723

Enquiries to: Jo Harvey

Direct Phone: 474 3564

23 November 2001

Crescent Development Co Ltd

C/- Paterson Pitts Partners Ltd

PO Box 1083

DUNEDIN

Attention: Nigel Pitts

Dear Nigel

**RESOURC
CONSENT
APPLICAT
2001-0723**

**CRESECENT
DEVELOPME
CO LTD**

**41 HOWORTH
ROAD**

FAIRFIELD

DUNEDIN

The above application was considered under delegated authority and **granted subject to conditions** on **23 November 2001**. The application was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991.

DESCRIPTION OF ACTIVITY

Resource consent is sought to adjust the boundaries of two allotments recently created as part of Stage II of the Sunninghurst residential development at Fairfield. The boundary to be adjusted is that between Lot 51 DP 300725 and the balance area of that deposited plan, Lot 4 DP 300725.

The adjustment is to provide a more practicable building platform on the site. The allotment is to be known as Lot 68 and it has an area of 914m².

REASONS FOR APPLICATION

Transitional District Plan

The site is zoned **Residential A** in the Silverpeaks section of the Transitional District Plan. The subdivision is a **controlled** activity in accordance with Ordinance 4.6(ii). This rule states that the subdivision standards need not apply for boundary adjustments provided that the adjustment will not detrimentally affect the ability to undertake a permitted use on the site, or the adjustment will not reduce the compliance of the allotments with the minimum subdivision standards. In this instance, the proposed adjustment will neither preclude a residential activity, nor reduce the compliance of the allotments.

Proposed District Plan (1999)

The site is zoned **Residential 1** in the Proposed District Plan (1999). The subdivision is a **discretionary (restricted)** activity in accordance with Rule 18.5.1(iii) of the Proposed Plan. That provides for subdivision as a discretionary activity where the resulting allotments comply with the relevant requirements of the Subdivision section and meet the minimum site area and frontage requirements of the pertinent zone section. The allotments resulting from this boundary adjustment will continue to meet all relevant requirements of the Subdivision and Residential sections of the Proposed Plan.

Planning Status

Overall, the subdivision is considered to be a **discretionary (restricted)** activity.

PLANNING ASSESSMENT

Affected Persons

No written approvals were submitted with the application. No parties are considered to be adversely affected as the proposal will not result in any physical effects. The proposal is altering the shape of one allotment within a large residential development as part of a stage that is yet to be built on.

Effects on the Environment

The following effects assessment only takes into account the effects of the proposal that are relevant under section 104(6). The Courts have determined that the effects of an activity should be considered in relation to the existing environment. The following assessment of effects of the proposal has been prepared on the basis that the environment is generally characterised by large open spaces that form part of the Sunninghurst Development. A small number of the allotments have been built on near the entrance to Howorth Road.

Any actual or potential adverse effects on the environment of allowing the activity are considered to be less than minor (ie "*de minimus*") for the following reasons:

- 1 The access to proposed Lot 68 will remain via Rights of Way M and N created by the deposit of DP 300725. These rights of way link to the extension to Sunninghurst Drive. As the allotment does not have direct access to a legal road, a resolution in accordance with section 321 of the Local Government Act 1974 is required stating that Council is satisfied that legal access can be obtained. The allotment is the subject of an existing resolution but as that referred to its previous legal description of Lot 51, it is no longer applicable. The concept plan for the entire development shows that proposed Lot 68 will ultimately also have frontage to Holyport Close.
- 2 The applicant's surveyor has confirmed that there is no fill material within

proposed Lot 68. Accordingly, the Senior Civil/Structural Engineer, City Consultants, has no concerns with the proposal.

3 The Engineering Officer, Waste Services, advises that although there are no buildings on the site, the recent subdivision included the provision of foul and stormwater connections for the allotment. The boundary adjustment does not interfere with the servicing of the allotment. Waste Services have no concerns with the application.

4 The Planning Engineer, Water Business Unit, advises the allotment has a water service installed. There are no additional Water Business Unit requirements for this proposal.

CONSENT DECISION

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the **discretionary (restricted)** activity to subdivide the site at 1075 Highcliff Road, Dunedin, legally described as Part Section 1 of 3 and Part Section 2 of 3 Block III Otago Peninsula SD (held in CT OT391/108).*

Pursuant to section 105(1)(b) of the Resource Management Act 1991 resource consent be granted subject to the following conditions imposed under sections 108 and 220 of the Act:

1. *The proposal shall be undertaken generally in accordance with Paterson Pitts Partners Plan titled 'Sunninghurst Stage 2 As-Built Plan General Layout' dated Nov 2000 (Job Ref: 9418) and the details submitted with the application dated 31 October 2001.*

2 That prior to certification pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:

- a) *If a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements on the survey plan.*

Resolution

Council resolves pursuant to Section 321(3)(c) of the Local Government Act 1974, that adequate access is available to Lots 68 via right of way easements running over adjacent land, and that the provisions of Section 321(1) of the Local Government Act 1974 do not apply. A copy of the formal resolution will be made available upon receipt of the Deposited Plan number and payment of the required fee.

Advice Note

The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

REASONS

Section 104 Matters

- **Effects**

Having assessed the actual and potential adverse effects associated with the proposed

development outlined above, it is considered that the proposal will have less than minor adverse effects on the environment.

- **District Plan – Objectives and Policies**

In accordance with section 104(1)(d) of the Resource Management Act 1991, the objectives and policies of the Transitional and Proposed District Plans were taken into account when assessing this application.

With regard to the Silverpeaks section of the Transitional District Plan, the proposal is considered to be consistent with Policy 2.4.5 which recognises that there are specific situations where the subdivision standards are not appropriate. The proposal remains consistent with the objectives and policies of the Residential A zone.

Objectives 18.2.1, 18.2.3 and 18.2.6 and Policies 18.3.4, 18.3.8 and 18.3.13 of the Subdivision section of the Proposed District Plan seek to provide for sustainable subdivision while ensuring that the activity does not adversely affect the natural and physical resources of the City.

The proposal is considered consistent with these objectives and policies for the reasons outlined in 1-4 under the heading 'Effects on the Environment' above.

Part II Matters

It is also considered that the proposal meets Part II matters of the Resource Management Act 1991. For the reasons outlined in the above, the proposal is considered consistent with sections 5 (2) (c); *"Avoiding, remedying, or mitigating any adverse effects of activities on the environment"*, section 7(c) *"The maintenance and enhancement of amenity values"* and section 7(f) *"The maintenance and enhancement of the quality of the environment."*

COMPLIANCE WITH CONDITIONS

It is the Applicant's responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENTS

It is brought to the Applicant's attention that under the terms of section 125 of the Resource Management Act 1991, these consents shall lapse if effect has not been given to them within two years or Council has not granted an extension of time.

BUILDING CONSENT

This is only resource consent and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Dunedin City Council

P O Box 5045

DUNEDIN

Attn: Senior Planner- Enquiries 1st Floor

Yours faithfully

Jo Harvey

PLANNER

1) Cancellation of 2 bonds.

2) 321 Resolution

3) ~~Consent Notice~~

4) Sec. 1224 (c)

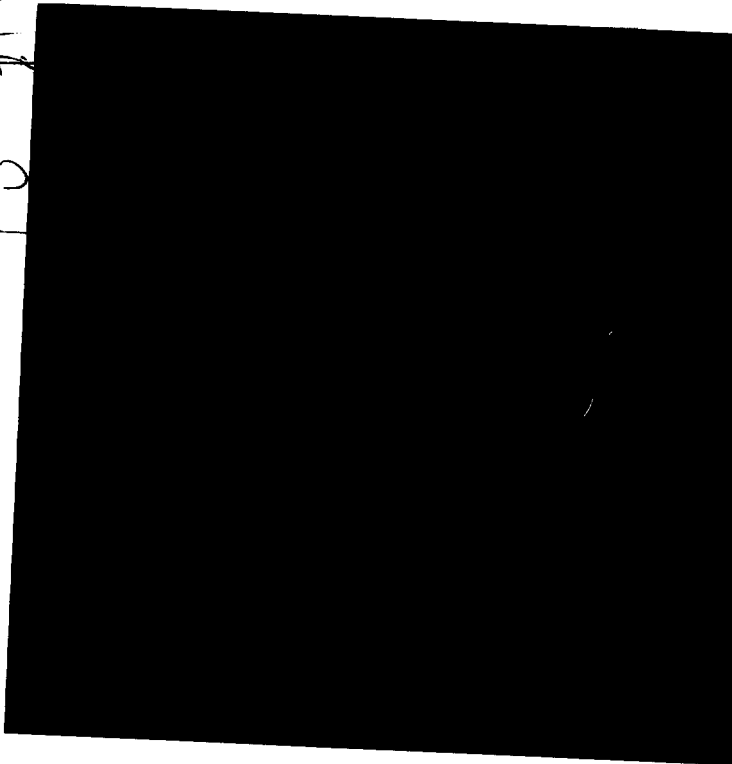
to sign ✓ 2/26/10
224C ✓
sec 321S ✓

Canc bonds

~~Consent notice~~

127 - co

127 to do.





Building Control Office
 Floor 1, Civic Centre
 50 The Octagon
 PO Box 5045
 DUNEDIN

FEEES FOR RESOURCE CONSENT

Reference No:	RMA 93166
Telephone No:	477-4000
Person ID:	184994
Invoice No:	36367

DATE: 13/03/2002

APPLICANT:

CRESCENT DEVELOPMENT COMPANY LIMITED
 C/O PATERSON PITTS PARTNERS LIMITED
 P O BOX 1083
 DUNEIDN 9015

TAX INVOICE

GST NO: 51-997-891

PERMIT APPLICATION NUMBER:	RMA 93166
OWNERS NAME:	CHALMERS, WILLIAM GRAY
PROJECT STREET ADDRESS:	37 HOWORTH ROAD FAIRFIELD

DESCRIPTION OF FEE	AMOUNT
Bonds	5508.60

PAID

DUNEDIN

090055 13Mar02 12:20 CHEU
TIC 184994

GST INCLUDED IN THIS INVOICE OF:	0.00	DUE & PAYABLE NOW	\$5508.60
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Building Control Office
 Floor 1, Civic Centre
 50 The Octagon
 PO Box 5045
 DUNEDIN

FEES FOR RESOURCE CONSENT

Reference No:	RMA 93166
Telephone No:	477-4000
Person ID:	184994
Invoice No:	36366

DATE: 13/03/2002

APPLICANT:

CRESCENT DEVELOPMENT COMPANY LIMITED
 C/O PATERSON PITTS PARTNERS LIMITED
 P O BOX 1083
 DUNEIDN 9015

TAX INVOICE
 GST NO: 51-997-891

PERMIT APPLICATION NUMBER:	RMA 93166
OWNERS NAME:	CHALMERS, WILLIAM GRAY
PROJECT STREET ADDRESS:	37 HOWORTH ROAD FAIRFIELD

DESCRIPTION OF FEE	AMOUNT
Bonds	5079.37
<p>PAID</p> <p>DUNEDIN</p> <p>03/03/2002 12:21</p> <p>RC 184994</p>	
GST INCLUDED IN THIS INVOICE OF:	0.00
DUE & PAYABLE NOW	
	\$5079.37



Building Control Office
 Floor 1, Civic Centre
 50 The Octagon
 PO Box 5045
 DUNEDIN

FEEES FOR RESOURCE CONSENT

Reference No:	RMA 93166
Telephone No:	477-4000
Person ID:	184994
Invoice No:	36369

DATE: 13/03/2002

APPLICANT:

CRESCENT DEVELOPMENT COMPANY LIMITED
 C/O PATERSON PITTS PARTNERS LIMITED
 P O BOX 1083
 DUNEIDN 9015

TAX INVOICE
 GST NO: 51-997-891

PERMIT APPLICATION NUMBER:	RMA 93166
OWNERS NAME:	CHALMERS, WILLIAM GRAY
PROJECT STREET ADDRESS:	37 HOWORTH ROAD FAIRFIELD

DESCRIPTION OF FEE	AMOUNT
Bonds	2991.40
GST INCLUDED IN THIS INVOICE OF: 0.00	DUE & PAYABLE NOW \$2991.40

PATERSON PITTS PARTNERS LTD

Surveying, Resource Management, Land Planning & Development

10 October 2001

City Planning
Dunedin City Council
PO Box 5045
DUNEDIN

For the attention of Mrs Helen Fleming

Dear Madam

Re: SUNNINGHURST – STAGE 2

Please find attached letter relating particularly to Stage 2A, (Reserve) Sunninghurst, but with implications also for the finalisation of Stage 2 matters.

In addition, we attach two cheque from the applicant, Crescent Development Co Ltd as follows.

(i) Cheque 1 Amount \$5,079.37

Covering: The cash bond sum for the outstanding items set out at Pages 6 and 7 of the letter to Council dated 13th September, totalling \$3,612.00 which when subject to the 1.25 multiplier, plus GST, equates to the cheque value of \$5,079.37. ✓

(ii) Cheque 2 Amount \$5,508.60

Covering: (i) Contribution to path upgrading, Howorth Road, (resulting from Stage 1A contribution refer to Item C.3. of letter of 13th September 2001)

\$1,670.65 ✓

(ii) The cash bond for landscaping content, Stage 2A reserve, the details of which are scheduled in the accompanying letter dated 9th October.

Including 1.25 multiplier plus GST \$3,827.95
Add + \$10.00 adjustment \$10.00

Cheque 2 Total \$5,508.60

The sum involved as the cash bond comprises the following
\$5,508.60 ✓
\$3,827.95 ✓
\$10.00 ✓

Total Cash Bond Value \$9,346.55

The balance value of \$1,670.65 is not involved in the bond structure, and is a one off payment to Council.

DUNEDIN,

8-10 Broadway, PO Box 1083
Ph. (03) 477 3245, Fax. (03) 474 0484

Principals:
Nigel B. Pitts MNZIS, REA
Tony D. Hosken Dip Surv, MNZIS

Associated Company:
Nespair Aerial Surveys Ltd

chqs \$5079.37
chq \$5508.60
93166 extend
RMA 20000796
20000871
code 58

to be
confirmed
by CRBS

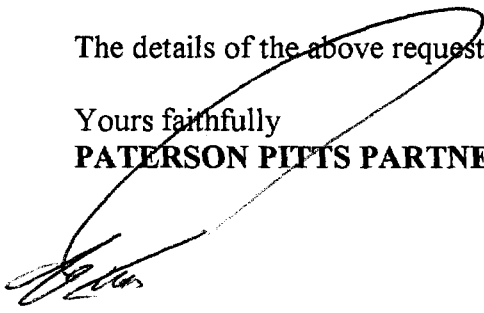
We trust that the restyled application under Section 127 Resource Management Act in respect of the proposed Reserve (as amended in the accompanying letter and plan) together with the cash bond details provided, now allows Council to expedite the matters at hand in respect of Stage 2, ie

- Issue of a Section 224 - Stage 2
- Provision of the Consent Notice
- Issue of the Resolution under Section 321(3)(c) Local Government Act in respect of those allotments reliant upon Right of Way access for frontage
- Cancellation of the two existing Bonds.

The details of the above requests are tabulated in our letter dated 13th September 2001.

Yours faithfully

PATERSON PITTS PARTNERS LTD



N B PITTS
Principal



The National Bank
of New Zealand Limited

Octagon Branch
11 George Street
Dunedin, NZ

Date 26 / 9 / 01

Pay DUNEDIN CITY COUNCIL or bearer

the sum of FIVE THOUSAND & SEVENTY NINE

DOLLARS THIRTY SEVEN CENTS

\$ 5079.37

CRESCENT PARTNERSHIP

BP CHEQUE DUTY PAID

⑈ 100032 ⑈ 060901 ⑈ 0263326 ⑈ 00 ⑈



The National Bank
of New Zealand Limited

Octagon Branch
11 George Street
Dunedin, NZ

Date 9 / 10 / 01

Pay DUNEDIN CITY COUNCIL or bearer

the sum of FIVE THOUSAND FIVE HUNDRED &

SIXTY DOLLARS SIXTY CENTS

\$ 5508.60

CRESCENT PARTNERSHIP

BP CHEQUE DUTY PAID

⑈ 100034 ⑈ 060901 ⑈ 0263326 ⑈ 00 ⑈

NOT NEGOTIABLE

PATERSON PITTS PARTNERS LTD

Surveying, Resource Management, Land Planning & Development

DUNEDIN,

8-10 Broadway, PO Box 1083
Ph. (03) 477 3245, Fax. (03) 474 0484

Principals:
Nigel B. Pitts MNZIS, REA
Tony D. Hosken Dip Surv, MNZIS

Associated Company:
Nespair Aerial Surveys Ltd

19 October 2001

City Planning
Dunedin City Council
PO Box 5045
DUNEDIN

For the attention of Mr Bruce Richards

Dear Sir

Re: STAGES 2 & 2A SUNNINGHURST, HOWORTH ROAD, FAIRFIELD

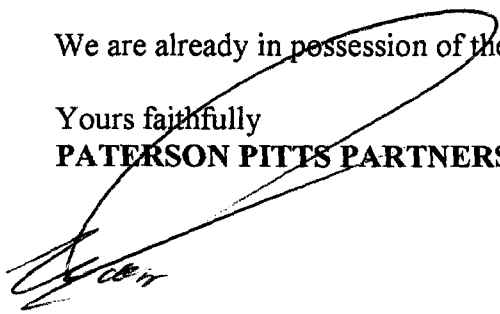
Further to our discussion of earlier today between yourself, Mrs J Milward and the writer we attach our cheque in the sum of \$2,991.40 being the difference between our assessment of landscaping and fencing (two sides only) Lot 1 of the Stage 2A application plan and the sum previously provided being \$5,508.60 already in Council's possession.

This further cheque is made on the understanding that Recreation Planning will reassess the value of work and fencing required on Lot 1 Stage 2A and that any difference between the \$8,500 now paid (\$5,508.60 plus \$2,991.40) and the re-estimated value will be returned to us.

We understand that on the above basis the way is now clear for Council to issue its Section 224 certification in respect of Stage 2, together with the ancillary documentation for the cancellation of the two existing bonds, the resolution under Section 321 Local Government Act in respect of allotments deriving their technical frontage from Rights of Way.

We are already in possession of the required Consent Notice.

Yours faithfully
PATERSON PITTS PARTNERS LTD


N B PITTS
Principal

*Review it
Fencing
coverant
new lot 1 from
rest of title*



The National Bank
of New Zealand Limited

Octagon Branch
11 George Street
Dunedin, NZ

Date 19 / 10 / 2001

or bearer

Pay DCC

the sum of Two thousand nine hundred

and ninety one dollars & 40c.

NOT NEGOTIABLE

\$ 2991.40

FOR PATERSON PITTS PARTNERS LTD

[Signature]

BP CHEQUE DUTY PAID


⑈ 110722 ⑈ 060901⑈ 0051980⑈ 00 ⑈

Helen Fleming

To:
Subject:

CARS Policy Unit
Stage 2a - Recreation reserve to vest - Lot 1 DP 304278

Please confirm that easement A is acceptable to your department
Thank you
Helen


Helen Fleming
City Planning Dunedin City Council
50 The Octagon, PO Box 5045, Dunedin
Ph: (03)474-3731 Fax: (03)4743451
Email: hfleming@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

Paul - please restore h.a.sq.
fms

1001 sewer on section 1.

Helen Fleming

From: Paul Pope
Sent: Thursday, 28 February 2002 3:53 pm
To: Helen Fleming
Cc: Judy Milward
Subject: Subdivision Comments - Howorth/Sunninghurst Road CAM 100

It is not acceptable to have easement A marked onto the Recreation Reserve (Lot 1). Please ask the developer to alter the boundaries of the adjacent lots 6 & 2 so as this does not appear within the reserve area.

Paul Pope
RESERVES OFFICER

PHONE +64 (03) 474 3846
FAX +63 (03) 474 3789
CELL 025 224 6737
EMAIL ppope@dcc.govt.nz

www.CityofDunedin.com

Lang Nigel 1/3

"Concept of lang drainage was identified
early 1990s" - for sewer.

(A) This preserves the possibility - unlikely but wouldn't
want to jeopardise

Nigel to liaise with Paul Pope.

Helen Fleming

From: Paul Pope
Sent: Thursday, 28 February 2002 3:53 pm
To: Helen Fleming
Cc: Judy Milward
Subject: Subdivision Comments - Howorth/Sunninghurst Road CAM 100

It is not acceptable to have easement A marked onto the Recreation Reserve (Lot 1). Please ask the developer to alter the boundaries of the adjacent lots 6 & 2 so as this does not appear within the reserve area.

