

**NOTE: THIS IS A LIVE DOCUMENT THAT CHANGES, PLEASE ENSURE YOU DOWNLOAD THE MOST UP TO DATE VERSION PRIOR TO MAKE AN OFFER OR ATTENDING AN AUCTION.**

**INTEREST: DURING MARKETING CAMPAIGNS DATES AND TIMEFRAMES SOMETIMES CHANGE. IF YOU HAVE NOT MADE US AWARE THAT YOU ARE INTERESTED IN PURSUING THE PROPERTY, WE WILL NOT BE ABLE TO INFORM YOU OF ANY CHANGES AND YOU MAY LOSE OUT.**

28 March 2022

**Re: 430 Huia Road, Titirangi**

Thank you for your interest in the above property currently listed with us and for sale by **BY NEGOTIATION**.

We have made available to you the following:

- Certificate of Title
- LIM
- Rates information from Auckland Council
- School Zones
- BCO10078004 Section 95a Letter
- BCO10078004 Residential final Inspection
- REA Code of Conduct
- REA Guide to Selling and Buying
- Conditions of sale

430 Huia Road, Titirangi is 1136m<sup>2</sup> more or less fee simple estate NA8D/1242 Lot 7 Deposited Plan 39710. Zoning: Residential (9E)

**THINGS WE WANT TO DRAW YOUR ATTENTION TO:**

<b>Wind Zones</b> for this property	Very high wind speed of 50 m/s, High wind speed of 44 m/s
<b>Soil Issues</b>	30/06/2000 Stability Sensitive: Please note this property was previously shown under the Transitional District Plan as being located in a Stability sensitive area. <i>Stability sensitive - Titirangi and Laingholm is stability sensitive. This means that should you develop the property, you will require an engineer's report.</i>

<b>Overland Flow Path</b>	This site spatially intersects with one or more Overland Flow Paths.
<b>Planning</b>	LUC-2001-696 Tree Consent Ida height, earthworks near boundary 0.6m of boundary, remove 1 exotic tree, driveway under Manuka. Granted (Construction Monitoring Underway) 21/06/2001
<b>Resource Management - Other issues</b>	04/05/2011 REQ20086907 Outstanding Requirement Non-compliance with LUC-2001-696 condition 37 - All infrastructure relating to Stormwater treatment and disposal, wastewater disposal, and water supply shall be to the satisfaction of Eco-Water. Refer to letter dated 4 May 2011 for further information. - Outstanding
<b>Building</b>	COM-2001-1476 New dwelling 29/06/2001 CCC Not Issued  ABA-2003-1967 Heater installation 10/06/2003 CCC Issued 15/07/2003
<b>Waitakere Ranges Heritage Area</b>	This property is located within the Waitākere Ranges Heritage Area as defined in the Waitākere Ranges Heritage Area Act 2008.

**Settlement Date on Offer:** As soon as possible

**Disclosures:**

- The property does not have code compliance. There are a number of documents available. We would definitely recommend that you order the property file from the Council and that you seek legal and finance advice about the property. This is a plaster house which was not signed off by the council.

We recommend that when purchasing a property, you seek legal advice, complete due diligence including getting a building report and arrange your finance.

This information has been supplied to us by a third party. Accordingly, the Vendor and Austar Realty Limited are merely passing over this information as supplied to us by others. While we have passed on this information supplied by a third party, we have not checked, audited, or reviewed records or documents and therefore to the maximum extent permitted by law neither the Vendor nor Austar Realty Limited or any of its' salespersons or employees accept any responsibility for the accuracy of the materials. Intending purchasers are advised to conduct their own investigation

Regards

Bronwyn Scott-Woods & Adrian Gomez



**The ProAgent Team**

ALAN WHITE  
**ELITE**  
PERFORMER 21-22

Bronwyn Scott-Woods 021 613 632 | bronwyn.scott-woods@raywhite.com

Adrian Gomez 021 839 499 | adrian.gomez@raywhite.com

Austar Realty Ltd Licensed (REAA 2008) | 423 Titirangi Road, Titirangi 0604

**STATEMENT OF PASSING OVER INFORMATION:**

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Austar Realty Ltd  
PO Box 151098  
New Lynn  
AUCKLAND 0640



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<b>Applicant</b>	Austar Realty Ltd
<b>LIM address</b>	430 Huia Road Laingholm
<b>Application number</b>	8270382634
<b>Customer Reference</b>	
<b>Date issued</b>	28-Mar-2022
<b>Legal Description</b>	LOT 7 DP 39710
<b>Certificates of title</b>	NA8D/1242

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**Disclaimer**

This Land Information Memorandum (LIM) has been prepared for the applicant for the purpose of section 44A of the Local Government Official Information and Meetings Act 1987.

The LIM includes information which:

- Must be included pursuant to section 44A of the Local Government Official Information and Meetings Act 1987
- Council at its discretion considers should be included because it relates to land
- Is considered to be relevant and reliable

This LIM does not include other information:

- Held by council that is not required to be included
- Relating to the land which is unknown to the council
- Held by other organisations which also hold land information

Council has not carried out an inspection of the land and/or buildings for the purpose of preparing this LIM. Council records may not show illegal or unauthorised building or works on the land.

The applicant is solely responsible for ensuring that the land or any building on the land is suitable for a particular purpose and for sourcing other information held by the council or other bodies. In addition, the applicant should check the Certificate of Title as it might also contain obligations relating to the land.

The text and attachments of this document should be considered together.

This Land Information Memorandum is valid as at the date of issue only.

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

This information should not be regarded as a full analysis of the site features of this land, as there may be features that the Council is unaware of. The applicant is solely responsible for ensuring that the land is suitable for a particular purpose including development.

### Site Contamination

No land contamination data are available in Council's regulatory records.

### Wind Zones

Wind Zone(s) for this property: Very high wind speed of 50 m/s, High wind speed of 44 m/s

The wind zones are based on wind speed data specific to all building sites as outlined in NZS 3604:2011. Other factors such as topographic classes, site exposure and ground roughness determine the actual wind bracing demands and bracing elements required for the building.

For further information refer to NZS 3604:2011 Section 5 — Bracing Design

### Soil Issues

Soil issues recorded. The land may not be suitable for particular development or land use purposes. A soil report may be required to/must be submitted with any building and/or resource consent application.

Effective Date	Description	Details
30/06/2000	Stability Sensitive	Please note this property was previously shown under the Transitional District Plan as being located in a Stability sensitive area.

If any soil information/reports have been prepared in relation to this property, they will be available for viewing at an Auckland Council Service Centre.

### Flooding

This statement entitled "Flooding" appears on all LIMs.

Known flooding information is displayed on the map attached to this LIM entitled "Special Land Features – Natural Hazards - Flooding".

The information shown in the "Special Land Features - Natural Hazards - Flooding" map is also shown on the Auckland Council online map viewer (Geomaps), at [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz), which is updated from time to time.

Any proposed development may require a flooding assessment to be provided by the applicant.

The absence of flooding on the "Special Land Features - Natural Hazards - Flooding" map does not exclude the possibility of the site flooding, particularly from Overland Flow Paths which may be on other properties.

### Overland Flow Path

This site (property parcel) spatially intersects with one or more Overland Flow Paths, as displayed on the map attached to this LIM entitled “Special Land Features – Natural Hazards - Flooding”.

Overland Flow Paths are lines representing the predicted route of overland flow, based on analysis of a Digital Terrain Model (derived from aerial laser survey). Overland Flow Paths do not show the width or extent of flow.

Overland Flow Paths are based solely on the terrain and are indicative only.

Overland Flow Paths may flood depending on the amount of rain.

The Auckland Unitary Plan contains policies and rules relating to development and/or works within or adjacent to Overland Flow Paths.

Note: The terms “Flow Path” and “Flowpath” are used interchangeably.

## **Exposure Zones**

New Zealand Standard 3604:2011E classifies all properties in New Zealand into zones based on environmental features including wind, earthquake, snow load and exposure. These zones are relevant to building requirements, such as strength of buildings, materials that should be used and maintenance. All building sites are classified as being in Exposure Zones Extreme Sea Spray, B, C, or D, depending on the severity of exposure to wind driven salt.

This property is classified as: Unknown or Unassessed Corrosion Zone

Unknown or unassessed - No known information is available relating to these sites. Recommended that specific sites and/or product designed and to consult suppliers information for specific durability requirements.

## **Coastal Erosion**

This explanation appears on all LIMs, not just sites that may be susceptible to coastal erosion.

The map entitled “Natural Hazards - Coastal Erosion” shows information on potential coastal erosion and resulting land instability, if any, in relation to this site.

Coastal erosion is the wearing away of land due to coastal processes such as waves and currents. Coastal instability is the movement of land (typically as a landslide) resulting from the loss of support caused by coastal erosion.

Where applicable, the map shows lines that indicate areas susceptible to coastal instability and erosion (ASCIE) within the next 100 years. The lines do not show the future position of the coast. Rather, they show the landward edge of the area that might become unstable as a result of coastal erosion. The area between this line and the sea is considered to be potentially susceptible to erosion, or instability caused by erosion.

The lines represent three timescales, and take into account projected sea level rise based on carbon emission scenarios known as representative concentration pathways (RCP):

- 2050 (0.28 m of sea level rise; RCP 8.5)
- 2080 (0.55 m of sea level rise; RCP 8.5)
- 2130 (1.18 m of sea level rise; RCP 8.5)
- 2130 (1.52 m of sea level rise; RCP 8.5+)

The RCP projections are from the Intergovernmental Panel on Climate Change fifth assessment report (2015), and the related sea level rise values align with Ministry for the Environment Coastal Hazards and Climate Change Guidance for Local Government (2017).

The lines are based on data from a regional study (“Predicting Auckland’s Exposure to Coastal Instability and Erosion”, available on the Council website). The lines may not take into account local variability, and are not intended for site-specific use.

Development on sites affected by potential coastal erosion may be subject to Auckland Unitary Plan activity controls and may require a detailed coastal hazard assessment report to be completed by a qualified expert.

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

Information on private and public stormwater and sewerage drains is shown on the **underground services map** attached.

Note: Private drainage is the responsibility of the land owner up to and including the point of connection to the public sewer or drain.

**s44(2)(ba) Information notified to Council by a drinking water supplier under Section 69ZH of the Health Act 1956**

Prospective purchasers should be aware of other drinking water systems connected to this property. There may also be private drinking water supply systems such as rainwater tanks or private water bores. You are advised to clarify the drinking water supply with the current landowner.

No Information has been notified to Council.

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

For metered water information, please contact **Watercare (09) 442 2222** for services provided to this property.

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

<b>Billing Number/ Rate Account:</b>	12341942606
<b>Rates levied for the Year 2021/2022 :</b>	\$2,169.69
<b>Total rates to clear for the current year (including any arrears and postponed rates):</b>	\$547.75

The rates figures are provided as at 8 a.m. 28/03/2022. It is strongly advised these are not used for settlement purposes.


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**Retrofit Your Home Programme**

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The Retrofit Your Home programme provides financial assistance, advice and information to householders wanting to create an improved home environment.

The scheme contributes to the achievement of the Air Quality National Environmental Standards encouraging the installation of clean heat and insulation in homes as well as supporting access to central government grants and subsidies. The programme offers homeowners a retrofit plan for their homes and financial assistance up to \$5000 repaid through a targeted rate.

 Auckland Council (09) 890 7898 if you require further information

 retrofit@aucklandcouncil.govt.nz

**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**

Note: if the land is part of a cross lease title or unit title, consents and permits for the other flats or units may be included in this LIM. If the land has been subdivided there may be consents and permits included that relate to the original property.

It is recommended that the full property file is viewed and compared with the actual building and activities on the land to identify any illegal or unauthorised building works or activities.

### **Financial / development contributions**

Financial and development contributions are relevant for recently subdivided land, vacant lots, new residential unit(s) or where there is further development of a site. If any financial or development contribution has not been paid, Council can recover outstanding amount(s) from a subsequent owner of the land.

Please note that financial contributions and development contributions may be paid in land, cash or a combination of these. The form of payment of contributions may be subject to negotiation but final discretion remains with the Council.

### **Resource Management**

#### **Planning**

430 Huia Road Laingholm

<b>Application No.</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
LUC-2001-696	Tree Consent Ida height, earthworks near boundary 0.6m of boundary, remove 1 exotic tree, driveway under Manuka	Granted(Construction Monitoring Underway)	21/06/2001

#### **Subdivisions**

There are **NO** Subdivision resource consents recorded.

#### **Engineering Approvals**

There are **NO** Engineering approvals recorded.

If there are any conditions, then only that portion of the consent will be included in the attachments section. The applicant should satisfy themselves as to whether all conditions of resource consents for this property have been met.

## Resource Management - Other issues

Effective Date	Reference	Description
04/05/2011	REQ20086907	Outstanding Requirement Non-compliance with LUC-2001-696 condition 37 - All infrastructure relating to Stormwater treatment and disposal, wastewater disposal, and water supply shall be to the satisfaction of Eco-Water. Refer to letter dated 4 May 2011 for further information. - Outstanding

### Further Information

The Council may hold additional information for this property, for example concerning resource consents for discharges to air, land or water issued by the former Auckland Regional Council prior to 1 November 2010. If you would like Auckland Council to search for this type of information, please contact us.

### Building

430 Huia Road Laingholm

Application No.	Description	Issue Date	Status
COM-2001-1476	New dwelling	29/06/2001	CCC Not Issued (See Note 3)
ABA-2003-1967	Heater installation	10/06/2003	CCC Issued 15/07/2003 (See Note 2)

Note	Description
2	Code Compliance Certificate (CCC) for this consent was issued.
3	Consent approved but a final Code Compliance Certificate (CCC) for this consent has not been issued. To obtain a CCC an inspection to confirm compliance with the approved plans and standards may be sought.

Please note that prior to the Building Act 1991; Councils were not required to maintain full records of building consents [etc] issued under the Building Act. While Auckland Council has always endeavoured to maintain full records of pre-Building Act 1991 matters, not all records for this period have survived and in other cases where building work is documented, information may be incomplete. Council does not accept responsibility for any omission.

It is recommended that the Council property file is viewed and compared with the actual building and activities on site to identify any illegal or unauthorised building works or activities.

### Compliance Schedules (Building Warrant of Fitness)

The Council has no record of a Compliance Schedule for this property/building.



If it is evident that any specified systems such as lifts or commercial fire alarms are present in the building, the owner must ensure there is a current compliance schedule or building warrant of fitness.

### Swimming/Spa Pool Barriers

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The Council has no record of a swimming pool or spa pool being registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004.

Pool barrier information is available for viewing at <http://www.aucklandcouncil.govt.nz>

### Licences

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There are NO current licences recorded

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

The Council has not been notified of any information under Section 124 of the Weathertight Homes Resolution Services Act 2006 relating to this property.

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

Purchasers or those intending to develop the land should satisfy themselves that the land is suitable for any intended use or future development proposal. In addition to any site specific limitations recorded below, general restrictions that apply across the region may be relevant to any development proposals on this property.

### Auckland Unitary Plan - Operative in Part (AUP:OP)

The **Auckland Unitary Plan - Operative in part(AUP:OP)** applies to this property and should be carefully reviewed and considered, as it may have implications for how this property can be developed and/or used. Those parts of the Auckland Unitary Plan that are operative replace the corresponding parts of legacy regional and district plans. However, certain parts of the AUP:OP are the subject of appeals and have not become operative. If a property is subject to an appeal this will be identified on the attached Unitary Plan Property Summary Report. Where this is the case, both the Auckland Unitary Plan Decisions version and the legacy regional and district plans will need to be considered.

The AUP:OP zones, controls, overlays, precincts, and designations that apply to this property are set out in the Property Summary Report, which is attached to this memorandum.

The AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplan>

The legacy regional and district plans can be viewed here:

<https://www.aucklandcouncil.govt.nz/districtplans>

<https://www.aucklandcouncil.govt.nz/regionalplans>

The appeals to the AUP:OP can be viewed here:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

### Auckland Council District Plan - Hauraki Gulf Islands Section (Operative 2013) (DP:HGI)

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While the regional provisions in the AUP:OP apply to the Hauraki Gulf Islands, and are set out in the Property Summary Report attached to this memorandum, the AUP:OP does not contain any district provisions for the Hauraki Gulf Islands. If the Property Summary Report attached to this memorandum lists its zone as “Hauraki Gulf Islands”, the district provisions that apply are in the Auckland Council District Plan Hauraki Gulf Islands Section (Operative 2013) (**DP:HGI**).

