

PR2008/0047844

C2008/8118

# Submission Form for an Independent Building Consultants Report for Pre-1993 Building Work

50949  
649394

Waitakere City Council  
Te Taihāpapa Waitakere

Send to: Chief Executive  
Waitakere City Council  
Private Bag 93109  
Henderson  
WAITAKERE CITY 1231

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

WAITAKERE CITY COUNCIL

11 NOV 2005  
WAITAKERE CITY COUNCIL

14 NOV 2005

To be completed by Property Owner

I understand that the Council does not accept any responsibility or liability for the contents or accuracy of the report.  
I also understand that a copy of the report will be disclosed to members of the public on request and upon payment of the relevant fee, under Section 10 Local Government Official Information and Meetings Act 1987.

☐ (Please read above and tick as understood)

Property Address: 87 Hauiri Point Road, LAINGBROM

Owners Name: Simpson Family Trust

Owners Address: P.O. Box 50681  
(If different from above) WHANGAREI

Council holds this building report  
dated 13/9/05 submitted by the  
property owner.

Daytime Telephone Number: (09) 430 1085

Note: Waitakere City Council  
does not accept any responsibility  
for the contents or accuracy of  
this report.

## Report Details

Description of work: Downstairs Development to form  
extended living area

Property Solutions Group

Author and date: Ralph Poulter - 13/9/2005

P.O. Box 20 586

Glen Eden, Auckland

Ph: 836 5770 Fax: 836 5796

Email: [info@propertysolutions.co.nz](mailto:info@propertysolutions.co.nz)

I am the owner of the above property and confirm:  
(Please circle Yes or No)

- The report is prepared by an independent, suitably qualified building consultant - Yes / No
- The report only covers building work undertaken at the above address before 1st January 1993:  
With a Permit/s - Yes / No  
Permit Number/s, if applicable \_\_\_\_\_ or;  
Without a Permit/s - Yes / No
- The report concludes that the building is safe and sanitary Yes / No or;  
The report concludes that the building or part of it, is unsafe or unsanitary and a separate letter from the building consultant is enclosed, outlining those issues - Yes / No

Chief Executive	
Corporate Services	
City Services	
Moselle	
Consultancy Services	
ECO - WATER	
Strategic Group	
Consent Services	
Field Services	

Signature of Owner: [Signature] Date 9 NOV 05

\* Also enclosed Engineers Report "Timber Technology & Certification Ltd"

Registered Owner: Simperingham Family Trust

Inspection date: 13<sup>th</sup> September 2005

Council holds this building report  
dated 13/9/05 submitted by the  
property owner.

Note: Waitakere City Council  
does not accept any responsibility  
for the contents or accuracy of  
this report.

To whom it may concern;

**INDEPENDENT SAFE & SANITARY REPORT ON  
UNAUTHORISED WORKS  
87 Kauri Point Road, Laingholm, Auckland  
DOWNSTAIRS DEVELOPMENT  
Lot 357 DP 17523**

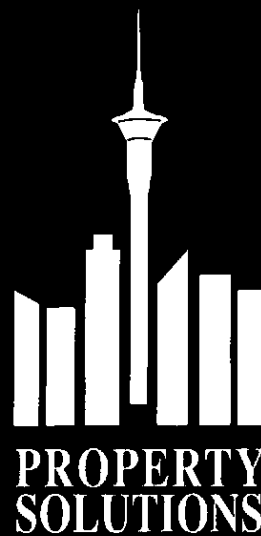
**1.0**

**PURPOSE OF VISIT**

This report details our investigation & recommendations into the unauthorised Building Works, which were carried out at the above-mentioned property prior 1<sup>st</sup> January 1993, and is based on a visual inspection, carried out on the 13<sup>th</sup> September 2005.

Unauthorised works prior to 1993 should comply with Building Bylaws at the time of construction.

The objective of our inspection is to determine that the components and materials used in construction of the described works along with standard of workmanship are in accord with trade practise.



- Property Inspections
- Safe & Sanitary Inspections
- Final Sign-Offs
- Reports to Council
- Land Information Search
- Structural Reports
- Engineers Reports
- Draughting
- Painting/Waterproofing
- Property Maintenance
- Roof Services

Property Solutions  
Group Limited

29F Cartwright Rd  
PO Box 20586  
Glen Eden  
Auckland  
New Zealand

Freephone:  
0800 00 73 76

Fax: (09) 836 5796

Email:  
info@propertysolutions.co.nz

Web:  
www.propertyolutions.co.nz

The purpose of this inspection and report is therefore to establish whether the unauthorized works can be deemed to be neither dangerous nor insanitary in terms of sections 8 & 64 of the Building Act 1991.

Councils will require drawings to show the extent of the works carried out and their position in relationship to any existing buildings. Confirmation must be provided of compliance with the District Scheme/ Plan where there are obvious issues such as living courts, site coverage etc compliance must be demonstrated.

It is to be noted that this report is not intended to detail any maintenance issues, and only relates to the work as described herein.

## 2.0

### HISTORY

No record of permit for the basement development is held on Waitakere City Council file, nor record of council inspections.

The original existing house was built on poles and held with bearers to conform to the normal pole type structure. Subsequent to construction the poles to the foundations have been enclosed to extend the living area, including a self-contained kitchenette, bathroom and toilet.

## 3.0

### STRUCTURE

#### 3.1 Foundations

Foundations are as per the original dwelling being pole construction with excavated soil to allow for living areas. These were subsequently enclosed. No structural poles were removed. Some bracing elements have been removed (see Engineers Report). It was not possible to view the bracing elements to any areas that had been lined between poles, but no movement or stress was evident to these areas.

#### 3.2 Framing

Framing used consists of 100x50 light timber framing, non-load bearing and placed between poles to form an enclosed area comprising into bedrooms, bathroom and kitchenette.

### 3.3 Stairwell

A stairwell has been placed at one end of the dwelling to allow access to the downstairs enclosed living area.

### 3.4 Roofing

The roofing is the existing house directly above this lower development.

### 3.5 Cladding

Cladding comprises typical board and batten, well attached and fixed. Box corners are fitted and no cupping was evident.

### 3.6 Joinery

Alloy joinery has been fitted consisting of both fixed and opening sashes with ranchslider access to a patio. Joinery appeared to be well sealed with head flashings installed.

### 3.7 Drainage

All water reticulation and waste drainage is connected to the existing services. No leaking was noted to the drainage areas.

Height above exterior paving has been incorporated using a spoon-type drain with a grate top. Height from floor to the base of this drain is the required 150mm.

### 3.8 Electrical

This is connected to the existing dwelling and operated through the existing meter board.

### 3.9 Interior

The interior has been divided into bedrooms, kitchen, bathroom and toilet area. Linings are gibboard over light timber framing construction and are finished to a reasonable standard.

The kitchenette consists of vinyl floors, Formica benches are fitted, with a stainless steel sink unit. An AEG gas hob is installed on a Melteca base unit.

The bathroom has tiles to the floor, painted walls and ceilings and tiles to a dado height. A PVC bath is fitted, and a dual flush toilet. A china pedestal basin is also fitted to this room, with a PVC shower insert, which has an easy trap waste and a sliding shower rail. A Manrose wall vent is fitted, as is a heated towel rail and an RCD electric power point.



The stairs from the upper level to the basement alterations have a well fixed handrail in place.

#### 4.0

##### ENGINEERS REPORT

An Engineers Report accompanies this summary in relation to the modification of the bracing to the downstairs support mechanism.

#### 5.0

##### SITE

No alteration to the site plan has been made in the construction of the downstairs area.

#### 6.0

##### DISTRICT PLANNING

No alteration to the footprint has been made, therefore the District Plan has not been affected.

#### 7.0

##### CONCLUSIONS

Generally the writer considers that the unauthorised works to the lower level of the subject dwelling appeared to be in a Safe & Sanitary condition, and would have complied as near as practicable with the relevant Building Codes applicable at the time of construction should a Building Permit have been applied for, in respect of Sections 8 and 64 of the Building Act 1991.

## 8.0

### LEGAL SITUATION

In order to understand the issues involved in a legal context, they are best set out by considering the subject of "unauthorised" building work. Sections 64 and 65 of the Building Act cover all building works (legal & unauthorised) which are deemed to be unsafe or insanitary, and which is required to be upgraded.

The purpose of this report is to inspect and report on this matter, so that if it can be confirmed that Sections 64 and 65 do not apply, then the situation can be accepted as existing, with no further action necessary on the part of the Council. This is providing there are no breaches of the District Plan; jurisdiction which is covered by Council under the Resource Management Act 1991.

Another important feature here is that no retrospective building consents can be given under the Building Act for any previous work that has been constructed without a building consent under that Act or under a building permit based on previous bylaw requirements.

Having established that there is "unauthorised" work, and then having established that the work is not unsafe or insanitary under Sections 64 and 65 of the Building Act 1991, Council will simply file any such report given to them with no "approval." Such work will always remain as "unauthorised." Any prospective purchasers need to be aware of this, so they understand that the situation can never be "legalised." This is from a building point of view.

## 9.0

### LIMITATIONS OF THIS REPORT

This report has been prepared on the basis of a visual inspection of the building works using normal readily available access and without testing of components for the assessment of the overall structural condition of it and associated items, and without recourse to the construction drawings.

It is confirmed that no detailed geotechnical investigation has been included in this brief. An investigation of the condition and location of underground drainage and services and of electrical, gas and plumbing (except as otherwise may be described in this report) is not included in the brief. No warranty can be given as to other defects not apparent to visual inspection at the time.

We trust this information is sufficient for your requirements but should you have any query regarding this report, or should there be any issues outstanding, please feel free to contact the writer.

Yours faithfully

**PROPERTY SOLUTIONS GROUP LTD (INSPECTIONS DIVISION)**



**RALPH POWER (BOINZ AINZ)**

**BUILDING INSPECTOR/ CONSULTANT**

Limitations Note:

- (1.) Prices given for remedial work on faulty items are to serve as a guide only and it is recommended that quotations be obtained from suitably qualified trades persons for the areas identified. If required we are able to recommend approved contractors for the described works.
- (2.) The inspection is restricted to areas that have available access and will not include the removal of wall linings, building paper or insulation or any other covering or lining material. It cannot include CONCEALED plumbing, piping or drainage and electrical items. Flintcoat waterproofing or underground sealants commonly used in basement developments and associated drainage below ground level cannot be accurately assessed.
- (3.) If ready access was not possible into ceiling or subfloor areas, they will be identified and excluded from the report.
- (4.) This report does not provide any guarantee whatsoever that items surveyed will not fail at some later date and information herein pertains strictly to observations on the day of inspection and accessibility.
- (5.) Soil Stability or condition of underground services including underground protective coatings are not able to be included.
- (6.) The positioning of the building or improvements in relation to the site boundaries are excluded but can be checked upon request.

# **TIMBER TECHNOLOGY AND CERTIFICATION LTD**

26th September 2005


Mr Ralph Power  
Property Solutions  
P O Box 20586  
Glen Eden  
**AUCKLAND**

Dear Sir

**RE: House at 87 Kauri Point Road, Laingholm**

Please find enclosed my report.

Yours faithfully  
**TIMBER TECHNOLOGY & CERTIFICATION LTD**



**PATRICK SIMPERINGHAM**

**Address: 7A Wotton Road, Remuera, Auckland,  
New Zealand Tel: 09 64 520 3986**

# **TIMBER TECHNOLOGY AND CERTIFICATION LTD**

**House at 87 Kauri Point Road  
Laingholm**

**Waitakere City Council**

## **STRUCTURAL ENGINEER'S REPORT**

**26<sup>TH</sup> September 2005**

**In my opinion the structure of this house is adequate to resist both wind and earthquake loadings that were required at the time the house was built (about 1970's to early 1980's).**

**Futhermore I believe that the house structure would be likely to resist the modern loadings.**

### **Basic Report**

**I have prepared this report on 87 Kauri Point Road in response to Property Solutions letter dated 15<sup>th</sup> September 2005.**

**The report is based on my visual inspections and I have not attempted to remove parts of the house nor did I dig into the foundation for evidence.**

**I visited the house site twice firstly on 17<sup>th</sup> September 2005 and again on 25<sup>th</sup> September 2005.**

**My observations are listed below:**

### **1. General Arrangement**

**The house is sheltered from the westerly winds by the Kauri Forest on the adjacent council reserve and from the easterly direction by being below Kauri Point Road.**

**This configuration is a benefit when considering both wind and earthquake loads but more particularly to earthquake loads. The uneven slope of the land allows basement resistance to be taken more directly to the land.**

## 2. Strength and Rigidity of the Poles

There are more poles than are usual for a pole based basement of this height. The poles from the centre towards the roadway are 1.500m above the concrete slab. These poles are the same diameter as the higher poles i.e. 200mm.

These dimensions and heights allow the lower poles to resist greater horizontal loads when acting as a cantilever with out requiring the usual bracing.

## 3. Evidence of Movement and Deflection under Wind and Earthquake loads

My second visit to the house was done so that I could check the base of each available pole for inspection for movement at the concrete slab level and exposed ceilings and floors.