Paul Pope
RESERVES OFFICER

PHONE +64 (03) 474 3846
FAX +63 (03) 474 3789
CELL 025 224 6737
EMAIL ppope@dcc.govt.nz

www.CityofDunedin.com

still Holday ¹²⁷ report DP-304278

1/3 - spoke to Nigel - he is to liaise with Paul Pope & get back with an agreed position

PATERSON PITTS PARTNERS LTD

Surveying, Resource Management, Land Planning & Development

DUNEDIN,
8-10 Broadway, PO Box 1083
Ph.(03) 477 3245, Fax (03) 474 0484

Principals:
Nigel B. Pitts MNZIS, REA
Tony D. Hosken Dip Surv, MNZIS

Associated Company:
Nespair Aerial Surveys Ltd

26 November 2001

City Planning
Dunedin City Council
PO Box 5045
DUNEDIN

For the attention of Mrs Helen Fleming

Dear Madam

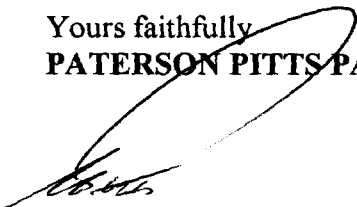
**Re: A2000/0876 – SUNNINGHURST STAGE 2A (RESERVE) DP 304278
CRESCENT DEVELOPMENT CO LTD**

Further to our application dated 26th September 2001 (A completion requirement of Stage 2) under Section 127 Resource Management Act we can advise that the survey work is now complete and we forward the Title Plan to Council for certification under Sections 223 and 224(c) Resource Management Act.

Only one new easement is now required. The right to drain foul sewage across part of Lot 1 to allow for the possible future foul sewer from Sunninghurst development to the existing foul sewer crossing from Howorth Road to Main South Road.

We now request Council's certification and attach our cheque for \$120.00 to cover fees.

Yours faithfully
PATERSON PITTS PARTNERS LTD


N B PITTS
Principal
9670

Memorandum



TO: Jayson Kelly, Parks and Reserves, CARS

FROM: Acting Team Leader
Policy Team
Community and Recreation Services

DATE: 23 October 2001

FILE REFERENCE: Cam 100/10 Howorth Road
RMA 20010628, 2000-07961

SUBJECT: **SUNNINGHURST, FAIRFIELD**

At Nigel Pitts request, his clients' application for the above variation was rushed through to enable his client to obtain necessary documentation and raise his certificate of title. The variation affected the reserve area and our requirements in respect to this were forwarded to Planning on the morning of 19 October (Friday).

Friday afternoon, I attended a meeting in City Planning with Bruce Richards and Nigel Pitts. Nigel was unhappy with the value set on the bond (\$8,500) and felt that his original estimate (around \$5,000) should have been satisfactory. I explained that staff did not have the time to prepare accurate costing, and that the figures were produced to enable his client to get his documentation without delay.

I put forward a suggestion that the client pays the bond of \$8,500 and I would ask for the bond value to be reassessed. City Planning advised that there would be no difficulty in refunding any difference if a refund was in order. This was accepted by Nigel.

It would be appreciated therefore, if the value of the work to be undertaken could be reassessed. The bond is to cover the items that can be requested as per the original consent, plus fencing around the periphery of new lot 1. The expiry date of the bond is December 2004. The bond will need to cover the original consent items plus CARS comments on the variation. Copies are on files.

Other items.

The approach that was taken in this variation was to protect the future development of the reserve and the City's interest should the entire development proceed. However it was also to protect the City should the development not proceed and this area of 1419 m² was the only reserve to come to the City.

In respect to this the following is raised for consideration to the bond and works.

- What will be the form of development of Lot 1 should the entire proposed wetland area not come to the City, i.e. we only receive Lot 1. Will it still be appropriate for it to be a wetland corridor? Bond pricing should cover worse case scenario.
- Nigel had mentioned that the developer may undertake the work as soon as possible and claim the bond back - this was based on the current (unapproved?) landscaping plan. However the style of reserve development may be dependent on the ultimate size of the reserve. You may want to consider this.

It could be that no work be undertaken until sufficient reserve is vested to enable the "environmental corridor" to be effective, or else he could undertake the work on the reserve land and his own land (the proposed reserve) to satisfy this.

Landscaping plan

- There is no landscaping plan on file that has been approved by Parks and Reserves and very little by way of formal written documentation regarding the landscaping plan.

I was under the impression from Nigel (see his comments above) that an approved plan existed. Can I suggest that the current status of any landscaping plan be clarified in writing and when the final plan is signed off, that the file copy of the plan be endorsed as the approved plan.

The only landscaping plan on file appears to conflict with several aspects of the original development intent for the reserve and it includes a substantial area of State Highway.

Judy Milward
Acting Team Leader
Policy

Helen Fleming

From: Jayson Kelly
Sent: Monday, 3 December 2001 8:56 am
To: Paul Pope
Cc: Helen Fleming
Subject: FW: re Sunninghurst, Fairfield - Landscape Plan / Bond - stg 2A

Paul, please deal with this and respond directly to Helen.

-----Original Message-----

From: Helen Fleming
Sent: Friday, 30 November 2001 02:31
To: Jayson Kelly
Subject: re Sunninghurst, Fairfield - Landscape Plan / Bond - stg 2A

Hi Jayson

Could you advise me what progress has been made regarding the reassessment of the bond and also the confirmation of the landscape plan and requirements

Thanks
Helen
Helen Fleming
City Planning Dunedin City Council
1 The Octagon, PO Box 5045, Dunedin
Ph: (03)474-3731 Fax: (03)4743451
Email: h Fleming@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

Memorandum



TO: Helen Fleming
City Planning

FROM: Acting Team Leader
Policy Team
Community and Recreation Services

DATE: 18 October 2001

FILE REFERENCE: Cam 100/10 – Howorth Road, RMA 20010628 & 2000 07961

SUBJECT: **SUNNINGHURST, FAIRFIELD**

*Team Leader,
Policy*

The applicant has applied for a variation to the previously granted resource consent. This is to enable him to discharge his responsibilities to provide and develop land for reserve contribution in regard to the stages of development that he has completed to date.

Community and Recreation Services comments/requirements for this variation are:

- If Lot 1 discharges the applicants' responsibility for reserve contribution requirements to date, then the request for variation is accepted. Whether this is the case or not is a matter for City Planning to determine.
- The conditions attaching to the original resource consent still hold for this variation subject to minor alterations which reflect the size of the area being vested relative to the overall reserve concept.

Lot 1 is to be shown as a recreation reserve to vest

Landscaping plan: A landscaping plan is not required for the reserve that will vest in Council as a result of this variation. The plan will however be required at the next stage as per the original resource consent.

Should the future stages not have proceeded by the expiry date of the current resource consent (December 2004), then, at that time, a landscape plan and associated development, will be required for proposed Lot 1 as per the original consent.

Fencing: A fencing covenant is required to be registered on the title that adjoins new Lot 1 to remove liability from Council for fencing.

Bond: A bond is required. It is to protect Council's interest in Lot 1, should the rest of the development not proceed for any reason.

The bond value is assessed at \$8,500. This is to provide for development of the reserve, provision for a cyclone fence around the periphery of new Lot 1 and removal of gorse and noxious weeds.

The completion date for the bond should match the expiry date of the current resource consent. I understand this is December 2004. Should the additional stages not have proceeded by that time, the bond money will be used by Council to undertake the above work if the applicant has not already undertaken such work to the requirements as identified in the current resource consent.

J Milward
Acting Team Leader
Policy Team
Community and Recreation Services

Helen Fleming

From: Jayson Kelly
Sent: Monday, 3 December 2001 8:56 am
To: Paul Pope
Cc: Helen Fleming
Subject: FW: re Sunninghurst, Fairfield - Landscape Plan / Bond - stg 2A

Paul, please deal with this and respond directly to Helen.

-----Original Message-----

From: Helen Fleming
Sent: Friday, 30 November 2001 02:31
To: Jayson Kelly
Subject: re Sunninghurst, Fairfield - Landscape Plan / Bond - stg 2A

Hi Jayson

Could you advise me what progress has been made regarding the reassessment of the bond and also the confirmation of the landscape plan and requirements

Thanks
Helen
Helen Fleming
City Planning Dunedin City Council
1 The Octagon, PO Box 5045, Dunedin
Ph: (03)474-3731 Fax: (03)4743451
Email: hfleming@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

Paul Pope.

Jan 31. - OK for lot 1 DP 304278.

2 Smt A. on DP 304278 - pl confirm



RESOURCE MANAGEMENT ACT 1991

SECTION 224(c) CERTIFICATE

93166, 20000796 & 20000876 - Howorth Road - DP 300725 - *stg 2*

In the matter of DP 300725 and pursuant to Section 224(c) of the Resource Management Act 1991, I hereby certify that some of the conditions of the subdivision consent have been complied with to the satisfaction of the Dunedin City Council and that a consent notice has been issued in respect of the conditions that have not been complied with.

Dated this 23rd day of October 2001

Dachson
.....
Authorised Officer

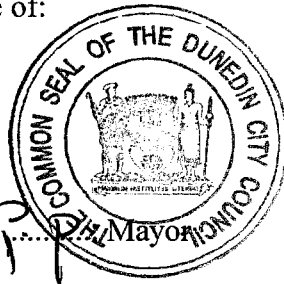
only → summary 23/10

SUBDIVISION – 93166, 20000796, 20000876 - DP 300725
Sunninghurst- Howorth Road, Fairfield

Pursuant to section 321(3)(c) of the Local Government Act 1974, the Dunedin City Council, being satisfied that adequate access to Lots 21, 22, 23, 49, 51 and 119 DP 300725 is provided pursuant to easements of Right of Way running with the land and appurtenant to the Lots, does hereby resolve that on these grounds that the said Section 321(1) of the Local Government Act shall not apply.

The Common Seal of the
Dunedin City Council was
affixed hereto in the presence of:

Cr. N. A. Collins



Dockson

Authorised Officer

25/10/2001

*orig to
Sunnings
26/10.*

subdiv file

IN THE MATTER Certificate of Title 2306
(Otago Registry)

AND

IN THE MATTER Bond No. 849231.13 and
5027241.12 (Otago Registry)

RELEASE OF BOND

*Certified Correct for the
purposes of the Land Transfer Act
1952*

.....
Solicitor for Owner

ANDERSON LLOYD CAUDWELL
Barristers, Solicitors & Notary Public
Dunedin
X0110796.dle

orig → AL Caudwell
26/10
substituted

IN THE MATTER Certificate of Title
2306 (Otago Registry)

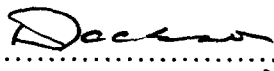
AND

IN THE MATTER Bond No. 849231.13 and
5027241.12 (Otago
Registry)

TO: The District Land Registrar
Otago Registry

I, COLIN DOUGLAS JACKSON of Dunedin, Administration Co-ordinator to the
Dunedin City Council hereby authorise you to fully release Bond Number 849231.13 and
5027241.12, with such release being in respect of all the land comprised and described in
Certificate of Title 2306 (Otago Registry).

DATED this 25th day of October 2001



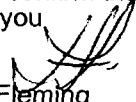
.....
Administrative Co-ordinator - Dunedin City Council

Helen Fleming

To: CARS Policy Unit
Subject: Stage 2a - Recreation reserve to vest - Lot 1 DP 304278

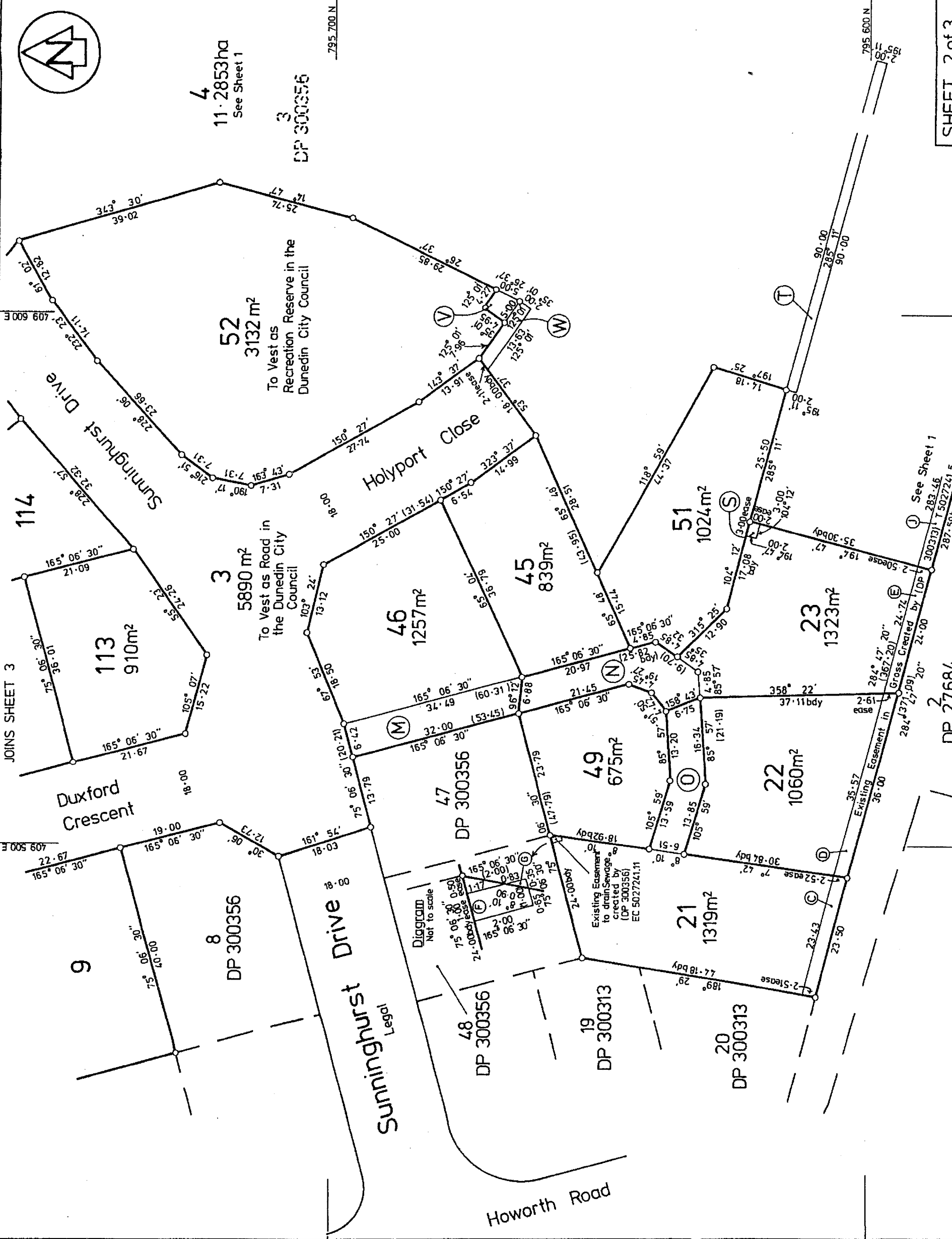
Please confirm that easement A is acceptable to your department

Thank you
Helen



Helen Fleming
City Planning Dunedin City Council
50 The Octagon, PO Box 5045, Dunedin
Ph: (03)474-3731 Fax: (03)4743451
Email: hffleming@dcc.govt.nz
WWW: <http://www.CityofDunedin.com>

Memorandum of Easements		
Purpose	Servient Tenement	Dominant Tenement
Right of Way	Lot 46 Lot 23 Lot 21 Lot 120	Lots 21, 22, 23, 45, 49 & 51 Lots 21, 22, 45, 49 & 51 Lots 22 & 49 Lot 119
Right to drain Sewage	Lot 21 Lot 23 Lot 46 Lot 120 Lot 119 Lot 114 Lot 115	Lots 22, 45 & 51 Lots 22, 45 & 51 Lot 45 Lots 114 & 115 Lot 115
Right to drain Stormwater	Lot 120 Lot 23 Lot 23	Lot 119 Lot 51 Lot 49
Right to convey Water	Lot 46 Lot 23 Lot 21 Lot 120	Lots 21, 22, 23, 45, 49 & 51 Lots 21, 22, 45, 49 & 51 Lot 22 Lot 119
Class of Survey : I		
Total Area		
Comprised in C.T. 2306		
<p>I, Nigel Buckland Pitts, being a person entitled to practice as a registered surveyor, certify that -</p> <p>(a) The surveys to which this diagram relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1968 and the Survey Regulations 1968;</p> <p>(b) This diagram is accurate, and has been created in accordance with that Act and those Regulations.</p> <p>(Signature) 19... (Date)</p>		
Field Book Traverse Book p.		
Reference Plans		
Examined Correct		
Approved as to Survey		
..27.8.19... Deputy Chief Surveyor		
Deposited this day of 19		
File	Received 2.4.07.01	Instructions
		DP 300725



LAND DISTRICT Otago

SURVEY BLK. & DIST. Green..Island..West...

NZMS 261 SH1 ...1.4.4... RECORD MAP No

TERRITORIAL AUTHORITY Duneid..City

Surveyed by Paterson Pitts Partners Ltd

Scale 1:500 Date May 2001

SHEET 2 of 3

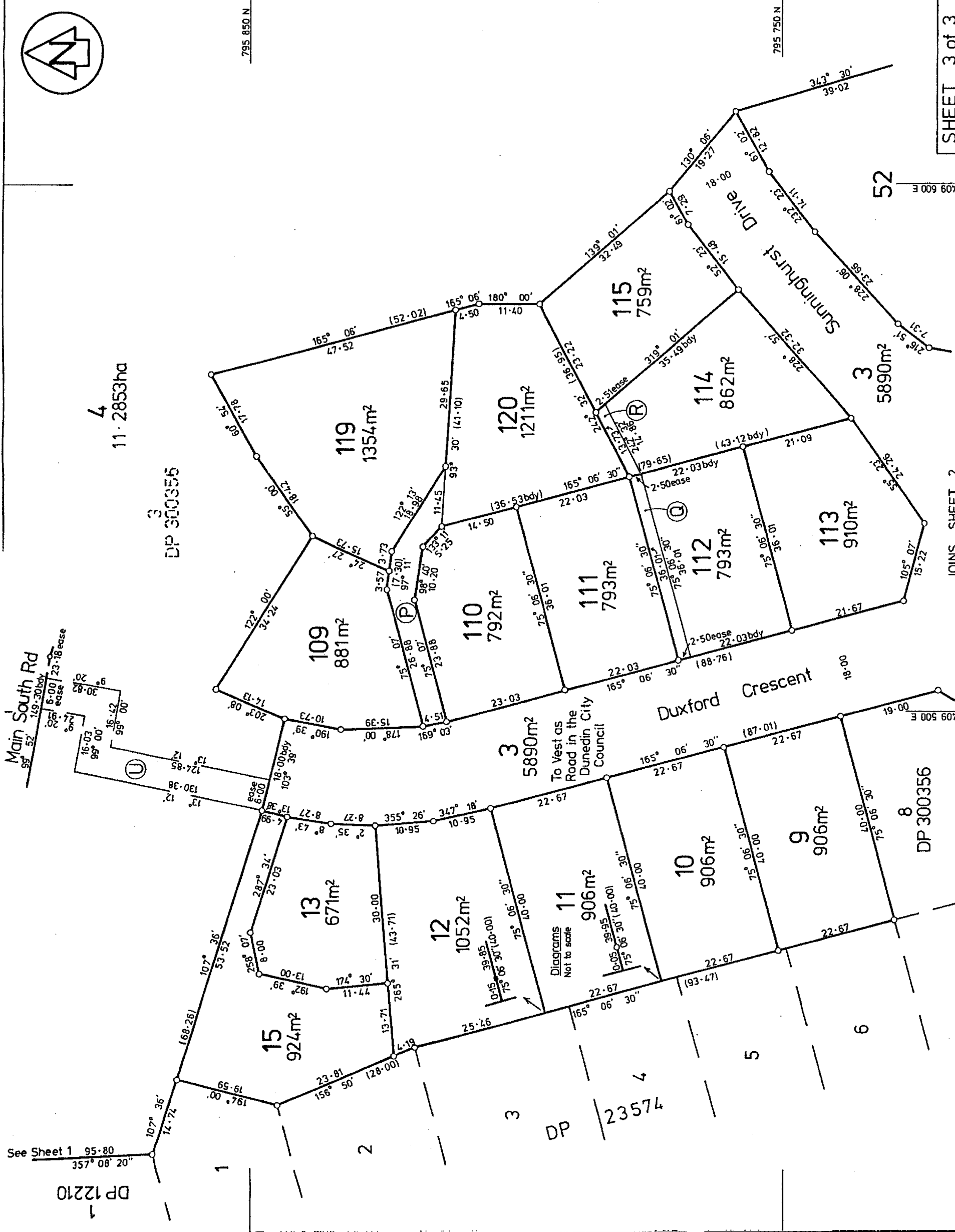
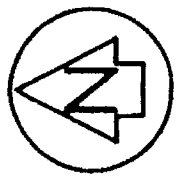
DP 27684

DP 300356

DP 300313

DP 300725

Approvals



See Sheet 2 for Memorandum of Easements

Class of Survey : I

Total Area

Comprised in C.T. 2306

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

Field Book Traverse Book p.