The relevant maps of the DP:HGI are attached to this memorandum, if applicable. The text of the DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

### **Plan Changes and Notices of Requirement**

Changes to the AUP:OP and DP:HGI may be proposed from time to time. These proposed plan changes may relate to either the maps or the text of those plans. Any proposed changes to the AUP:OP relevant to this property will be listed as a modification in the Property Summary Report attached to this memorandum. However, proposed changes to the DP:HGI will not appear on the Property Summary report. That information can be found on the Auckland Council website.

Please refer to the AUP:OP for information on any proposed Plan Changes or see the Auckland Council modifications website at:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Information relating to any proposed Plan Changes to DP:HGI can be found here:

<https://www.aucklandcouncil.govt.nz/aurakigulfislands>

From time to time a requiring authority, such as a Ministry of the Crown or a council controlled organisation, may notify Auckland Council that they require certain land to be designated for a certain purpose. If this property is the subject of such a notice of requirement, that notice may have implications for how this property can be developed or used from the date it is received by Council.

If this property is not on the Hauraki Gulf Islands, any notices of requirement applicable will be listed as a modification in the Property Summary Report attached to this memorandum.

If this property is on the Hauraki Gulf Islands, any notice of requirement will be available on the Auckland Council Website.

Information on all current notices of requirement can be found on the modifications page here:

<https://www.aucklandcouncil.govt.nz/unitaryplanmodifications>

Copies of the appeals to the Auckland Unitary Plan can be viewed online at:

<https://www.aucklandcouncil.govt.nz/unitaryplanappeals>

### **Auckland Unitary Plan**

Please note that the Auckland Unitary Plan (Operative in part) applies to this property. The Unitary Plan should be carefully reviewed and considered, as it may have implications for how this property can be developed or used. Parts of the Unitary Plan that are relevant to this property relating to zones, overlays, controls, designations and other restrictions are identified in the Property Summary Report attached to this LIM.

The Unitary Plan can be accessed at Council service centres and libraries and can be found on the following internet page:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/plansstrategies/unitaryplan/Pages/home.aspx>

## Information concerning Caveat, Bond, Encumbrance, Consent Notice and Covenant

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For any information concerning Caveats, Bonds, Encumbrances, Consent Notices or Covenants, please refer to the Certificate of Title for this property.

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

#### Waitākere Ranges Heritage Area

This property is located within the Waitākere Ranges Heritage Area as defined in the Waitākere Ranges Heritage Area Act 2008. A link to the Act and further information on the heritage area can be found on the council's website at:

<https://www.aucklandcouncil.govt.nz/arts-culture-heritage/heritage-walks-places/Pages/waitakere-ranges-heritage-area.aspx>

### 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

Underground Services and District Plan maps are attached.

Please note: Height restrictions apply where overhead power lines cross the site. Works near water services utilities may require approval. Works near high-pressure Gas, Oil or LPG pipelines create risk of damage and must first be approved. Please contact the relevant Utility provider in your area for further information.

Any escape of gas or liquid from the pipelines is potentially dangerous and requires immediate action as soon as discovered (Dial 111 and ask for the Fire Service).

## Attachments

As the placement of the building/s on the attached maps is based on aerial photography we cannot guarantee the accuracy. A formal survey will indicate the exact location of the boundaries.

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- Auckland Unitary Plan Property Summary Report
- Auckland Unitary Plan - Operative in part Maps and Map Legend
- Auckland Council District Plan - Hauraki Gulf Islands Section (if applicable)
- Underground Services & Utilities Map and Map Legend
- Special Land Features Map and Map Legend

Please note Map Legends have been created for use across the region and may contain features which were not captured by the previous legacy Councils; therefore the information may not be available for these maps. Please contact the Resource Management Planning Team in your area for further information on any features which may or may not appear on your map.

- Consent Conditions : LUC-2001-696
- As Built Drainage Plan : COM-2001-1476

## Auckland Unitary Plan Operative in part (15th November 2016) Property Summary Report

### Address

430 Huia Road Laingholm

### Legal Description

LOT 7 DP 39710

### Appeals

### Modifications

### Zones

Residential - Large Lot Zone

### Precinct

### Controls

Controls: Macroinvertebrate Community Index - Native

Controls: Macroinvertebrate Community Index - Rural

Controls: Macroinvertebrate Community Index - Urban

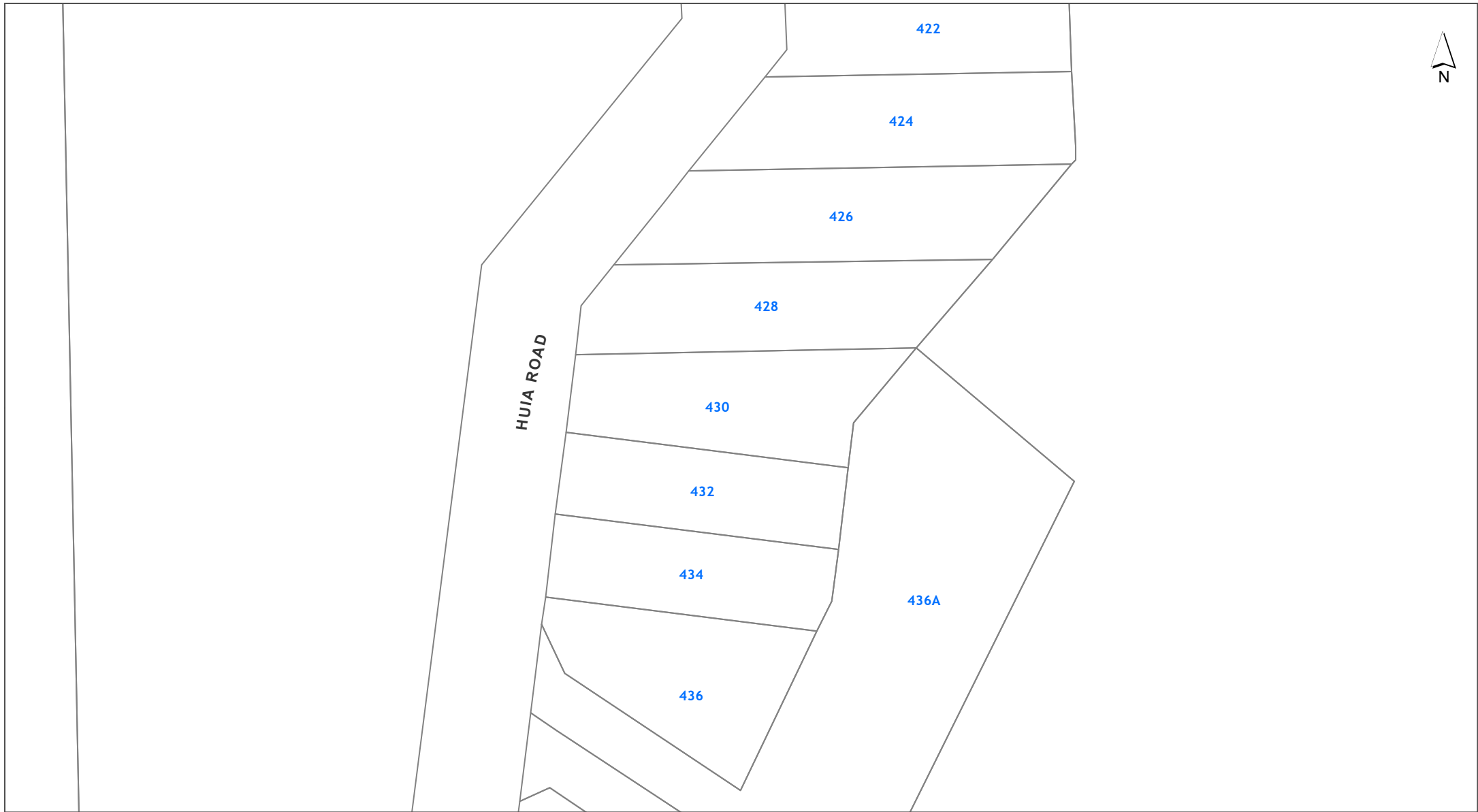
Controls: Stormwater Management Area Control - TITIRANGI / LAINGHOLM 1 - Flow 1

### Overlays

Natural Heritage: Waitakere Ranges Heritage Area Overlay - Extent of Overlay

Natural Heritage: Waitakere Ranges Heritage Area Overlay - WRHA\_06 - Subdivision Schedule

### Designations

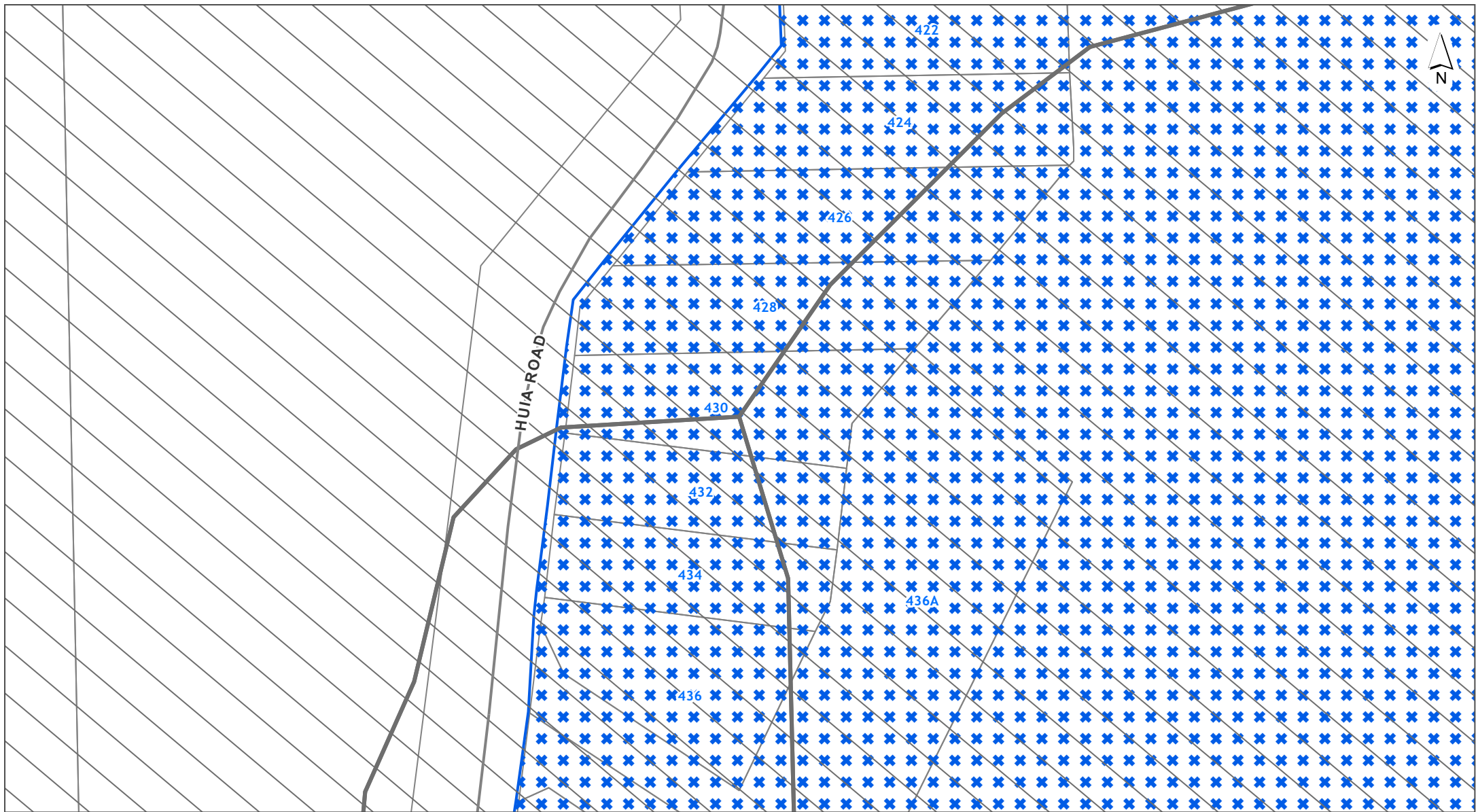


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**Built Environment**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

0 7 14 21  
Meters  
Scale @ A4  
= 1:1,000  
Date Printed:  
28/03/2022



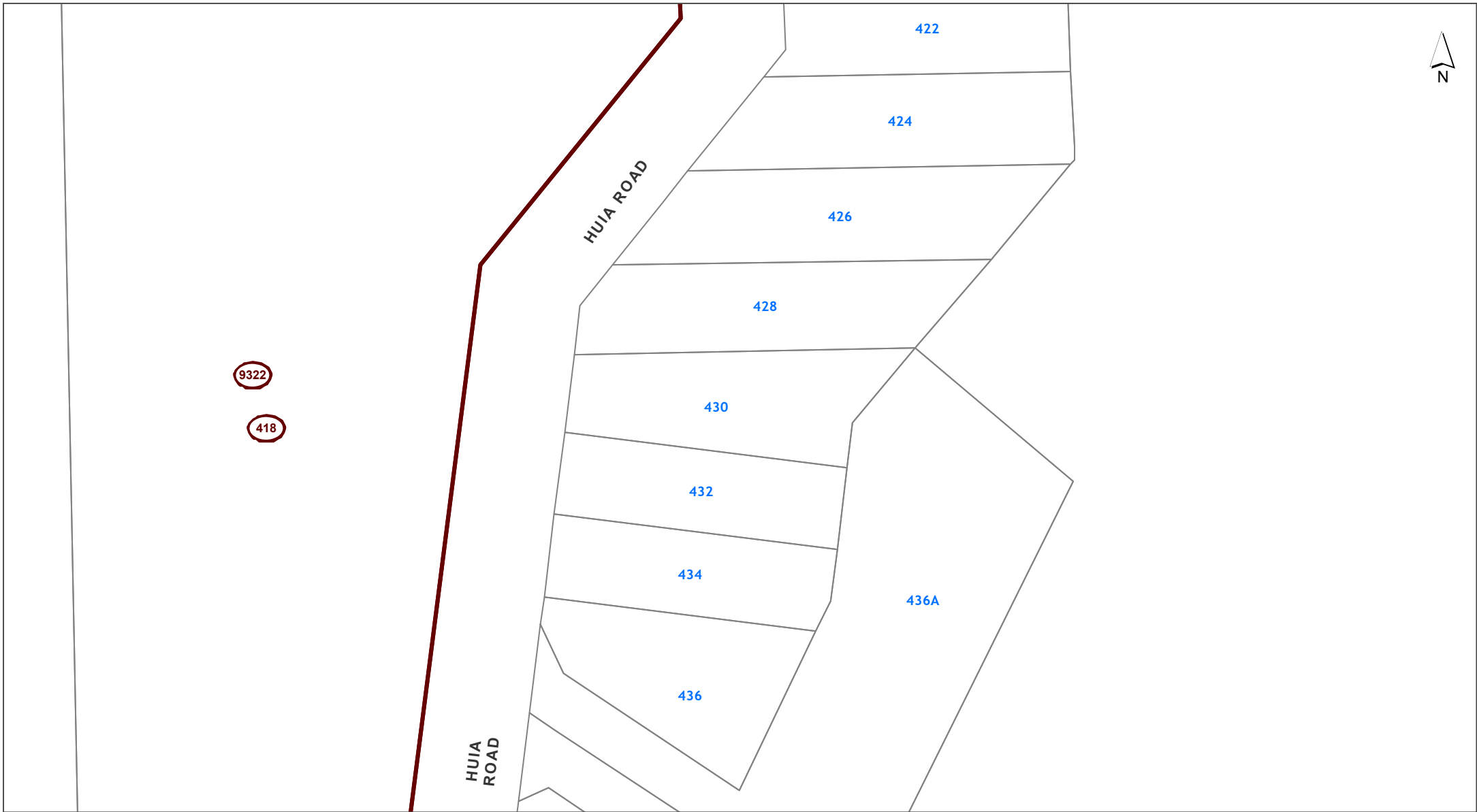


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**Controls**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

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Meters  
Scale @ A4  
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Date Printed:  
28/03/2022