There was no discernable cracking nor was there any movement at the eight poles on the southern side.

I would have expected to find such faults in a house of 25years if the bracing was inadequate.

## CONCLUSION

Bearing in mind the availability and the access of evidence and the process notes it is fair to say that the bracing is satisfactory.

  
Patrick Simperingham  
FIPENZ. MIEAUST

## ATTACHMENT

I have some typical photographs that form part of this report which record some conditions as of this date.

Address: 7A Wotton Road, Remuera, Auckland,  
New Zealand Tel: 09 64 520 3986

# Affected Persons Approval Form



Waitakere City Council  
Te Taiao o Waitakere

Send to: The Chief Executive  
Waitakere City Council  
Private Bag 93109  
Henderson  
WAITAKERE CITY 1231

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

RMA number: \_\_\_\_\_

I/we the undersigned as owner/s and/or occupiers (delete as appropriate) hereby certify that I/we have seen the resource consent application for the property at:

85 Kauri Point Road, Laingholm

To undertake the following proposal: minor Boundary Adjustment

Plan(s) and Report(s) (Title, Dates and Numbers): Scheme Plan - Drawing  
Numbers SP00631/02 & 02A

Rules not complied with or nature of infringement: (applicant to list these) Height in relation to boundary infringement along southern proposed boundary of number 83 Kauri Point Rd, for a maximum vertical height of 2.07m for a maximum distance of 7.8m.

I/we have read and understood the notes printed on the back of this form ☒ (Please tick ✓)

And give our written approval to the above proposal.

- Signature of affected person: x Scott  
Please print name: Scott William Iszard  
Address: c/- 28 Rauhia Cres, Titivangi, waitakere 0604  
Phone number: x 0276995768 Date: x 30/08/10
- Signature of affected person: \_\_\_\_\_  
Please print name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone number: \_\_\_\_\_ Date: \_\_\_\_\_

## Notes to the Applicant

- (1) The written approval must be obtained from all registered owners, and occupiers of a property if the registered owners do not live at the property.
- (2) A copy of the development plans which clearly show the extent of the infringement(s) / non-compliance must also be signed, dated and attached to this approval form. Where possible, please obtain the affected persons approvals on one set of plans.
- (3) You may wish to assist your neighbours to understand the effects of the proposed activity by providing scale models or marking out the size and height of the development on the property.
- (4) The Council may impose conditions on any approved resource consent to avoid, remedy or mitigate any adverse effects generated by the proposed activity.
- (5) The Council will not accept approval forms with conditions. Any Affected Person Approval form that has been submitted to the Council with conditions will be returned to the applicant for resolution.
- (6) Please ensure that the name and address of each affected person is clearly printed in the appropriate space on this form.

## Notes to the Affected Person

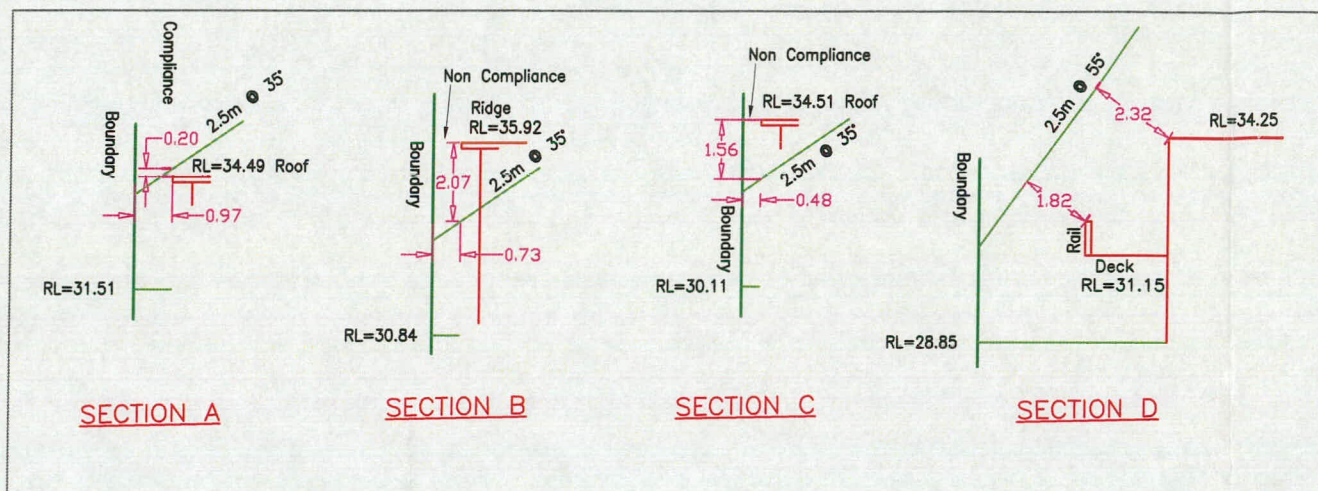
- (1) Under Section 104(3)(b) of the Resource Management Act 1991 when you give your approval to an application, the Council cannot then take into consideration any actual or potential effects of the proposed activity on you.
- (2) Please ensure you sign a copy of the development plans, as well as this form. The plan(s) should clearly identify the extent of any infringements(s) / non-compliance. You should also clearly state your name, date and address on the plan(s).
- (3) You are under no obligation to sign this approval form or any development plans for the proposed activity. You do not have to provide a reason for not giving your approval.
- (4) If you do not give your approval to an application, the Council may publicly notify the application, which will provide you with an opportunity to make a submission to the Council on the application and attend a Council hearing to speak in support of your submission.
- (5) It is acceptable for you to request that you be given some time to consider the application before you decide whether or not to give your approval to the proposed activity as there is no timeframe in which you must decide whether to give your approval or not.
- (6) You may withdraw your written approval at any time, and you do not have to provide a reason for doing so, however you need to withdraw your approval prior to the Council making a decision on the application.
- (7) If you are signing on behalf of a trust or company, please provide additional written evidence that you have signing authority on behalf of the trust or company.
- (8) If you have any concerns about giving your approval, or need help understanding the proposed activity, please feel free to contact the Planning Helpdesk at the number below.
- (9) You may also obtain your own professional advice on the application before deciding whether or not to give your approval to the proposed activity.

**If you have any further queries please contact the Planning Helpdesk at Waitakere City Council phone 839 0400.**



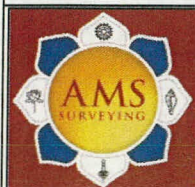
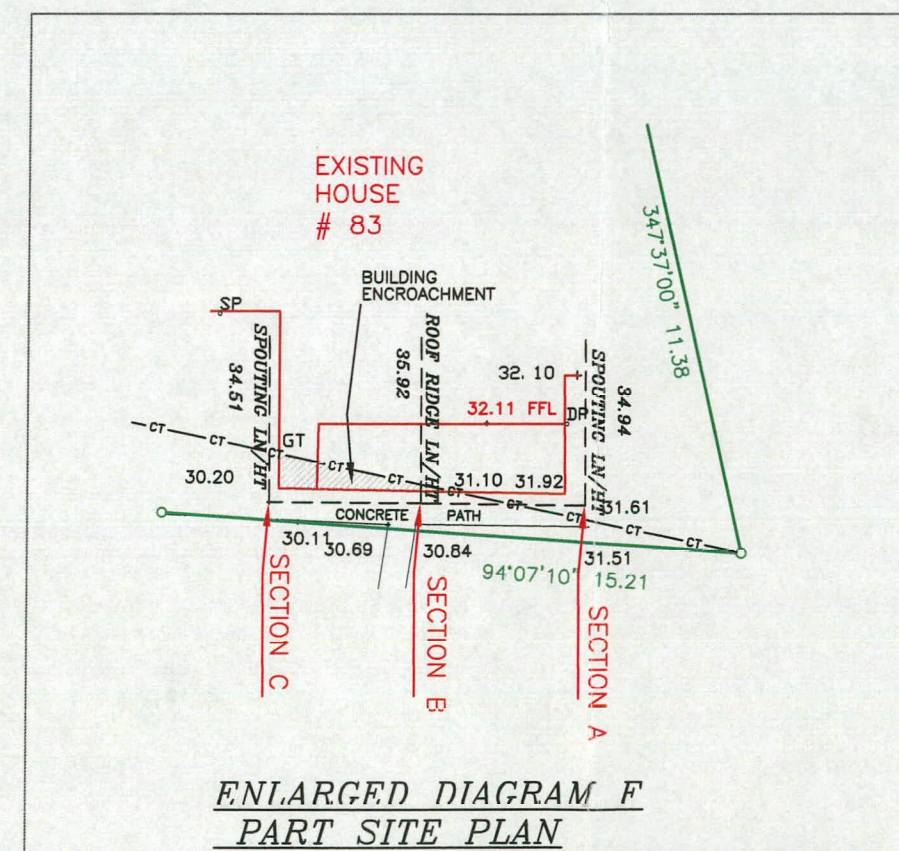
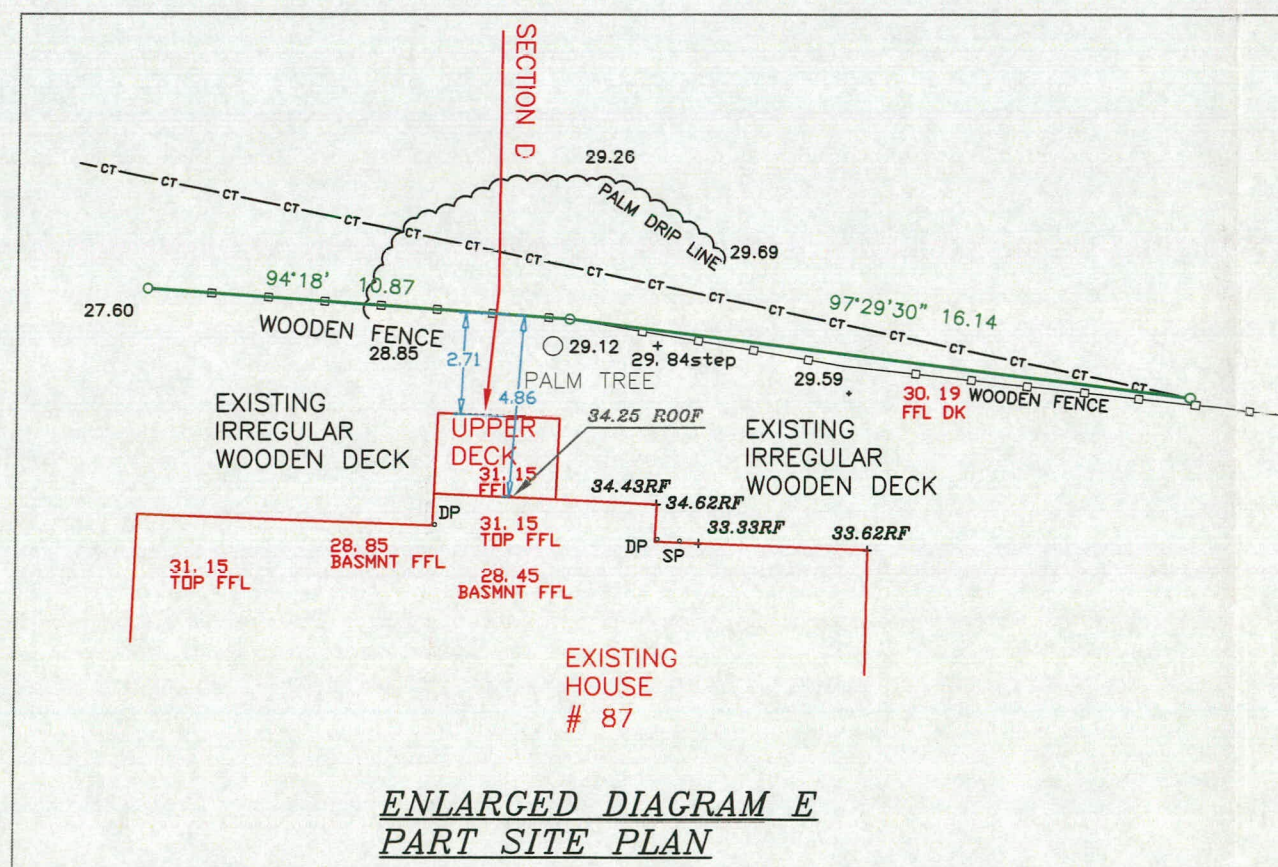


COPYRIGHT: AMS LTD



I, registered owner and occupier of Lot 356 DP 17523 hereby approve of the proposal shown hereon

*Scott* Date 30/08/10  
Scott William Iszard



AFFORDABLE MOBILE SURVEYORS LTD  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland  
Private Bag MBE N388, Auckland.  
Ph 09 826 5668 Fax 09 826 5662  
Email [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