Reference Plans Correct

Examined Correct

Approved as to Survey

27.18.10.1. day of

Deposited this

Chief Surveyor

Registrar-General of Land

File Received 24.07.01

Instructions DP 300725

SHEET 3 of 3

TERRITORIAL AUTHORITY Dunedin City

Surveyed by Paterson Pitts Partners Ltd.

Scale 1:500 Date May 2001

JOINS SHEET 2

DIAGRAM SHEET

LAND DISTRICT Otago

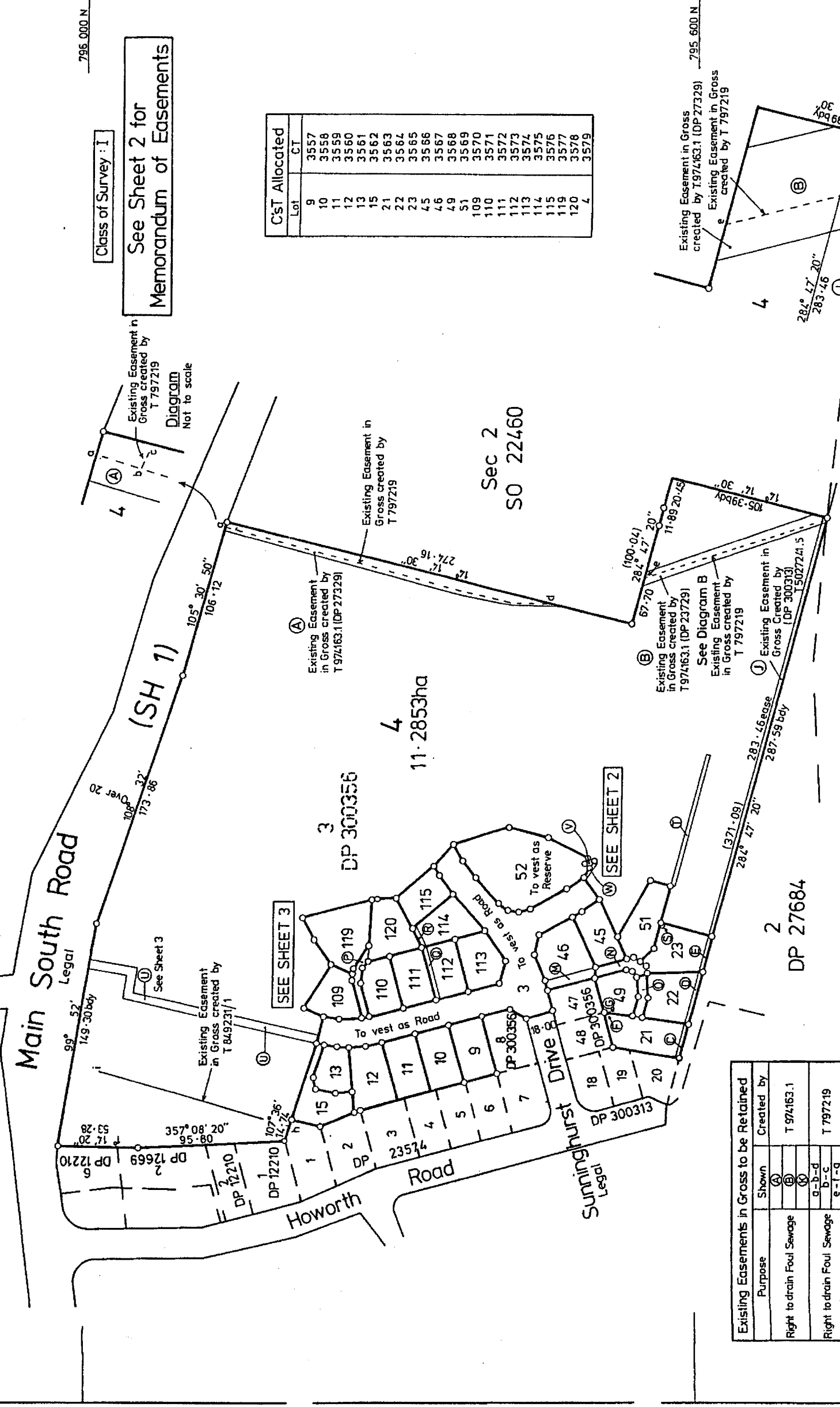
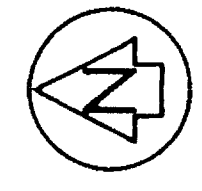
SURVEY BLK. & DIST. Green Island West

NZMS 261 SHT 144 RECORD MAP NO

DocID: 110229430

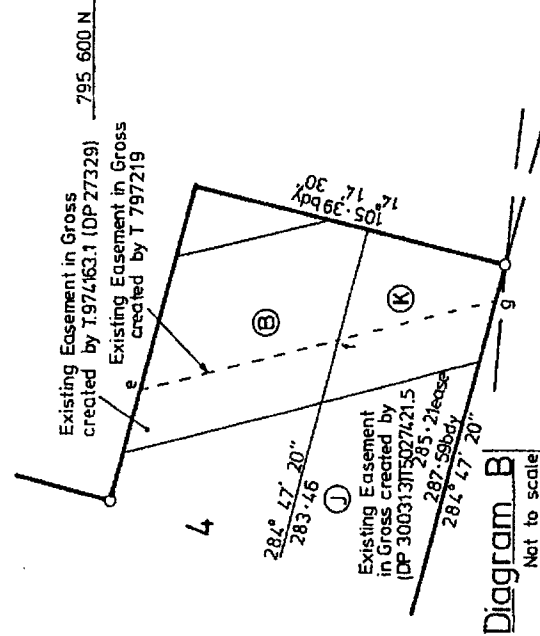
409 600 E

410 000 E



Class of Survey: I
See Sheet 2 for Memorandum of Easements

Lot	CST	Allocated
9	3557	
10	3558	
11	3559	
12	3560	
13	3561	
15	3562	
21	3563	
22	3564	
23	3565	
45	3566	
46	3567	
49	3568	
51	3569	
109	3570	
110	3571	
111	3572	
112	3573	
113	3574	
114	3575	
115	3576	
119	3577	
120	3578	
4	3579	



Existing Easements to be Retained		
Purpose	Shown	Created by
Right to drain Sewage	(F)	(G) EC 5027241.11
Right to drain Stormwater	(H)	(I) T 849231/1

Existing Easements in Gross to be Retained		
Purpose	Shown	Created by
Right to drain Foul Sewage	(A)	T 974163.1
Right to drain Foul Sewage	(B)	T 797219
Right to convey electricity	(C)	T 5027241.5
Right to drain stormwater	(D)	T 849231/1

SHEET 1 of 3

LAND DISTRICT Otago
SURVEY BLK. & DIST. Green Island West
NZMS 261 SH 1, 4 RECORD MAP No

TERRITORIAL AUTHORITY Dunedin City
Surveyed by Paterson Pitts Partners Ltd
Scale 1:2000 Date May 2001

Lots 3, 4, 9-13, 15, 21-23, 45, 46, 49, 51, 52, 109-115
119 & 120 being Subdivision of Lot 3 DP300356

Approvals Crescent Development Co Ltd
(Registered Owner)
THE COMMON SEAL OF THE COMPANENT DEVELOPMENT CO LIMITED

I hereby certify that this plan was approved by the Dunedin City Council pursuant to Section 223 of the Resource Management Act 1991 on the 18th day of July 2001 subject to the granting or reserving of the easement(s) set out in the Memorandum hereon

Principal Administrative Officer/Authorised Officer

Subject to Part IVA of the Conservation Act 1987

Schedule of Proposed Easements in Gross		
Purpose	Servient Tenement	Grantee
Right to drain Stormwater	Lot 4	Dunedin City Council
Right to convey Water	Lot 4	Dunedin City Council
Transformer Ease.	Lot 4	Dunedin Electricity Ltd
Right to convey Electricity	Lot 120	Dunedin Electricity Ltd
	Lot 45	Dunedin Electricity Ltd
	Lot 23	Dunedin Electricity Ltd
	Lot 21	Dunedin Electricity Ltd
Right to convey Telephonic Communications	Lot 120	Telecom New Zealand Ltd
	Lot 45	Telecom New Zealand Ltd
	Lot 23	Telecom New Zealand Ltd
	Lot 21	Telecom New Zealand Ltd
Right to convey Electricity	Lot 4	Dunedin Electricity Ltd

Total Area 14,3092 ha
Comprised in CI. 2306

Nigel Buckland Pitts, being a person entitled to practice as a registered surveyor, certifies that -
(a) The surveys to which this gazette relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998;
(b) This gazette is accurate, and has been created in accordance with that Act and those Regulations.

Field Book
Reference Plans
Examined
Approved as to Survey

Approved as to Survey
2.7.9.01
Deposited this 19 day of 19

Registrars-General of Land
DP 300725

LINK TO RMA: 93-166.
 LINK TO ABA:

NEW RMA:
 POL:

RESOURCE CONSENT APPLICATION DETAILS FORM

Property Address: 37 Haymarket Road.
 Fairfield, Dunedin.

Location Description: (If required) Consent Development Co Ltd

First Contact: (Applicant)
 Name: Sunninghurst Development Co Ltd
 Mail Address: GEMS or: c/- Paterson Pitts Partners Ltd.
 P.O. box 1023.
 Dunedin.
 Phone Number:

Second Contact: (Agent)
 Name:
 Mail Address: GEMS or:
 Phone Number:

Description of Application: See 223 and 224(c) Certificates for Stage 2A.

RMA Type:	NEW APPLICATION						LINK TO EXISTING RMA		
	COC	LUC	OUT	SUB	OBJ	DIS	EXT (125)	127	128

POL Type:	BLR	LMV	LRF	OVI	PLC	ROW	OTH
STAGES: Link to Existing Resource Consent (Subdivision)	STAGE 6 Appeal Period		STAGE 7 Combined 223/224		STAGE 8 Section 223 Only (Plan Compliance)		STAGE 9 Section 224 Only (Final Compliance)
Notified	Stages 2 - 5						
Non Notified	Stages 1						
Handling Officer:	HFL			Authorising Officer:			BRI (Bruce Richards)

Contact Person: Nigel Pitts Phone Number: 477 3245.

Extra Data Screen:	Type:	NON		NOT		OTH	
	Activity:	COA	NCA	OTH	RED	UND	

Fee Code: 106. Fee Amount: \$ 120 - 00. Type: Fixed Deposit No Charge
 Waived: Authorising Officer:

Time Recording (eg) Development Services Planner (Enquiries)	Officer	Date (dd/mm/yy)	Group	Consent	Stage	Action	Operation	Units
	KDA		RMA		1 RC	18100	Ad	\$120.00
	(M)	27/11/01	RMA		1.	100	Ad	12

APPLICATION INFORMATION SHEET

Plan Number	93166	Date Received	16/08/93
Application Type	Subdivision	Street Number	37
Street Name	HOWORTH ROAD, FAIRFIELD		
Legal Description	SEC 1 SO 22460		
Surveyed by	N.B. Pitts Paterson Pitts Partners Ltd PO Box 1083 Dunedin		
Surveyor Reference			
Owner Applicant	LANDCORP PROPERTY LTD		
Certificates Of Title	13D/101		
District Scheme			
District Zone	<i>steps 2, 3, 4 still outstanding</i>		
Unusual Requirements	1stSTG 1-7; S223-11/11/93; 125-26/2/98 -DP23574		
Hazards Comment	NOW SEE 2000/0876-NEW STAGING-DP300313, 300356 <i>Sec 223, 224 s 18/12/2000</i>		
Units/New Lots	120	Total Area	15.6461
Area Unit		Mesh Block	X
Valuation Number	27861-154/04	Value (\$)	0.00
Date Acknowledged	18/08/93	Date Reported	
Date Approved	27/09/93	Date Advised	
Seal Approved		DP Number	23574
Request Tracking	Whom	Target Date	Return Date
	Drainage	14/07/94	
	Water	14/07/94	
	Roading	14/07/94	
	City Planning	01/09/93	01/09/93
	Technical Services	01/09/93	09/09/93
	Building Inspectors		
	Recreation Planning	01/09/93	01/09/93
	Transportation Planning		
	District Land Registrar		
Dept Of Conservation			
Transit New Zealand			
New Zealand Railways	01/09/93	03/09/93	

Pursuant to section 223 of the Resource Management Act 1991, I hereby certify that this plan is approved by the Dunedin City Council, subject to the granting or reserving of the easements set out in the memorandum hereon.

[Signature]
 Authorised Officer
 Date 18/4/02

Pursuant to section 224(c) of the Resource Management Act 1991 I hereby certify that all conditions of the subdivision consent have been completed with to the satisfaction of the Dunedin City Council.

[Signature]
 Authorised Officer
 Date 18/4/02

CRESCENT DEVELOPMENT CO. LTD.
 (Registered Owner)

Director

MEMORANDUM OF EASEMENTS		
PURPOSE	SHOWN	SERVIENT TENEMENT
Right to drain foul sewage	(A)	LOT 1 Hereon
		LOT 2 Hereon

NOTES:
 All roads shown are legal.
 Subject to Part IVa of the Conservation Act 1987.

NEW C'sT ALLOCATED—
 LOT 1 — Reserve
 LOT 2 — 17329

CLASS OF SURVEY : I

Total Area 11,285.3 ha
 Comprised in CT 3579

Nigel Buckland Pitts of Dunedin, being a person entitled to practise as a registered surveyor, certify that—

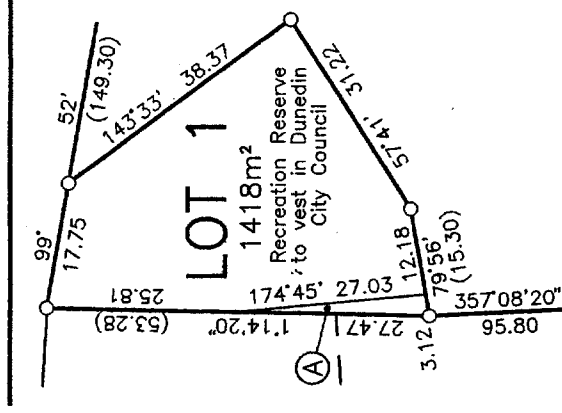
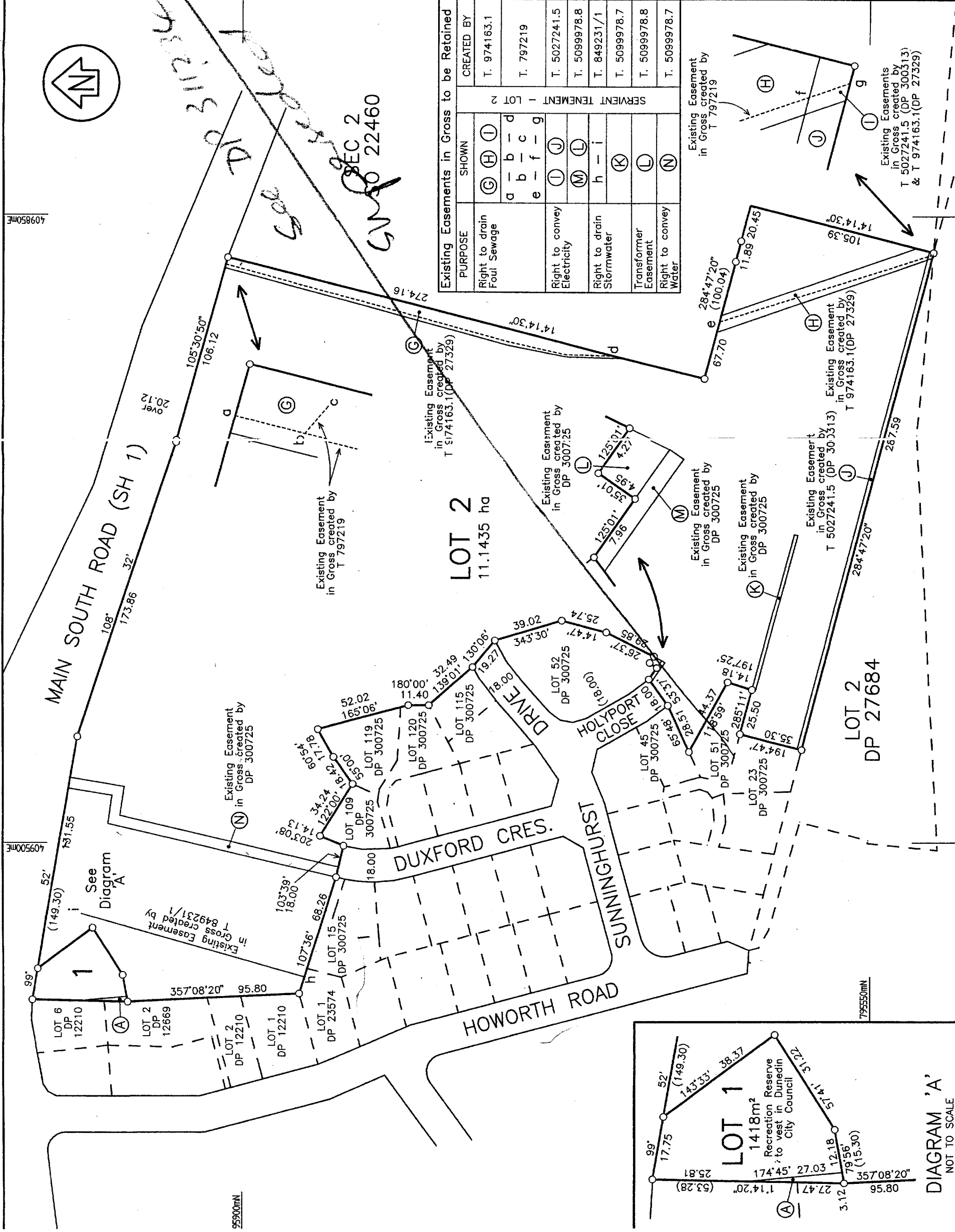
(a) The surveys to which this dataset relates are accurate and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998, and

(b) This dataset is accurate, and has been created in accordance with that Act and those Regulations.

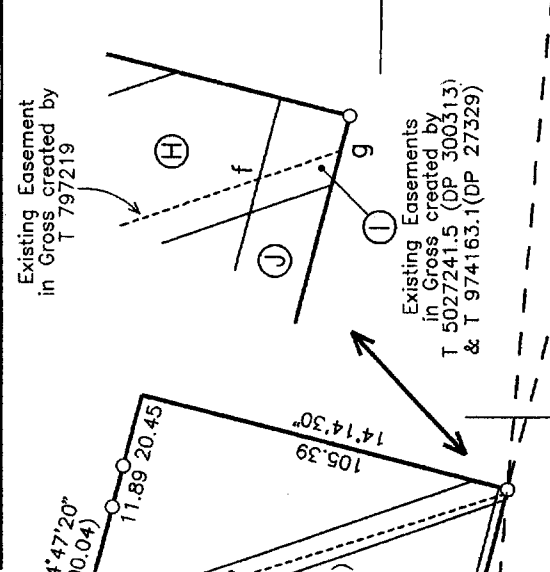
Signature _____ Date _____
 Field Book p. Traverse Book p.
 Reference Plans
 Examined Corrected

Approved as to Survey
 _____ Chief Surveyor

Deposited this day of 20.....
 for Registrar-General of Land
 File Sunninghurst Reserve - 9670
 Received DP 304278
 Approved LM 97/2



Existing Easements in Gross to be Retained		CREATED BY
PURPOSE	SHOWN	
Right to drain Foul Sewage	(G) (H) (I)	T. 974163.1
Right to convey Electricity	a - b - c - d e - f - g	T. 797219
Right to drain Stormwater	(J)	T. 5027241.5
Transformer Easement	(M) (L)	T. 5099978.8
Right to convey Water	h - i (K) (N)	T. 849231/1 T. 5099978.7 T. 5099978.8 T. 5099978.7



TERRITORIAL AUTHORITY DUNEDIN CITY
 SURVEYED BY PATERSON, PITTS, PARTNERS, LTD
 SCALE 1:1,500 DATE OCTOBER 2001

LOTS 1 & 2 BEING A SUBDIVISION OF LOT 4 DP 300725

AND DISTRICT OTAGO
 SURVEY BLK. & DIST. GREEN ISLAND WEST
 NZMS 261 SHEET RECORD MAP No.