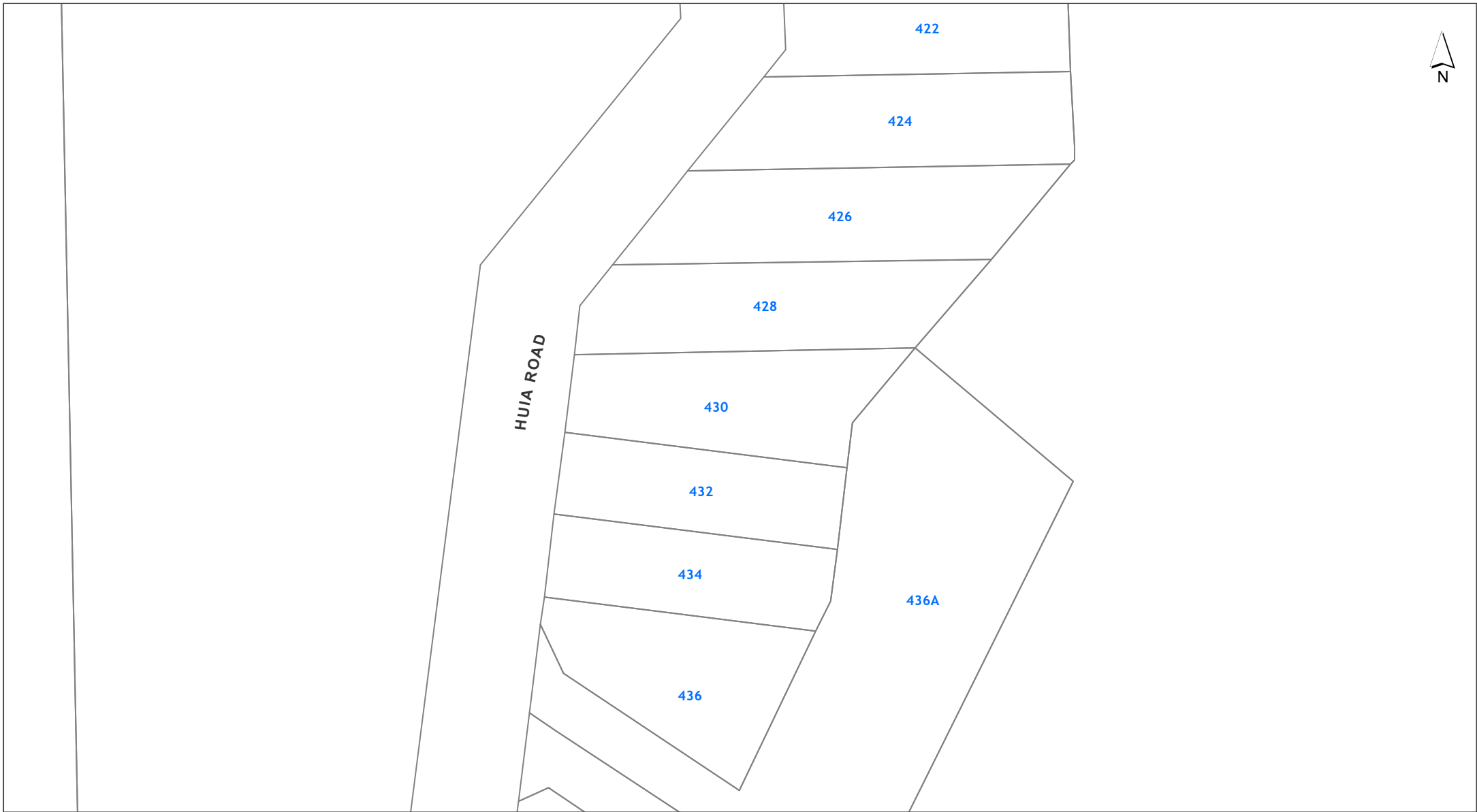
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**Designations**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

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Meters  
Scale @ A4  
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Historic Heritage and Special Character

430 Huia Road Laingholm

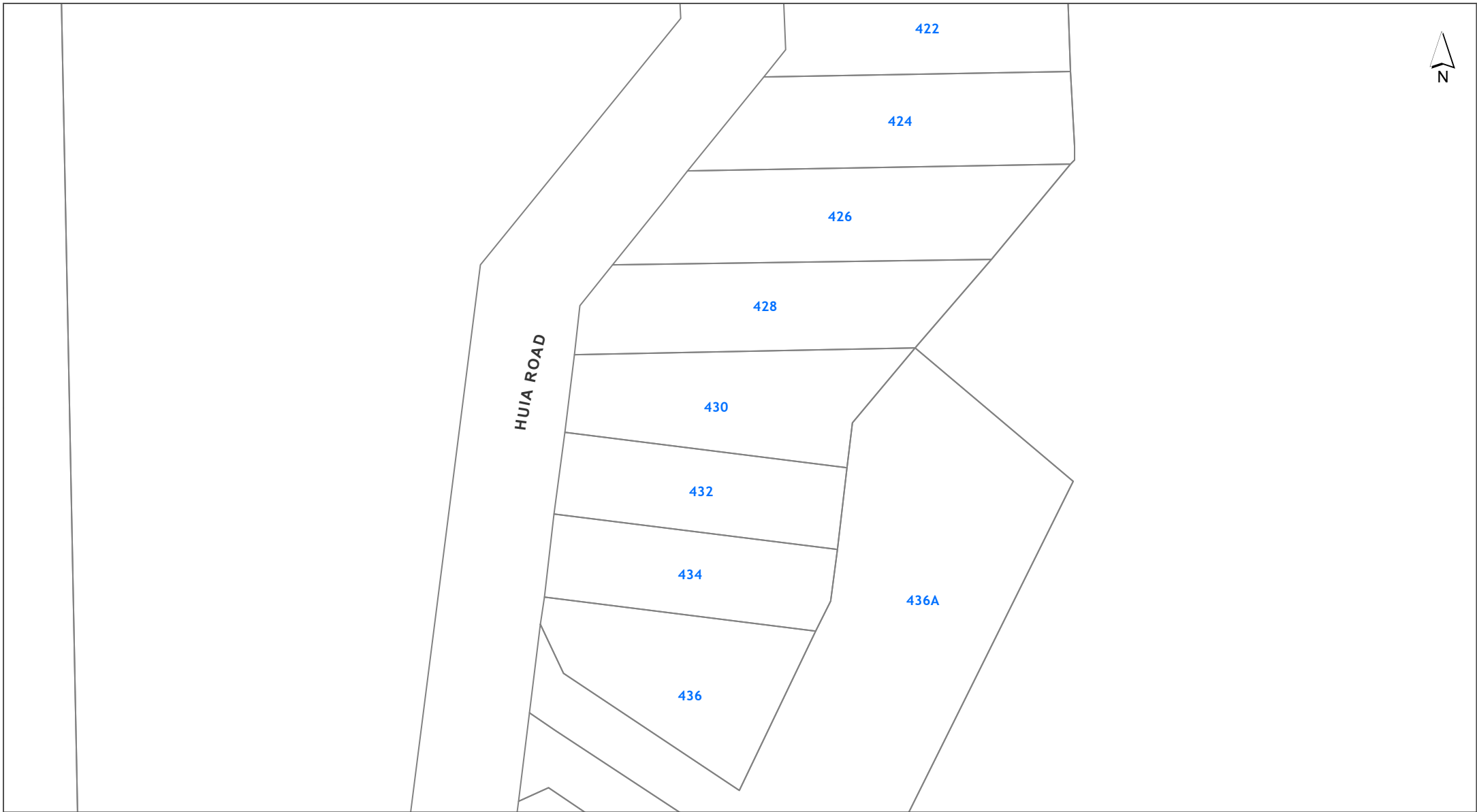
LOT 7 DP 39710



Scale @ A4  
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Date Printed:  
28/03/2022



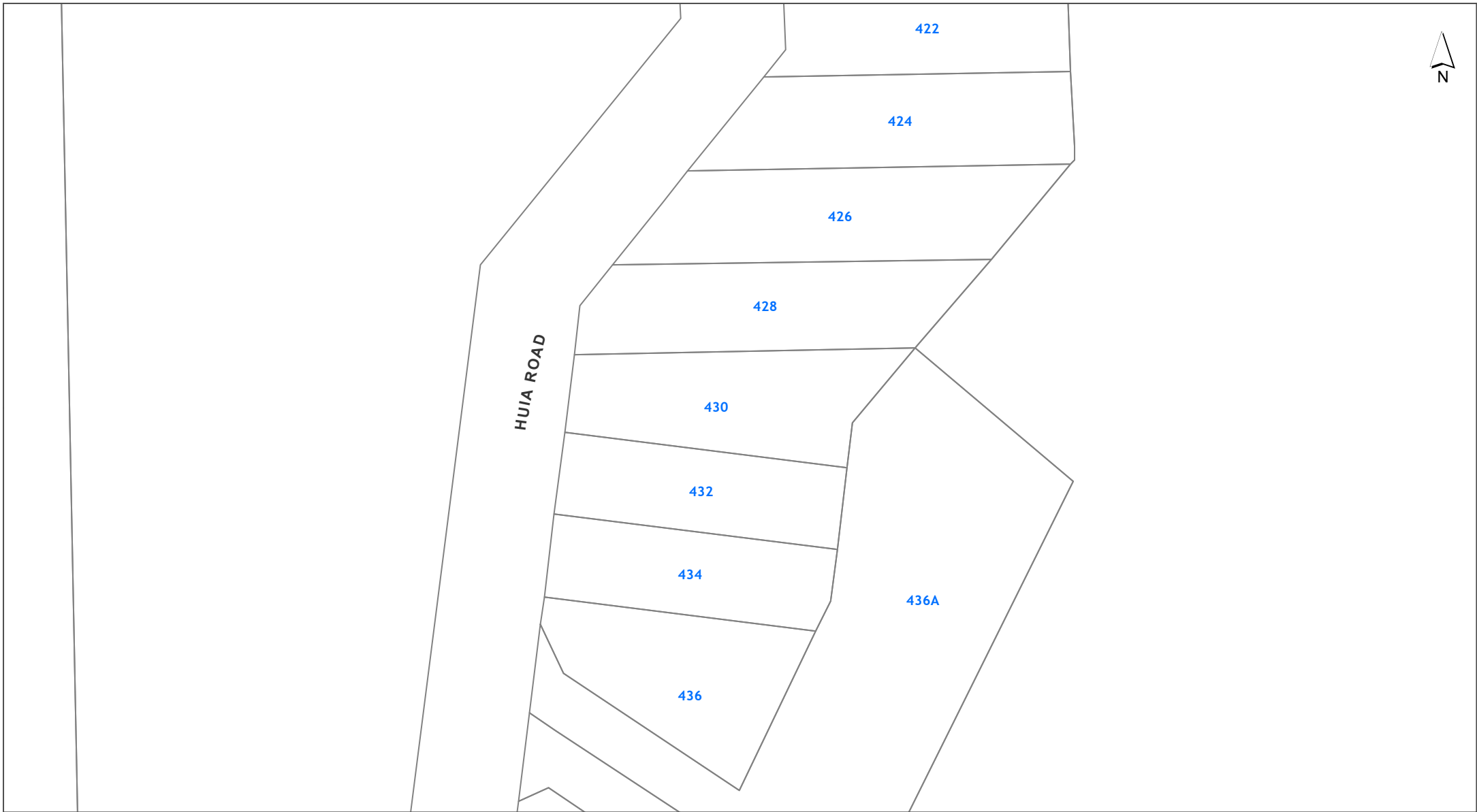


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**Infrastructure**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

0 7 14 21  
 Meters  
 Scale @ A4  
 = 1:1,000  
 Date Printed:  
 28/03/2022



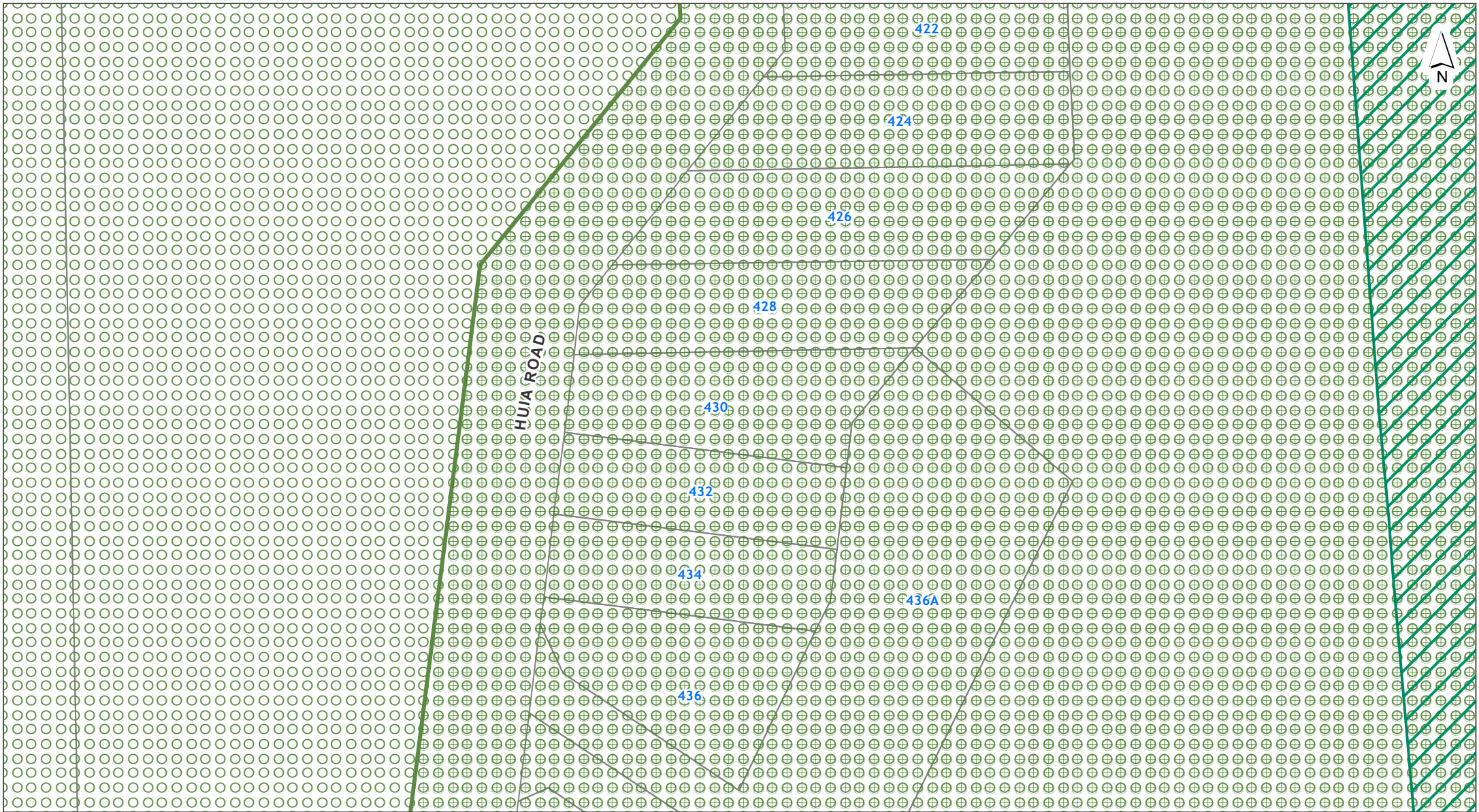


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Mana Whenua  
430 Huia Road Laingholm  
LOT 7 DP 39710