HEIGHT RELATIVE TO BOUNDARY

SCHEME PLAN

LOTS 355,356,357, DP 17523

SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

No	Issue	Date	Appd

Designed  
Drawn KL  
Checked SP  
Date 26-AUG-2010

SCALE: 1: 200 @ A3

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02A



MEMORANDUM OF ASSUMPTIONS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	(A)	LOT 1	LOT 2

## ZONING

Bush Living  
General & Protected  
with Sensitive Ridge  
on parts of # 83 & # 85

## AREA SCHEDULE

LOT 1 = 1390m<sup>2</sup>  
LOT 2 = 1308m<sup>2</sup>  
LOT 3 = 1256m<sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot  
356 DP 17523 hereby approve of the  
proposal shown hereon

*Scott William Iszard* Date *30/08/10*  
Scott William Iszard

## NOTES:

- HEIGHTS SHOWN ARE IN TERMS OF DATUM  
AUCKLAND 1946 ORIGIN: RM7616 SO 67576  
RL 27.10.
- THIS PLAN DOES NOT NECESSARILY SHOW ALL  
EXISTING SERVICES. IT IS THE DUTY OF THE  
CONTRACTOR TO ACCURATELY LOCATE AND PROTECT  
ALL EXISTING SERVICES BEFORE EXCAVATION.
- ALL DIMENSIONS, LEVELS & UNDERGROUND  
SERVICES LOCATIONS TO BE CHECKED ON SITE  
PRIOR TO COMMENCEMENT OF ALL WORKS.
- FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE  
SUBJECT TO LT SURVEY

No	Issue	Date	Appd
----	-------	------	------

**AFFORDABLE MOBILE SURVEYORS LTD**  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland.  
Private Bag MBE N388, Auckland.  
Ph 09 826 5668 Fax 09 826 5662  
Email [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

Designed	Checked	SP
Drawn	KL	Date 26-08-2010

SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

PROPOSED MINOR  
BOUNDARY ADJUSTMENT

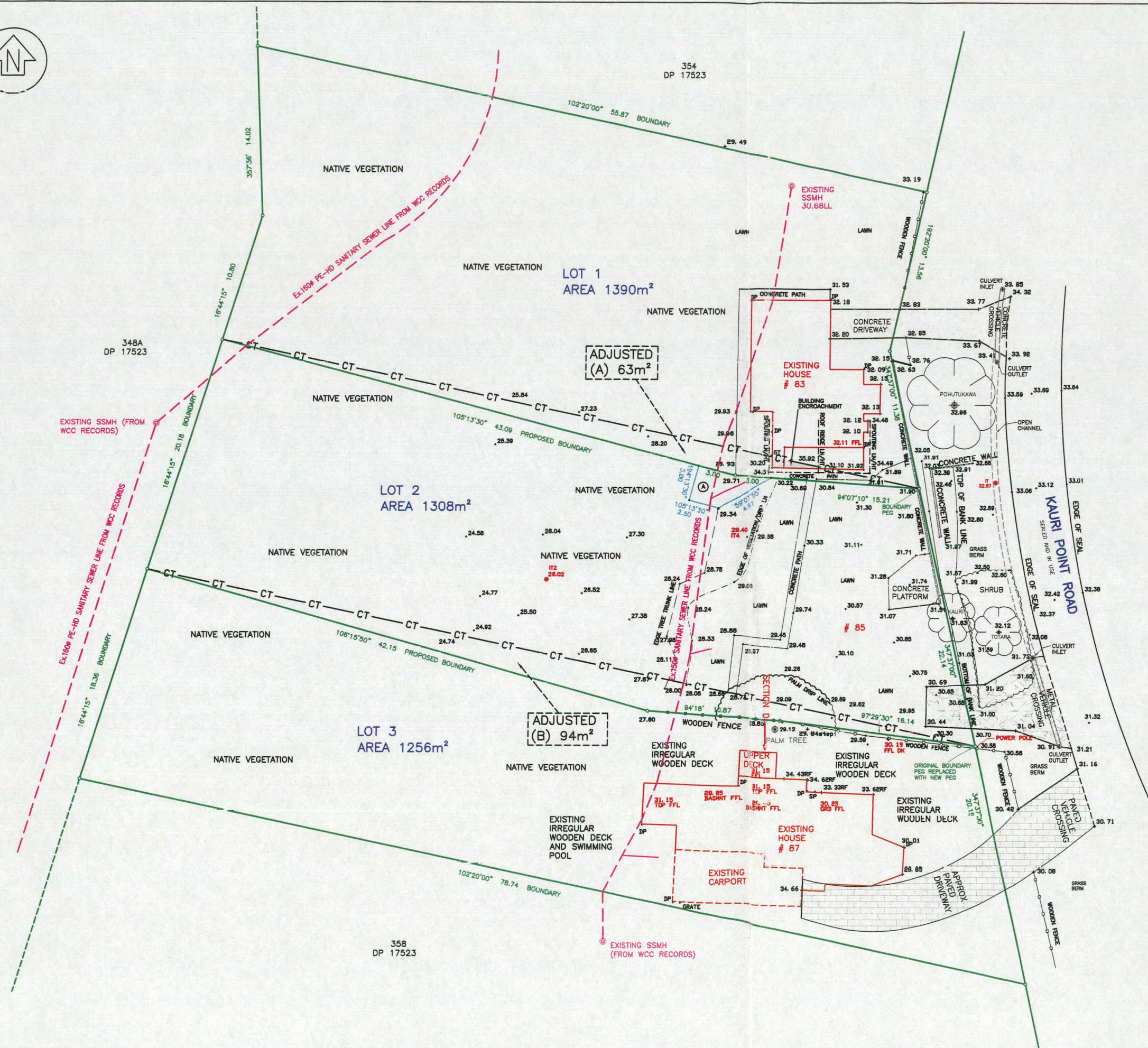
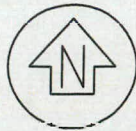
## SCHEME PLAN

LOT 355 DP 17523, NA733/287  
LOT 356 DP 17523, NA860/179  
LOT 357 DP 17523, NA798/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02





# Resource Consent Application Form

(Under Section 88 of the Resource Management Act 1991)



Waitakere City Council  
Te Taiāo o Waitakere

Send to: The Chief Executive  
Waitakere City Council  
Private Bag 93109  
Henderson  
WAITAKERE 0650

Deliver to: Waitakere Central  
6 Henderson Valley Road  
Henderson  
Telephone (09) 839 0400  
Facsimile (09) 836 8001

Office use only	
Receipt Date:	14 SEP 2010
Initials:	D.M.
PW Number:	2010-1174
Date By:	
Deposit Paid:	\$695-

## 1. Applicant Details

1.1 Applicant: Scott William Iszard

**Note:** Agents acting on behalf of the applicant please do not put your name here.

**Note:** Council cannot legally accept applications which show a family trust as the applicant.

1.2 Please ☒ tick the appropriate box

I am: ☒ The Owner ☒ Occupier  
☐ Lessee ☐ Prospective Purchaser of the property

1.3 The type of Resource Consent sought is: (✓ box) ☒ Minor Boundary Adjustment  
☐ Land Use Consent ☒ Subdivision Consent ☐ Certificate of Compliance

1.4 Site Address: 85 Kauri Point Road, Laingholm

1.5 Description of proposed activity and reasons for the application. List rules infringed:  
(Please note that this is not your assessment of effect as required in Section 4.)

Minor boundary adjustment between three lots  
of a total area of 161m<sup>2</sup> being adjusted  
= 4.1 percent.

Height in relation to boundary infringement of  
a maximum vertical height of 2.07m for a  
maximum length of 7.8m along the southern  
boundary of 83 Kauri Point Road.

(Please provide a full description of your proposal. Please describe and quantify each infringement of the District Plan rules, e.g. build a new dwelling on a site less than 450 m<sup>2</sup>, infringe the HIRB control from the western boundary.)

**If necessary provide further details on an attached sheet or describe fully on the assessment of effects report.**

1.5 Names and addresses of owners and occupiers of the property (if other than the applicant):

Owner(s): Chris Iszard (DIRECTOR) ARMOUR BAY LTD.

83 Kauri Point Rd, Laingholm

Occupier(s): Susan Jane Walker-Moffat and Imtiaz Siraz

Owner(s): Kagalwala - 87 Kauri Point Rd, Laingholm

## 2.0 Location Details

2.1 Address of property: 83, 85 & 87 Kauri Point Rd, Laingholm

2.2 Legal description: Lots 355, 356, 357 DP: 17523 CT: 733/287, 860/179,

2.3 Type of Human Environment: Bush Living 798/71

2.4 Type of Natural Environment: General and protected

2.5 Waitakere Ranges Heritage Area (tick if applicable) ☐

2.6 Building Consent Application number (if applicable): \_\_\_\_\_

## 3.0 Additional Consents

3.1 The following additional Resource Consents are / are not (delete one) required and have / have not (delete one) been applied for: (✓ box)

☐ Water Permit ☐ Discharge Permit ☐ Subdivision Consent

☐ Land Use Consent (e.g. earthworks) ☐ Coastal Permit WCC-SPW # \_\_\_\_\_

☐ Building Consent ☐ ARC Consent RMA # \_\_\_\_\_

ABA: \_\_\_\_\_

Date of application: \_\_\_\_\_

Council: \_\_\_\_\_

## 4.0 Assessment of Effects

Provide an assessment of effects in accordance with the Fourth Schedule of the Act. (Describe the effect of the proposal on the environment (including neighbouring properties) and measures incorporated into the proposed activity to reduce effects to an acceptable level). For guidance on possible effects that may apply to your proposal, see the relevant District Plan Assessment Criteria for Resource Consents. Examples of adverse effects may include location, size and design of buildings, visual impacts, shading, flooding, erosion, instability, changes to contours, removal or alteration of landform and vegetation, traffic generation and parking impacts, noise, odour and contamination, hazardous facilities.

Applications in the Waitakere Ranges Heritage Area need to address the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008.

You may need to get specialist consultant advice, e.g. geotechnical, flooding engineer, traffic consultant.

**Note** that for complex applications, specialist reports will be required.

## 5.0 Attachments

Attach all the additional information required to be included with this application. (Refer to the Resource Consent Application Check Sheet - Land Use and Subdivision, for a guide to the information to be submitted with your application.) List attachments:

Scheme Plan, AEE Report, C's T,  
Planning Maps, Adjoining owners consent

## 6.0 Subdivision Application

\* As this is an application for subdivision consent, attach information that is sufficient to adequately define:

- (a) the position of all new boundaries; and
- (b) † the areas of all new allotments; and
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
- (d) the locations and areas of any existing esplanade reserves, esplanade strips and access strips; and
- (e) the locations and areas of land below mean high water springs of the sea, or of any part of the bed of a river or lake, to be vested in the Crown or local authority under Section 237A of the Resource Management Act 1991; and
- (f) the locations and areas of land to be set aside as new roads.
- (g) Show existing and new easements.
- (h) If the subdivision is to be staged, define the stages.

\* Delete if this is not an application for a subdivision consent.

† Delete if the subdivision involves a cross-lease, company lease or unit plan.

## 7.0 Authorisation

**Note:** The authorised agent must provide a written and signed authorisation from the applicant with the application.

Signature of Applicant/Authorised Agent: X *[Signature]*

Print name of Applicant/Authorised Agent: Affordable Mobile Surveyors Date: X 30/08/10

If the named applicant is a company/trust please state your position/title and contact details: \_\_\_\_\_

I have authority to bind the company: (Signature) \_\_\_\_\_

(Please attach a copy of the Authorising Documents for company/trusts)

Address for service/correspondence: Affordable Mobile Surveyors, Pvt Bag MBE N388,

Phone Number: Business: 826 5668 Home: \_\_\_\_\_ Mobile: Auckland 1142

Fax: 826 5662 Email: ams@landsurvey.co.nz

## 8.0 Duration of Consent

Under section 125 of the Resource Management Act 1991 a consent will lapse after 5 years unless given effect to. Note to give effect to means that the project has been established and any conditions are or have been satisfied.

I seek the following consent period for my proposal: 5 years.

- Notes:**
- 1 Please write in the number of years that you seek consent for.
  - 2 If this is left blank then the standard five year period will apply.
  - 3 If seeking a consent period greater than five years please attach an explanation to explain why a period greater than five years is required.
  - 4 You are not obliged to have a five year consent period, you can seek a shorter time if you wish.
  - 5 The Council may also use its discretion to impose a shorter period.

## 9.0 Additional Application Requirements (please ✓ box)

- 9.1 Is the site contaminated or have there been chemical sprays stored or used on the site? (If yes, a contamination assessment may be required.) ☐ Yes ☒ No
- 9.2 Is there hazardous substances on the site? (If yes, provide a Hazard Facilities Screening Procedure.) ☐ Yes ☒ No
- 9.3 Has there been hazardous substances previously on the site? (If yes, provide a contamination assessment.) ☐ Yes ☒ No
- 9.4 Is there a locked gate or security system restricting access by Council staff? ☐ Yes ☒ No
- 9.5 Do you have a dog on the property that might worry the inspecting Council staff? ☐ Yes ☒ No
- 9.6 The processing of your Resource Consent will require a visit to the subject site by our planning staff. Please indicate (✓ box) whether you agree to our staff visiting the property or not. ☒ Yes ☐ No
- 9.7 The processing of your Resource Consent may require Council offices to affix a notice/sign on site on a temporary basis in line with Councils statutory obligations. Please indicate whether you agree to a sign being affixed to the site or not. ☒ Yes ☐ No

- ☒ As land owner and with the consent of any occupiers, I agree to Council staff visiting the site(s), and if necessary affixing a notice/sign which is the subject of this application, for the purpose of assessing this application.