A 2000/0876

5/18/02
 Nigel Buckland Pitts

PATERSON PITTS PARTNERS LTD

Surveying, Resource Management, Land Planning & Development

DUNEDIN,

8-10 Broadway, PO Box 1083
Ph. (03) 477 3245, Fax. (03) 474 0484

Principals:
Nigel B. Pitts MNZIS, REA
Tony D. Hosken Dip Surv, MNZIS

Associated Company:
Nespair Aerial Surveys Ltd

19 October 2001

City Planning
Dunedin City Council
PO Box 5045
DUNEDIN

For the attention of Mr Bruce Richards

Dear Sir

Re: STAGES 2 & 2A SUNNINGHURST, HOWORTH ROAD, FAIRFIELD

Further to our discussion of earlier today between yourself, Mrs J Milward and the writer we attach our cheque in the sum of \$2,991.40 being the difference between our assessment of landscaping and fencing (two sides only) Lot 1 of the Stage 2A application plan and the sum previously provided being \$5,508.60 already in Council's possession.

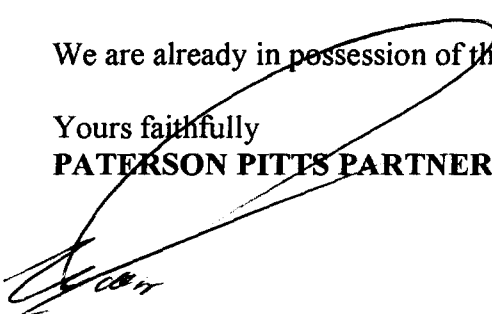
This further cheque is made on the understanding that Recreation Planning will reassess the value of work and fencing required on Lot 1 Stage 2A and that any difference between the \$8,500 now paid (\$5,508.60 plus \$2,991.40) and the re-estimated value will be returned to us.

We understand that on the above basis the way is now clear for Council to issue its Section 224 certification in respect of Stage 2, together with the ancillary documentation for the cancellation of the two existing bonds, the resolution under Section 321 Local Government Act in respect of allotments deriving their technical frontage from Rights of Way.

We are already in possession of the required Consent Notice.

Yours faithfully

PATERSON PITTS PARTNERS LTD



N B PITTS
Principal



PATERSON PITTS PARTNERS LTD

Consultants in Land Surveying, Resource Management,
Land Planning and Development.

Originating Office:
 Dunedin Wanaka
 Alexandra Queenstown
 Cromwell

<input type="checkbox"/> Confirmation of Advice	<input type="checkbox"/> Urgent Action
<input type="checkbox"/> Memorandum	<input type="checkbox"/> Document Transfer
<input type="checkbox"/> Response Required	<input type="checkbox"/> Other

Message To Fax. Post.
 Attention Fax No. / Address
 From Page of Pages.
 Subject Date

Message Pursuant to Section 224(c) of the Resource Management Act 1991 I hereby certify that some of the conditions of the subdivision consent have been complied with to the satisfaction of the Dunedin City Council and that a consent notice has been issued in respect of those conditions that have not been complied with.

Dated this day of 199..

.....
Authorised Officer

Bruce This is the applicable
 224 Notice (there is a
 Consent Notice involved)
Nigel

NOTICE OF CONFIDENTIAL INFORMATION - The information contained in this document is **CONFIDENTIAL** and may also be **LEGALLY PRIVILEGED**, intended only for the individual or entity to whom it is addressed. If you are not the intended recipient, you are hereby notified that any use, review, dissemination, distribution or copying of the information is strictly prohibited. If you have received this information in error, please immediately notify us by telephone and destroy the original message. Thank you.

Dunedin 8-10 Broadway PO Box 1083 Dunedin Ph. (03) 477 3245 Fax. 474 0484 E-Mail. PPP@Clear.net.nz Directors. Nigel Pitts Tony Hosken	Wanaka 1st Floor Helard Hse Helwick Street PO Box 283 Wanaka Ph. (03) 443 8632 Fax. (03) 443 1339 E-Mail. PPPWanaka@Xtra.co.nz Director. Brian Weedon	Alexandra 16 Limerick Street PO Box 103 Alexandra Ph. (03) 448 8775 Fax. (03) 448 8780 E-Mail. PPP.Alex@Xtra.co.nz Manager. John Good Director. Peter Dymock	Queenstown 33 Shotover Street PO Box 158 Queenstown Ph. (03) 442 7005 Fax. (03) 442 5488 E-Mail. PPP.Qtn@Xtra.co.nz Manager. John Borrell	Cromwell 30 The Mall PO Box 84 Cromwell Ph. (03) 445 1826 Fax. (03) 445 1812 E-Mail. PPP.Crom@Xtra.co.nz Director. Peter Dymock
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Reference: Dev 100: 37 Howorth Rd, Fairfield /RMA 20010684

Enquiries To: Helen Fleming

Direct Phone: 474 3731

16 November 2001

Paterson Pitts Partners

PO Box 1083

DUNEDIN

Attention: Kurt Bowen

Dear Kurt

RESOURCE CONSENT APPLICATION: 20010684

37 HOWORTH ROAD FAIRFIELD, DUNEDIN

Thank you for your letter dated 16 October 2001 requesting a change to a condition of Subdivision Consent 20000876 pursuant to Section 127 of the Resource Management Act 1991 for 37 Howorth Road, Fairfield. Your application was considered by Council's Senior Planner under delegated authority on 16 November 2001.

DESCRIPTION OF APPLICATION

Resource Consent RMA93166 was granted on 17 December 1993 and was extended on 4 March 1998. An extension of the consent period was approved, such that the consent now expires in December 2004. Consents 20000796 and 2000876 enabled conditions of subdivision consent 93166 to be varied. The applicant now requests that condition (xiii)(d), stage 2 of Consent 93166 as varied by 20000876 be changed. That condition presently reads:

Right of Way "B" shall be formed with a 4.0 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1(xiii)(c).

PLANNING ASSESSMENT

Section 127(1)(b) of the Resource Management Act 1991 allows Council to consider a change of conditions for a resource consent " *at any time on the grounds that a change in circumstances has caused the condition(s) to become inappropriate or unnecessary.*"

The applicant advised that Right of Way 'B' has been constructed to a width of 3.0 metres and is in compliance with the DCC Code of Subdivision. The applicant requests that the condition be varied such that the width requirement for the right of way is reduced from 4.0 metres to 3.0 metres. This will be a permanent feature of the subdivision.

The change in circumstances promoted by the applicant with regard to altering the condition, is the acceptance by Transportation Planning of the reduction in width of the design specifications submitted to Council.

The Council is satisfied that circumstances are now such that a change to the condition can be considered. No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

CONSENT DECISION

That pursuant to Sections 34(4) and 127(1)(b) of the Resource Management Act 1991 and after having regard to sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council agrees to change condition 1 (xiii) (d) of stage 2 Resource Consent 93166 as varied by Consent 20000876. The condition shall now read as follows:

1 (xiii) (d) Right of way 'B' shall be formed with a 3 metre wide metalled (200mm depth) pavement. The pavement shall be sealed for not less than 5.0 metres inside the boundary line. Stormwater facilities shall be provided as per 1 (xiii)(c).

REASONS

Condition 1(xiii)(d) for stage 2 has now been changed. The constructed 3.0 metres wide right of way complies with The Code of Subdivision, is to be a permanent feature of the subdivision and is acceptable to Transportation Planning.

No persons will be adversely affected by the change to the condition and Council considers that the proposal will not compromise the objectives and policies of the Transitional District Plan and the Proposed District Plan.

COMPLIANCE WITH CONDITIONS

It is the Applicants responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to your attention that under the terms of Section 125 of the *Resource Management Act 1991*, this consent shall lapse if effect has not been given to it within two (2) years, unless Council has granted an extension of time.

RIGHTS OF APPEAL

In accordance with Section 357 of the *Resource Management Act 1991* you may seek a review of this decision or any of its conditions within fifteen (15) working days of

the decision being received by applying to the Dunedin City Council Hearings Commissioner.

Applications should be addressed to:

The Planning Administrator

City Planning

Dunedin City Council

P O Box 5045

DUNEDIN

Yours faithfully

Helen Fleming

PLANNER

Reference: Dev 100: 41 Howorth Road/RMA2001-0723

Enquiries to: Jo Harvey

Direct Phone: 474 3564

23 November 2001

Crescent Development Co Ltd

C/- Paterson Pitts Partners Ltd

PO Box 1083

DUNEDIN

Attention: Nigel Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 2001-0723

CRESECENT DEVELOPMENT CO LTD

41 HOWORTH ROAD

FAIRFIELD

DUNEDIN

The above application was considered under delegated authority and **granted subject to conditions** on **23 November 2001**. The application was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991.

DESCRIPTION OF ACTIVITY

Resource consent is sought to adjust the boundaries of two allotments recently created as part of Stage II of the Sunninghurst residential development at Fairfield. The boundary to be adjusted is that between Lot 51 DP 300725 and the balance area of that deposited plan, Lot 4 DP 300725.

The adjustment is to provide a more practicable building platform on the site. The allotment is to be known as Lot 68 and it has an area of 914m².

REASONS FOR APPLICATION

Transitional District Plan

The site is zoned **Residential A** in the Silverpeaks section of the Transitional District Plan. The subdivision is a **controlled** activity in accordance with Ordinance 4.6(ii). This rule states that the subdivision standards need not apply for boundary adjustments provided that the adjustment will not detrimentally affect the ability to undertake a permitted use on the site, or the adjustment will not reduce the compliance of the allotments with the minimum subdivision standards. In this instance, the proposed adjustment will neither preclude a residential activity, nor reduce the compliance of the allotments.

Proposed District Plan (1999)

The site is zoned **Residential 1** in the Proposed District Plan (1999). The subdivision is a **discretionary (restricted)** activity in accordance with Rule 18.5.1(iii) of the Proposed Plan. That provides for subdivision as a discretionary activity where the resulting allotments comply with the relevant requirements of the Subdivision section and meet the minimum site area and frontage requirements of the pertinent zone section. The allotments resulting from this boundary adjustment will continue to meet all relevant requirements of the Subdivision and Residential sections of the Proposed Plan.

Planning Status

Overall, the subdivision is considered to be a **discretionary (restricted)** activity.

PLANNING ASSESSMENT

Affected Persons

No written approvals were submitted with the application. No parties are considered to be adversely affected as the proposal will not result in any physical effects. The proposal is altering the shape of one allotment within a large residential development as part of a stage that is yet to be built on.

Effects on the Environment

The following effects assessment only takes into account the effects of the proposal that are relevant under section 104(6). The Courts have determined that the effects of an activity should be considered in relation to the existing environment. The following assessment of effects of the proposal has been prepared on the basis that the environment is generally characterised by large open spaces that form part of the Sunninghurst Development. A small number of the allotments have been built on near the entrance to Howorth Road.

Any actual or potential adverse effects on the environment of allowing the activity are considered to be less than minor (ie "*de minimus*") for the following reasons:

1 The access to proposed Lot 68 will remain via Rights of Way M and N created by the deposit of DP 300725. These rights of way link to the extension to Sunninghurst Drive. As the allotment does not have direct access to a legal road, a resolution in accordance with section 321 of the Local Government Act 1974 is required stating that Council is satisfied that legal access can be obtained. The allotment is the subject of an existing resolution but as that referred to its previous legal description of Lot 51, it is no longer applicable. The concept plan for the entire development shows that proposed Lot 68 will ultimately also have frontage to Holyport Close.

2 The applicant's surveyor has confirmed that there is no fill material within proposed Lot 68. Accordingly, the Senior Civil/Structural Engineer, City Consultants, has no concerns with the proposal.

3 The Engineering Officer, Waste Services, advises that although there are no buildings on the site, the recent subdivision included the provision of foul and stormwater connections for the allotment. The boundary adjustment does not interfere with the servicing of the allotment. Waste Services have no concerns with the application.

4 The Planning Engineer, Water Business Unit, advises the allotment has a water service installed. There are no additional Water Business Unit requirements for this proposal.

CONSENT DECISION

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the **discretionary (restricted)** activity to adjust the boundary between Lots 4 and 51 DP 300725 at 41 Howorth Road, Fairfield.*

Pursuant to section 105(1)(b) of the Resource Management Act 1991 resource consent be granted subject to the following conditions imposed under sections 108 and 220 of the Act:

1 The proposal shall be undertaken generally in accordance with Paterson Pitts Partners Plan titled 'Sunninghurst Stage 2 As-Built Plan General Layout' dated Nov 2000 (Job Ref: 9418) and the details submitted with the application dated 31 October 2001.

2 That prior to certification pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:

a) If a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements on the survey plan.

Resolution

Council resolves pursuant to Section 321(3)(c) of the Local Government Act 1974, that adequate access is available to Lots 68 via right of way easements running over adjacent land, and that the provisions of Section 321(1) of the Local Government Act 1974 do not apply. A copy of the formal resolution will be made available upon receipt of the Deposited Plan number and payment of the required fee.

Advice Note

The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

REASONS

Section 104 Matters

· **Effects**

Having assessed the actual and potential adverse effects associated with the proposed development outlined above, it is considered that the proposal will have less than minor adverse effects on the environment.

· **District Plan – Objectives and Policies**

In accordance with section 104(1)(d) of the Resource Management Act 1991, the objectives and policies of the Transitional and Proposed District Plans were taken into account when assessing this application.

With regard to the Silverpeaks section of the Transitional District Plan, the proposal is considered to be consistent with Policy 2.4.5 which recognises that there are specific situations where the subdivision standards are not appropriate. The proposal remains consistent with the objectives and policies of the Residential A zone.

Objectives 18.2.1, 18.2.3 and 18.2.6 and Policies 18.3.4, 18.3.8 and 18.3.13 of the Subdivision section of the Proposed District Plan seek to provide for sustainable subdivision while ensuring that the activity does not adversely affect the natural and physical resources of the City.

The proposal is considered consistent with these objectives and policies for the reasons outlined in 1-4 under the heading 'Effects on the Environment' above.

Part II Matters

It is also considered that the proposal meets Part II matters of the Resource Management Act 1991. For the reasons outlined in the above, the proposal is considered consistent with sections 5(2)(c); *“Avoiding, remedying, or mitigating any adverse effects of activities on the environment”*, section 7(c) *“The maintenance and enhancement of amenity values”* and section 7(f) *“The maintenance and enhancement of the quality of the environment.”*

COMPLIANCE WITH CONDITIONS

It is the Applicant’s responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENTS

It is brought to the Applicant's attention that under the terms of section 125 of the Resource Management Act 1991, these consents shall lapse if effect has not been given to them within two years or Council has not granted an extension of time.

BUILDING CONSENT

This is only resource consent and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Dunedin City Council

P O Box 5045

DUNEDIN

Attn: Senior Planner- Enquiries 1st Floor

Yours faithfully

Jo Harvey

PLANNER

Reference: RMA 2003-0242 / Prop ID 5101125 / Person ID 184994

Enquires to: Kevin Tiffen

Direct Phone: 474 3819

30 April 2003

Paterson Pitts Partners Ltd

P O Box 1083

DUNEDIN

Attention: Kurt Bowan

Dear Kurt

RESOURCE CONSENT APPLICATION: RMA 2003 0242

VARIATION TO RMA 2002 0472

41 HOWORTH ROAD, FAIRFIELD

DUNEDIN

Your application for a variation relating to resource consent RMA 2002-0472 was processed in accordance with Section 127 of the Resource Management Act 1991. The application was considered by **Council's Senior Planner – Consents** under delegated authority on **30 April 2003**.

I advise that the Council have **granted** consent to change the allotments contained within Stage 4A and vary the corresponding conditions.

BACKGROUND TO APPLICATION

In November 2002, a subdivision consent (RMA 2002-0472) was granted to allow a total of 80 new residential sites on the balance of the Sunninghurst Estate property.

At the time, it was proposed that the subdivision be carried out in 3 stages. The first stage (Stage 4A) involved the creation of 19 new residential allotments, a reserve area (Lot 83) and an extension of Sunninghurst Drive to Main South Road. The residential allotments in Stage 4A include Lots 20, 21, 27-40, 79-81. The other two stages (Stages X and Y) involve 24 and 37 new residential allotments respectively.

DESCRIPTION OF ACTIVITY

The applicant proposes that Lots 18, 19, 25 and 26 are transferred from Stage X to Stage 4A, while Lots 31, 32, 33 and 84 are transferred from Stage 4A to Stage X. As a consequence of the change, the length of Duxford Crescent (off Sunninghurst Drive) in Stage 4A is slightly longer than originally proposed. Stage Y is unaffected by the change.

It should be noted that Lot 84 above was not included in the original subdivision consent and is actually not part of the subdividing owners land. It refers to a strip of land within the dedicated limit of Main South Road that is intended to be stopped in the future and ultimately may be included to enlarge Lots 34 and 35 and to alter the configuration of Lots 31, 32 and 33 to achieve an extra allotment. The road stopping procedure is controlled under separate legalisation and any extra allotment will involve a fresh application for subdivision consent.

Therefore, at this time, the reality of this variation to resource consent RMA 2002-0472 is to add 4 residential allotments to Stage 4A and subtract 3 residential allotments, thereby giving an overall gain of one allotment.

REASONS FOR APPLICATION

Section 127(1) of the Resource Management Act 1991 states:

The holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent (other than any condition as to the duration of the consent)-

- (a) At any time specified for that purpose in the consent; or*
- (b) Whether or not the consent allows the holder to do so, at any time on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary.*

Under Section 127(3) of the Act, *Sections 88 to 121 shall apply, with all necessary modifications, to any application under subsection (1) as if the application were for a resource consent, except that section 93 (notification of applications) shall not apply if the consent authority is satisfied-*

(a) That either-

(i) The adverse effect (other than any effect on any person whose written approval has been obtained in accordance with paragraph (b)) of the activity after any change or cancellation of the condition will continue to be minor; or

(ii) The degree of adverse effect (other than any effect on any person whose written approval has been obtained in accordance with paragraph (b)) of the activity is likely to be unchanged or decreased as a result of any such change or cancellation; and

(b) That written approval has been obtained from every person (including any person who made a submission on the original application who may be affected by the change or cancellation) who, in the opinion of the authority, may be adversely affected by the granting of the change or cancellation, unless in the authority's opinion it is unreasonable in all the circumstances to obtain every such approval."

The applicant wishes to change the allotments contained within Stage 4A by in effect taking 3 allotments out and replacing with another 4 allotments from the next stage. The main reason for this change is that if extra land from the road stopping procedure is included with the subject site, then the configuration of Lots 31, 32 and 33 is likely to change (as mentioned above). Presently, Main South Road is controlled by Transit New Zealand as it is still technically a State Highway. Any attempt (or request) to stop part of Main South Road is not likely to be pursued (by the applicant) until the State Highway status is changed.

PLANNING ASSESSMENT

The changes sought do not alter the content of any conditions of the consent but because the subdivision is to be carried out in 3 stages, it affects the conditions that specifically identify individual allotments involved in each stage. The extra residential allotment with Stage 4A does not materially alter the subdivision concept as the minimum area of reserve land to be vested based on the number of residential allotments contained in Stage 4A is still maintained.

With the original application, written approval was obtained from Transit New Zealand. However, they are not considered to be adversely affected by the variation as the 4 new residential allotments (Lots 18, 19, 25 and 26) are sites served from Duxford Crescent within the subject site. The 3 residential allotments (Lots 31, 32 and 33 to be excluded, do front Main South Road but are to be served with vehicle access from Sunninghurst Drive on the present layout. In any case, the delay in developing Lots 31, 32 and 33 (or a re-configuration of these) is to allow Main South Road to become

a district road now rather than complicate the process involved in Transit N.Z. reviewing the State Highway and Limited Access Road status of Main South Road.

Therefore, the request for a variation or change satisfies the criteria under Section 127(1) of the Act.