0 7 14 21  
Meters  
Scale @ A4  
= 1:1,000  
Date Printed:  
28/03/2022





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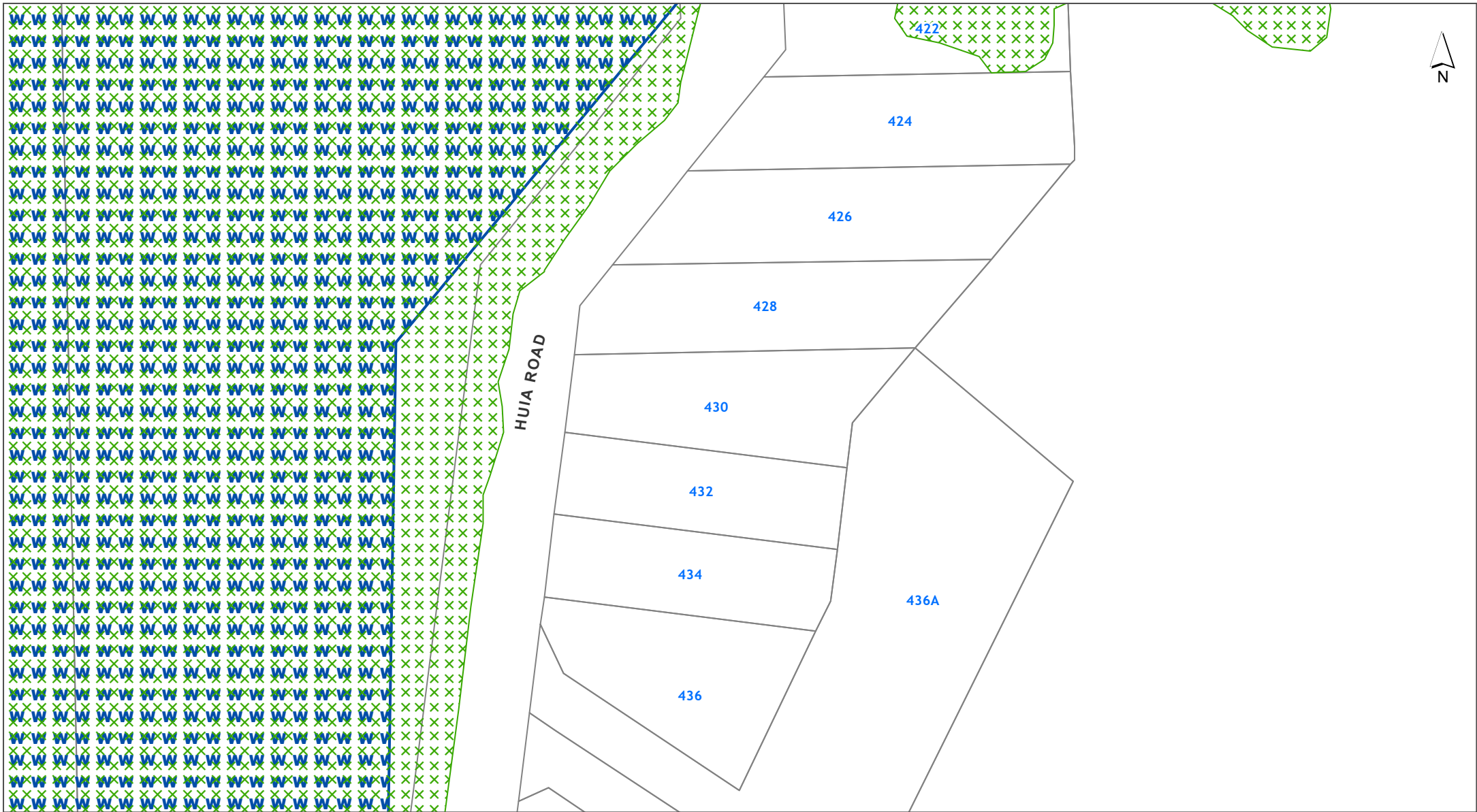
**Natural Heritage**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**



Scale @ A4  
 = 1:1,000

Date Printed:  
 28/03/2022





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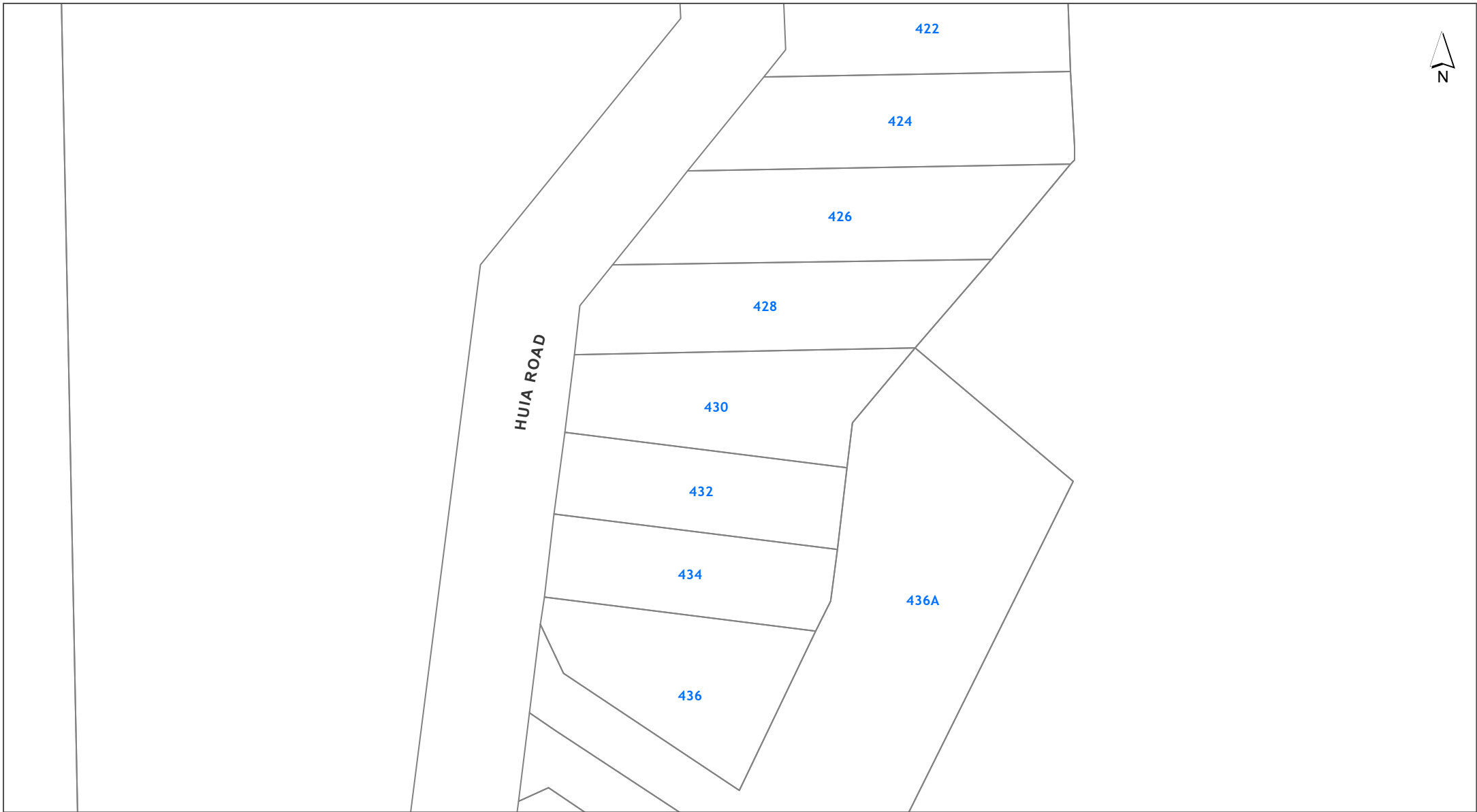
Natural Resources  
430 Huia Road Laingholm  
LOT 7 DP 39710



Scale @ A4  
= 1:1,000

Date Printed:  
28/03/2022



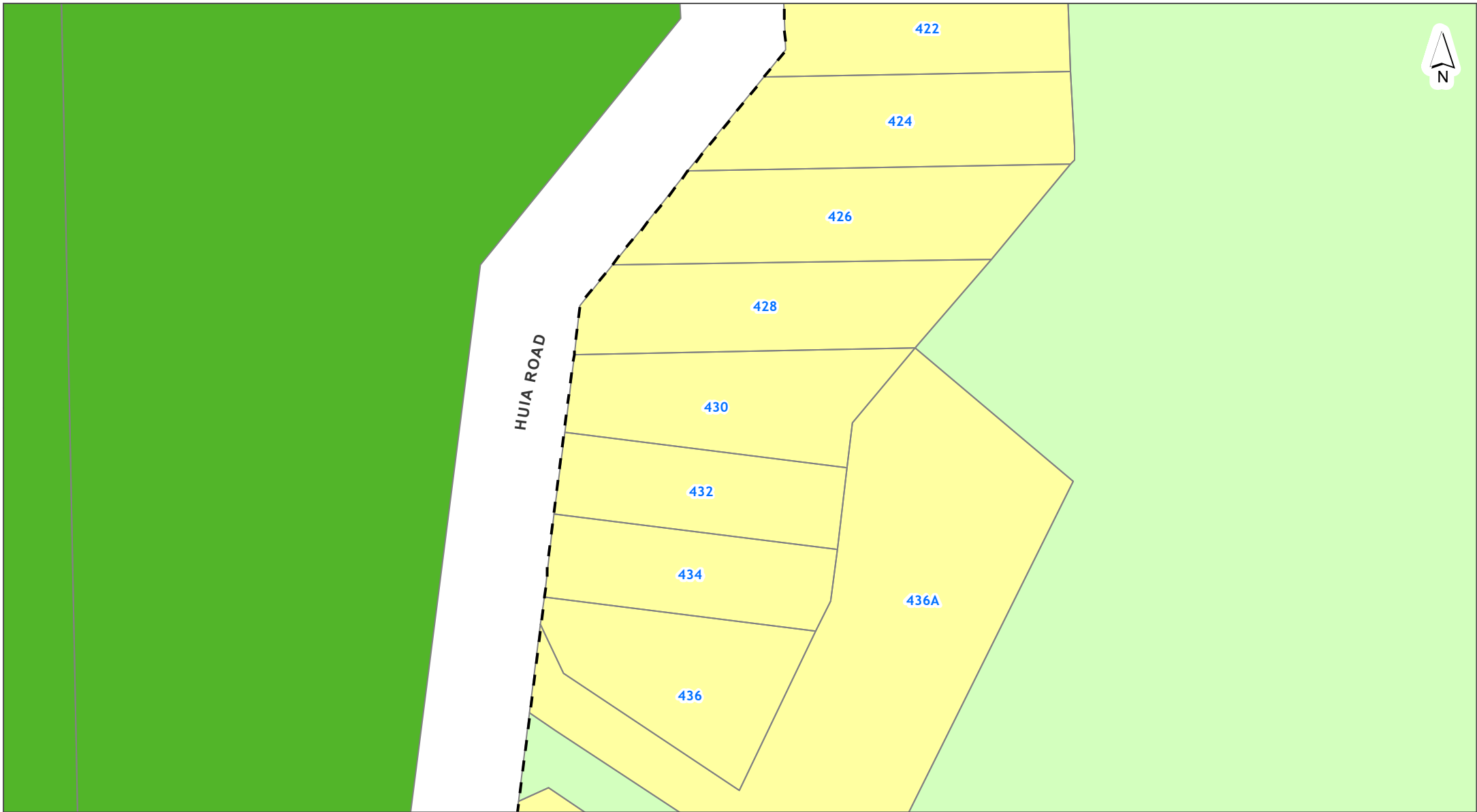


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Precincts  
430 Huia Road Laingholm  
LOT 7 DP 39710

0 7 14 21  
Meters  
Scale @ A4  
= 1:1,000  
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**Zones and Rural Urban Boundary**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

0 7 14 21  
Meters  
Scale @ A4  
= 1:1,000  
Date Printed:  
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## NOTATIONS

### Appeals to the Proposed Plan

 Appeals seeking changes to zones or management layers

### Proposed Plan Modifications to Operative in part Plan

 Notice of Requirements

 Proposed Plan Changes

### Tagging of Provisions:

[ i ] = Information only

[ rp ] = Regional Plan





[ rcp ] = Regional Coastal Plan

[ rps ] = Regional Policy Statement

[ dp ] = District Plan (only noted when dual provisions apply)

## ZONING


### Residential

-  Residential - Large Lot Zone
-  Residential - Rural and Coastal Settlement Zone
-  Residential - Single House Zone
-  Residential - Mixed Housing Suburban Zone
-  Residential - Mixed Housing Urban Zone
-  Residential - Terrace Housing and Apartment Buildings Zone








### Business

-  Business - City Centre Zone
-  Business - Metropolitan Centre Zone
-  Business - Town Centre Zone
-  Business - Local Centre Zone
-  Business - Neighbourhood Centre Zone
-  Business - Mixed Use Zone
-  Business - General Business Zone
-  Business - Business Park Zone
-  Business - Heavy Industry Zone
-  Business - Light Industry Zone

### Open space

-  Open Space - Conservation Zone
-  Open Space - Informal Recreation Zone
-  Open Space - Sport and Active Recreation Zone
-  Open Space - Civic Spaces Zone
-  Open Space - Community Zone
-  Water [i]



### Rural

-  Rural - Rural Production Zone
-  Rural - Mixed Rural Zone
-  Rural - Rural Coastal Zone
-  Rural - Rural Conservation Zone
-  Rural - Countryside Living Zone
-  Rural - Waitakere Foothills Zone
-  Rural - Waitakere Ranges Zone


### Future Urban

-  Future Urban Zone
-  Green Infrastructure Corridor (Operative in some Special Housing Areas)

### Infrastructure

-  Special Purpose Zone - Airports & Airfields  
Cemetery  
Quarry  
Healthcare Facility & Hospital  
Tertiary Education  
Māori Purpose  
Major Recreation Facility  
School
-  Strategic Transport Corridor Zone

### Coastal

-  Coastal - General Coastal Marine Zone [rcp]
-  Coastal - Marina Zone [rcp/dp]
-  Coastal - Mooring Zone [rcp]
-  Coastal - Minor Port Zone [rcp/dp]
-  Coastal - Ferry Terminal Zone [rcp/dp]
-  Coastal - Defence Zone [rcp]
-  Coastal - Coastal Transition Zone



Precincts

--- Rural Urban Boundary

--- Indicative Coastline [i]



# Overlays

## Natural Resources

- Terrestrial [rp/dp]
  - Marine 1 [rcp]
  - Marine 2 [rcp]
  - Water Supply Management Areas Overlay [rp]
  - Natural Stream Management Areas Overlay [rp]
  - High-Use Stream Management Areas Overlay [rp]
  - Natural
  - Urban
  - High-Use Aquifer Management Areas Overlay [rp]
  - Quality-Sensitive Aquifer Management Areas Overlay [rp]
  - Wetland Management Areas Overlay [rp]
- } Significant Ecological Areas Overlay

## Natural Heritage

- Verified position of tree
  - Unverified position of tree
  - Group of Trees
  - Outstanding Natural Features Overlay [rcp/dp]
  - Outstanding Natural Landscapes Overlay [rcp/dp]
  - Outstanding Natural Character Overlay [rcp/dp]
  - High Natural Character Overlay [rcp/dp]
  - Viewshafts
  - Height Sensitive Areas
  - Regionally Significant Volcanic Viewshafts Overlay Contours [i]
  - Locally Significant Volcanic Viewshafts Overlay [rcp/dp]
  - Locally Significant Volcanic Viewshafts Overlay Contours [i]
  - Modified
  - Natural
  - Local Public Views Overlay [rcp/dp]
  - Extent of Overlay
  - Subdivision Schedule
- } Notable Trees Overlay
- } Regionally Significant Volcanic Viewshafts & Height Sensitive Areas Overlay [rcp/dp]
- } Waitakere Ranges Heritage Area Overlay
- } Ridgeline Protection Overlay

## Infrastructure

- Airport Approach Surface Overlay
  - Aircraft Noise Overlay
  - City Centre Port Noise Overlay [rcp / dp]
  - Quarry Buffer Area Overlay
  - National Grid Subdivision Corridor
  - National Grid Substation Corridor
  - National Grid Yard Compromised
  - National Grid Yard Uncompromised
- } National Grid Corridor Overlay

## Historic Heritage & Special Character

- Historic Heritage Overlay Place [rcp/dp]
- Historic Heritage Overlay Extent of Place [rcp/dp]
- Special Character Areas Overlay Residential and Business
- Auckland War Memorial Museum Viewshaft Overlay [rcp/dp]
- Auckland War Memorial Museum Viewshaft Overlay Contours [i]
- Stockade Hill Viewshaft Overlay – 8m height area
- Stockade Hill Viewshaft [i]

## Mana Whenua

- Sites & Places of Significance to Mana Whenua Overlay [rcp/dp]