Land owner/s signature/s : x Scott Iszard

Note: If our planning staff are unable to carry out a site visit or affix a sign on the site then they will not be able to process your application.

## 10.0 Fees and Payment Details

- 10.1 A minimum base and monitoring fee payment is required on lodgement of all applications. Refer to the current Regulatory Fees & Charges Schedule. These fees are not refundable.
- 10.2 Processing fees additional to the minimum base fee may be incurred if an application requires additional planning assessment, a hearing and/or any specialist inputs such as those related to drainage, infrastructure, landscape and visual amenity, traffic and parking matters and geotechnical issues. If the application is publicly notified and requires a hearing the minimum hearing fee is to be paid before the hearing.
- 10.3 Such additional fees may be invoiced during or at the end of the application process, in accordance with Section 36 of the Resource Management Act 1991.
- 10.4 All fees (other than the minimum fee) shall be paid in full without set-off or deduction of any kind within 14 days of the date of the invoice or prior to the issue of the Resource Consent, whichever is the sooner.
- 10.5 The applicant shall further pay to the Waitakere City Council all costs and expenses (including costs on a solicitor/client basis and debt collector's cost) incurred in the enforcing or attempting to enforce these terms and conditions or in seeking payment of all fees.
- 10.6 Where you fail to make payment of any amount on the due date, Waitakere City Council may in addition require you to compensate it by making payment of interest as liquidated damages on the amount due from the due date for payment until the date of actual payment at a rate equal to the current overdraft interest rate Waitakere City Council has with its principal registered bank.

- 10.7 Applicants name and address for accounts: Scott Iszard  
1- 28 Rauhuia Crescent, Titirangi, Waitakere 0604  
Business phone number: x 0276995768 Home phone number: x 817-4353  
Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: x scott.iszard@gmail.com  
GST number: \_\_\_\_\_

- 10.8 Minimum fee \$ 695 and monitoring fee \$ \_\_\_\_\_

- 10.9 Declaration x Scott Iszard  
Signed by /for and on behalf of applicant

Name: (print) Scott Iszard

Position Owner Date: x 30/08/10

This application **will not** be accepted by Council unless all the above required and appropriate information is provided (including the completed checklist).

### Please contact the Call Centre 839-0400 with any queries regarding this form.

- please allow adequate time for an initial review and site inspection (approx. 2 weeks) before you make enquiries concerning the progress of the processing of this application.
- please note your application may be rejected by council (within 5 working days) under section 88 of the resource management act if the information provided is inadequate.



## AFFORDABLE MOBILE SURVEYORS LIMITED

### CONSULTING LAND SURVEYORS

www.landsurvey.co.nz

1ST FLOOR • 18 DELTA AVENUE • NEW LYNN • AUCKLAND • NEW ZEALAND  
PRIVATE BAG MBE N388 • AUCKLAND • NEW ZEALAND • PH 0800 888 267  
PH 64 9 826 5668 • FAX 64 9 826 5662 • EMAIL ams@landsurvey.co.nz

8 September 2010

Our Ref. 631/01

The Manager – Regulatory Services  
Subdivision Consents  
Waitakere City Council  
6 Henderson Valley Road  
WAITAKERE 0612

**BY HAND**

### **RESOURCE CONSENT APPLICATION FOR MINOR BOUNDARY ADJUSTMENT AT 85 KAURI POINT ROAD LAINGHOLM**

*This application is for resource consent pursuant to Section 104 of the Resource Management Act 1991 on behalf of our client Scott Iszard, for:*

- a minor boundary adjustment between three lots;
- Height in Relation to Boundary infringement of a maximum vertical height of 2.07m for a maximum distance of 7.8m along the proposed southern boundary of 83 Kauri Point Road. The proposed boundary will improve the existing height relative to boundary situation for the concerned site.

#### **1.0 INTRODUCTION**

- 1.1 The boundary adjustment is between numbers 83, 85 and 87 Kauri Point Road. The subject land is located on the western side of Kauri Point Road, approximately 125m north of the Ewing Road intersection.
- 1.2 The underlying land parcels are legally described as Lots 355, 356 and 357, DP 17523. The sections are currently comprised in Certificates of Title NA733/287 having 1328m<sup>2</sup>, NA860/179 with 1277m<sup>2</sup> and NA798/71 containing 1348m<sup>2</sup>, respectively.
- 1.3 The concerned properties are all road frontage sites with generally trapezium shapes. The sites are bound on the southern and northern sides by similar bush living land and to the west by Plantation Reserve and The ARC land. The public road is situated to the east providing direct access to each existing site. Property numbers 83 and 87 are occupied by an existing dwelling each with sufficient parking spaces. The buildings are located towards the front of the site. Besides the existing houses, the remaining of each of the site is mainly covered in vegetation with some lawn and landscaped areas around the existing houses. The property number 85 is the middle property out of the concerned three and is vacant land with the front on third in lawn and the remaining area in vegetation.

LOT 1 + 63  
LOT 2 + 31  
LOT 3 - 97

- 1.4 The sites are large compared to the house areas and the land being affected by the boundary adjustment is very small comparatively, falling gradually from the public road to the west.
- 1.5 The properties are connected to all urban services and with existing reticulated sanitary sewer line running behind the existing houses across the sites. There is no reticulated stormwater facility for this area as in the case of most land in Bush Living areas. The sections are large and we believe the stormwater for both the existing dwellings are by simple ground soakage contained within the respective lots. A search was conducted of the Council property bag but no valid information was available for the existing stormwater.

## **2.0 ZONING**

- 2.1 Under the Waitakere City 2003 Operative District Plan the subject land is zoned Bush Living Human Environment and General & Protected Natural Areas, and shown on planning map I8, a copy of which is enclosed with the site cross-marked for identification purposes. Approximately one quarter of the sections being the front parts on #83 and #85 are zoned Sensitive Ridge.

## **3.0 PROPOSAL**

- 3.1 Our client, the Iszard's, wish to move the southern boundary of # 83 to the south in the shape of a dog leg by a maximum offset distance of 2.17m, giving rise to an area adjustment of 63m<sup>2</sup>. This boundary movement clears the # 83 existing house encroachment over its southern boundary, in agreement with the occupation along the boundary. Similarly, the southern boundary of # 85 is proposed to be moved to the south in a log leg shape by a maximum offset distance of 2.89m, creating an area adjustment of 94m<sup>2</sup>. This boundary movement is in agreement with the position of the existing wooden fence occupation in the vicinity.

New individual certificates of title will be issued for the proposed lots 1, 2 & 3. The extra 63m<sup>2</sup> addition to # 83 provides more privacy and reduces the Height in Relation to Boundary infringement along the southern boundary. The extra addition of 94m<sup>2</sup> to # 85 will provide sufficient area for any future dwelling without necessarily the need to clear any vegetation and add more privacy to the section for bush living purposes. The section on # 87 is large enough for the current bush living occupation and does not get adversely affected by the boundary adjustment as the proposed northern boundary is a fair distance away and generally no different to what they have been physically occupying for over 20 years due to the existing fence position. Overall the proposal is increasing clearance between the existing and possible future dwellings and providing more privacy thus adding visual amenity value to the properties.



The minor boundary adjustment is affecting 4.1% of the total site area of 3954m<sup>2</sup>, being well below the 10% allowed.

- 3.2 Lot 1, the northernmost site with the existing house will have a lot area of 1390m<sup>2</sup>. Lot 2, the middle section being currently vacant land will contain 1308m<sup>2</sup>. Lot 3, the southernmost lot with the other existing dwelling will have an area of 1256m<sup>2</sup>.
- 3.3 There is a new sanitary sewer easement being created over proposed lot 2 in favour of proposed lot 1 to cover the existing connection to the public line. All other services and drainage are contained within the respective lots being served. There are no new covenants being created and any relevant existing interests on the certificates of title will be brought down on the new titles.
- 3.4 The proposal will not disturb any vegetation or involve any physical works but is basically office documentation for granting required consent for new titles to issue with the new lot areas.

#### **4.0 DISTRICT PLAN ASSESSMENT**

- 4.1 All the three existing and the proposed lots are considerably large in size in terms of having any effect on the building coverage or impermeable surface requirements.
- 4.2 The proposed boundary movements still leave significant minimum distance clearance of the existing house on the affected proposed lot 3 as apparent from our plan, and increase the building clearance distance on proposed lot 1 and clear the existing building encroachment.
- 4.3 The proposal does not envisage any physical construction or development works on site and therefore will not disturb the ground or any vegetation.
- 4.4 The existing use of the concerned properties remains as is and the privacy amenity values of proposed lot 1 will be increased.
- 4.5 The privacy of proposed lot 3 is not compromised due to the existing position of the existing fence line which will remain in place as it will generally become the new boundary between lots 2/3.
- 4.6 The proposal will leave the concerned three properties consistent with the existing occupation of the neighbourhood and Bush Living Zone.
- 4.7 The proposal does not affect the ground or the vegetation and therefore will have no significant effect on the natural areas.
- 4.8 Most of the affected areas are vacant land mainly in bush and do not serve as any service area or access.

- 4.9 No physical work is proposed by the minor boundary adjustment and therefore it does not affect the part area falling under Sensitive Ridge of the Planning Map.

## 10.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

- 10.1 Given the assessment above under the subtitle District Plan, the effects of this activity on the environment are considered very minor as:

- (a) the proposed Minor Boundary Adjustment complies with the relevant rules and controls specified in the District Plan;
- (b) the proposal and consent are mainly for administrative and legal function only to enable transfer of two small areas of land between the neighbours and our client's property and is therefore almost neutral in terms of environmental effects;
- (d) the proposal will have no significant long term adverse effect on any eco-systems, plants, animals or habitats;
- (e) although there will be the Height in Relation to Boundary non-compliance, the proposal is actually improving the current recession plane non-compliance between property # 83/85 and clearing the existing building encroachment;
- (f) the proposal will leave the properties no worse off and consistent with the other neighbouring sites in the zone and the area.

## 11.0 CONCLUSION

- 11.1 On behalf of our client, Scott Izard, owner of 85 Kauri Point Road, we seek consent from Council for:

- the minor boundary adjustment between the three concerned lots.

- 11.2 In support of our application we **enclose**:

- (a) full A2 size and A3 reduced scale coloured copies of our Existing Site Plan and Scheme Plans;
- (b) copies of Certificates of Title for the three properties;
- (c) copies of planning maps I8 with the site cross-marked for identification purposes;
- (d) copies of the affected neighbour's consents for the proposed land transfer;

- (e) copy of our client's consent being the affected person for the HIRTB non-compliance;
- (f) Signed completed application form together with our client's cheque for \$695 being Council's required deposit fee.

11.3 We believe that we have provided all the necessary information to enable this application to be processed and consent granted. However, should you require any further information we would be only too pleased to assist. We look forward to your favorable consideration of this application.

Yours faithfully,

**AFFORDABLE MOBILE SURVEYORS LTD**



S Prakash  
Director/Senior Surveyor  
Encl.

**Minor Boundary Adjustment between 83 and 85 Kauri Point Road, Laingholm**

**Agreement between Scott William Iszard and Christopher John Iszard (Armour Bay Ltd)**

I, Scott William Iszard, owner of 85 Kauri Point Road Laingholm, agree to sell 63 square metres of this title to Armour Bay Ltd, being owners of 83 Kauri Point Rd, as defined in drawing SP00631/02 dated 26-08-2010 prepared by Affordable Mobile Surveyors Ltd.

Armour Bay Ltd agrees to pay all costs associated with the boundary changes, including all survey costs, legal costs and consent fees.