CONSENT DECISION

*That pursuant to Section 34(4) and 127 of the Resource Management Act 1991 and after having regard to Sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the request to change the allotments contained within Stage 4A and vary the corresponding conditions imposed in respect of RMA 2002-0472 relating to the 41 Howorth Road, Fairfield, Dunedin, legally described as Lot 2 DP 311234.*

Amend Consent Decision-SUBDIVISION (page 6 onwards) shall read as follows:

Stage 4A (Plan A#2- Lots 18-21, 25-30, 34-40, 79-81, 83 and Road 1 as amended):

Add to condition (1):" and modified by a variation under RMA 2003-0242."

Amend condition (3) j) by deleting reference to Lot 31.

Amend condition (3) t) by substituting Lot 20 with "Lots 18-20".

Amend condition (3) w) to read:" That electricity and telephone services shall be provided to Lots 18-21, 25-30, 34-40, 79-81".

Stage X (Plan A #2- Lots 1-17, 22-24, 31-33, part 82 and Roads 2 & 3):

Add to condition (1):" and modified by a variation under RMA 2003-0242."

Amend condition (3) s) by substituting Lots 14-19 with "Lots 14-17".

Amend condition (3) v to read: " That electricity and telephone services shall be provided to Lots 1-17, 22-24, and 31-33".

Add a new condition to read: "(3) w) That a consent notice shall be prepared to be registered on the certificate of title for Lot 31 for the following on going condition: " That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road";

REASONS FOR DECISION

Effects

Any actual or potential effects on the environment of allowing this change to proceed will be no more than minor for the following reasons:

1. The effect of the change on Transit New Zealand who originally had given written approval has been considered. The new sites to be added to Stage 4A are served from within the subject site from local roads and do not front Main South Road (State Highway 1).
2. The overall environmental effects on the residential area of allowing the change to proceed will also be no more than minor, in comparison to the effect of the original proposal. The changes are basically a re-arrangement of the allotments involved in the staged subdivision.

COMPLIANCE WITH CONDITIONS

It is the applicant's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the consent holders's attention that under the terms of Section 125 of the Resource Management Act 1991, this consent shall lapse if effect has not been given to it within two years or Council has not granted an extension of time.

BUILDING CONSENT

This is only a resource consent and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF OBJECTION

In accordance with Section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Dunedin City Council

P O Box 5045

DUNEDIN

Attn: Senior Planner – Enquiries 1st Floor

Yours faithfully

Kevin Tiffen

PLANNER

Reference: RMA 2002-0472 / Prop 5101125 / Person 176142

Enquiries to: Kevin Tiffen

Direct Phone: 474 3819

26 November 2002

Crescent Development Company Ltd

C/- Paterson Pitts Partners Ltd

P.O. Box 1083

DUNEDIN

Attention: N.B. Pitts

Dear Nigel

RESOURCE CONSENT APPLICATION: 2002-0472

41 HOWORTH ROAD, FAIRFIELD

DUNEDIN

Your application for resource consent **to carry out a subdivision** of the above property was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991. The application was considered by **Council's Team Leader – Consents** under delegated authority on **26 November 2002**.

I advise that the Council has granted consent (with conditions) to the application.

DESCRIPTION OF ACTIVITY

Consent is sought to subdivide the balance of the Sunninghurst Estate property. The proposed subdivision will result in a total of 80 new residential sites being provided under Plan A #2.

Plan A #2 provides for new roading. This new roading involves the extension of the present Sunninghurst Drive (Road 1) to link through to Main South Road (to form a new intersection); the

extension of Duxford Crescent (Road 2) to connect with the new Sunninghurst Drive; the extension of Holyport Close (Road 4) to connect with the new Sunninghurst Drive; and the creation of 2 new roads or cul-de-sacs (Roads 3 & 5). These 2 new roads (Roads 3 & 5) will require to be named. As yet, no road names have been suggested by the applicant at this time. In addition, Road 1 is to be increased in width for a short length to include a pumping station site so that it avoids being located on the future reserve (Lot 83). The rear sites in the proposed subdivision are to be served by various Rights of Way.

The extension of Sunninghurst Drive (Road 1) to form an intersection with Main South Road will involve Transit N.Z. in respect to the operation of Main South Road and its present designation as State Highway and the Limited Access Road status under the Transit N.Z. Act. It is understood that the State Highway and Limited Access Road status of Main South Road will be reviewed in February 2003. Following this in due course, the road is likely to come under the control of the Dunedin City Council.

Also, Plan A #2 provides for the creation of two reserve areas (Lots 82 & 83, areas approximately 1.02ha & 3169m² respectively) to be vested. The alignment of the reserve areas coincides with the Urban Landscape Conservation Area #10 "Kaikorai Estuary, Fairfield" as shown on planning map #44. In addition, Lot 82 includes a strip of land to provide a pedestrian link to Road 3.

The Sunninghurst Drive road extension (Road 1) crosses over the identified ULCA.

The applicant proposes to landscape the proposed reserve area (Lot 83). At this stage, there is no agreed landscaping plan for this reserve. It is understood that a previous landscaping plan prepared by the applicant was not accepted as it did not recognise the intention of the wetland as a wild life corridor. There is no indication as to whether the other proposed reserve area (Lot 82) is to be also landscaped.

Some new drainage is proposed to cross the reserve areas. Some are to become public drains while others are private stormwater discharges from adjoining residential sites. Easements for these private drains are proposed.

There are some existing easements within the subject site but in general the layout of the lots in the subdivision appear to take into account the particular location of the easements except in respect of Lots 60 and 63. The easement affecting these two lots will need to be altered or revoked to provide adequate building areas on those lots.

Details of the proposed foul sewer and stormwater drains to service the proposed allotments have been submitted. There are two possible alignments for the foul sewer to connect to existing drainage services located within the adjoining Transit N.Z. land (shown as Options A & B)

It is intended that the proposed subdivision be carried out in 3 stages. The first stage is **Stage 4A** that involves 19 new residential allotments (plus the reserve area-Lot 83 and Road 1). The residential sites in Stage 4A include Lots 20,21,27-40,79-81. The standard 2 year consent period is sought in which to give effect to this stage. Commencement of Stage 4A is dependent on Transit New Zealand's consent under section 94 of the Transit NZ Act or the deletion of the Limited Access Road status in respect of the new intersection with Main South Road.

An application for an earthwork permit for Stage 4 has been submitted and approved. The proposed earthworks avoid any actual construction work on Main South Road at this time.

The other 2 stages (**Stage X & Y**) involve 24 and 37 new residential allotments respectively. The residential sites in Stage X include Lots 1-19,22-26 and the balance reserve area (Lot 82) and Roads 2 & 3. Stage Y includes Lots 41-67,69-78 and Roads 4 & 5. It has been suggested that Stage X would follow Stage 4 with the last stage being Stage Y. A consent period of 8 years has been sought in order to give effect to Stages X & Y.

REASONS FOR APPLICATION

Transitional District Plan (Silverpeaks Section)

The subject site is zoned **Residential A** in the *Transitional District Plan (Silverpeaks Section)*. In this zone, subdivision for individual ownership of residential sites of varying sizes is provided for. The area and frontage requirements for the proposed front and rear sites in the subdivision are complied with. Therefore, the proposed subdivision is considered to be a **controlled activity** pursuant to Section 405 of the Resource Management Act 1991.

Dunedin City Proposed District Plan (1999)

Subdivision:

The subject site is located in the **Residential 1** zone and the **Urban Landscape Conservation Area #10 "Kaikorai Estuary, Fairfield"** in the *Dunedin City Proposed District Plan (1999)*.

Under Rule 18.5.1(iv), subdivision applications within the residential zones are a **discretionary (restricted) activity** provided the subdivision meets Rules 18.5.3 – 18.5.6, 18.5.9 and 18.5.10 and the resulting allotments comply with the minimum area and frontage required by the conditions attaching to permitted activities for the zone. In this regard, the area and frontage conditions are complied with.

Land Use:

Within the **ULCA #10**, the subdivision results in the construction of a new road and associated earthworks. Earthworks that exceed 10m³ and change the ground level by 1m or more in the Urban Landscape Conservation Area are a **discretionary (restricted) activity**. Council’s discretion is restricted to the stability and visual impacts of the work. The proposed roads in the subdivision would fall within the above criteria. Also, in the Transportation section of the Proposed District Plan, “road construction” is listed as a **discretionary activity**. Therefore, this aspect of the proposed subdivision also requires a land-use consent.

Planning Status

Overall, the proposed subdivision is considered to be a **discretionary (restricted) activity** while the land use component of the proposed activity is considered to be a **discretionary activity**.

PLANNING ASSESSMENT

Affected Persons

The written approval of the person listed in the following table has been obtained. In accordance with section 104(6) of the Act, where written approval has been obtained from affected parties, the consent authority cannot have regard to the effect of the activity on that person.

Person	Owner	Occupier	Address	Obtained
Transit New Zealand	4	4	Main South Road (State Highway No.1)	7/10/02

Apart from Transit New Zealand, no written approval of any other party is considered to be necessary. Under Rule 18.5.1 of the Proposed District Plan, for any application for subdivision consent involving a discretionary activity (restricted), the written approval of affected persons need not be obtained. As far as the land use component of the proposed activity is concerned, the new roads and earthworks are an integral and necessary part of the subdivisional layout. The matter of the proposed road passing through the Urban Landscape Conservation Area has been referred to Council’s Community and Recreation Services who have acknowledged the location of the proposed road passing through the wetland.

Effects on the Environment

The following effects assessment only takes into account the effects of the proposed activity in relation to the existing environment.

Any actual or potential adverse effects on the environment of allowing the activity are considered to be less than minor for the following reasons:

1. The proposed subdivision is on a site zoned for residential activity under both the Transitional and Proposed District Plans. In this respect, the effects of the subdivision have already been anticipated by the zoning of the site. As already mentioned, the new roads and earthworks are an integral and necessary component of the subdivision and it is considered that the effects of this part of the activity would also have been anticipated in this area.
2. The proposed subdivision provides for the extension of Sunninghurst Drive to form a new intersection with Main South Road which is still designated as a State Highway and Limited Access Road. Presently, the operation of Main South Road is controlled by Transit N.Z. They have given their written approval to the proposed subdivision.
3. Council's Technical Engineer- Transportation Planning has viewed the application and provided comments. Transportation Planning acknowledge that as Main South Road will eventually become a Council road due to the diversion of the state highway, it was considered appropriate to connect Sunninghurst Drive with the Main South Road. The only concern raised by this was the potential for Sunninghurst Drive to become the preferred route for vehicles travelling to parts of Howorth Road and traffic speeds could become a problem. The applicant has attempted to introduce traffic calming as a result. In response, Transportation Planning require some changes to the traffic calming affecting the lane width and the median on the section of Sunninghurst Drive from Holyport Close to Main South Road. The current traffic calming on Duxford Crescent is proposed to be replicated at the new connection with Sunninghurst Drive. Similar treatment is also proposed to be replicated at both entrances to Holyport Close.

Under Council's Code of Subdivision, for the rights of way serving 2-3 dwellings, the formed and legal widths are 3.0m and 4.5m respectively while for >3 dwellings, the widths are 4.5m and 6.5m respectively. Each right of way should have a sealed pavement and kerb and channel down one side. All surface water should be collected and piped to the street channel or directly to the stormwater sewer. The responsibility for maintenance of the rights of way lies with the parties served by the rights of way.

Overall, Transportation Planning considers the effects of the proposal will be less than minor and have placed conditions on the consent to ensure this.

4. Council's Water Section of the Water and Waste Business Unit has considered the proposal and has recommended standard conditions.
5. Council's Waste Section of the Water and Waste Business Unit has considered the proposal and has recommended standard conditions.

6. Council's Technical Services Engineer (City Consultants) has viewed the application and advises that the current stage of this subdivision is clear of coal mines and any other hazards. The applicants have submitted an earthworks permit for the proposed earthworks and this has been issued with relevant conditions. A stormwater channel will be realigned and from what they understand there will be no fill earthworks within the proposed lots so there should be no concern regarding uncontrolled fill within the subdivision.

7. Council's Landscape Architect has viewed the application and indicated that the development should only proceed within certain landscape guidelines and detailed landscape plans. A clear brief for the design of the wetland area needs to be established and will need to tie in with the redevelopment proposals for Main South Road.

8. Council's Reserves Planner-Policy Unit of the Community and Recreation Services has viewed the application and provided comments. In respect of reserve contributions, C.A.R.S. wish to ensure that the reserves contribution is appropriate and complete with each stage. To avoid potential problems that can occur if the reserves contribution ends up in credit and then part of the subdivision does not proceed, it is proposed to assess the precise reserve contribution (land or cash) at each stage. If the applicant chooses to vest more land than required at each stage, C.A.R.S. advise that this extra land will not be credited towards further stages of the subdivision.

Fencing on the boundary between the reserve and the adjacent residential lots is required at the applicants expense. Landscaping for the proposed reserves is desired and should be carried out in accordance with an agreed plan. A previous landscaping plan submitted was unacceptable as it did not recognise the intention of the wetland as a wildlife corridor.

The drainage plan originally submitted shows numerous pipelines through the proposed reserve and stormwater draining into the reserve. The drainage of stormwater directly into the wetland is not considered appropriate by C.A.R.S. as they consider it will change the ecological nature of the system by turning it into a stream rather than a wetland. These concerns have been conveyed to the applicant and following discussions on 10 October 2002, amended plans for the stormwater drainage in the subdivision were submitted by the applicant on 22 October 2002 (Drainage Plan No.2). Further discussions have taken place since. C.A.R.S. require changes to Drainage Plan No.2 so that the stormwater drainage for Lots 14-20 is not extended into the reserve (Lot 82) but shall be piped and discharged into the watercourse by Road 1 where it crosses the watercourse.

It is noted that the proposed pumping station is now located on legal road and that other drainage has been amended to avoid crossing through the reserve (Lot 83). The area of the reserve (Lot 83) has been revised to 3169m².

9. Under Section 407 of the Resource Management Act 1991, Council can require reserve contributions on subdivisions of the kind contemplated in Section 285 of the Local Government Act 1974 until such time as the Proposed District Plan becomes operative. Therefore, the imposition of 130m² maximum per additional lot and not exceeding 7.5% of the lot value can still be applied at this time.

Also, Section 285(4) LGA does state that the value of work (earthworks, tree planting, etc excluding land stability or necessary land drainage) required on land to be set aside for reserve shall be taken into account in assessing the area of reserve to be set aside.

While the piecemeal taking of the land for reserve for each stage (as under 8 above) is not seen as ideal, it is a method to ensure the reserve contribution is complete for each stage (with no credit or loss) should for some reason subsequent stages not proceed. The piecemeal planting (or development) of the reserve in stages is also not ideal. Council could purchase the extra reserve land and take a cash contribution for the later stages but this is not seen as an option to C.A.R.S. Ultimately, Council may need to purchase some land for reserve if they wish to complete the reserve area. This is because the total reserve area is in excess of the maximum contribution that Council can rightfully impose (eg. total 79 lots = 79 x 130m² = 1.0270ha while the total reserve area is 3169m² + 1.02ha = 1.3369ha). This is a shortfall of 3099m². Furthermore, this does not take into account the cost of developing the reserves should the applicant be required to carry out the development work.

It is acknowledged that the applicant seems to be willing to undertake the development work or make more contribution than the Council can legally require. After all, the creation and development of the reserve areas will have a direct benefit on the market value of the new residential sites to be created. The other point is that the land for reserve is not the same quality of land as the residential sites. But in the absence of any specific reserve policy and associated rules in the Proposed District Plan, Council is required to follow the transitional provisions as provided for under Section 407 of the Act, if the Council requires a reserve contribution to be imposed for the proposed subdivision.

In line with the no credit or no loss approach as mentioned above, C.A.R.S. has agreed that Lot 82 only should be taken for reserve. The area of Lot 82 is 1.02ha and that almost equates to the maximum land contribution of 1.0270ha as also mentioned above. On the basis of the extent of land to be taken for reserve, Council can not require the applicant to develop the reserve. The taking of the land for reserve in stages satisfies C.A.R.S. initial desire for a no credit or loss and provides ultimately, a useable area or linkage for developing as a reserve. Therefore, the following reserve contribution is considered appropriate which best fits the legislation:

- Stage 4 (proposed 19 lots plus 1 lot for either of Stage X or Y= 20 x 130m² =2600m²)-require 2600m² area of Lot 82 to be vested as reserve (no requirement for landscaping);
- Stage X (proposed 24 lots)-require 3120m² area of Lot 82 to be vested as reserve (no requirement for landscaping);
- Stage Y (proposed 37 lots)-require 4810m² area of Lot 82 to be vested as reserve (no requirement for landscaping)

The applicant may choose to provide more reserve areas than required or undertake landscaping of the reserve areas but this will not be credited for the purpose of reserve contribution. If the applicant proposes to carry out landscaping of the reserve areas, then an approved landscaping plan will be required.

A condition has been requested by C.A.R.S. that a fencing covenant be registered on all titles that adjoin the reserve absolving Council from liability for fencing costs. While initially the boundaries of the reserves are required to be fenced with a cyclone fence in the first instance, the applicant accepts the fencing covenants.

CONSENT DECISION

SUBDIVISION:

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent for a discretionary (restricted) activity to subdivide Lot 2 DP 311234 providing for a total of up to 80 residential lots, new roads and reserve areas, to be carried out in 3 stages, subject to the following conditions imposed under section 108 and 220 of the Act:*

Stage 4A (Plan A #2- Lots 20, 21, 27-40, 79-81, part of 82, Road 1):

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, except where modified by the condition of consent.*

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Road 1 on the plan is to vest as road (this includes a widen portion to accommodate a proposed pumping station adjacent to Lot 83);*

ii) *That an area of land of 2600m² within Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as Local Purpose Reserve;*

iii) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

iv) *That Right of Way A shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*

v) *That Right of Way A shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;*

vi) *That easements be provided over Right of Way A to protect the water service pipes to serve Lots 36 & 39;*

vii) *That as required, easements be provided to protect all private drainage in the subdivision;*

viii) *That the balance areas (Stages X & Y) shall be shown as separate allotments unless the stage or stages are acted upon concurrently with this stage;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

- *The cross-section of the entire length of Road 1 is to be consistent with the existing formation of Sunninghurst Drive (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*
- *The cross-sections of Duxford Crescent and Holyport Close are to be identical dimensions.*
- *For a 10.0m section, adjacent to the reserve, the cross-section of Road 1 within the 9.0m carriageway shall have a 3.0m central median and 3.0m traffic lanes either side of the median.*
- *Plans showing the design of the central median, the associated road markings and the landscaping within it are to be submitted to the Transportation Planning Manager for approval prior to construction.*
- *The installation of street lighting.*
- *The natural functioning of the wetland that the road crosses over.*

f) *Engineering plans showing details of the construction and drainage of the road shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) *That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.*

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) *That Right of Way A shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roding of the Dunedin City Council Code of Subdivision, 31 August 1999;*

j) *That a consent notice shall be prepared to be registered on the certificate of title for Lots 31 & 34 for the following on going condition: " That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road";*

k) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*

l) *As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*

m) *That all principal water mains in the subdivision shall be 150mm nominal bore;*

n) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;*

o) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the roadside property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*

p) *That the fire hydrants on the 150mm diameter principal main in Road 1 shall be located opposite Road 2, Road 4 and the access strip of Lot 29. The maximum hydrant spacing shall be 135 metres;*

q) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*

- r) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*
- s) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*
- t) *As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharge for Lot 20 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plan but shall be piped within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse;*
- u) *That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;*
- v) *That in respect of the reserve area to be vested or future reserve, fencing covenants are to be registered on the titles for the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;*
- w) *That electricity and telephone services shall be provided to Lots 20, 21, 27-40, 79-81;*

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

(2) *That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.*

(3) *The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.*

Stage X (Plan A #2- Lots 1-19, 22-26, part 82, Roads 2 & 3):

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, except where modified by the condition of the consent.*

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Roads 2 & 3 on the plan are to vest as road;*

ii) *That an area of land of 3120m² within Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as Local Purpose Reserve;*

iii) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

iv) *That Right of Way B2 shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*

v) *That Right of Way B2 shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;*

vi) *That the existing water easement in gross from Main South Road to Duxford Crescent be shown on the survey plan as an easement not to be extinguished;*

vii) *That easements be provided over Right of Way B2 to protect the water service pipes to serve Lots 5, 6, 7, 8;*

viii) *That as required, easements be provided to protect all private drainage in the subdivision;*

ix) *That the stage be acted upon after Stage 4A or concurrently with Stage 4A;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

· *The cross-section of the entire length of Road 2 is to be consistent with the existing formation of Duxford Crescent (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*

· *The minimum standard for the cross-section of the cul-de-sac (Road 3) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*

· *Proposed Road 3 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the "Local Road Cul-de-sac" as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*

· *The installation of street lighting.*

f) *Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) *That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.*

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) *That Right of Way B2 shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roothing of the Dunedin City Council Code of Subdivision, 31 August 1999;*

j) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*

k) *As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*

l) *That all principal water mains in the subdivision shall be 150mm nominal bore;*

m) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice value;*

- n) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- o) *That the fire hydrants on the 150mm diameter principal main in Road 2 shall be located opposite Road 3 and Lot 16. The maximum hydrant spacing shall be 135 metres;*
- p) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- q) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*
- r) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*
- s) *As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharges for Lots 14- 19 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plans but shall be piped within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse;*
- t) *That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;*
- u) *That in respect of the reserve to be vested and future reserve, fencing covenants are to be registered on the titles of the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;*
- v) *That electricity and telephone services shall be provided to Lots 1-19 and 22-26;*

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

(2) *That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.*

(3) *The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.*

Stage Y (Plan A #2- Lots 41-67,69-78, part 82, Roads 4 & 5):

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, except where modified by the following condition of consent.*

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Roads 4 & 5 on the plan are to vest as road;*

ii) *That an area of land of 4810m² within Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as Local Purpose Reserve;*

iii) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

- iv) *That Right of Ways C, D, E, F, & G shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*
- v) *That Right of Ways C, D, E, F, & G shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;*
- vi) *That easements be provided over Right of Way C to protect the water service pipes to serve Lots 42 & 43;*
- vii) *That easements be provided over Right of Way D to protect the water service pipes to serve Lots 73, 74 & 75;*
- viii) *That easements be provided over Right of Way E to protect the water service pipes to serve Lots 52, 53, 54 & 55;*
- ix) *That easements be provided over Right of Way F to protect the water service pipes to serve Lots 61 & 62;*
- x) *That easements be provided over Right of Way G to protect the water service pipes to serve Lots 65 & 66;*
- xi) *That as required, easements be provided to protect all private drainage in the subdivision;*
- xii) *That the existing stormwater easement affecting Lots 60, 63 and 64 shall be cancelled;*
- xiii) *That the stage be acted upon after Stage 4A or concurrently with Stage 4A;*
- (3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*
- a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

- *The cross-section of Road 4 is to be consistent with the existing formation of Holyport Close (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*
- *The minimum standard for the cross-section of the cul-de-sac (Road 5) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*
- *Proposed Road 5 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the "Local Road Cul-de-sac" as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*
- *The installation of street lighting.*

f) *Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) That Right of Ways C, D, E, F, & G shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

j) That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;

k) As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;

l) That all principal water mains in the subdivision shall be 150mm nominal bore;

m) That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice value;

n) That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;

o) That the fire hydrants on the 150mm diameter principal main in Roads 4 and 5 shall be located opposite Lots 46, 51, & 64. The maximum hydrant spacing shall be 135 metres;

p) That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations

and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;

q) That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;

r) That all drainage work shall be constructed in accordance with the requirements of Part 4- Drainage of Council's Code of Subdivision, 31 August 1999;

s) As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. For this stage, the details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002";

t) That electricity and telephone services shall be provided to Lots 41-67 and 69-78;

Advice Notes

(1) The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

(2) That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.