## Built Environment

- Identified Growth Corridor Overlay

# Controls

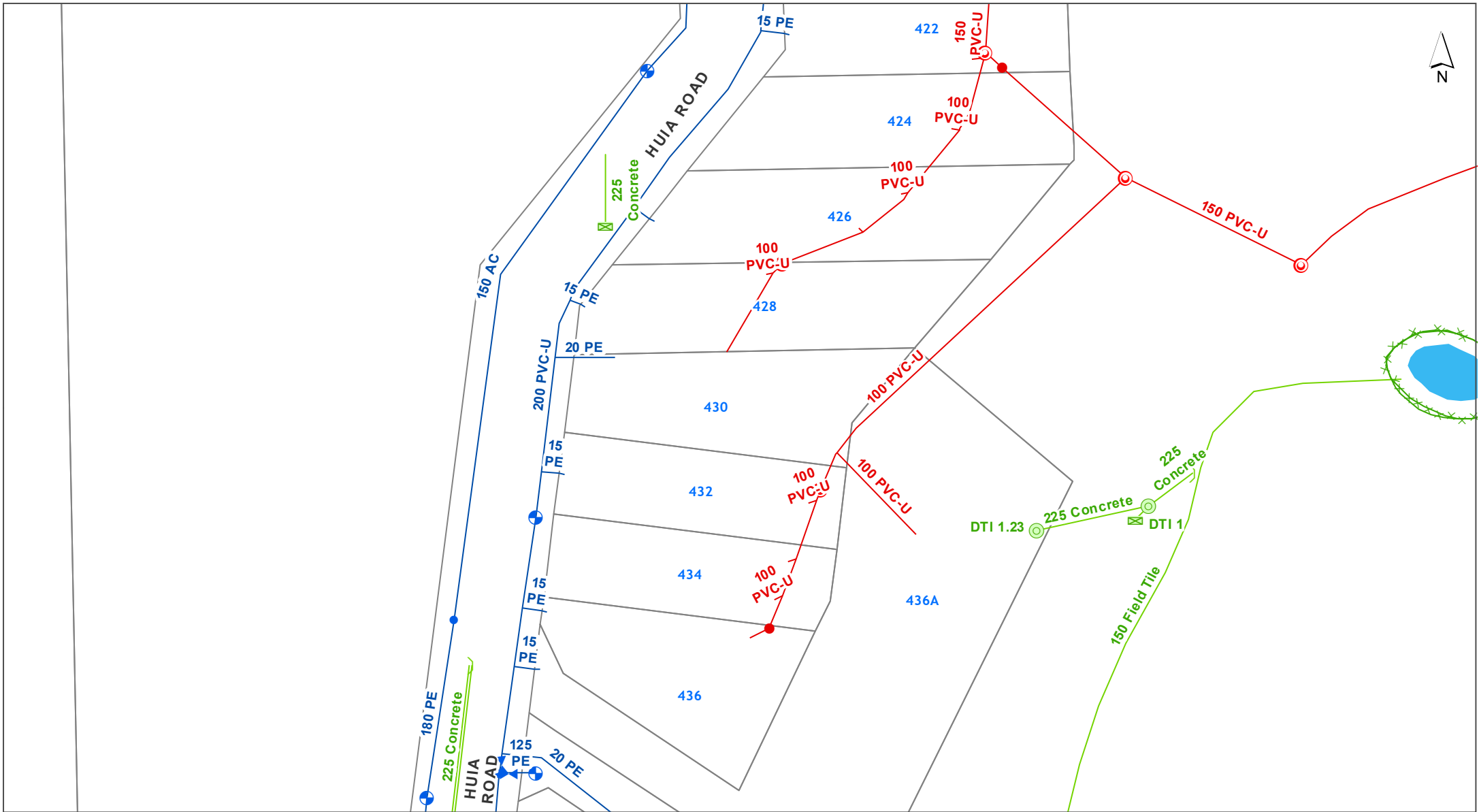
- Key Retail Frontage
  - General Commercial Frontage
  - Adjacent to Level Crossings
  - General
  - Motorway Interchange Control
  - Centre Fringe Office Control
  - Height Variation Control
  - Parking Variation Control
  - Level Crossings With Sightlines Control
  - Arterial Roads
  - Business Park Zone Office Control
- } Building Frontage Control
- } Vehicle Access Restriction Control

- Hazardous Facilities
  - Infrastructure
  - Macroinvertebrate Community Index
  - Flow 1 [rp]
  - Flow 2 [rp]
  - Subdivision Variation Control
  - Indigenous Vegetation 749.7 ha
  - Freshwater Wetland 14.6 ha
  - Surf Breaks [rcp]
  - Cable Protection Areas Control [rcp]
  - Coastal Inundation 1 per cent AEP Plus 1m Control
- } Emergency Management Area Control
- } Stormwater Management Area Control
- } Kawau Island Rural Subdivision SEAs Control

# Designations

- Designations

- Airspace Restriction Designations



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**Underground Services**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**

0 7 14 21  
 Meters  
 Scale @ A4  
 = 1:1,000  
 Date Printed:  
 28/03/2022



Stormwater

Note: Unless otherwise specified in the text below, the *colour* of a Stormwater symbol is determined by the ownership or usage status, using the following colour scheme:

**Public**, **Private** or **Abandoned**

- |  |                               |  |   |
|--|-------------------------------|--|---|
|  | Treatment Device              |  | Overland Flowpath (Public)                |
|  | Septic Tank                   |  | Overland Flowpath (Private)               |
|  | Septic Tank (Hi-Tech)         |  | Forebay (Public)                          |
|  | Soakage System                |  | Forebay (Private)                         |
|  | Inspection Chamber            |  | Treatment Facility (Public)               |
|  | Manhole (Standard / Custom)   |  | Treatment Facility (Private)              |
|  | Inlet & Outlet Structure      |  | Pump Station                              |
|  | Inlet & Outlet (No Structure) |  | Planting                                  |
|  | Catchpit                      |  | Embankment                                |
|  | Spillway                      |  | Viewing Platform                          |
|  | Safety Benching               |  | Bridge                                    |
|  | Culvert / Tunnel              |  | Erosion & Flood Control (Other Structure) |
|  | Subsoil Drain                 |  | Erosion & Flood Control (Wall Structure)  |
|  | Gravity Main                  |  |   |
|  | Rising Main                   |  |   |
|  | Connection                    |  |   |
|  | Fence                         |  |   |
|  | Lined Channel                 |  |   |
|  | Watercourse                   |  |   |

Water

- |  |  |
|--|--|
|  | Valve                                      |
|  | Hydrant                                    |
|  | Fitting                                    |
|  | Other Watercare Point Asset                |
|  | Other Watercare Linear Asset               |
|  | Local Pipe (Operational-NonPotable)        |
|  | Local Pipe (Operational-Potable)           |
|  | Local Pipe (Operational Not Vested)        |
|  | Local Pipe (Abandoned / Not Operational)   |
|  | Transmission Pipe (Operational-NonPotable) |
|  | Transmission Pipe (Operational-Potable)    |
|  | Transmission Pipe (Not Operational)        |
|  | Transmission Pipe (Proposed)               |
|  | Pump Station                               |
|  | Reservoir                                  |
|  | Other Structure (Local)                    |
|  | Chamber (Transmission)                     |
|  | Water Source (Transmission)                |
|  | Other Watercare Structures and Areas       |

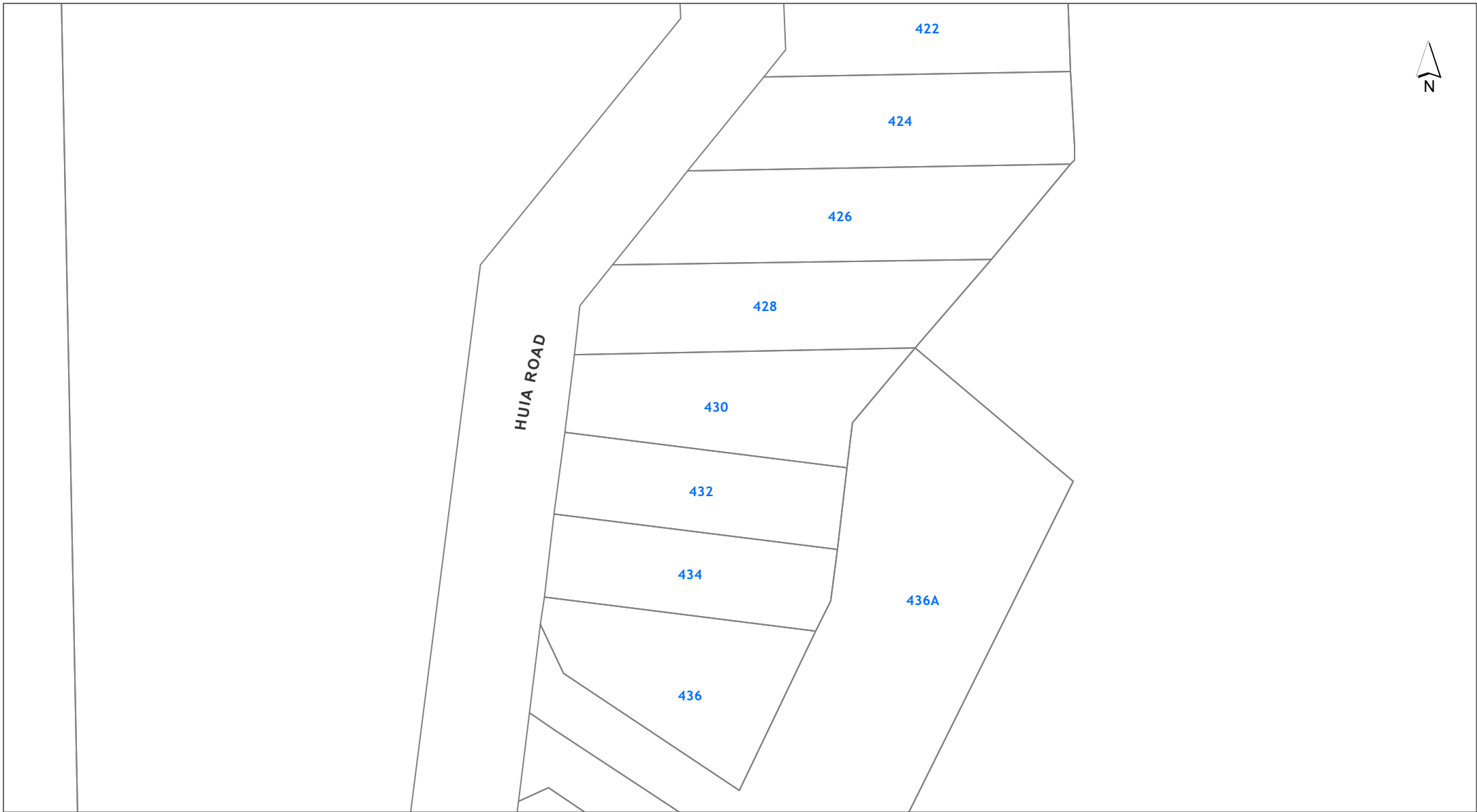
Wastewater

- |  |  |
|--|--|
|  | Fitting                                  |
|  | Fitting (Non Watercare)                  |
|  | Manhole                                  |
|  | Pipe (Non Watercare)                     |
|  | Local Pipe (Operational)                 |
|  | Local Pipe (Operational Not Vested)      |
|  | Local Pipe (Abandoned / Not Operational) |
|  | Transmission Pipe (Operational)          |
|  | Transmission Pipe (Not Operational)      |
|  | Transmission Pipe (Proposed)             |
|  | Chamber                                  |
|  | Structure (Non Watercare)                |
|  | Pump Station                             |
|  | Wastewater Catchment                     |

Utilities

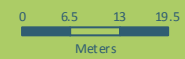
- |  |   |
|--|---|
|  | Transpower Site                         |
|  | Pylon (Transpower)                      |
|  | 110 kv - Electricity Transmission       |
|  | 220 kv - Electricity Transmission       |
|  | 400 kv - Electricity Transmission       |
|  | Aviation Jet A1 Fuel Pipeline           |
|  | Liquid Fuels Pipeline [Marsden to Wiri] |
|  | Gas Transmission Pipeline               |
|  | High-Pressure Gas Pipeline              |
|  | Medium-Pressure Gas Pipeline            |
|  | Indicative Steel Mill Slurry Pipeline   |
|  | Indicative Steel Mill Water Pipeline    |
|  | Fibre Optic Cable (ARTA)                |
|  | Contour Interval                        |

Legend updated: 21/09/2020



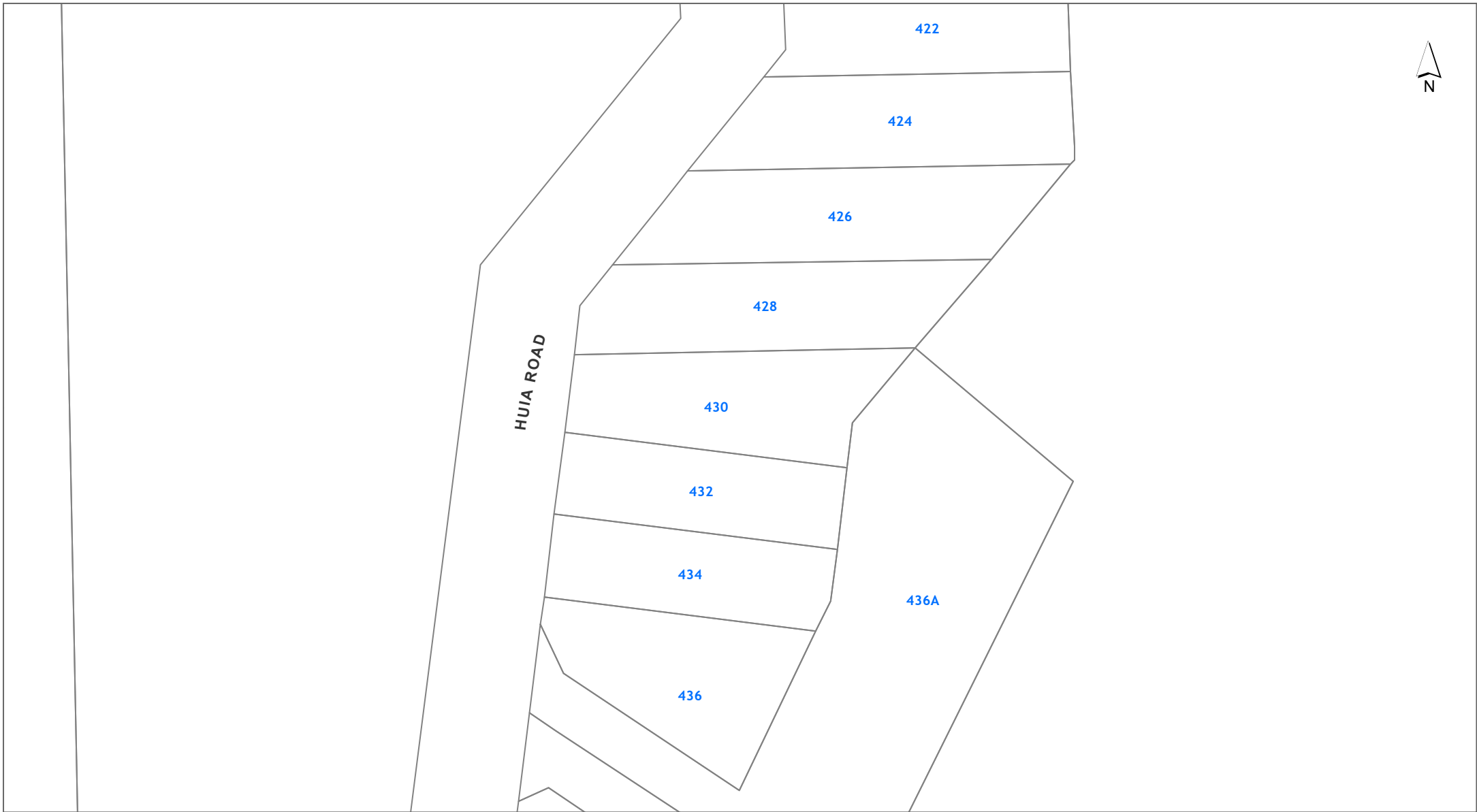
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**Hazards**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**



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**= 1:1,000**  
**Date Printed:**  
**28/03/2022**



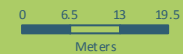


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**Natural Hazards - Coastal Erosion ASCIE**