Scott William Iszard

30/08/10

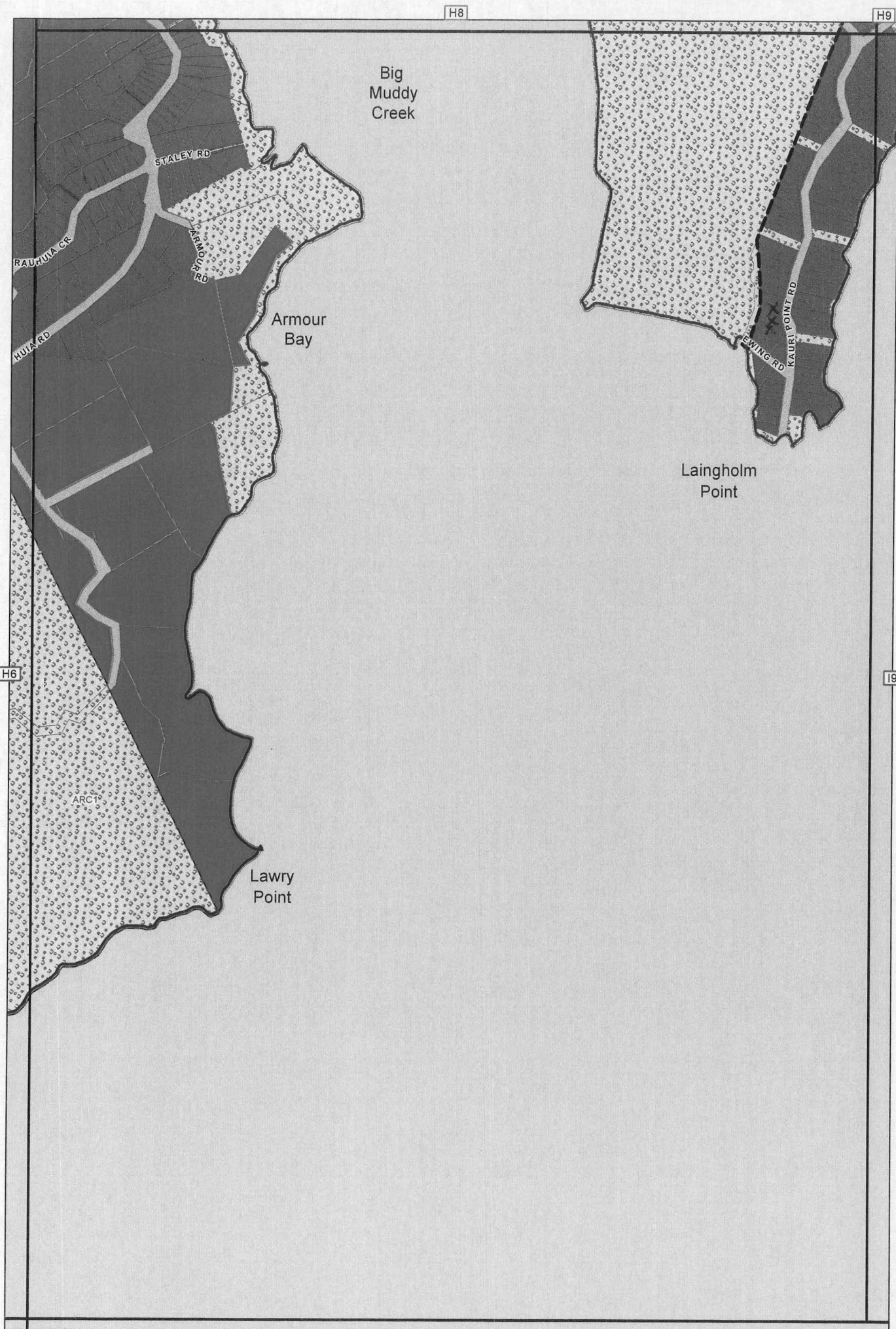
DATE

Christopher John Iszard  
Director, Armour Bay Ltd

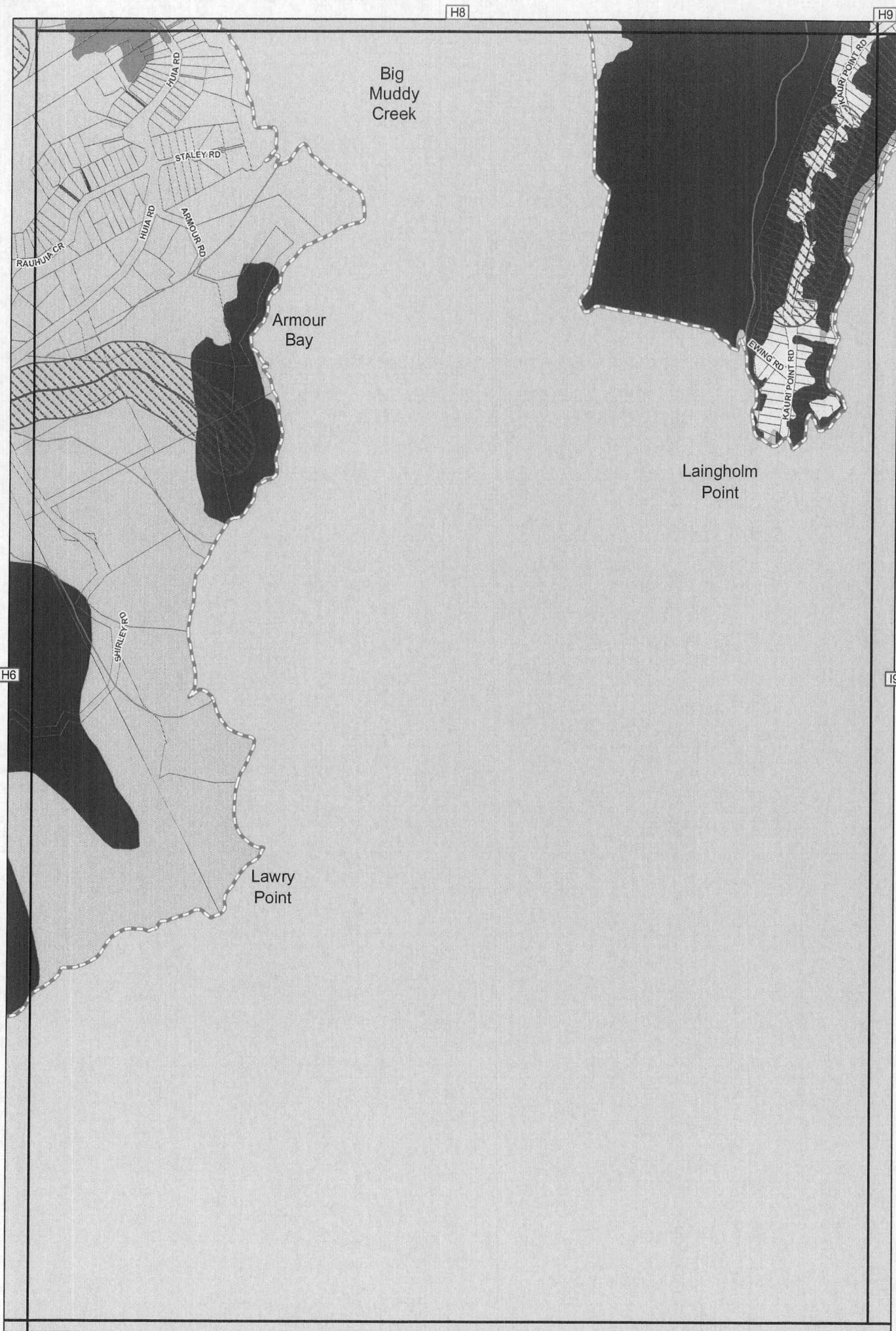
DATE

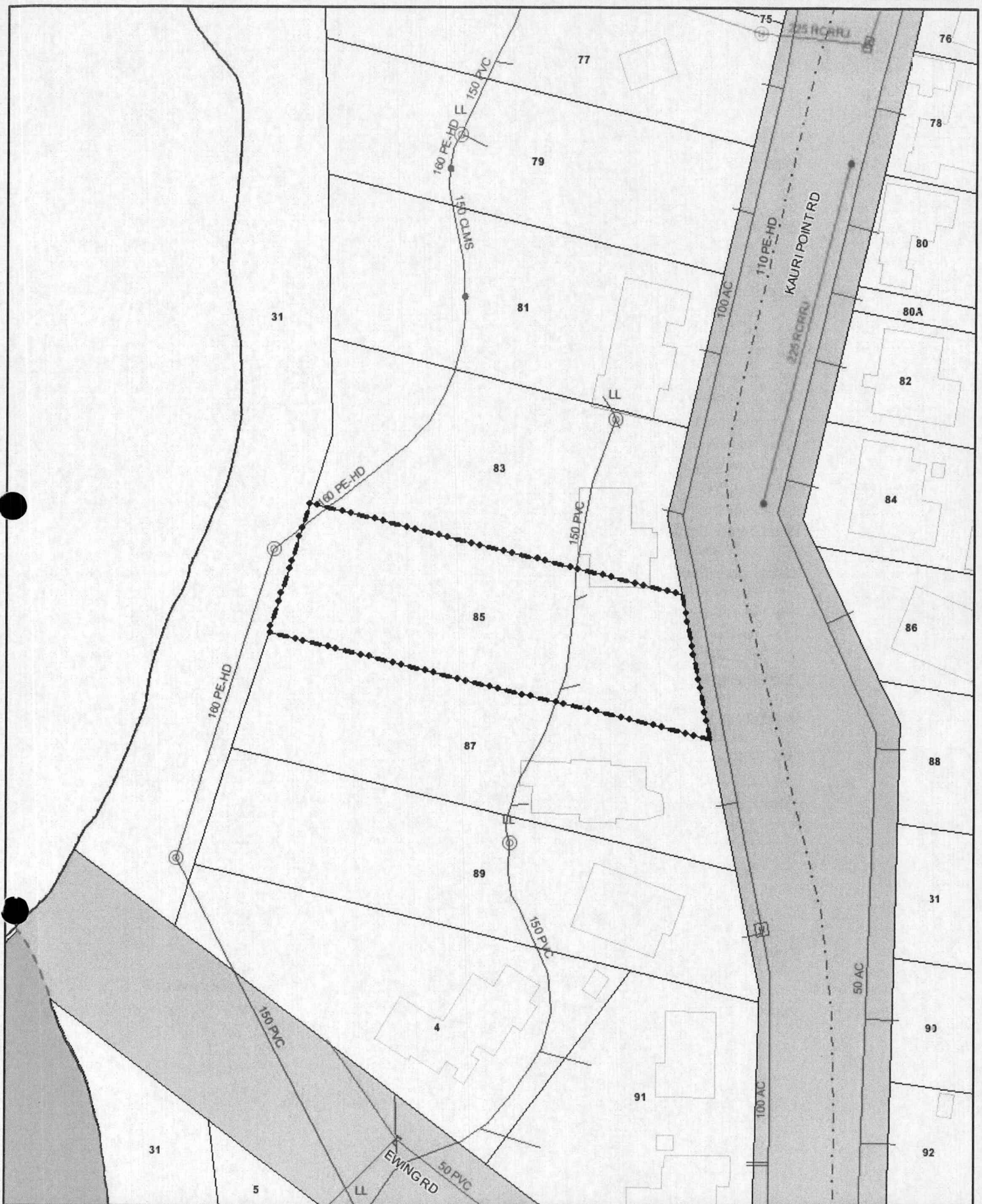


30-8-10.









# UNDERGROUND SERVICES

**85 Kauri Point Road LAINGHOLM**  
**LOT 356 DP 17523**

Cadastral Information from Land Information New Zealand Digital Cadastral Database DCDB Crown Copyright Reserved.

Services shown on public amenity land are not public drains unless used as through drains. While Council endeavours to provide accurate spatial data no guarantee as to the completeness and accuracy of the data shown on this plan can be given. All information, including levels and locations, are not of survey grade accuracy and should be verified on site. For enquiries about the information shown please phone the call centre (09) 839 0400.