(3) The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.

LAND USE:

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent for a discretionary activity to a land use involving the construction of new road and associated earthworks within the Urban Landscape Conservation Area affecting the subject site and new road construction on the balance of the land. No further conditions are required in addition to those imposed under the subdivision consent granted above.*

Advice Notes

(1) The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

REASONS

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and are outlined above. It is considered that the environmental effects of the proposed activity will be no more than minor.

District Plan – Objectives and Policies

In accordance with section 104(1)(d) of the Resource Management Act 1991, the Objectives and Policies of the Proposed and Transitional District Plans were taken into account in assessing the application. The Objectives and Policies of both the Transitional and Proposed District Plans (particularly Objectives 18.2.1, 18.2.2 and 18.2.6 and Policies 18.3.1 and 18.3.7 of the Proposed District Plan) seek to ensure that the adverse effects of subdivision activities on the City's natural resources and infrastructure are avoided, remedied or mitigated. The Objectives of both Plans and the Policies that stem from them seek to ensure that subdivision activity takes place in a coordinated and sustainable manner throughout the City.

The proposal is considered to be not contrary to those Objectives and Policies for the reasons outlined in points 1-9 of the Section headed 'Effects on the Environment' above.

Part II Matters

The proposed activity has also been assessed in terms of Part II matters of the Resource Management Act 1991. For the reasons outlined above, the proposed activity is considered to be not

contrary to section 5(2)(c); “Avoiding, remedying, or mitigating any adverse effects of activities on the environment”, section 7(c) “The maintenance and enhancement of amenity values” and section 7(f) “The maintenance and enhancement of the quality of the environment.”

COMPLIANCE WITH CONDITIONS

It is the consent holders responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Exercise of the resource consent prior or contrary to compliance with the conditions imposed implies acceptance of the conditions and may result in prosecution, the penalties for which are outlined in Section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the consent holders attention that under the terms of Section 125 of the Resource Management Act 1991, this consent shall lapse, in respect to Stage 4A, if effect has not been given to it within two years or Council has not granted an extension of time. For Stages X and Y, this consent shall lapse if effect has not been given to it within eight years.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive
Dunedin City Council
P O Box 5045
DUNEDIN

Attn: Senior Planner – Enquiries 1st Floor

Yours faithfully

Kevin Tiffen

PLANNER

Reference: RMA 20020472 / 5101125 / 176142

Enquiries to: Kevin Tiffen

Direct Phone: 474 3819

12 February 2003

Crescent Development Co Ltd

C/- Paterson Pitts Partners Ltd

PO Box 1083

DUNEDIN

Attention: Nigel Pitts

Dear Mr Pitts

RESOURCE CONSENT APPLICATION: RMA 2002-0472

41 HOWORTH ROAD,

FAIRFIELD

DUNEDIN

Your application objecting to some conditions imposed on the subdivision consent for 41 Howorth Road was heard and considered by the Consent Hearing Committee at a hearing held on 17 January 2003.

I wish to advise that the Committee has **upheld in part** your objection. The full text of the decision commences on page 2 of this document.

The Hearing and Appearances

As the applicant's agent you were in attendance at the hearing and provided information in support of your objection. Council staff in attendance at the hearing were Kevin Tiffen (Planner), Bruce Richards (Team Leader – Consents) and Jane Robertson (Governance Support Officer).

Jacinda Baker and Paul Pope from the Council's Community and Recreation Services department (hereafter referred to as 'CARS') also provided information at the hearing.

Issues Raised at the Hearing

The two issues involved in the objection related to conditions imposed over the extent of the vesting of the reserve areas and the restriction in the location of the private storm-water discharges for Lots 14-20 into the reserve areas.

In respect to the vesting of the reserve areas, a possible compromise between the position held by the applicant and that of CARS was suggested in the Planner's report.

During the hearing, a compromise was offered in respect of the number and location of storm-water discharge points for Lots 14-20.

Decision

The final consideration of the application, which took into account all information presented at the hearing was held during a public-excluded portion of the hearing. The Committee reached the following decision after considering the application under the statutory framework of the Resource Management Act 1991.

The **Consent Hearings Committee** has resolved:

That pursuant to sections 34(1) and 357 of the Resource Management Act 1991, the Dunedin City Council **upholds the objection in part** to the extent of the amended conditions of Resource Consent RMA2002 0472 as follows:

Stage 4A, Condition 2(ii):

“That an area of land no less than 2600m² being Lot 83 shall vest in the Dunedin City Council and be shown on the survey plan as a Recreation Reserve”;

Stage X, Condition 2(ii):

“That an area of land no less than 2990m² being part of Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as a Recreation Reserve”;

Stage Y, Condition 2(ii):

“That an area of land no less than 4680m² being part of Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as a Recreation Reserve”;

Stage 4A, Condition 3(t):

“As a conjunct to condition (d), full engineering plans for the foul and storm-water reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, storm-water sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with “Drainage Plan No.2-dated 22 October 2002” except that the storm-water discharge for Lot 20 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plan but shall be piped together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20”;

Stage X, Condition 3(s):

“As a conjunct to condition (d), full engineering plans for the foul and storm-water reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, storm-water sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with “Drainage Plan No.2-dated 22 October 2002” except that the storm-water discharges for Lots 14- 19 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plans but shall be piped together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20”;

The reasons for this decision are:

1. The Committee acknowledged that in respect of the vesting of reserve areas, the Council is not able to impose any more land for reserve to that shown in the amended conditions. The applicant can choose to gift additional land if desired. The addition of Lot 83 gives the applicant scope to provide the whole reserve areas (Lots 82 and 83) as intended, but with no actual compensation or credit to subsequent stages for extra land vested as reserve. It is considered that no fragmentation of the reserve areas should occur. The applicant achieves the reserve areas intended with the subdivision and CARS policy to ensure each stage is complete with no credit carried over to subsequent stages.

2. The Committee accepts that by imposing the maximum areas of land for the reserve contribution, the Council cannot impose the development or planting of the reserve areas. However, the Committee does acknowledge that the applicant does intend to landscape the reserve areas, and indeed this landscaping had been promoted in the resource consent application. This intention to landscape the reserve areas has influenced the Committee in accepting the addition of Lot 83 with the first stage (Stage 4A), as this reserve abuts the allotments in that stage and will complement the residential development of the allotments.

3. In respect of the storm-water discharges, the Committee was mindful that any restriction on the discharges had to relate to a resource management purpose or an environmental effect resulting from the proposed subdivision such as the proper functioning of the wetland within the reserve areas. It was not enough to impose control merely due to concerns (or perceived effects other than environmental effects) over the maintenance and access issues of private drains within the reserve areas. The Committee acknowledges the compromise offered at the hearing and considers that this achieves an acceptable outcome.

4. Overall, the Committee was convinced that the outcomes achieved by the amended conditions of consent were not contrary to the objectives and policies of the Transitional and Proposed District Plans and would have a less than minor adverse effect on the environment. Also, the outcomes achieved by the amended conditions of consent were consistent with the purpose of the Resource Management Act 1991, which seeks to promote the sustainable management of natural and physical resources and to enable people and communities to provide for their social, economic, and cultural well being.

The applicants are advised that:

1. A landscape plan prepared by a suitably qualified person in consultation with the Council's CARS Department and the Water and Waste Services Department should be prepared for approval prior to any landscaping of the reserve areas.

2. CARS request that a formal agreement be drawn up with them to clarify the responsibilities regarding the maintenance and access of the private drains within the reserve areas.

Right of Appeal

In accordance with section 120 of the Resource Management Act 1991, the applicant may appeal to the Environment Court against the whole or any part of this decision within 15 working days of the notice of this decision being received. The address of the Environment Court is:

The Registrar

Environment Court

PO Box 5027

WELLINGTON

Any appeal must be served on the following persons and organisations:

- The Dunedin City Council

Failure to follow the procedures prescribed in sections 120 and 121 of the Resource Management Act 1991 may invalidate any appeal.

Please direct any enquiries you may have regarding this decision to Kevin Tiffen at the telephone number detailed above.

Yours faithfully

Jane Robertson

GOVERNANCE SUPPORT OFFICER

Reference: RMA20030534/5101125/103994

Enquiries to: Paul Freeland

Direct phone: 474-3325

2 July 2003

Paterson Pitts Partners Ltd

PO Box 1083

DUNEDIN

Attention: Kurt Bowen

Dear Kurt

RESOURCE CONSENT APPLICATION: RMA: 2003-0534

SUNNINGHURST

41 HOWORTH ROAD

DUNEDIN

Your application for resource consent for a variation of conditions of resource consent RMA 2002-0472 (as amended by resource consents RMA 2003-0140, and 2003-0242) was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991. The application was considered by a Senior Planner on 2 July 2003.

I advise that the Council has **granted** a new resource consent for the subdivision (with one additional condition for each stage. The full text of this decision commences on page 3. For clarity, all changes to the original consent arising from earlier variations are also shown.

BACKGROUND TO APPLICATION

Subdivision resource consent RMA 2002-0472 was granted on 26 November 2002 to create up to 80 residential allotments, and new roads and reserve areas, in three stages, at 41 Howorth Road, Dunedin. Resource consent RMA 2003-0140 granted on 12 February 2003 varied the conditions of RMA 2002-0472 with regard to the vesting of reserve areas and the restriction in the location of some private stormwater discharges. Resource consent RMA 2003-0242 further varied the conditions of the original consent by transferring 4 residential allotments from Stage X to Stage 4A, and transferring 3 residential allotments from Stage 4A to Stage X.

DESCRIPTION OF APPLICATION

The applicant has lodged a request for a variation of conditions pursuant to section 127 of the Resource Management Act 1991. The applicant requests that a new condition be created to allow a general condition to be included in Consent Notices to allow for the possibility of uncertified fill on sites, and require specific foundation design to be approved by the Council.

REASONS FOR APPLICATION

Section 127(1) of the Resource Management Act 1991 states:

The holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent ...-

- (a) At any time specified for that purpose in the consent; or*
- (b) Whether or not the consent allows the holder to do so, at any time on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary.*

As the proposed condition was not in the original resource consent, and does not relate in any meaningful way to an existing condition of the earlier consent, it does not meet the criteria of being a change or cancellation of a condition. Accordingly, it is appropriate for a fresh resource consent to be issued.

PLANNING ASSESSMENT

Affected Persons

The Council is satisfied that the adverse effects resulting from this variation will be unchanged from those considered at the time of the original resource consent, which was processed on a non-notified basis.

Assessment of Effects

The proposed condition will reduce the likelihood of adverse effects given that it will have the effect of warning potential owners that their site may have uncertified fill on it, and that specific foundation designs to be approved by the Council may be required. In all other respects, it is considered the effects of the subdivision are the same as when originally considered in November 2002.

DECISION

SUBDIVISION:

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent for a discretionary (restricted) activity to subdivide Lot 2 DP 311234 providing for a total of up to 80 residential lots, new roads and reserve areas, to be carried out in 3 stages, subject to the following conditions imposed under section 108 and 220 of the Act:*

Stage 4A (Plan A #2- Lots 20 18-21, 25-30, 27 34-40, 79-81, 83 part of 82 and Road 1 as amended):

*(1) That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, and modified by an objection under RMA 2003-0140, and further modified by a variation under RMA 2003-0242, except where modified by the following conditions of consent. **[RMA 2003-0242]***

(2) Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:

i) That the land shown as Road 1 on the plan is to vest as road (this includes a widen portion to accommodate a proposed pumping station adjacent to Lot 83);

ii) That an area of land **no less than** 2600m² **within Lot 82 being Lot 83** shall vest in the Dunedin City Council and be shown on the survey plan as a **Local Purpose Recreation** Reserve; **[RMA 2003-0140]**

iii) That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];

iv) That Right of Way A shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

v) That Right of Way A shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;

vi) That easements be provided over Right of Way A to protect the water service pipes to serve Lots 36 & 39;

vii) That as required, easements be provided to protect all private drainage in the subdivision;

viii) That the balance areas (Stages X & Y) shall be shown as separate allotments unless the stage or stages are acted upon concurrently with this stage;

(3) Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following

a) All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;

b) The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

- *The cross-section of the entire length of Road 1 is to be consistent with the existing formation of Sunninghurst Drive (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*
- *The cross-sections of Duxford Crescent and Holyport Close are to be identical dimensions.*
- *For a 10.0m section, adjacent to the reserve, the cross-section of Road 1 within the 9.0m carriageway shall have a 3.0m central median and 3.0m traffic lanes either side of the median.*
- *Plans showing the design of the central median, the associated road markings and the landscaping within it are to be submitted to the Transportation Planning Manager for approval prior to construction.*
- *The installation of street lighting.*
- *The natural functioning of the wetland that the road crosses over.*

f) *Engineering plans showing details of the construction and drainage of the road shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) *That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.*

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) That Right of Way A shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

*j) That a consent notice shall be prepared to be registered on the certificate of title for Lots **31 & 34** for the following on going condition: “ That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road”;*
[RMA 2003-0242]

k) That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council’s Code of Subdivision, 31 August 1999;

l) As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit “Application for an Urban Water Supply”, shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit “Approved Manufacturers and Products List for Water Supply” will be used for the water reticulation work in the subdivision;

m) That all principal water mains in the subdivision shall be 150mm nominal bore;

n) That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;

o) That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the roadside property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;

p) That the fire hydrants on the 150mm diameter principal main in Road 1 shall be located opposite Road 2, Road 4 and the access strip of Lot 29. The maximum hydrant spacing shall be 135 metres;

q) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*

r) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*

s) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*

t) *As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharge for Lots **18-20** shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plan but shall be piped **within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20;***
[RMA 2003-0140 & 2003-0242]

u) *That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;*

v) *That in respect of the reserve area to be vested or future reserve, fencing covenants are to be registered on the titles for the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;*

w) *That electricity and telephone services shall be provided to Lots **20 18-21, 25-30, 27 34-40, 79-81;***
[RMA 2003-0242]

x) ***That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: " That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent";***
[RMA 2003-0534]

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

(2) *That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.*

(3) *The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.*

Stage X (Plan A #2- Lots 1-17 19, 22-24 26, 31-33, part 82, and Roads 2 & 3):

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, and modified by an objection under RMA 2003-0140, and further modified by a variation under RMA 2003-0242, except where modified by the following conditions of consent. **[RMA 2003-0242]***

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Roads 2 & 3 on the plan are to vest as road;*

ii) *That an area of **land of 3120m² no less than 2990m² within being part of** Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as a **Local Purpose** Recreation Reserve; **[RMA 2003-0140]***

iii) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

iv) *That Right of Way B2 shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*

v) *That Right of Way B2 shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;*

vi) *That the existing water easement in gross from Main South Road to Duxford Crescent be shown on the survey plan as an easement not to be extinguished;*

vii) *That easements be provided over Right of Way B2 to protect the water service pipes to serve Lots 5, 6, 7, 8;*

viii) *That as required, easements be provided to protect all private drainage in the subdivision;*

ix) *That the stage be acted upon after Stage 4A or concurrently with Stage 4A;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

- *The cross-section of the entire length of Road 2 is to be consistent with the existing formation of Duxford Crescent (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*

- *The minimum standard for the cross-section of the cul-de-sac (Road 3) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*

- *Proposed Road 3 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the "Local Road Cul-de-sac" as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*

- *The installation of street lighting.*

f) *Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) *That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.*

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) *That Right of Way B2 shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roothing of the Dunedin City Council Code of Subdivision, 31 August 1999;*

- j) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*
- k) *As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*
- l) *That all principal water mains in the subdivision shall be 150mm nominal bore;*
- m) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice value;*
- n) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- o) *That the fire hydrants on the 150mm diameter principal main in Road 2 shall be located opposite Road 3 and Lot 16. The maximum hydrant spacing shall be 135 metres;*
- p) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- q) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*
- r) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*

s) As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharges for Lots 14-~~17~~ 19 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plans but shall be piped **within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20**;
[RMA 2003-0140 & 2003-0242]

t) That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;

u) That in respect of the reserve to be vested and future reserve, fencing covenants are to be registered on the titles of the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;

v) That electricity and telephone services shall be provided to Lots 1-~~17~~ 19, 22-~~24~~ 26, and 31-33;
[RMA 2003-0242]

w) **That a consent notice shall be prepared to be registered on the certificate of title for Lot 31 for the following on-going condition: "That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road".**
[RMA 2003-0242]

y) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: " That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent".**
[RMA 2003-0534]

Advice Notes

(1) The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

(2) That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.

(3) The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.

Stage Y (Plan A #2- Lots 41-67,69-78, part 82, Roads 4 & 5):

(1) That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, except where modified by the following condition of consent.