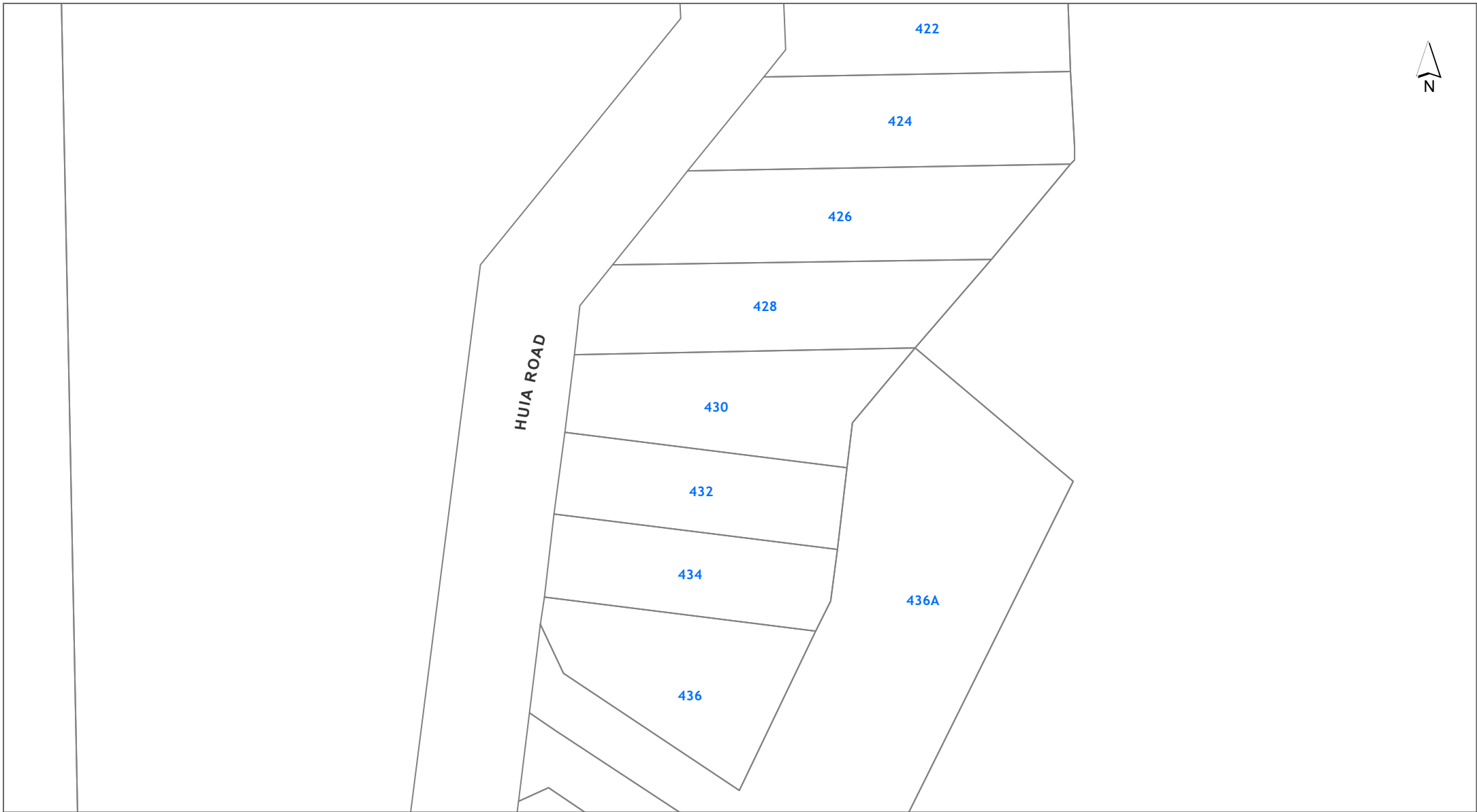
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**LOT 7 DP 39710**



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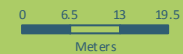


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**Natural Hazards - Coastal Inundation**

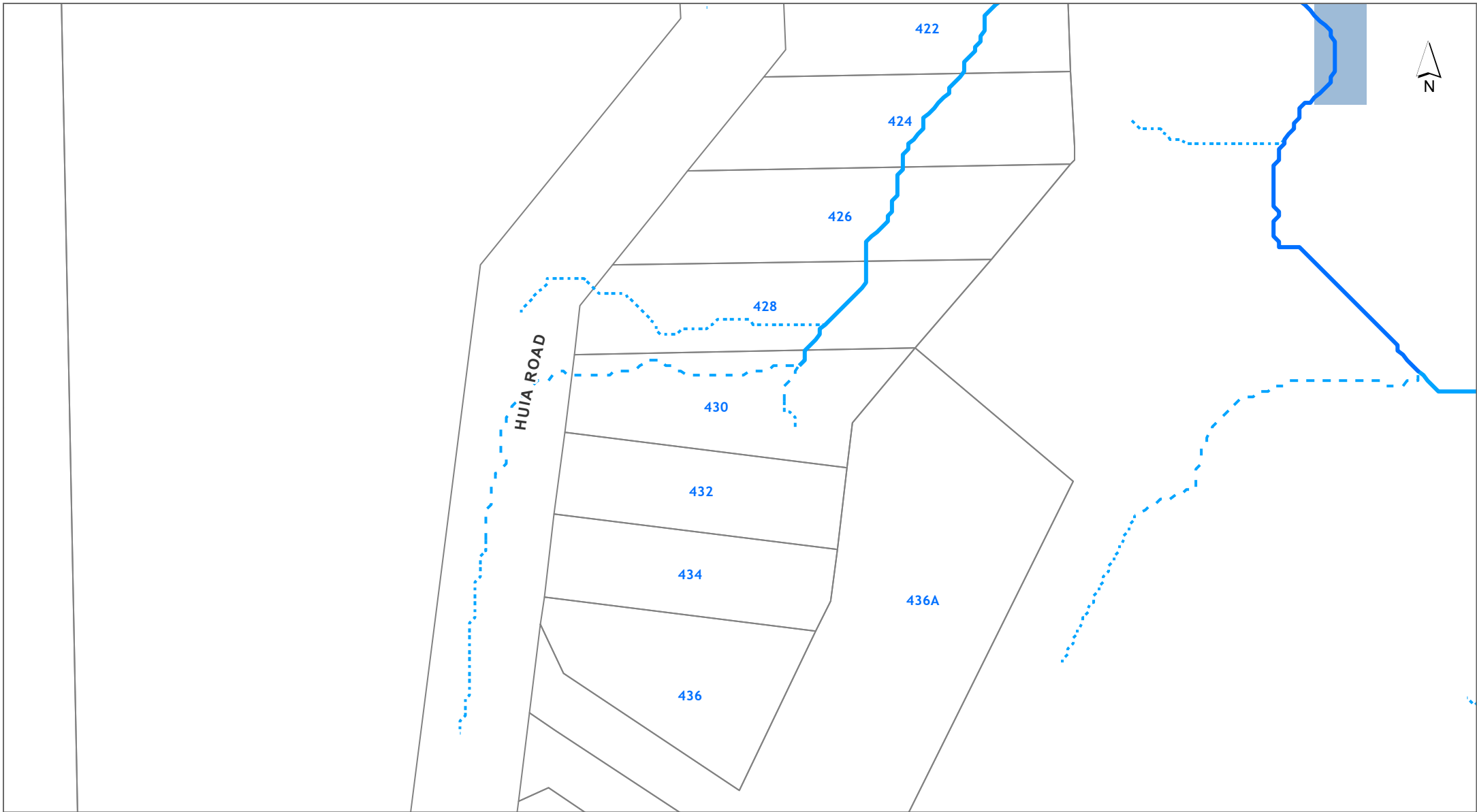
**430 Huia Road Laingholm**

**LOT 7 DP 39710**



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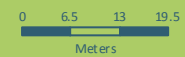


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**Natural Hazards - Flooding**

**430 Huia Road Laingholm**

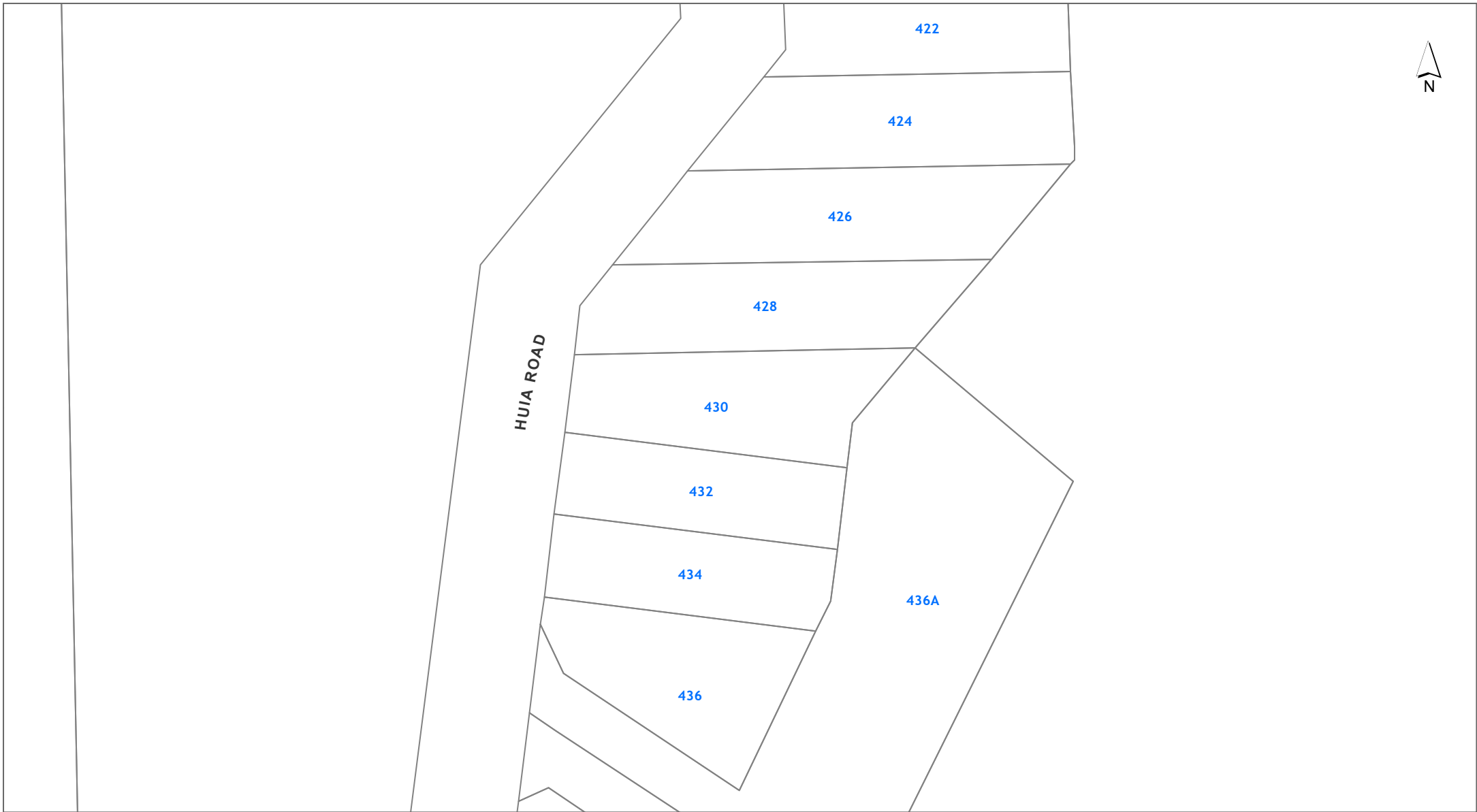
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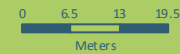


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**Natural Hazards - Sea Spray**

**430 Huia Road Laingholm**

**LOT 7 DP 39710**

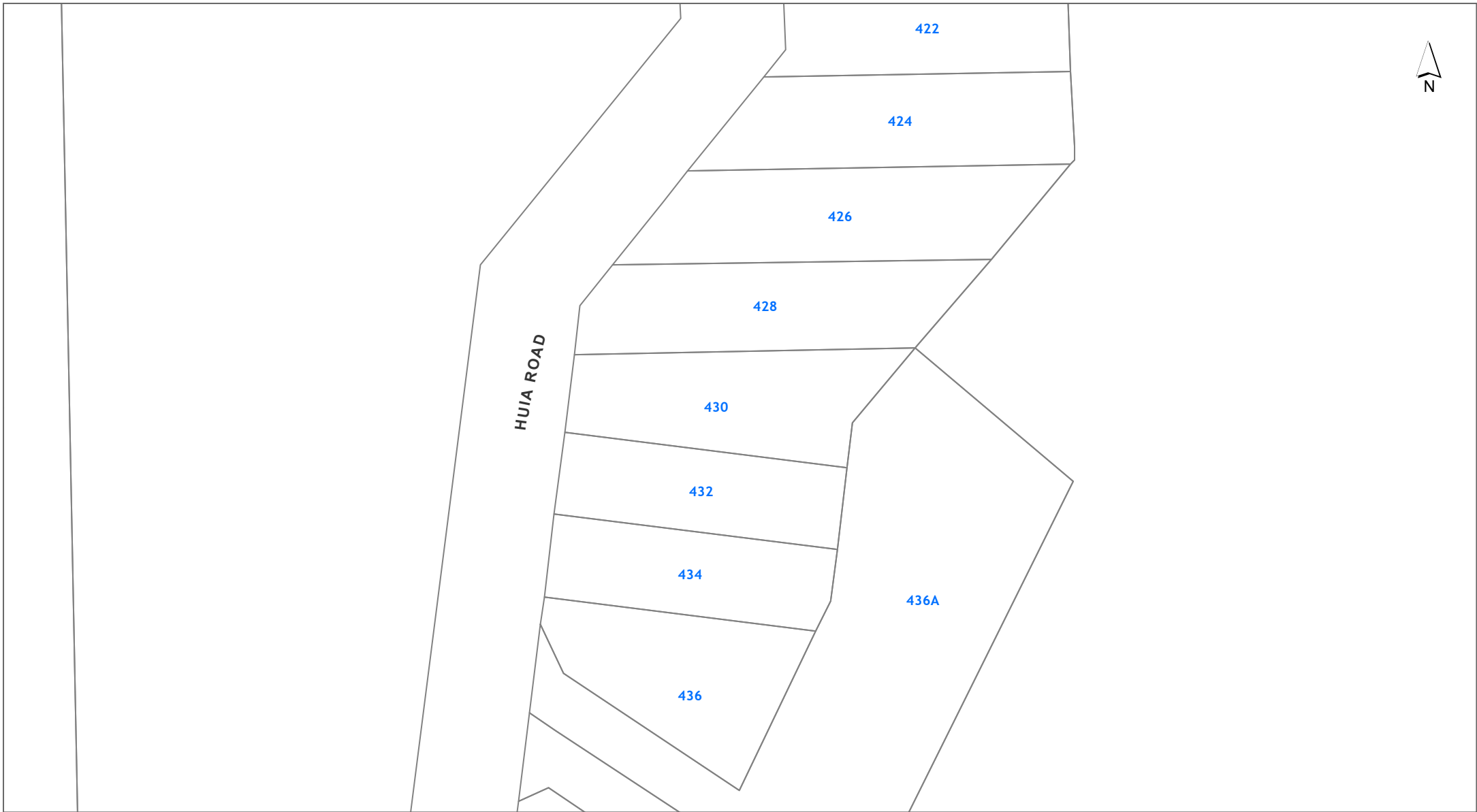


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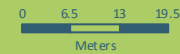


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**Natural Hazards - Volcanic Cones**