Scale = 1:750  
 Print Date: 17/08/2010





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

R. W. Muir  
Registrar-General  
of Land

Identifier **NA860/179**  
Land Registration District **North Auckland**  
Date Issued 24 October 1946

## Prior References

NA817/219

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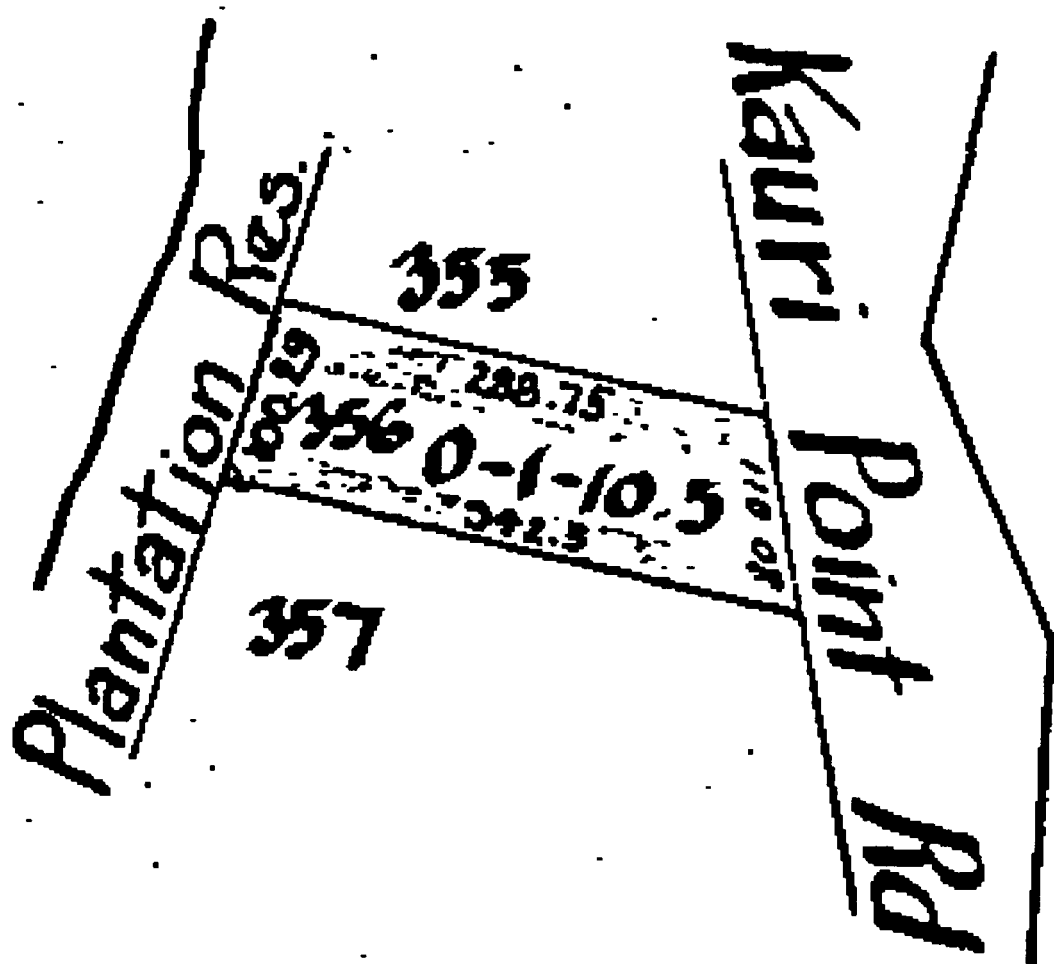
Estate Fee Simple  
Area 1277 square metres more or less  
Legal Description Lot 356 Deposited Plan 17523

Proprietors  
Scott William Iszard

---

Interests  
6815847.2 Mortgage to ASB Bank Limited - 5.4.2006 at 9:00 am







# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA798/71  
**Land Registration District** North Auckland  
**Date Issued** 05 March 1943

**Prior References**  
NA465/46

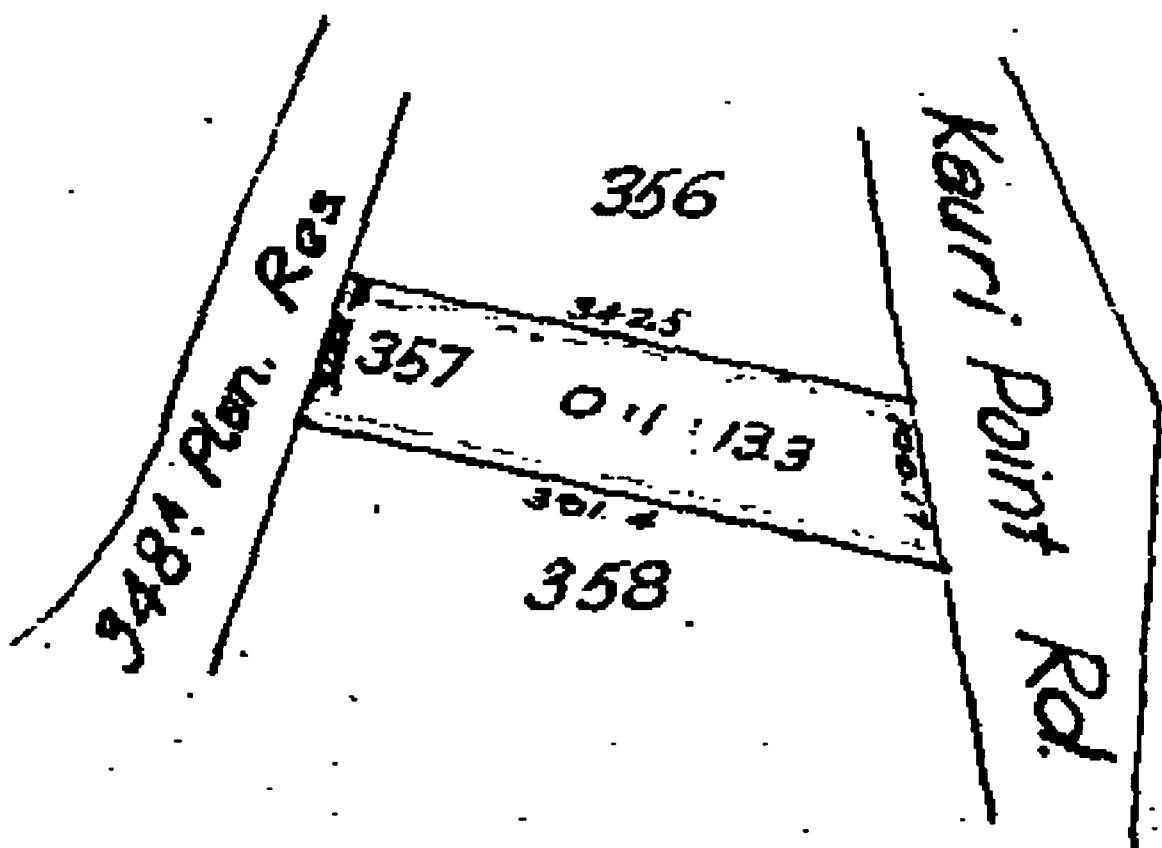
---

**Estate** Fee Simple  
**Area** 1348 square metres more or less  
**Legal Description** Lot 357 Deposited Plan 17523

**Proprietors**  
Susan Jane Walker-Moffat as to a 1/2 share  
Imtiaz Siraz Kagalwala as to a 1/2 share

---

**Interests**  
Fencing Agreement in Transfer 355617 - 5.3.1943  
6875781.3 Mortgage to (now) Westpac New Zealand Limited - 23.5.2006 at 9:00 am





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

  
R. W. Muir  
Registrar-General  
of Land

Identifier **NA733/287**  
Land Registration District **North Auckland**  
Date Issued 17 September 1940

## Prior References

NA465/46

---

**Estate** Fee Simple  
**Area** 1328 square metres more or less  
**Legal Description** Lot 355 Deposited Plan 17523  
**Proprietors**  
Armour Bay Limited

---

## Interests

Fencing Agreement in Transfer 325989 - 17.9.1940  
6815844.2 Mortgage to ASB Bank Limited - 5.4.2006 at 9:00 am

Plant Res.

354

355

0:1:12.5

356

5307 69.7

277.73

58.9 67.4

288.75

Kauri Point Rd.

# Site Visit Checklist of Potential Effects

RMA No. 2010 - 1177 Date 16/1/10 Planner A HORTON  
 Site Address 85 KAURI POINT ROAD  
 Proposed Activity and Infringements MIN. BOUNDARY ADJ. / HIRB / YARD  
NO PHYSICAL WORKS

Effect	de minimis / minor / more than minor /	Comments / Affected Parties / Extent of Effect
<b>EFFECTS ON WATER QUALITY AND QUANTITY</b>		
Clarity, quantity, flow, natural character, flooding potential, contaminant runoff, soil/sediment runoff/damage to riparian margins, erosion, aquatic ecosystems and habitats, alteration of natural water levels, health and any other relevant matters.	✓	checks <del>assessments</del>
<b>EFFECTS ON NATIVE VEGETATION AND FAUNA HABITAT</b>		
Root coverage and disturbance, stock damage, undergrowth regeneration, edge effect- exposure to wind, light, weeds, pests, bush and habitat fragmentation, loss of extent and range of linkages between fauna habitats, loss of bio diversity, quality and resilience and healthiness of the ecosystem, variety and range of species, Green Network- resilience, bio diversity and integrity, cumulative effects of additional clearance, significant/ outstanding vegetation /specimen and any other relevant matters.	✓	
<b>EFFECTS ON SOIL AND LANDFORM</b>		
<ul style="list-style-type: none"> <li>Special soils, soil loss, reduction in life supporting capacity, degradation of soil structure</li> <li>Leachates, contamination by sprays/fertilisers/, health of soil</li> <li>compaction, erosion, slippage, natural hazards, subsidence stability –on site and adjoining sites, flooding, landform and any other relevant matters</li> <li>soil and sediment runoff</li> </ul>	✓	
<b>EFFECTS ON AIR</b>		

Effect	de minimis /minor/ more than minor/	Comments/ Affected Parties/ Extent of Effect
Ambient quality- local and global, spray drift and any other relevant matters, dust		
<b>EFFECTS ON ECOSYSTEM STABILITY</b>		
Variety and Extent of Species, quality of air, soils and water, isolation/ecological linkages, edge effect, cumulative effects and any other relevant matters.	✓	
<b>EFFECTS ON NATURAL CHARACTER OF COAST AND MARGINS OF LAKES, RIVERS AND WETLANDS</b>		
Form, structural integrity, quality and quantity - water and vegetative cover, degradation of natural character, natural actions, natural processes altered, modification/ alteration of interfaces between land and water and any other relevant matters.	✓	
<b>EFFECTS ON AMENITY VALUES, HEALTH AND SAFETY- LANDSCAPES, LOCAL AREAS AND NEIGHBOURHOOD CHARACTER</b>		
<ul style="list-style-type: none"> <li>• <b>overshadowing</b>, loss of daylight and sunlight, scale, form, height, bulk, physical dominance, privacy</li> <li>• <b>visual amenity</b>, streetscape, sense of place, neighbourhood character, amenity values, views, on site amenity, adequate open space</li> <li>• landscape modification, encroachment above ridgelines, landscape values, views</li> <li>• connectivity, accessibility, surveillance, safety, public access</li> <li>• <b>Noise</b>, odour, dust, vibration, radio frequency, electromagnetic radiation, lighting, glare-cumulative lighting effects, hazardous materials, natural hazards, air base operations</li> <li>• <b>Infrastructure</b> capacity &amp; availability</li> <li>• <b>Traffic</b> generation, on-street parking, driver safety, pedestrian safety, roading capacity and roading network, traffic noise, vehicle movements, access and driveway manoeuvring, driveway width &amp; gradient</li> <li>• <b>Any other relevant matters.</b></li> </ul>	✓	

# Resource Consent Application Checklist Protected Natural Area

RMA

No: 2010-1574

Date: 15/9/10

Planner: A. HORTON

2010-1177

<b>Location</b>	
Street Address: 83-87 KAURI POINT ROAD	Site Area: 13282 / 12772 / 18482
Human Environment: BUSH	Map Reference 18
Other Natural Areas: GENERAL	Site File checked: Yes / No

<b>General provisions</b>	
Hazardous Facility /Contaminated Site	Landscape Elements: <del>SHARP</del> / SENSITIVE RIDGE HEADLAND
Natural Hazards: STAB SENS	Heritage Item
General Noise Rule: - Major Road	Road Hierarchy LOCAL
Designations/Scheduled Site	

NO PHYSICAL WORKS

Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
1	Located within other Natural Areas	✓			
2	Vegetation clearance	✓			
3	Earthworks  Check area, volume, cut, fill and slope of earthworks in context with site and Natural Area	✓			



Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
	<p><i>Check retaining structure (height/surcharge loading etc)</i></p> <p><i>Check erosion and sediment control measures</i></p> <p><i>Do you need to refer the application to an earthworks engineer?</i></p>	✓			
4	Impermeable surfaces	✓			
5	Stock	✓			
6	Establishment of vegetation	✓			

# District Plan Checklist Bush Living Environment

Applic. No.	SUB 2010 - 1174 LUC 2010 - 1177	Date:	15/9/2010
Planner:	A HORTON	Proposal:	MINOR BOUNDARY ADJUSTMENT
Street Address:	83-87 KAURI POINT ROAD	Site Area:	1328m <sup>2</sup> / 1277m <sup>2</sup> / 1348m <sup>2</sup>
Map Reference:	18	File checked:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Related Project Information Memo.?		PIM	
Related Land Use Consent?		LUC- <span style="float: right;">Gtd      Iss'd</span>	
S.357 Objection?		Yes / No	
Plans Cross Check?		Yes / No	
Conditions relevant to Building Consent Stage?		Yes / No	
Related Subdivision?		SUB-2010 1174 <span style="float: right;"><del>Gtd</del>      Iss'd</span>	
S.224 (c) issued?			
S.221 Consent Notice conditions?			
Site within boundaries of the Waitakere Ranges Heritage Area?		<input checked="" type="radio"/> Yes <input type="radio"/> No	