(2) Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:

i) That the land shown as Roads 4 & 5 on the plan are to vest as road;

ii) That an area of **land of 3120m² no less than 4680m² within being part of Lot 82** shall vest in the Dunedin City Council and be shown on the survey plan as **Local Purpose a Recreation Reserve;** [RMA 2003-0140]

iii) That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];

iv) That Right of Ways C, D, E, F, & G shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

v) That Right of Ways C, D, E, F, & G shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;

vi) *That easements be provided over Right of Way C to protect the water service pipes to serve Lots 42 & 43;*

vii) *That easements be provided over Right of Way D to protect the water service pipes to serve Lots 73, 74 & 75;*

viii) *That easements be provided over Right of Way E to protect the water service pipes to serve Lots 52, 53, 54 & 55;*

ix) *That easements be provided over Right of Way F to protect the water service pipes to serve Lots 61 & 62;*

x) *That easements be provided over Right of Way G to protect the water service pipes to serve Lots 65 & 66;*

xi) *That as required, easements be provided to protect all private drainage in the subdivision;*

xii) *That the existing stormwater easement affecting Lots 60, 63 and 64 shall be cancelled;*

xiii) *That the stage be acted upon after Stage 4A or concurrently with Stage 4A;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners*

responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";

d) Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:

e) All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:

- The cross-section of Road 4 is to be consistent with the existing formation of Holyport Close (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*
- The minimum standard for the cross-section of the cul-de-sac (Road 5) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*
- Proposed Road 5 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the "Local Road Cul-de-sac" as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*
- The installation of street lighting.*

f) Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;

g) Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;

h) That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

- i) *That Right of Ways C, D, E, F, & G shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*
- j) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*
- k) *As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*
- l) *That all principal water mains in the subdivision shall be 150mm nominal bore;*
- m) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;*
- n) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- o) *That the fire hydrants on the 150mm diameter principal main in Roads 4 and 5 shall be located opposite Lots 46, 51, & 64. The maximum hydrant spacing shall be 135 metres;*
- p) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- q) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*

r) That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;

s) As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. For this stage, the details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002";

t) That electricity and telephone services shall be provided to Lots 41-67 and 69-78;

u) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: "That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent";**

[RMA 2003-0534]

Advice Notes

(1) The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

(2) That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council's Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.

(3) The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.

LAND USE:

The existing land use consent contained in RMA 2002-0472 is still valid, and is only reproduced here for convenience.

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent for a discretionary activity to a land use involving the construction of new road and associated earthworks within the Urban Landscape Conservation Area affecting the subject site and new road construction on the balance of the land. No further conditions are required in addition to those imposed under the subdivision consent granted above.*

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

REASONS

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and are outlined above. It is considered that the environmental effects of the proposed activity will be no more than minor.

District Plan – Objectives and Policies

In accordance with section 104(1)(d) of the Resource Management Act 1991, the Objectives and Policies of the Proposed and Transitional District Plans were taken into account in assessing the application. The Objectives and Policies of both the Transitional and Proposed District Plans (particularly Objectives 18.2.1, 18.2.2 and 18.2.6 and Policies 18.3.1 and 18.3.7 of the Proposed District Plan) seek to ensure that the adverse effects of subdivision activities on the City's natural resources and infrastructure are avoided, remedied or mitigated. The Objectives of both Plans and the Policies that stem from them seek to ensure that subdivision activity takes place in a coordinated and sustainable manner throughout the City.

The proposal is considered to be not contrary to those Objectives and Policies for the reasons outlined in points 1-9 of the Section headed 'Effects on the Environment' above.

Part II Matters

The proposed activity has also been assessed in terms of Part II matters of the Resource Management Act 1991. For the reasons outlined above, the proposed activity is considered to be not contrary to section 5(2)(c); "Avoiding, remedying, or mitigating any adverse effects of activities on the environment", section 7(c) "The maintenance and enhancement of amenity values" and section 7(f) "The maintenance and enhancement of the quality of the environment."

COMPLIANCE WITH CONDITIONS

It is the consent holders responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in Section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the consent holders attention that pursuant to Section 125 of the Resource Management Act 1991, with regard to Stage 4A, this consent shall lapse if effect has not been given to it 26 November 2004 or Council has not granted an extension of time, and with regard to Stages X and Y, this consent shall lapse if effect has not been given to it by 26 November 2010 or Council has not granted an extension of time.

BUILDING CONSENT

This is only a resource consent and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive
Dunedin City Council
P O Box 5045
DUNEDIN

Attn: Senior Planner – Enquiries 1st Floor

Yours faithfully

Paul Freeland

PLANNER

Reference: RMA20031191/5101125/103994

Enquiries to: Paul Freeland

Direct phone: 474-3325

28 January 2004

Paterson Pitts Partners Ltd

PO Box 1083

DUNEDIN

Attention: Kurt Bowen

Dear Kurt

RESOURCE CONSENT APPLICATION: RMA: 2003-1191

SUNNINGHURST

41 HOWORTH ROAD

DUNEDIN

Your application for resource consent for a variation of conditions of resource consent RMA 2003-0534 (Originally RMA 2002-0472 as amended by resource consents RMA 2003-0140, and 2003-0242) was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991. The application was considered by a Senior Planner on 28 January 2004.

I advise that the Council has **granted** consent to the variation of the subdivision to provide for an additional stage Z for Lots 31, 32 and 33. The full text of this decision commences on page 3. For clarity, all changes to the original consent arising from earlier variations are also shown.

BACKGROUND TO APPLICATION

Subdivision resource consent RMA 2002-0472 was granted on 26 November 2002 to create up to 80 residential allotments, and new roads and reserve areas, in three stages, at 41 Howorth Road, Dunedin. Resource consent RMA 2003-0140 granted on 12 February 2003 varied the conditions of RMA 2002-0472 with regard to the vesting of reserve areas and the restriction in the location of some private stormwater discharges. Resource consent RMA 2003-0242 further varied the conditions of the original consent by transferring 4 residential allotments from Stage X to Stage 4A, and transferring 3 residential allotments from Stage 4A to Stage X. Resource consent RMA 2003-0534 subsequently included a general condition in the Consent Notices to allow for the possibility of uncertified fill on sites, and require specific foundation design to be approved by the Council.

DESCRIPTION OF APPLICATION

The applicant has lodged a request for a variation of conditions pursuant to section 127 of the Resource Management Act 1991. The applicant requests that Lots 31, 32 and 33 be separated into a new Stage Z as they propose to stop some of the adjoining road and create an additional allotment (Lot 84). Additionally, the adjoining road (Main South Road) ceased to be State Highway from 1 January 2004 and this will provide some additional flexibility for the developers in terms of access to sites.

REASONS FOR APPLICATION

Section 127(1) of the Resource Management Act 1991 states:

The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent).

A subsequent road-stopping action may result in an additional allotment (Lot 84) being created) and the applicant wants to proceed with the balance of Stage X in the interim.

PLANNING ASSESSMENT

Affected Persons

Section 127(4) of the Act states that:

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 Council is satisfied that the adverse effects resulting from this variation will be unchanged from those considered at the time of the original resource consent, which was processed on a non-notified basis.

Assessment of Effects

The creation of an additional stage to the existing subdivision which will not create any additional allotments is considered to have the same or similar effects to subdivisional consent RMA 2003-0534 which are considered to be no more than minor.

DECISION

*That pursuant to sections 34A(1) and 104C of the Resource Management Act 1991 and after having regard to sections 104 and 127 of the Resource Management Act 1991, the Dunedin City Council **grants** the request for variation of RMA 2003-0534 for a **discretionary (restricted)** activity to subdivide Lot 2 DP 311234 providing for a total of up to 80 residential lots, new roads and reserve areas, to be carried out in **34** stages, subject to the following conditions imposed under section 108 and 220 of the Act: **[RMA 2003-1191]***

Stage 4A (Plan A #2- Lots 20 18-21, 25-30, 27 34-40, 79-81, 83 part of 82 and Road 1 as amended):

*(1) That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, and modified by an objection under RMA 2003-0140, and further modified by a variation under RMA 2003-0242, except where modified by the following conditions of consent. **[RMA 2003-0242]***

(2) Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:

- i) That the land shown as Road 1 on the plan is to vest as road (this includes a widen portion to accommodate a proposed pumping station adjacent to Lot 83);
- ii) That an area of land **no less than** 2600m² **within Lot 82 being Lot 83** shall vest in the Dunedin City Council and be shown on the survey plan as a **Local Purpose Recreation Reserve;** **[RMA 2003-0140]**
- iii) That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];
- iv) That Right of Way A shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;
- v) That Right of Way A shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;
- vi) That easements be provided over Right of Way A to protect the water service pipes to serve Lots 36 & 39;
- vii) That as required, easements be provided to protect all private drainage in the subdivision;
- viii) That the balance areas (Stages X & Y) shall be shown as separate allotments unless the stage or stages are acted upon concurrently with this stage;
- (3) Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following
- a) All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;
- b) The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this

subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";

c) The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";

d) Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:

e) All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:

- The cross-section of the entire length of Road 1 is to be consistent with the existing formation of Sunninghurst Drive (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*
- The cross-sections of Duxford Crescent and Holyport Close are to be identical dimensions.*
- For a 10.0m section, adjacent to the reserve, the cross-section of Road 1 within the 9.0m carriageway shall have a 3.0m central median and 3.0m traffic lanes either side of the median.*
- Plans showing the design of the central median, the associated road markings and the landscaping within it are to be submitted to the Transportation Planning Manager for approval prior to construction.*
- The installation of street lighting.*
- The natural functioning of the wetland that the road crosses over.*

f) Engineering plans showing details of the construction and drainage of the road shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;

g) Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;

h) That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) That Right of Way A shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

j) That a consent notice shall be prepared to be registered on the certificate of title for Lots **31 & 34** for the following on going condition: " That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road";
[RMA 2003-0242]

k) That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;

l) As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;

m) That all principal water mains in the subdivision shall be 150mm nominal bore;

n) That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;

o) That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the roadside property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;

p) That the fire hydrants on the 150mm diameter principal main in Road 1 shall be located opposite Road 2, Road 4 and the access strip of Lot 29. The maximum hydrant spacing shall be 135 metres;

q) That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;

r) That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;

s) That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;

t) As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharge for Lots 18-20 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plan but shall be piped **within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20;** [RMA 2003-0140 & 2003-0242]

u) That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;

v) That in respect of the reserve area to be vested or future reserve, fencing covenants are to be registered on the titles for the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;

w) That electricity and telephone services shall be provided to Lots 20 18-21, 25-30, 27 34-40, 79-81; [RMA 2003-0242]

x) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: "That where dwellings are**

to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent”;

[RMA 2003-0534]

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

(2) *That should the applicant choose to landscape the area for reserve, then an approved landscaping plan prepared by a suitably qualified person in consultation with Council’s Community and Recreation Department and the Water and Waste Services Department shall be prepared. This plan is to include tree planting to an appropriate level.*

(3) *The applicant is reminded that a formal agreement should be drawn up between the parties of each right of way to clarify their responsibilities regarding the maintenance of the right of way.*

Stage X (Plan A #2- Lots 1-17 19, 22-24 26, 31-33, part 82, and Roads 2 & 3):

[RMA 2003-1191]

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, and modified by an objection under RMA 2003-0140, and further modified by a variation under RMA 2003-0242, except where modified by the following conditions of consent. **[RMA 2003-0242]***

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Roads 2 & 3 on the plan are to vest as road;*

ii) That an area of **land of 3120m² no less than 2990m² within being part of** Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as a **Local Purpose** Recreation Reserve;
[RMA 2003-0140]

iii) That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];

iv) That Right of Way B2 shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

v) That Right of Way B2 shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;

vi) That the existing water easement in gross from Main South Road to Duxford Crescent be shown on the survey plan as an easement not to be extinguished;

vii) That easements be provided over Right of Way B2 to protect the water service pipes to serve Lots 5, 6, 7, 8;

viii) That as required, easements be provided to protect all private drainage in the subdivision;

ix) That the stage be acted upon after Stage 4A or concurrently with Stage 4A;

(3) Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following

a) All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;

b) The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

- *The cross-section of the entire length of Road 2 is to be consistent with the existing formation of Duxford Crescent (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*

- *The minimum standard for the cross-section of the cul-de-sac (Road 3) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*

- *Proposed Road 3 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the "Local Road Cul-de-sac" as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*

- *The installation of street lighting.*

f) *Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council's Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;*

g) *Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;*

h) *That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council's Transportation Planning Department.*

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

- i) *That Right of Way B2 shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*
- j) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*
- k) *As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*
- l) *That all principal water mains in the subdivision shall be 150mm nominal bore;*
- m) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice value;*
- n) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- o) *That the fire hydrants on the 150mm diameter principal main in Road 2 shall be located opposite Road 3 and Lot 16. The maximum hydrant spacing shall be 135 metres;*
- p) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- q) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*

r) That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;

s) As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharges for Lots 14-~~17~~ 19 shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plans but shall be piped **within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20**; [RMA 2003-0140 & 2003-0242]

t) That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;

u) That in respect of the reserve to be vested and future reserve, fencing covenants are to be registered on the titles of the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;

v) That electricity and telephone services shall be provided to Lots 1-~~17~~ 19, and 22-24 26, and 31-33; [RMA 2003-0242 & 1191]

w) **That a consent notice shall be prepared to be registered on the certificate of title for Lot 31 for the following on-going condition: "That no direct vehicle access from Main South Road is permitted. Any vehicle access onto Sunninghurst Drive shall be at least 25m from the kerb line of Main South Road"**. [RMA 2003-0242] [RMA 2003-1191]

x) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: " That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent"**; [RMA 2003-0534]

Stage Z (Plan A #2- Lots 31-33): [RMA 2003-1191]

(1) *That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, and modified by an objection under RMA 2003-0140, and further modified by a variation under RMA 2003-0242, except where modified by the following conditions of consent. [RMA 2003-0242]*

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

ii) *That the existing water easement in gross from Main South Road to Duxford Crescent be shown on the survey plan as an easement not to be extinguished;*

iii) *That as required, easements be provided to protect all private drainage in the subdivision;*

iv) *That the stage be acted upon after Stage X or concurrently with Stage X;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

- d) *That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council's Code of Subdivision, 31 August 1999;*
- e) *Plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit "Application for an Urban Water Supply", shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit "Approved Manufacturers and Products List for Water Supply" will be used for the water reticulation work in the subdivision;*
- f) *That all principal water mains in the subdivision shall be 150mm nominal bore;*
- g) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;*
- h) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- i) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- j) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*
- k) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*
- l) *Full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. The details are to be generally in*

accordance with "Drainage Plan No.2-dated 22 October 2002" except that the stormwater discharges for Lots 14-**17 19** shall not extend within the reserve area or future reserve area of Lot 82 as shown on the plans but shall be piped **within the residential lots and only discharge into the watercourse by Road 1 where it crosses the watercourse together to share a maximum of 2 discharge points direct into the watercourse for all of Lots 14-20;** **[RMA 2003-0140 & 2003-0242]**

m) That a cyclone fence shall be constructed on the periphery of the reserve area to be vested and future reserve where it abuts a residential allotment in this stage;

n) That in respect of the reserve to be vested and future reserve, fencing covenants are to be registered on the titles of the residential lots that share a common boundary with the reserve or future reserve, with an ongoing condition absolving Council from liability for fencing costs;

o) That electricity and telephone services shall be provided to Lots **31-33;** **[RMA 2003-0242]**

p) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: " That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent";** **[RMA 2003-0534]**

Advice Notes

(1) The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.

Stage Y (Plan A #2- Lots 41-67,69-78, part 82, Roads 4 & 5):

(1) That the proposed subdivision shall be given effect to generally in accordance with the plans and information submitted as part of RMA 2002-0472 received by Council on the 23 & 26 July 2002 and the amendments received by Council on the 13 August 2002, 20 September 2002 and 22 October 2002, except where modified by the following condition of consent.

(2) *Prior to certification of the survey plan pursuant to section 223 of the Resource Management Act 1991, the applicant shall ensure the following:*

i) *That the land shown as Roads 4 & 5 on the plan are to vest as road;*

ii) *That an area of land of 3120m² no less than 4680m² within being part of Lot 82 shall vest in the Dunedin City Council and be shown on the survey plan as **Local Purpose a Recreation Reserve;** [RMA 2003-0140]*

iii) *That if a requirement for any easements for services is incurred during the survey then those easements shall be granted or reserved and included in a Memorandum of Easements [This condition does not apply to allotments that are to vest as reserve];*

iv) *That Right of Ways C, D, E, F, & G shall be of the legal width as shown in Table 1- Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;*

v) *That Right of Ways C, D, E, F, & G shall be duly granted or reserved and included in a Memorandum of Easements on the survey plan;*

vi) *That easements be provided over Right of Way C to protect the water service pipes to serve Lots 42 & 43;*

vii) *That easements be provided over Right of Way D to protect the water service pipes to serve Lots 73, 74 & 75;*

viii) *That easements be provided over Right of Way E to protect the water service pipes to serve Lots 52, 53, 54 & 55;*

ix) *That easements be provided over Right of Way F to protect the water service pipes to serve Lots 61 & 62;*

x) *That easements be provided over Right of Way G to protect the water service pipes to serve Lots 65 & 66;*

xi) *That as required, easements be provided to protect all private drainage in the subdivision;*

xii) *That the existing stormwater easement affecting Lots 60, 63 and 64 shall be cancelled;*

xiii) *That the stage be acted upon after Stage 4A or concurrently with Stage 4A;*

(3) *Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the applicant shall complete the following*

a) *All engineering works shall be carried out in accordance with the Dunedin City Council Code of Subdivision, 31 August 1999, and for any matter not covered by that standard, shall be carried out in accordance with New Zealand Standard 4404:1981 unless otherwise specified in other conditions of this consent;*

b) *The subdividing owner of the land shall provide a letter to the Council advising of their representative for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects covered under section 104 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

c) *The owners representative appointed under condition (b) above shall provide to the Council a copy of a letter addressed to the subdividing owner of the land that explains the owners responsibility as set out in section 105.10 of NZS 4404:1981 "Code of Practice for Urban Land Subdivision";*

d) *Prior to the commencement of any works on the land being subdivided, the applicant shall provide to the Dunedin City Council for approval, copies of specifications, calculations and design plans as is considered by the Council to be both necessary and adequate to detail the following engineering works required and to include the following:*

e) *All roads within the subdivision are to be designed and constructed in accordance with the Dunedin City Council's Code of Subdivision 1999 and provide for the following:*

· *The cross-section of Road 4 is to be consistent with the existing formation of Holyport Close (ie. 18.0m road reserve, 9.0m carriageway with parking one side, 2.0m footpath on both sides, 2.5m grass berms on both sides).*

· *The minimum standard for the cross-section of the cul-de-sac (Road 5) is to be 14.0m minimum road reserve, 5.5m carriageway, 2.35m parking on one side, 2.0m footpath on one side, 4.0m minimum total berm.*

- *Proposed Road 5 should have a minimum 10.0m turning radius in the head and be set out in a similar fashion to the “Local Road Cul-de-sac” as shown in Drawing 8 of the Code of Subdivision. Both the footpath and parking is required around the head of the cul-de-sac.*
- *The installation of street lighting.*

f) Engineering plans showing details of the construction and drainage of the roads shall be submitted to Council’s Transportation Planning Department and the Water and Waste Services Business Unit for approval prior to commencement of construction;

g) Upon completion of all the roading works (inclusive of the maintenance period) the works are to be certified as having been constructed in accordance with the approved plans and specifications;

h) That the applicant shall meet the cost of supplying and erecting the new street name plates. This work should be done in consultation with Council’s Transportation Planning Department.

Note: The name of any new streets shall be approved by Council, however the applicant may make suggestions for consideration;

i) That Right of Ways C, D, E, F, & G shall have kerb and channel down on one side to collect surface water and be hard surfaced to the formed width as shown in Table 1-Minimum Road Dimensions, Section 3- Roading of the Dunedin City Council Code of Subdivision, 31 August 1999;

j) That the water reticulation work shall be constructed in accordance with the requirements of Part 5- Water Supply of Council’s Code of Subdivision, 31 August 1999;

k) As a conjunct to condition (d), plans and specifications for each stage of the water reticulation work in the subdivision, each accompanied by a standard Dunedin City Council Water Business Unit “Application for an Urban Water Supply”, shall be submitted to the Dunedin City Council Water Manager for approval at least 48 hours prior to the commencement of work and approved by him in writing prior to the commencement of the work. Also, written confirmation be supplied that only materials included in the Dunedin City Council Water and Waste Services Business Unit “Approved Manufacturers and Products List for Water Supply” will be used for the water reticulation work in the subdivision;

l) That all principal water mains in the subdivision shall be 150mm nominal bore;

- m) *That all rider mains in the subdivision shall be 50mm nominal bore and shall commence with a 50mm nominal bore sluice valve;*
- n) *That each separate residential property shall be served by a separate 20mm nominal bore water service connection having a manifold box at the road side property boundary of the lot being served or the right of way side of the rear lot. The common feeder pipe for double service connections shall be 25mm nominal diameter;*
- o) *That the fire hydrants on the 150mm diameter principal main in Roads 4 and 5 shall be located opposite Lots 46, 51, & 64. The maximum hydrant spacing shall be 135 metres;*
- p) *That as built plans of the water reticulation pipes laid within the subdivision, including the location of hydrants, valves, the pipelines, the service connections and the manifold box installations and including the pipeline materials and depth of cover over the pipelines, be submitted to the Water and Waste Services Manager for approval;*
- q) *That advice of the actual cost including GST of the water reticulation work in the subdivision to be taken over by the Water and Waste Services Business Unit be submitted to the Water and Waste Services Manager;*
- r) *That all drainage work shall be constructed in accordance with the requirements of Part 4-Drainage of Council's Code of Subdivision, 31 August 1999;*
- s) *As a conjunct to condition (d), full engineering plans for the foul and stormwater reticulation be provided showing all relevant details of how each residential lot is to be served. Plans showing construction of the foul sewers, stormwater sewers and the foul sewer pumping station are to be submitted to details approved by the Water and Waste Services Business Unit. For this stage, the details are to be generally in accordance with "Drainage Plan No.2-dated 22 October 2002";*
- t) *That electricity and telephone services shall be provided to Lots 41-67 and 69-78;*
- u) **That a consent notice shall be prepared to be registered on the certificates of title for all lots containing uncertified fill for the following on-going condition: "That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent";**

[RMA 2003-0534]

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

LAND USE:

The existing land use consent contained in RMA 2002-0472 is still valid, and is only reproduced here for convenience.