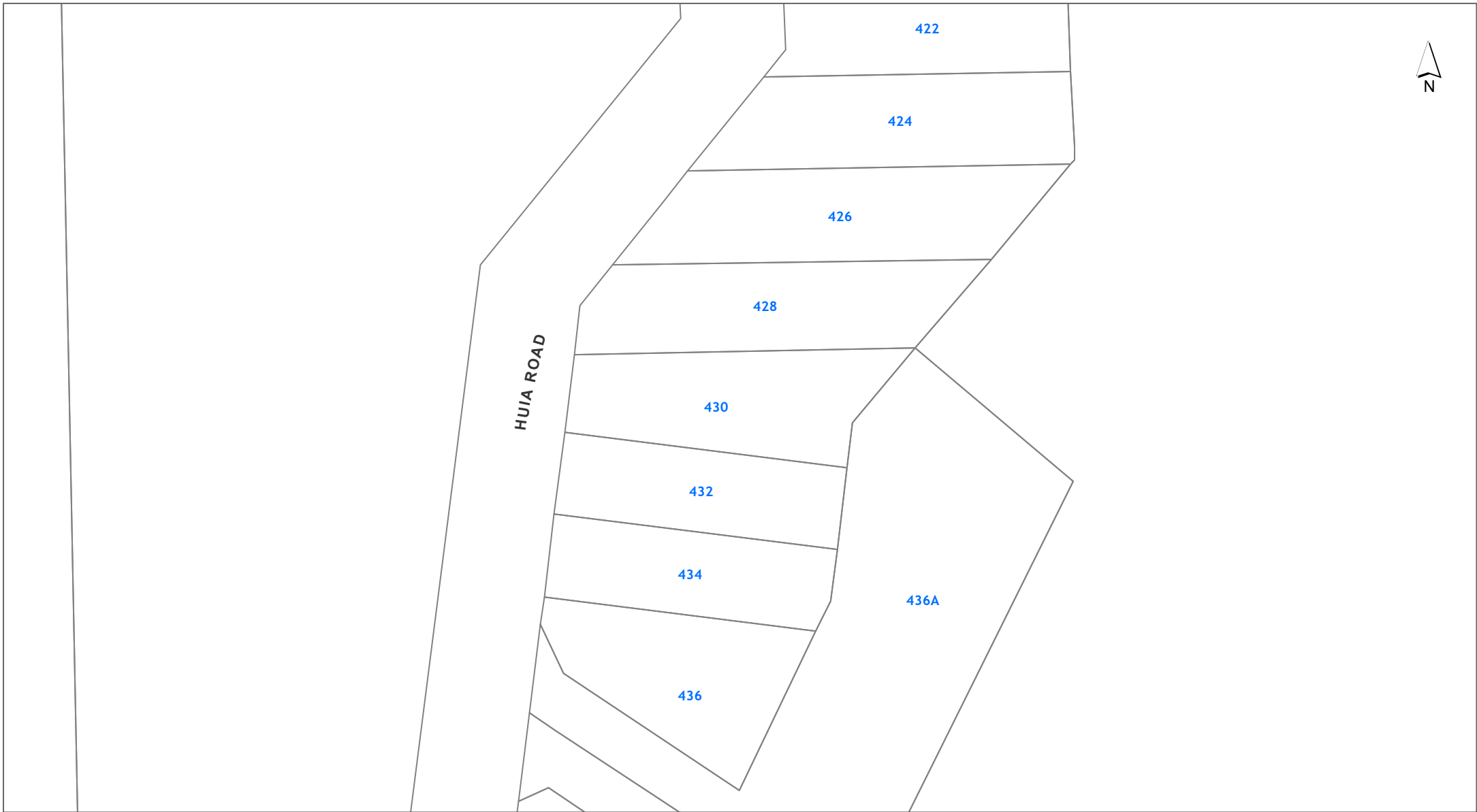
**430 Huia Road Laingholm**

**LOT 7 DP 39710**



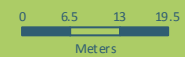
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**Other**  
**430 Huia Road Laingholm**  
**LOT 7 DP 39710**



**Scale @ A4**  
**= 1:1,000**

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Hazards

Soil Warning Area

-  Fill (Franklin District only)
-  Advisory (Franklin District only)
-  Contamination (Franklin District only)
-  Erosion (Franklin District only)
-  Hazardous Activities & Industries List (HAIL) (Franklin District only)
-  Inundation (Franklin District only)
-  Rainfall Event (Franklin District only)
-  Slippage (Franklin District only)
-  Subsidence (Franklin District only)
-  Slippage / Subsidence / Erosion etc (Auckland City and Papakura District only)
-  Uncertified Fill (Auckland City and Papakura District only)
-  Organic Soil (Auckland City and Papakura District only)
-  Filled / Weak Ground (Auckland City and Papakura District only)
-  Refuse Tips Site / Weak Area (Auckland City and Papakura District only)
-  Unstable / Suspected Ground (Auckland City and Papakura District only)
-  Allochthon Waitemata (Rodney District only)
-  Motatau Complex (Rodney District only)
-  Puriri Mudstone (Rodney District only)
-  Mahurangi Limestone (Rodney District only)
-  Mangakahia Complex (Rodney District only)
-  Hukerenui Mudstone (Rodney District only)
-  Whangai Formation (Rodney District only)
-  Tangihua Complex (Rodney District only)
-  within 150m of Northland Allochthon (Rodney District only)











Hazards

Soil Warning Area continued









-  Soil D (Rodney District only)
-  within 150m of Soil D (Rodney District only)
-  Soil C (Rodney District only)
-  within 150m of Soil C (Rodney District only)
-  Soil B (Rodney District only)
-  within 150m of Soil B (Rodney District only)
-  Soil A (Rodney District only)
-  Gas Main Pipeline
-  Petroleum Pipeline
-  Closed Landfill (Auckland Council owned)
-  Closed Landfill (Privately owned)
-  Air Discharge (Franklin District only)
-  No Soakage (Franklin District only)
-  Indicative Steel Mill Slurry Line 20m Buffer (Franklin District only)
-  Indicative Steel Mill Water Line 20m Buffer (Franklin District only)

Natural Hazards

Overland Flow Path








-  Catchment area 100 Ha and above
-  Catchment area 3 Ha to 100 Ha
-  Catchment area 1 Ha and 3 Ha
-  Catchment area 4000 m<sup>2</sup> to 1 Ha
-  Catchment area 2000 m<sup>2</sup> to 4000 m<sup>2</sup>
-  1% AEP Flood Plain
-  Flood Prone Areas
-  Flood Sensitive Areas
-  Sea Spray
-  Volcanic Cones

Coastal Inundation

-  1% AEP
  -  1% AEP plus 1m sea level rise
  -  1% AEP plus 2m sea level rise
- Areas Susceptible to Coastal Instability and Erosion (ASCIE)**
-  ASCIE 2050 (RCP8.5)
  -  ASCIE 2080 (RCP8.5)
  -  ASCIE 2130 (RCP8.5)
  -  ASCIE 2130 (RCP8.5+)
  -  Marine Area (Based on MHWs10, from Unitary Plan)

Other

Cultural Heritage Index

-  Archaeological Site
-  Hayward and Diamond
-  Historic Botanical Site
-  Historic Structure
-  Maori Heritage Area
-  Maritime Site
-  Reported Historic Site

The information Council holds in relation to Special Land Features differs based on the area a property is located in. Those areas where information is held on a Special Land Feature is denoted in the legend above.

Legend updated: 22/07/2021



**REPORT FOR DISCRETIONARY ACTIVITY APPLICATION  
SECTION 94 AND 104 ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH  
THE RESOURCE MANAGEMENT ACT 1991**

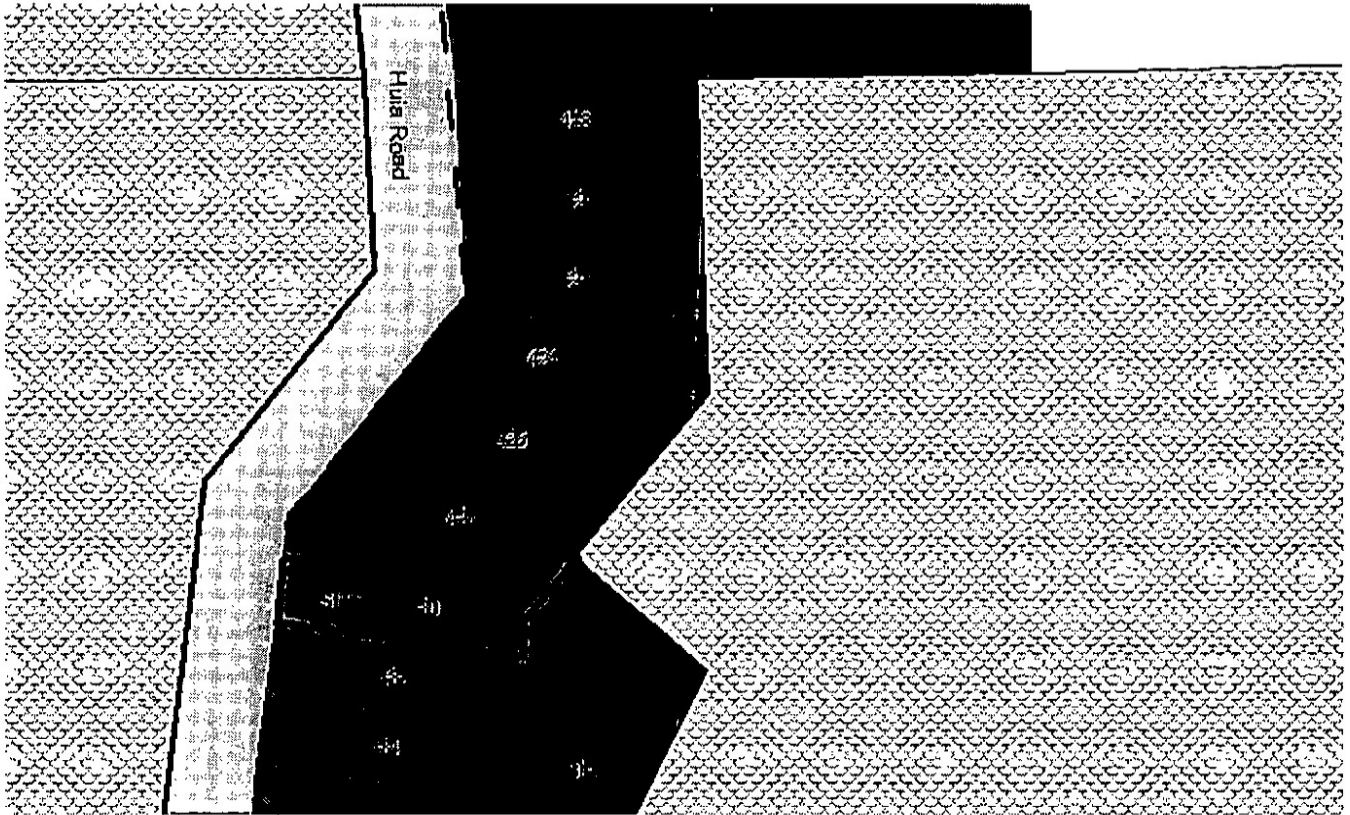
**1.0 SUMMARY OF PROPOSAL**

To construct a two storey dwelling

**2.0 APPLICATION DETAILS**

Planner:	David Makani
Site Address:	430 Huia Road, Laingholm
Applicant:	Robert Chisholm
Date Received:	4 May 2001
<b>Resource Consent No:</b>	<b>20010696</b>
Building Consent No:	20011476
Ward:	Waitakere
Legal Description:	Lot 7 DP 39710
Address for Service:	Paul Hemera, 36 Tahī Terrace, Glen Eden
Site Area:	1135m <sup>2</sup>
Unit Site Area(s):	N/A
Transitional Plan: Zoning:	Non Urban Residential 1
Section:	Waitemata
Hazards:	Yes
Proposed Plan: Human Environment:	Bush Living
Natural Area:	General / Managed
Landscape Elements:	N/A
Hazards:	Stability Sensitive
Roading Hierarchy:	District Arterial
Further Information Required:	Yes
Date Requested:	24. 05. 01, 27. 05. 2001
Date Received:	11. 06. 01, 13. 06. 2001
Site Visit:	16. 05. 01
Locality Diagram	Yes

## LOCATION PLAN



- 2.1 Documents considered for this report include the application documentation and the site visit checklist completed on 16. 05. 2001.

(i) **REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES  
Extent Of Infringement And Type Of Activity Proposed**

**3.1 Transitional Plan**

Rule 5.3:4.2 Buildings & Works (Stability Sensitive Areas)  
Rule 5.3:4.3(b) Earthworks (Stability Sensitive Areas)  
Rule 5.4:5.2.1 Gradients (Driveway)

**3.2 Proposed Plan**

Discretionary Activity for Earthworks, where earthworks carried out outside the building platform would be approximately 25m<sup>3</sup> in volume in the managed natural area of the site (Rule 3.3, Managed Natural Area). Limited Discretionary Activity for earthworks within 1m of an adjoining site boundary, where the proposed retaining wall would be located approximately 0.6m from the south boundary in the general natural area of the site (Rule 3.1, General Natural Area).

Discretionary Activity for infringement of the height in relation to boundary. The dwelling infringes the height in relation to boundary control along the north boundary of 2.5m plus 55° by between 0.1m – 0.4m over a length of approximately 7m. (Rule 5.2, Height In Relation To Boundary, Bush Living Environment)

Discretionary Activity for infringement of Yard rule of 3m. (Rule 6.2, Yards). A portion of the outdoor deck and stairs would be located approximately 2.2m from the south boundary.

Discretionary Activity consent for infringement of maximum (8m) and elevation (10m) height by the dwelling in the Waitakere Ranges Environment (Rule 4, Building Height). The dwelling would exceed these heights by 1 metre respectively.

Limited Discretionary Activity for the removal of native vegetation required to establish a driveway area. (Rule 2.3, Managed Natural Area). The proposal requires the removal of 2 native and 2 exotic trees located in the Managed Natural Area of the site.

Limited Discretionary Activity for exceeding 10% of the net site area where there is no connection available to a reticulated stormwater system. (Rule 4, Impermeable Surfaces). The proposal involves 19.8% of impermeable surface area.

Limited Discretionary Activity for *buildings* on land and *subdivision* of land which are known by the Council to be or likely to be subject to erosion, slope instability, subsidence or inundation (other than inundation by the sea) (Rule 1.1(a) Natural Hazards) The site is identified in Council's Transitional Waitemata District Plan as being stability sensitive.

Overall the application is considered to be a Discretionary Activity. The proposal complies with all other development control rules under the Transitional and Proposed District Plans.

## 4.0 SITE AND PROPOSAL

### 4.1 Site Description

The site is vacant, grassed and located off a District Arterial Road. The land slopes down away from the road, from west to east. There are existing dwellings located to the north and south of the site which are two storey. The site located to the east is the Laingholm Kindergarten. The site has open grassy areas, with a mix of exotic and native trees, spread over the middle portion of the site.

### 4.2 Proposal

The proposal involves the construction of a two storey dwelling, driveway area, removal of 2 native and 2 exotic trees, and earthworks within the Managed Natural Area of the site. The dwelling involves a series of alternative floor levels within the dwelling. Level 1 has an outdoor deck area, kitchen, family and dining rooms, lounge, toilet, laundry and storage areas, Level 2 – foyer entry, and bedroom / study, level 3 – master bedroom, bathroom and ensuite, and level 4 – bedrooms 2 & 3 and a computer corner.

There would be a slight infringement of the 8m height rule by approximately 0.4m and elevation height by approximately 0.843m. There are two minor height in relation to boundary infringements along the north boundary by the dwelling of approximately 0.35m and 0.1m respectively. The earthworks to be carried out on site involves approximately 25m<sup>3</sup> in volume outside the building platform, for a driveway over an area of approximately 60-70m<sup>2</sup>. The excavated material is to be used for cut and fill to both form and construct the driveway area. There is also a small retaining wall required to be constructed approximately 0.5m from the south boundary and posts approximately 0.2m. A large Japanese Cedar is required to be removed, and a large manuka and two exotic trees located along the north boundary require pruning.

### 5.1 Statutory Context

As a discretionary activity, the application for resource consent should be publicly notified in accordance with section 93 of the Resource Management Act, unless it can be demonstrated that the requirements of section 94(2) of the Act can be satisfied. Section 94(2) provides that applications for resource consent need not be notified where:

*“(a) The consent authority is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and  
(b) Written approval has been obtained from every person whom the consent authority is satisfied may be adversely affected by the granting of the resource consent unless the authority considers it is unreasonable in the circumstances to require the obtaining of every such approval.”*

Recent case law has indicated that consent authorities should give careful consideration to the question of notification, and should publicly notify applications for resource consent unless it can be clearly demonstrated that the criteria of section 94(2) are met. A comprehensive assessment of any potential adverse effects is required. This conservative approach is underscored by the relatively wide definitions of “environment” and “effects” that are set out respectively in sections 2 and 3 of the Act. In determining whether or not an adverse effect on the environment of any activity will be minor, Council shall take no account of the effect of any activity on any person who has given their written consent to the activity under section 104(6).

In relation to other potentially affected parties, case law has established that the Council is only able to disregard adverse effects that would be ‘de minimus’ (Bayley CA 115/98). This concept can be taken to describe effects that are negligible or whose occurrence would be remote. In the case of the current application, this threshold has been adopted as the correct basis for assessing whether any person may be adversely affected by the granting of consent.

In terms of effects on the “environment” case law has established that the correct approach is that of the “permitted baseline” ie the environment (which includes both the subject site and the neighbouring environment) as it exists at the time the application is considered and what activities can take place there as of right, even if hypothetical, as compared with the effects of the proposed activity. Case law has established that any such hypothetical developments must be credible in terms of what could reasonably be expected to establish there.