<b>Sustainable Future (Policy part 2):</b>	Refer Policy table 2.1 (a)
<b>City's Environment (Policy part 3):</b>	
- Native Vegetation (Policy Map 3.5 (a) / DP Map Appendix IX)	YES
- Native Fauna Habitat (Policy Map 3.5 (b))	YES
- Outstanding (Natural Character) Coastal Area (Policy Map 3.5 (c))	YES
- Outstanding Natural Features (Policy Map 3.5 (d) and Appendix H)	NO
- Landscapes (Policy Map 3.6 (a))	MANUKAU COASTAL
- Outstanding Landscapes (Policy Map 3.6(b) / DP Map Appendix X)	-
- Views (Policy Map 3.6(e) / Appendix K)	
- Local Character Areas (Policy Map 3.7(a))	BUSH LV
<b>Tangata Whenua (Policy part 4):</b>	
- Te Kawerau a Maki Heritage Areas (Policy Map 4.1) Heritage area?	<input checked="" type="radio"/> Yes <input type="radio"/> No
- Ngati Whatua Heritage Areas (Policy Map 4.2) Iwi Heritage area?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>Maintenance and Condition of Land and Buildings:</b>	Nothing apparent
<b>General Noise Standards:</b>	
- Construction, Maintenance and Demolition Noise	Refer City Wide General Noise Standards rule 1.1
- High Noise Routes	Yes / No
- Future High Noise Routes	N/A
- Surface of Rivers and Lakes	N/A
- Helicopter Landing Areas	N/A
- Sale of Liquor	N/A
<b>Natural Hazards:</b>	
- Building on land which is known by the Council to be or likely to be subject to erosion, slope instability, subsidence or inundation (other than inundation by the sea).	<input checked="" type="radio"/> Yes <input type="radio"/> None Known
- Earthworks or clearance of vegetation, where the Council has knowledge that the land is or is likely to be subject to	Nothing apparent

any natural Hazard for which the Council has primary responsibility.	
<b>Designations:</b> - Appendix reference	N/A
<b>Hazardous Facilities &amp; Contaminated Sites:</b>	Nothing apparent
<b>Heritage:</b> - Heritage Appendix reference	N/A
<b>Natural Area:</b>	GENERAL / PROTECTED
<b>Landscape Element:</b> (Sensitive Ridge/Headland Scarp/Cliff etc.)	N/A / HEADLAND <del>SCARP</del> / SENSITIVE RIDGE 65m
<b>Human Environment:</b>	BUSH LV
<b>Relevant Plan Change:</b>	Yes / (No)
<b>Map Appendices:</b> - Roading Hierarchy (DP Map Appendix I) - Titirangi – Laingholm Subdivision Area? (DP Map Appendix XI)	LOCAL <del>N/A</del> NO
<b>Vehicle Crossing/Street Damage Deposit?</b>	Yes / (No)
<b>Development Contribution Required?</b>	Yes / (No)

Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
2	Building Location/ Natural landscape elements	✓		<del>SCARP</del> / SENSITIVE RIDGE NO DEV HEADLAND	
3	Residential activities/density	✓			
4	Building height (8m) Elevation (10m)	✓			
5	Height in relation to Boundaries	✓			
	North (2.5m + 55°)	✓			
	South (2.5m + 35°)		✓	83 KAREI POINT ROAD 2.01 MAX H 7.8m L DA	
	East (2.5m + 45°)	✓			
	West (2.5m + 45°)	✓			
6	Yards (3m)	✓		NOT AN ALTERATION OR ERECTION	
7	Building Coverage	✓			
8	Non residential activities (NRA)	✓			
9	Traffic Generation (NRA)	✓			
10	Car parking & Driveways	✓			
11	Noise (NRA)	✓			
12	Air Discharges, Odour, Dust, Glare & Vibration	✓			

Continued.....

Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
13	Signs	✓			
14	Relocated Buildings	✓			
15	Infrastructure	✓			

**NB: Attach any relevant height or HIRB calcs**

**1. Height in Relation to Boundary Calculations**

- Northern – 2.5m + 55° or 2.5 + (1.428 x D)
- Western – 2.5m + 45° or 2.5 X D
- Eastern – 2.5m + 45° or 2.5 + D
- Southern – 2.5m + 35° or 2.5 + (0.7 X D)

**2. Height Calculations – Average Height Method**

DA ACTIVITY - RULE 5.2 HEIGHT R B

# District Plan Checklist General Natural Area

Applic. No.	SUB 2010-1174 LVC 2010-177	Date:	15/9/2010
Planner:	A HORTON	Proposal:	MINOR BOUNDARY ADJ
Street Address:	83-87 MAURI POINT RD	Site Area:	1328 / 1277 / 1348
Map Reference:	18	File checked:	<input checked="" type="radio"/> Yes / No

NO PHYSICAL WORKS

Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
1	Located within other Natural Areas	✓			
2	Vegetation clearance	✓			
3	Earthworks  <i>Check area, volume, cut, fill and slope of earthworks in context with site and Natural Area</i>  <i>Check retaining structure (height/surcharge loading etc)</i>	✓			

Rule No.	Provision	OK/ Permitted	Not OK	Comments/Activity	N/A
	<i>Check erosion and sediment control measures</i>				
4	Impermeable surfaces	✓			
5	Establishment of vegetation	✓			

## Subdivision Checklist

### General:

Application no:	2010-1174 2010-1177	Street Address:	83-87 KAURI PT RD
Planner:	A HOBSON	Proposal:	MINOR BOUNDARY ADJ
Date:	15/9/10	Site Area:	1328m <sup>2</sup> /1277m <sup>2</sup> /1348m <sup>2</sup>
Map Reference:		File Checked:	

Human Environment:	BUSH	Designations:	/
Natural Area:	GENERAL / PROT	Landscape Element:	SCARP / SENSITIVE HEADLAND
Site in Waitakere Ranges Heritage Area:	YES	Heritage:	-
Roading Hierarchy:	LOCAL	High Noise Route:	-
Natural Hazards:	STAB SEN	Potential Contamination:	-
Related Land Use Consent	2010-1177 H1RB	Related Building Consent	

Site min 1000m <sup>2</sup> if 50% or more in Green Network:	N/A
Site in Titirangi/Laingholm Subdivision Area	NO
Esplanade Reserve required (for rivers > 3m wide (mean annual flood level))	NA
Flood Plain/Overland Flow – min FFL required?:	NA

### Titles (refer also to Guidance Note):

Any Relevant Easements?	YES - DRAINAGE
Any relevant Consent Notices?	NO
Building Line Restriction?	NO
Any other restrictions?	FENCING

### Access and Driveways:

Legal Width of Driveway:	✓
Carriageway:	✓
Service Strip:	✓
Clear Height (buildings and overhanging eaves)	✓
Obstructions to width (i.e. retaining walls)	✓
Passing Bays required?	✓
For JOAL - application to LINZ required?	✓
Overhanging Power or Telephone Lines?	✓
Has Net Site Area been calculated correctly?	✓
Second Vehicle Crossing	✓

### Plans

Easement tables for future easements	YES
Drainage shown (check overhanging trees)	✓
Changes in ground level – affecting trees?	✓

Living Environment Rules Checklist

Rule	Proposed Lots	1	2	3	4
2	Density 450m <sup>2</sup> or savings clause or LD, D				
3	Bld Location				
4	Blg Height 8m or D				
5	HIRB N 55° or D				
	E 45° or D				
	S 35° or D				
	W 45° or D				
	Hab rooms 1.2 from bdy or D				
6	Ft Yard 3m or LD				
7	Bldg Coverage 35% or D (Check decks)				
8	Privacy/Amenity - D				
9	Outdoor Space - LD				
	- 25m <sup>2</sup> per Bedrm				
	- Northerly aspect				
	- Min 3m				
	- 6m circle				
	- < 1 in 5 over 75%				
	- Accessible from main living room				
12	Parking - 2/dwelling - LD				
	- one suitable carport				
	- Dimensions				
	- Slope < 1 in 16				
	- On-site turning				
	Shared Driveway – C or LD				
16	Relocated dwelling - LD				

Natural Area

2	Vegetation clearance C or LD				
3	Earthworks LD or D - volume - plan area - cut or fill - <1m from bdy				
4	Impermeable surfaces				

General

	Shape Factor				
--	--------------	--	--	--	--

SUB RULE 2.3 - GENERAL  
LD FOR MINOR B ADJUSTMENT  
• ALL IN BUSH LV ENV  
• SITE CONNECTION NOT AFFECTED.



**Proposal and Site Description:**

The application for minor boundary adjustment between three properties at No 83 (Lot 1), 85 (Lot 2) and 87 (Lot 3) Kauri Road.

With the adjustment No 83 (Lot 1) and No 85 (Lot 2) increase by 63 m<sup>2</sup> and 31 m<sup>2</sup> respectively. No 87 (Lot 3) will be reduced by 92 m<sup>2</sup>.

Both the property No 83 and No 87 are occupied by an existing dwelling each. Property No 85 is a vacant lot.

All the three properties have existing wastewater connections.

**Review/Audit of Report submitted as part of the Application**

Assessment was based on the information provided by the applicant at the time of lodgement.

**Main Issues/Discussion**

The proposed boundary adjustment is minor and has no effect on public drainage networks. Creation of a sewage easement is proposed over No 85 (Lot 2) in favour of No 83 (Lot 1) to protect the existing private drainage.

**Conclusion and Recommendation**

I can support the proposal with no condition.

## Distribution List

DATE RECEIVED: 14/9/2010

Allocated to: Tony on 14/09/10

ADDRESS: 85 Kauwi Point Rd. Allocated by: Steve.

RMA: SNB 2010-1174

SUMMARY OF INFRINGEMENTS: LNC 2010-1174

## T/L Comments:

This consent is also for an internal height to boundary. I have advised admin to create a CD number and we will process as a combo.

Department	✓ If Req	Notes
Ecowater (Drainage Engineer)	✓	
Roading & Traffic	.	
Parks Planning	.	
Shared Driveways	.	
Contamination Review	.	
Geotech Review	.	
Vegetation Arboricultural Review	.	
Landscape Assessment	.	
Earthworks Assessment (EMO)	.	
Lighting Assessment	.	
Plumbing & Drainage/Building Surveyor	.	
Urban Design	.	
Heritage Assessment	.	
Acoustic Assessment	.	
Ecological Assessment	.	
District Land Registrar/Transit NZ	.	
Waitakere Ranges Protection Area	.	can't see any benefit in sending it to mark, can't foresee any issues.
Strategy & Development	.	
QV Valuations	.	
Waste Minimisation	.	
Economic Impact Assessment	.	
District Plan Policy Team	.	
Other	.	

14 SEP 2010

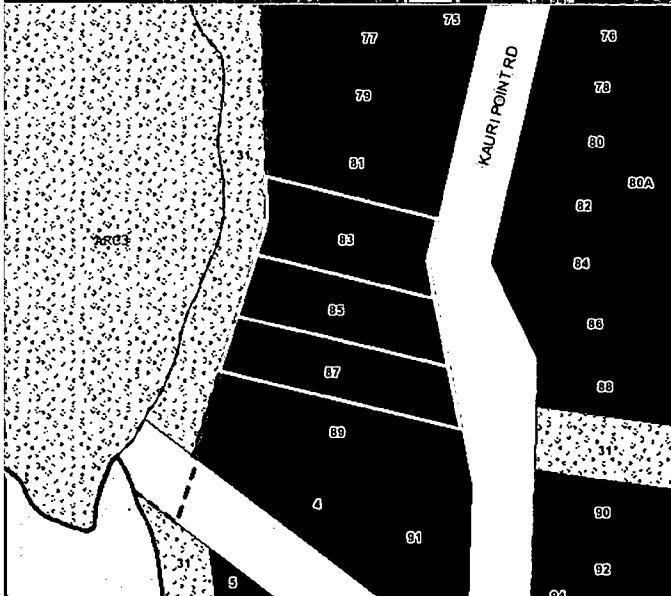
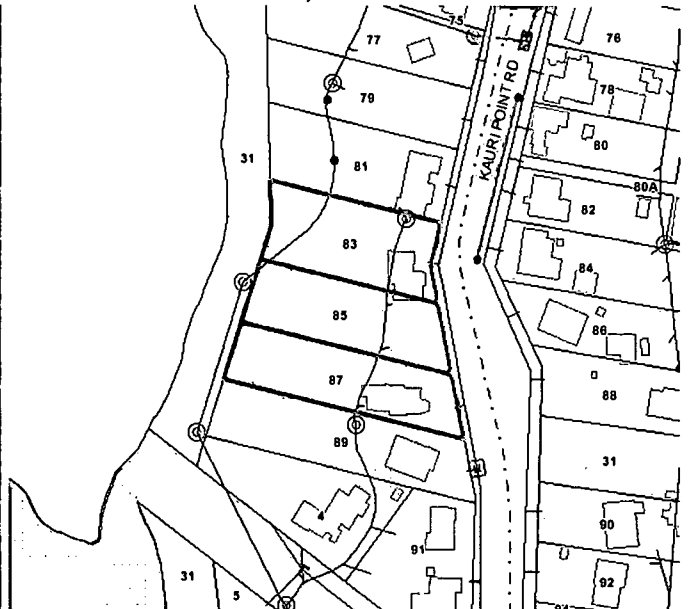
\*Note - Consents given in Pathways show Certificate of Compliance, however approach is a Minor Boundary adjustment. Unfortunately not able to delete or not sure how clear David.

HUMAN ENVIRONMENT: Bush living NATURAL ENVIRONMENT: General Protected.