*That pursuant to section 34(4) and 105(1)(b) and after having regard to Part II matters and sections 104 and 105 of the Resource Management Act 1991, the Dunedin City Council **grants** consent for a discretionary activity to a land use involving the construction of new road and associated earthworks within the Urban Landscape Conservation Area affecting the subject site and new road construction on the balance of the land. No further conditions are required in addition to those imposed under the subdivision consent granted above.*

Advice Notes

(1) *The applicant is reminded that this resource consent is not a licence to create adverse effects. There is still a duty to avoid, remedy or mitigate adverse effects and to avoid unreasonable noise. As a consequence, notwithstanding any consent given, the provisions of sections 16 and 17 of the Resource Management Act 1991 and the Health Act 1956 still apply and action may be taken against any nuisance caused.*

REASONS

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and are outlined above. It is considered that the environmental effects of the proposed activity will be no more than minor.

District Plan – Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the Objectives and Policies of the Proposed and Transitional District Plans were taken into account in assessing the

application. The Objectives and Policies of both the Transitional and Proposed District Plans (particularly Objectives 18.2.1, 18.2.2 and 18.2.6 and Policies 18.3.1 and 18.3.7 of the Proposed District Plan) seek to ensure that the adverse effects of subdivision activities on the City's natural resources and infrastructure are avoided, remedied or mitigated. The Objectives of both Plans and the Policies that stem from them seek to ensure that subdivision activity takes place in a coordinated and sustainable manner throughout the City.

The proposal is considered to be not contrary to those Objectives and Policies for the reasons outlined in points 1-9 of the Section headed 'Effects on the Environment' above.

Part II Matters

The proposed activity has also been assessed in terms of Part II matters of the Resource Management Act 1991. For the reasons outlined above, the proposed activity is considered to be not contrary to section 5(2)(c); "Avoiding, remedying, or mitigating any adverse effects of activities on the environment", section 7(c) "The maintenance and enhancement of amenity values" and section 7(f) "The maintenance and enhancement of the quality of the environment."

COMPLIANCE WITH CONDITIONS

It is the consent holders responsibility to comply with any conditions imposed on their resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in Section 339 of the Resource Management Act 1991.

DURATION OF CONSENT

It is brought to the consent holders attention that pursuant to Section 125 of the Resource Management Act 1991, with regard to Stage 4A, this consent shall lapse if effect has not been given to it 26 November 2004 or Council has not granted an extension of time, and with regard to Stages X, Y and Z, this consent shall lapse if effect has not been given to it by 26 November 2010 or Council has not granted an extension of time.

BUILDING CONSENT

This is only a resource consent and a separate application for building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services.

RIGHTS OF APPEAL

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive

Dunedin City Council

P O Box 5045

DUNEDIN

Attn: Senior Planner – Enquiries 1st Floor

Yours faithfully

Paul Freeland

PLANNER

Reference: RMA20050706; 5108414, 5108415, 5108416, 5108417, 5108418, 5111539, 5111540 & 5111546; 176142 & 103994

Enquiries to: Peter Webb

Direct Phone: 474 3516

1 September 2005

Crescent Development Company Ltd
C/- Paterson Pitts Partners Ltd
PO Box 1083
DUNEDIN

Attention: Kurt Bowen

Dear Kurt

**RESOURCE CONSENT APPLICATION: RMA 2005-0706
HOLYPORT CLOSE
DUNEDIN**

Your application for resource consent to remove the limitation of Rule 13.8.1 of the District Plan on new structures erected on eight allotments in Holyport Close, Dunedin, and to have earthworks within an Urban Landscape Conservation Area (ULCA) retrospectively approved, was processed on a non-notified basis in accordance with sections 93 and 94 of the Resource Management Act 1991. The application was considered by a Senior Planner acting under delegated authority on 1 September 2005.

I advise that the Council has **granted** consent (with conditions) to the application. The full text of this decision commences on page 4.

DESCRIPTION OF ACTIVITY

Resource consent is sought to remove the effect of ULCA 10 on the site in Holyport Close, Sunninghurst, Fairfield.

The site contains eight allotments. The allotments are described as Lots 50 & 52-56 DP 346062 and two allotments created from the subdivision of Lot 51 DP 346062 under subdivision consent RMA 2005-0156. Certificates of title for these allotments are yet to be issued.

The subject area is part of Stage 6 of the Sunninghurst Development, which is a large new residential subdivision, with many of the new lots recently having had residential dwellings constructed.

Resource consent is also retrospectively sought for two areas of earthworks that have taken place within the ULCA. The first area is over Lots 52 & 53 DP 346062 where the ground has been filled by up to 3.5m. The second area is over Lots 55 & 56 DP 346062, where the ground has been filled by up to 3m.

REASONS FOR APPLICATION

The site is zoned **Residential 1** in the Dunedin City District Plan. **ULCA 10 – Kaikorai Estuary, Fairfield** encompasses much of the allotments, running down the western edge of Lots 50 & 56 DP 346062, and cutting across the north-eastern portion of Lot 53 DP 346062. The site is identified on the Hazards Register as **2001 - Mine, and 4001 – Unknown**.

The erection of structures more than 20m² in area or 5m in height in ULCA's are controlled activities under Rule 13.8.1. The Council's control is reserved to the impact arising from the location, design and appearance of the structure and associated site development on the 'natural' landscape qualities and character of the setting.

No plans for a new dwelling have been submitted. The application is effectively seeking a 'blanket' consent to waive the application of Rule 13.8.1 over the building of a new dwelling on the subject land, on the basis that the ULCA as shown on the Planning Maps is not appropriate over the subject area.

Rule 13.8.2(ii) states that the carrying out of earthworks which exceed 10m³ and change the ground level by 1m or more in a ULCA is a restricted discretionary activity. The Council's discretion is restricted to the stability and visual impacts of the work.

Overall, the application is considered to be a **restricted discretionary activity**.

PLANNING ASSESSMENT

No affected person written approvals have been submitted with the application. No parties are considered to be adversely affected for the reasons set out in the 'Effects on the Environment' section below.

Effects on the Environment

The following assessment of the actual and potential effects on the environment has been carried out in accordance with section 104 of the Resource Management Act 1991. It addresses those matters over which the council has reserved its control and restricted its discretion, and is carried out on the basis that the existing environment is characterised by recently subdivided residential allotments, with a wetland area situated down the eastern boundary of the site.

Any actual or potential adverse effects on the environment of allowing the activity are considered to be no more than minor as described in the following paragraphs:

1. Removal of Effect of ULCA

The site is located at the end of Holyport Close, at the eastern edge of the Sunninghurst subdivision. No dwellings have been built on-site as yet, apart from a house currently under construction on Lot 50 DP 346062. A sealed right of way runs down Lot 52 DP 346062, which provides vehicle access to the majority of the eight allotments. Along the southern boundary is a 1.3ha allotment containing paddocks and a residential dwelling approximately 180m west of the subject site. Bordering the northern and eastern portion of the site is a Kura Kaupapa Maori Language School designated by the Minister of Education (D118), which is mostly open grassland. Along the northern and eastern boundaries of the site is a watercourse/wetland area which flows from north to south and eventually enters the Kaikorai Estuary.

The subject site is part of a new residential subdivision, and numerous houses have been built in the immediate area over the last few years. As a result, the

establishment of residential dwellings on the subject site, as modern homes on previously undeveloped lots, will be in character with the rest of the neighbourhood.

The application was also forwarded to the Council's Landscape Architect for review. From viewing the site, the Landscape Architect considered ULCA 10 relates to protection of the ecological, aesthetic and amenity values associated with the low lying drainage swale which links to the gully system forming part of the Sunninghurst subdivision reserve.

No concerns were raised about the removal of the effect of the ULCA on Lots 50, 55, & 56 DP 346062 and the two lots created by subdivision consent RMA 2005-0156.

However, the wetland area to the north of Lots 52 & 53 DP 346062 and running down the eastern boundary of Lots 53 & 54 DP 346062 provides landscape qualities and character to the setting. Locating structures too close to the edge of the watercourse may impact upon these values. The Council's Landscape Architect considered that dwellings on these lots should be located as far away from the watercourse area as is reasonably feasible and should be set back greater than 2m from the boundary.

For Lot 52 DP 346062, it is considered that buildings should be located at least 5m from the northern boundary. For Lot 53 DP 346062, a distance of 10m from both the northern and eastern boundaries is considered to be more appropriate than the 2m distance required under the normal Residential 1 zone rules. For Lot 54 DP 346062, a setback of 5m from the eastern boundary is considered suitable.

These distances will still enable a suitable dwelling to be built on these properties without undue restriction. Furthermore, these setbacks will preserve the amenity of the wetland area next to these lots and buffer residential activity from the watercourse. It will also ensure new dwellings on these allotments will be visually linked to the other dwellings to be constructed in this part of the subdivision.

Overall, the location of structures within the ULCA on the subject site is not expected to give rise to adverse effects on the natural landscape qualities or character of the setting, as long as these set backs are maintained. A condition is attached to the resource consent to this end.

The Council's Community and Recreational Services Department was consulted and it advised there are no Council-owned reserves near the site, and accordingly it had no concerns with the proposal.

2. Retrospective Earthworks

The application was forwarded to the Council's consultant engineers, Montgomery Watson Harza (MWH), for comment. MWH's Senior Engineer advised that where unsupervised fill has been placed within the site, the foundations for any dwelling would need to be specifically designed by a suitably qualified person. Where certified fill has been placed, construction in accordance with NZS 3604:1999 may be undertaken without the need for specific design. No other concerns were raised about the stability of the fill.

The Council's Landscape Architect has also assessed the earthworks that have already taken place on the site. Evaluation of the impact of the work on amenity, natural character and landscape values was considered difficult due to the retrospective nature of the application and the fact that some of the values of the area may have been obscured or devalued by the earthworks.

The Landscape Architect was particularly concerned about the steep, un-vegetated slope left on Lots 52 & 53 DP 346062 and requested further information on how the area would be revegetated, to reduce the visual effect of the batter slope and to reduce sediment entering the watercourse at the bottom.

A draft landscape plan was subsequently provided. The Landscape Architect considered the planting proposed would alleviate his concerns, on the proviso that conditions be attached to the resource consent requiring:

- A detailed landscape plan specifying the species, location and heights of the plants to be provided for the approval of Council.
- Planting to be completed within 12 months of the granting of consent.

No concerns were raised about the other area of earthworks that has taken place on Lots 55 & 56 DP 346062. The area is reasonably flat in nature and does not contain any special values that warrant attention.

It is considered that the proposed conditions will ensure the stability of the batter slope on Lots 52 & 53 DP 346062 and will minimise the visual impacts of the work. An advice note has been attached regarding the need for specific design for any foundations on the fill.

CONSENT DECISION

*That pursuant to sections 34A(1) and 104C and after having regard to section 104 of the Resource Management Act 1991, the Dunedin City Council **grants** consent to the **restricted discretionary activity** to remove the limitation of Rule 13.8.1 of the District Plan on Lots 50, 52, 53, 54, 55 & 56 DP 346062 and the two lots created by subdivision consent RMA 2005-0156, and to retrospectively approve two areas of earthworks, in Holyport Close, Dunedin, subject to the following conditions of consent:*

1. *Structures more than 20m² in area or 5m in height shall be situated:*
 - a. *On Lot 52 DP 346062, at least 5m from the northern boundary of the allotment;*
 - b. *On Lot 53 DP 346062, at least 10m from the northern boundary and at least 10m from the eastern boundary of the allotment;*
 - c. *On Lot 54 DP 346062, at least 5m from the eastern boundary of the allotment.*
2. *Planting shall be provided and maintained along the batter slope of the earthworks on Lots 52 & 53 DP 346062.*
3. *The consent holder shall submit a Landscape Plan for the approval of the Council's Resource Consents Manager at least one month prior to planting taking place. The Landscape Plan shall, as a minimum, identify the area being planted, the density of planting, the species to be used, the number of each species to be planted and the age/grade/height of the proposed plants at the time of planting.*
4. *Planting shall be completed within 12 months of the granting of this consent in accordance with the approved Landscape Plan.*

ADVICE NOTES

1. *The General Residential and Residential 1 Zone rules contained in Sections 8.6 and 8.7 of the District Plan apply to the site. Use of the site will need to comply with the rules for permitted activities. If the use does not comply, a resource consent will be required.*

2. *Rule 13.8.1 of the District Plan applies to any structure more than 20m² in area or 5m in height that is situated inside the minimum setbacks specified in Condition 1 above.*
3. *Where unsupervised fill has been placed within the site, the foundations for any dwelling will need to be specifically designed by a suitably qualified person. Where certified fill has been placed, construction in accordance with NZS 3604:1999 may be undertaken without the need for specific design.*
4. *In addition to the conditions of a resource consent, the Resource Management Act establishes through Section 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effects created from an activity they undertake. A similar responsibility exists under the Health Act 1956.*

REASONS

Effects

In accordance with section 104 of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and are outlined above. It is considered that the proposed activity will have no more than minor adverse effects on the environment.

District Plan – Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the District Plan was taken into account in assessing the application. The proposal has been assessed against the relevant provisions identified in Section 13 of the plan. The proposal is considered to be consistent with the following objectives and policies:

- **Objective 4.2.1 and Policy 4.3.1 (Sustainability Section)** that promote the enhancement and maintenance of the amenity values of Dunedin.
- **Objective 13.2.1 and Policy 13.3.1 (Townscape Section)** that seek to protect the important values and characteristics of natural features and areas which provide the setting for urban areas.

COMPLIANCE WITH CONDITIONS

It is the applicant's responsibility to comply with any conditions imposed on this resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.

LAPSING OF CONSENT

This consent shall lapse after a period of 5 years from the date of this decision unless the consent has been given effect to during this time. This period may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.

BUILDING CONSENT

This is a resource consent. A building consent may be required before any work is undertaken on the site. Please check with the Building Control Office, Development Services to establish whether or a not a building consent is required.

RIGHTS OF OBJECTION

In accordance with section 357 of the Resource Management Act 1991, the consent holder may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Dunedin City Council at the following address:

The Chief Executive
Dunedin City Council
P O Box 5045
DUNEDIN

Attn: Senior Planner – Enquiries 1st Floor

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Webb'.

Peter Webb
PLANNER

CONO 6512934.7 Consen

Cpy - 01/01, Pgs - 002.27/07/05, 16:19



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IN THE MATTER of Section 221 of the
Resource Management Act 1991

AND

IN THE MATTER of Application for
Subdivision Consent No 2003/1191

CONSENT NOTICE

Whereas Council has granted consent to the proposed subdivision comprised in Deposited Plan 346062 subject to the following conditions, which are required to be complied with on a continuing basis by the owners and subsequent owners of the land or part thereof being those conditions specified in the operative part.

Operative Part

This condition relates to:

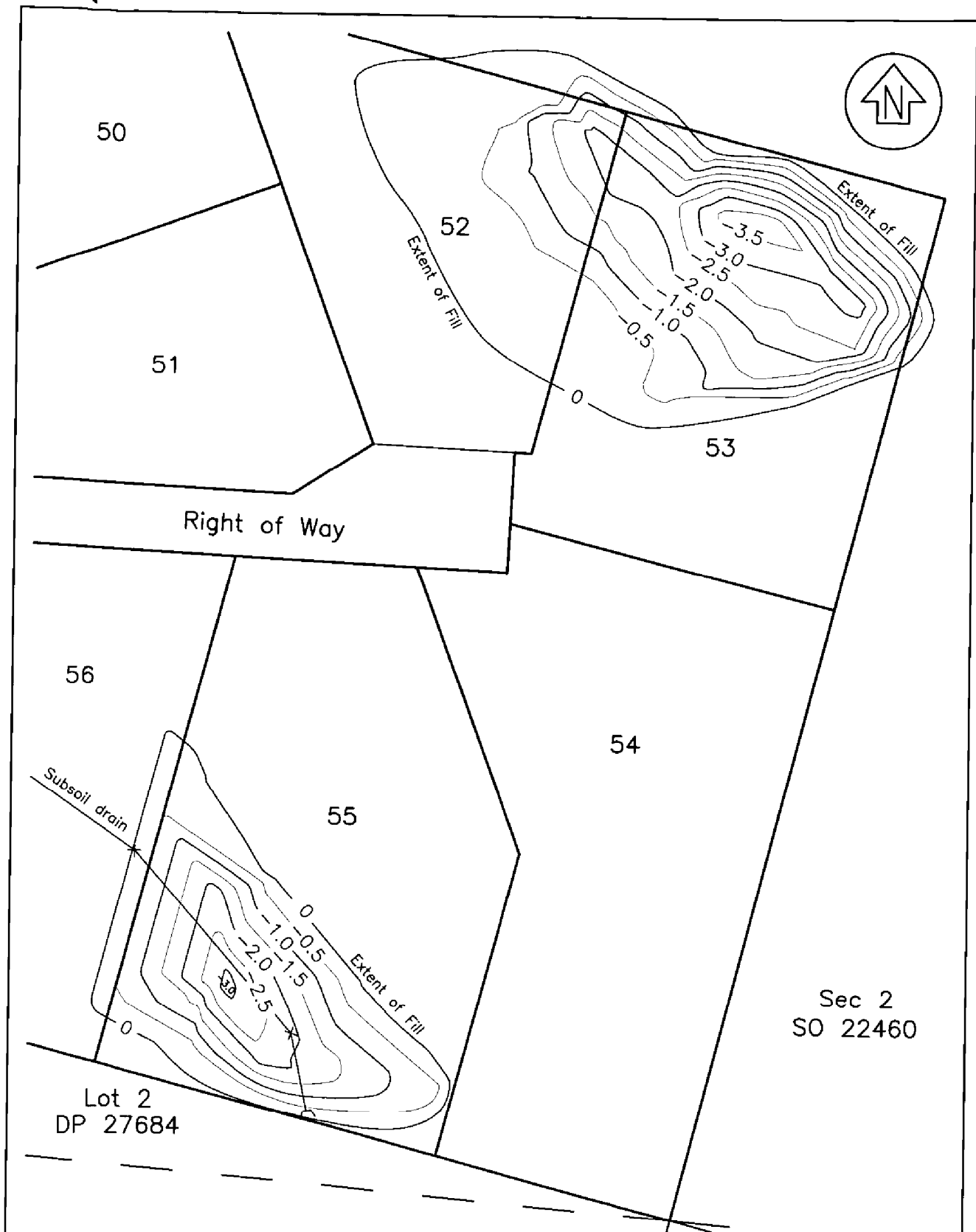
Lot 52 DP 346062 and shall be placed on Certificate of Title 189057
Lot 53 DP 346062 and shall be placed on Certificate of Title 189058
Lot 55 DP 346062 and shall be placed on Certificate of Title 189060
Lot 56 DP 346062 and shall be placed on Certificate of Title 189061

The condition of this consent is as follows:

"That where dwellings are to be sited on filled ground (annotated on the accompanying diagram) then a specific foundation design shall be prepared by a suitably experienced civil engineer and approved by the Dunedin City Council prior to the issue of a Building Consent."

DATED at Dunedin this 5th day of July 2005

Signed for and on behalf of
Dunedin City Council by its
Principal Administrative Officer



PATERSON PITTS PARTNERS LTD
 Consultants in
 Surveying, Land Planning & Development
 Dunedin Alexandra Cromwell Wanaka Queenstown

Areas of Uncertified Fill
 Sunninghurst Stage 6 / DP346062

DATE: April 05
 SCALE: 1:500