When considering effects under Section 94(2) regard may be had to any condition which, if imposed under any decision to grant consent would eliminate or reduce the adverse effect to one which would be no more than minor for the purposes of subsection 2(a) or to a point where it would be de minimis or only a remote possibility for the purposes of subsection 2(b).

### 5.2 ADVERSE EFFECTS ASSESSMENT

#### 5.2.1 Water Quality and Quantity

The proposal has an impermeable surface area of 19.8% (224.73m<sup>2</sup>). The site is not serviced by Council's reticulated stormwater system. The applicant has also included as part of their proposal a 500 litre water tank and rain garden, which would collect storm water runoff from the driveway area and overflow from the water tank that collects roof water. The rain garden would receive the storm water and naturally process any contaminants likely to be contained. This process essentially reduces the velocity of stormwater run-off as a temporary collecting vehicle and goes to some lengths to purify the storm water before the water enters the natural watercourse located to the north boundary of the site.



Council's Drainage Engineer, Ecowater, has assessed the proposal which is the same as that lodged with the building consent being processed concurrently by Council referenced ABA 20011476, and is satisfied that stormwater and wastewater issues are addressed adequately by this proposal. There would be de minimus adverse effects in relation to water quality/ quantity arising from the proposed activity as it would not be near a water body or stream. The effects are therefore considered to be de minimus in this respect.

### 5.2.2 Native Vegetation, Vegetation and Fauna Habitat

Although the site is classified as Managed Natural Area, much of the site is made up of open grassy areas. The following trees are required to be removed:

- (i) 1x exotic 12m tall *Cryptomeria japonica* (Japanese red cedar);
- (ii) 2x native 6m tall *Pittosporum tenuifolium* (kohuhu);
- (iii) 1x dead exotic tree (behind Japanese red cedar).

Other protected trees on site but not shown on the plans include a 1x 3m tall *Metrosideros excelsa* (pohutukawa); 1x 3m tall *Dacrydium cupressinum* (rimu); 1x 4m tall *Melicactus ramiflorus* (mahoe) and 1x 14m tall Poplar tree (identified on the plan as an "exotic"). These trees are not being removed.

In addition, the Liquidambar tree is relatively close to the proposed development and Council's Customer Field Advisor – Resource Management (Vegetation) recommends the applicant remove this as well if required. A condition is included as part of this consent for the applicant to remove this tree if they wish (i.e., there is a separate condition from the other planting requirements). A few isolated weeds have been identified on the site, including *Solanum mauritianum* (woolly nightshade) and *Hedychium gardnerianum* (wild ginger). These should be removed as part of the consent conditions. Planting and weed removal conditions would appropriately mitigate the loss of the above listed vegetation. In addition to the clearance, there is also work within the dripline of protected vegetation required. Some of this has the potential to be quite damaging to the trees, so relatively stringent conditions have been included as part of this consent to mitigate any foreseeable adverse effects. Provided that work carried out on site in accordance with the conditions outlined at the end of this consent regarding vegetation removal and replacement planting, adverse effects as a result are considered to be de minimus.

### 5.2.3 Land / Soil

The earthworks required on site are identified under the Plan to be in the Managed Natural Area, and involve 25m<sup>3</sup> in volume outside the building platform, earthworks required to construct a retaining wall within 1m of an adjoining site boundary and covering an area of approximately 55m<sup>2</sup> to 60m<sup>2</sup>. Council's Planner has discussed the application with Council's Customer Field Advisor, Earthworks who has recommended conditions to mitigate any adverse effects that may result from the earthworks. Adequate silt control measures are required to reduce any adverse effects on the immediate environment and adjoining properties. Any excess clean fill would be required to be removed from site and taken to a site that has either territorial or regional authority consent.

The site has been identified on a site that is stability sensitive on Council's Hazard Register. A geo-technical report dated 17/08/98 carried out by *Soil & Rock Consultants, Consulting Geotechnical Engineers* has been provided in support of the proposal. Council's Design Engineer Project Management, has assessed the proposal and recommended conditions as part of this consent to ensure stability issues on site are met. These conditions include the requirement for the dwelling to be constructed in building materials of a flexible and lightweight nature, rather than materials that are heavy or brittle / masonry / brick or plaster.



The dwelling itself would be constructed in lightweight exterior cladding and have a zinculine corrugated iron roof, and be supported by pole foundations. This therefore indicates that the proposed dwelling is suitable for this site given that it is to be constructed in accordance with Council's Design Engineer recommendation. There would be no more than de minimus adverse effects on soil and existing landform as a result of the proposed activity as conditions of this consent would mitigate any likely adverse effect that may result.

#### **5.2.4 Air**

The site is not within the urban area, and the proposed activity does not include air emissions of any kind, there would be no effect on air quality.

#### **5.2.5 Ecosystem Stability**

The site is not within the urban area and the existing surrounding environment is partially modified. Council's Customer Field Advisor – Resource Management (Vegetation), has carried out a site inspection and recommended conditions as part of this consent to ensure that the existing environment is not adversely affected. Replanting of native vegetation would replace the vegetation that required clearance. The applicant has also included as part of their proposal a rain garden, which would collector storm water runoff from the driveway area and overflow from the water tank that collects roof water. The rain garden would assist in collecting the storm water and naturally process any contaminants likely to be contained.

This process essentially reduces the velocity of stormwater run-off and goes to some lengths to purify the storm water before entering the natural watercourse located to the north boundary of the site. Council's Drainage Engineer has also assessed this proposal and satisfied that their requirements have been met. Provided that conditions of this consent are complied with there would be no more than a de minimus effect on the stability of ecosystems as a result of the proposal.

#### **5.2.6 Natural Character of Coast and Margins of Lakes, Rivers and Wetlands**

There would be no likely adverse effects in relation to the natural character of the coast and margins of lakes rivers and wetlands arising from the proposed activity as it would be located inland away from the coast, water bodies or wetlands.

#### **5.2.6 Amenity Values - Health and Safety, Landscapes, Local Areas and Neighbourhood Character**

The proposed dwelling complies with the bulk and location controls except for maximum height and yard controls under the Plan. The subject site is one of the few sites in this part of the city yet to be developed. The physical constraint on site, is the land's topography, which restricts the potential for certain types of residential development on site. The proposal has sought to locate as close to the front of the section as possible to suit the steep topography of the land. Amenity in the area would also be maintained through conditions of this consent and the proposed house design respects the natural landscape. Replanting of native trees to replace the vegetation to be removed would assist in bringing the site as close to its natural state as possible. Noise, dust and vibration are likely to be minor short-term effects occurring temporarily over the construction period of the site, and conditions of consent would control these effects to a level where they are considered to be de minimus.

The maximum height control is infringed by approximately 0.4 and 0.6m respectively, while the maximum elevation height is infringed by approximately 0.8m. The infringements occur in different locations in the housing design and have been incorporated to both provide more useable space on site and compliment the natural environment. The sites that are likely to be adversely affected by the infringements would be the properties located immediately to the north and south of the site, being No.s 428 & 432 Huia Road. The owners of these properties have sighted both the site and elevation plans, and also given their written consent to the proposal. The subject site itself slopes down away from Huia Road. The site located to the east is No. 436a Huia Road, which Council considers would not be adversely affected by the infringement of the height rules. This is because the proposed dwelling itself would be seen from this site backgrounded by the thick vegetation and sloping land located to the west of the site that rises up away from Huia Road; the fact that the dwelling would be located relative to the two properties located either side of the site and the dwelling is located approximately 25m to 30m from the east boundary which is considered an adequate separation distance to reduce any possible physical domination effect or shading effect that may occur. No. 436a Huia Road is Laingholm Kindergarten, and the play area is where the proposed dwelling is likely to be most prominently visible from. Neighbourhood character and the natural landscape have been maintained. The effects are considered de minimus in this respect.

The infringement of the height in relation to boundary control of 2.5m plus 55° occurs along the north boundary and the extent of the infringement measures from between 0.1 and 0.4m over a length of approximately 7m. These infringements occur at the spouting and part of the eaves on the northern face of the dwelling. The affected neighbour has given their written consent to the infringement. The effects are therefore considered de minimus.

The infringement of the 3m yard control occurs along the south boundary of the site. This yard control is infringed by part of the steps and a small portion of the outdoor deck. The closest distance to the southern boundary is by the steps which is approximately 2.2m. There would be no vegetation clearance required, no compromising of traffic safety, no adverse affect on the natural landscape and sufficient distance is provided to ensure an adequate degree of privacy is maintained. The affected neighbour has also given their written consent to this yard infringement. The effects are therefore considered to be de minimus.

#### **Other: Roading & Traffic**

The site is currently vacant and requires a new driveway. The site is located off a district arterial road and the topography of the site is steep. The applicant has submitted cross section drawings and plans that have been assessed by Council's Roading & Traffic Engineer who is satisfied that although the driveway in places has a gradient exceeding 1 in 5 (20%) it would meet Council standards for dispensation and recommended a condition as part of this consent requiring that the driveway be constructed in a "high friction" surface to ensure that traction is sufficient for motor vehicles and the amended plans for the driveway gradient area received by Council on 13. 06. 2001 are complied with. The design of the driveway area ensures that safe sight line distances are maintained and that there is a safety platform area for temporary stoppage so that checking of the road is clear before entering onto Huia Road. The gradient of the driveway area between the road and front boundary of the site is also designed to ensure that "bottoming-out" does not occur on entering and exiting the site. Council's Roading & Traffic Engineer has also recommended as an advice note that some form of safety barrier be erected along those sections of the driveway where the potential for vehicles driving off the driveway over the retaining walls is likely to occur. Providing that conditions are complied with Council's Roading and Traffic Engineer considers that the effects would be de minimus.

### 5.2.7 Conclusion in relation to Section 94(2)(a):

Overall the adverse effect on the environment for which consent is sought would be de minimus for the reasons stated above or the written consent of affected parties has been obtained.

### 5.3 Section 94(2) (b) - Adversely Affected Persons

As identified above, the following persons are considered to be adversely affected for the following reasons:

PERSON (owner/occupier)	ADDRESS	REASONS	APPROVAL OBTAINED
A & K Turner	432 Huia Road	Natural landscape intrusion, physical domination, privacy intrusion and view interruption, reasonable sunlight and daylight access refer paragraph 5.2.7 above.	Yes
J.G & CI Nagel	428 Huia Road	Natural landscape intrusion, physical domination, privacy intrusion and view interruption, refer paragraph 5.2.7 above.	Yes

Written approval has been obtained from every person whom the consent authority is satisfied may be adversely affected by the granting of the resource consent.

### 5.4 Special Circumstances

In accordance with section 94(5) of the RMA it is considered that there are no special circumstances that warrant notification of the proposal.


## 6.0 SECTION 94 RECOMMENDATION

Pursuant to Section 94 of the Resource Management Act 1991, it is recommended that this application be processed without being publicly notified for the following reasons:

- The adverse effect on the environment of the activity for which consent is sought will be de minimus because conditions recommended by Councils Design Engineer and Customer Field Advisors would address adverse effects that would likely arise during the construction phase of the development and long term

OR

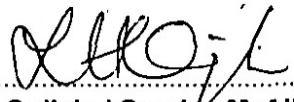
- Written approval has been obtained from every person who may be adversely affected by the granting of this resource consent.
- There are no special circumstances to warrant notification of this application.

Reporting Planner:   
(David Makani)

Date: 21/06/01

**7.0 SECTION 94 DETERMINATION**

Acting under delegated authority and for the reasons set out in the above assessment this application for resource consent shall be non notified as recommended.

  
.....  
**Lee Ogilvie / Carolyn McAlley**  
**Team Leader Consents**

Date: 21/06/01

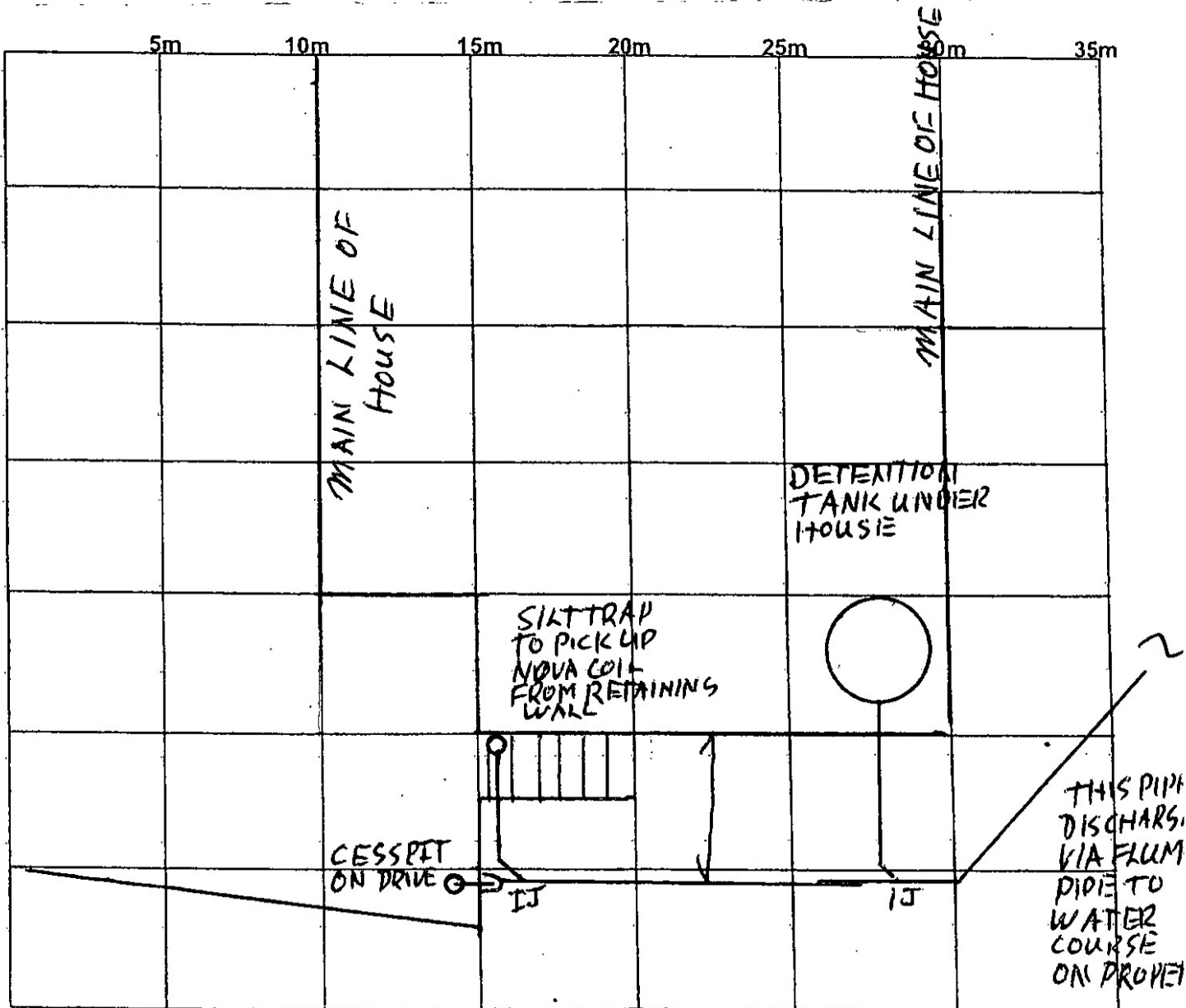
**Graeme McCarrison**  
**Manager, Resource Consents**

# As Built Drainage Plan



Building Consent number: 20011476 Inspector: JOHN NICOLS  
 Owner's name: PAUL HEMARIA Drainlayer's name: JIM ROSKVIST  
 Site address: 430 FLUA ROAD LAINGHOLM  
 Lot number: 7 DP number: 39710 Date inspected: 3/2/04

Drainage plans are required for all new work and extensions to drains including effluent disposal systems. The plan is to be completed accurately drawn in ink to a scale of 1:200 and must show clearly the street boundary, property boundaries, outline of the buildings as well as the layout of all drains and inspection fillings. Please indicate the scale used if it is different than 1:200. Please ensure that this as built plan is completed prior to the inspection of the drainage work. Failure to comply may delay the approval of your work.



For more information: Civic Centre, Waipareira Avenue, Henderson Telephone: (09) 839 0400 Facsimile: (09) 836 8001

021 517 165