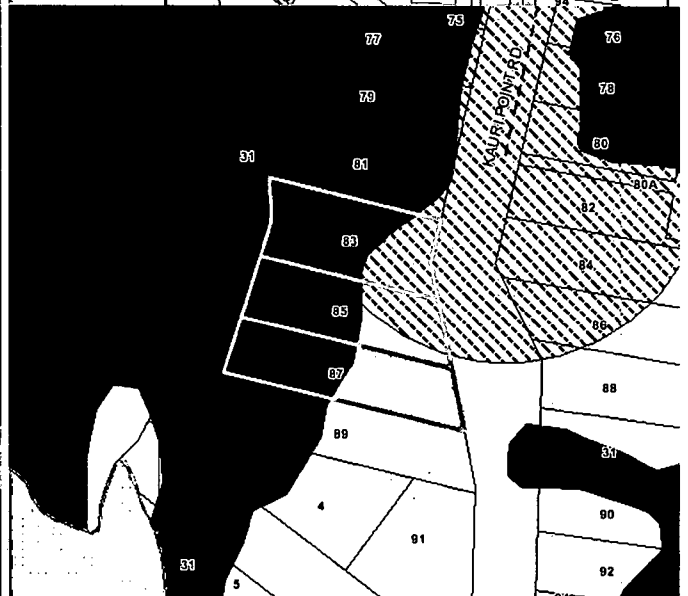
## PROPERTY NOTES

LUC 2010-1174

85 Kauri Point Road, LAINGHOLM



Human – Bush Living



Natural – General / Protected

NO HAZARDS

85 Kauri Point Road, LAINGHOLM Type: Standard Property

Ward: WAITAK - Waitakere

LOT 356 DP 17523

Land Area: 0.1277 HA

Condition(s):

WRHA - Waitakere Ranges Heritage Area

SS - Stability Sensitive

SCT - TITIRANGI

Title: CT-860/179

Parcel(s):

LOT 356 DP 17523

## REPORT PEER REVIEW CHECKLIST

### Planners, have you completed all tasks? Is your file complete?

Please check that you have completed all tasks and your application file contains all of the following before handing to the Team Leader.

2010-1174/1177

Consent No.

85 KAURI POINT ROAD

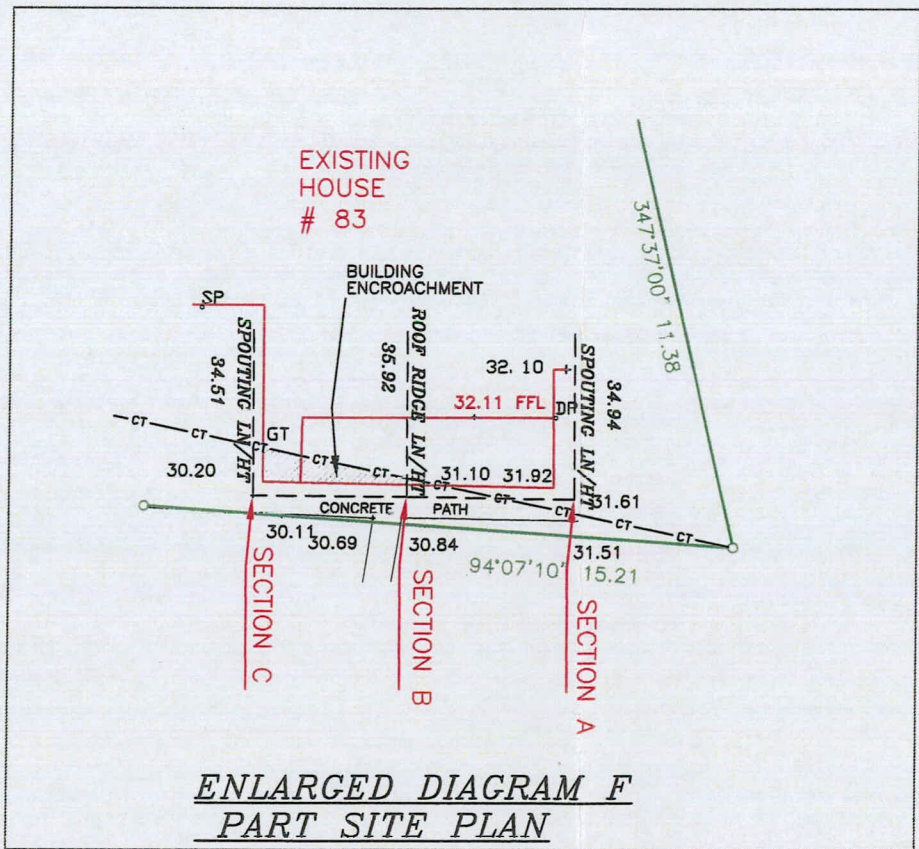
Site Address

Information	Planner's Check (Tick or give reason for omission)	Team Leader's Check
Application Plans, AEE and further information provided	✓	
District Plan Checklists	✓	
Site Visit Checklists	✓	
Site Photos on file	—	
All correspondence on file.	✓	
Affected Parties Check (full and correct personal details), including dates checked	✓	
Specialist Reports on file and saved in pathway.	✓	
Approved Plans – Stamped (but not yet signed)	✓	
Development Contributions Estimate	—	
S.37 applied (if relevant)	—	
Additional Monitoring fee calculated (if relevant)	—	
Pathway – All Development Control Categories have been entered.	✓	
Pathway workflow complete	✓	
Time recording up to date	✓	





Signature: Scott William Iszard Date: 30/08/10  
 Scott William Iszard



# SCHEME PLAN

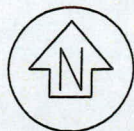
SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

No	Issue	Date	Appd
----	-------	------	------

Date 26-AUG-2010

DRAWING: SP00631/02A





**PLANS AND SPECIFICATIONS**  
**APPROVED**  
 SUBJECT TO CONDITIONS ENDORSED  
 ON RMA2010-177  
 SIGNED: *[Signature]* DATE: 4/10/10  
 AUTHORISED OFFICER

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	(A)	LOT 1	LOT 2

## ZONING

Bush Living  
 General & Protected  
 with Sensitive Ridge  
 on parts of # 83 & # 85

## AREA SCHEDULE

LOT 1 = 1390m<sup>2</sup>  
 LOT 2 = 1308m<sup>2</sup>  
 LOT 3 = 1256m<sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot 356 DP 17523 hereby approve of the proposal shown hereon

*[Signature]* Date: 30/08/10  
 Scott William Iszard

## NOTES:

1. HEIGHTS SHOWN ARE IN TERMS OF DATUM AUCKLAND 1946 ORIGIN: RM7616 SO 67576 RL 27.10.
2. THIS PLAN DOES NOT NECESSARILY SHOW ALL EXISTING SERVICES. IT IS THE DUTY OF THE CONTRACTOR TO ACCURATELY LOCATE AND PROTECT ALL EXISTING SERVICES BEFORE EXCAVATION.
3. ALL DIMENSIONS, LEVELS & UNDERGROUND SERVICES LOCATIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ALL WORKS.
4. FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE SUBJECT TO LT SURVEY

No	Issue	Date	Appd
----	-------	------	------

**AMS**  
 AFFORDABLE MOBILE SURVEYORS LTD  
 CONSULTING LAND SURVEYORS  
 1st Floor, 18 Delta Avenue  
 New Lynn, Auckland.  
 Private Bag MBE N388, Auckland.  
 Ph 09 826 5666 Fax 09 826 5662  
 Email: ams@landsurvey.co.nz

Designed	Checked	SP
Drawn	KL	Date 26-08-2010

SCOTT ISZARD  
 83-87 KAURI POINT ROAD  
 LAINGHOLM

PROPOSED MINOR  
 BOUNDARY ADJUSTMENT

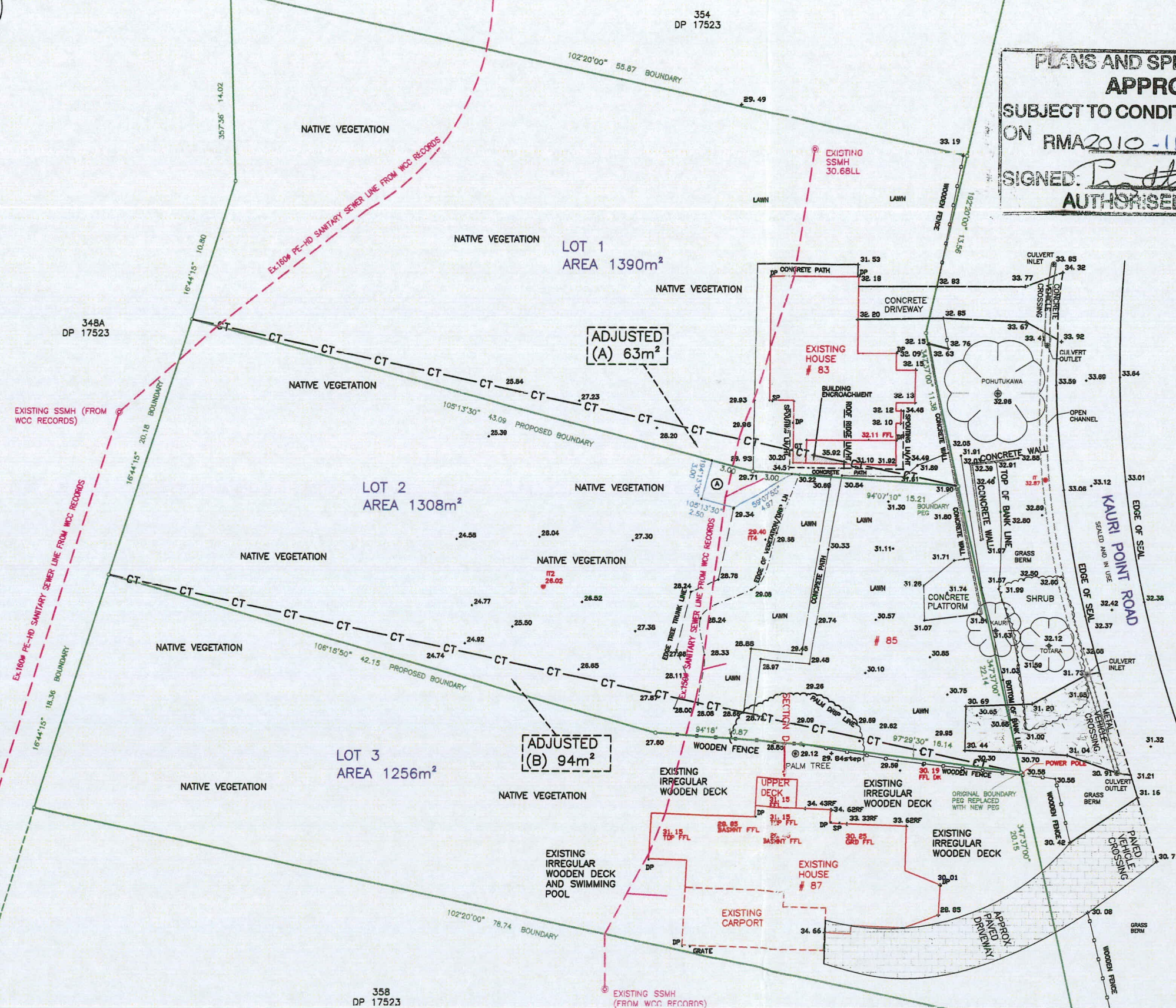
## SCHEME PLAN

LOT 355 DP 17523, NA733/287  
 LOT 356 DP 17523, NA860/179  
 LOT 357 DP 17523, NA798/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02





PURPOSE	MEMORANDUM OF EASEMENTS		
	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	(A)	LOT 1	LOT 2

## ZONING

Bush Living  
General & Protected  
with Sensitive Ridge  
on part of # 83

## AREA SCHEDULE

LOT 1 = 1390m<sup>2</sup>  
LOT 2 = 1308m<sup>2</sup>  
LOT 3 = 1256m<sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot  
356 DP 17523 hereby approve of the  
proposal shown hereon

*(Signed original attached)*

..... Date .....  
Scott William Iszard

## NOTES:

1. HEIGHTS SHOWN ARE IN TERMS OF DATUM  
AUCKLAND 1948 ORIGIN: RM7616 SO 67576  
RL 27.10.
2. THIS PLAN DOES NOT NECESSARILY SHOW ALL  
EXISTING SERVICES. IT IS THE DUTY OF THE  
CONTRACTOR TO ACCURATELY LOCATE AND PROTECT  
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3. ALL DIMENSIONS, LEVELS & UNDERGROUND  
SERVICES LOCATIONS TO BE CHECKED ON SITE  
PRIOR TO COMMENCEMENT OF ALL WORKS.
4. FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE  
SUBJECT TO LT SURVEY

No	Issue	Date	Appd
----	-------	------	------

**AMS**  
AFFORDABLE MOBILE SURVEYORS LTD  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland.  
Private Bag MBE N388, Auckland.  
Ph 09 826 5668 Fax 09 826 5662  
Email [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

Designed	Checked	SP
Drawn	KL	Date 26-08-2010

SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

PROPOSED MINOR  
BOUNDARY ADJUSTMENT

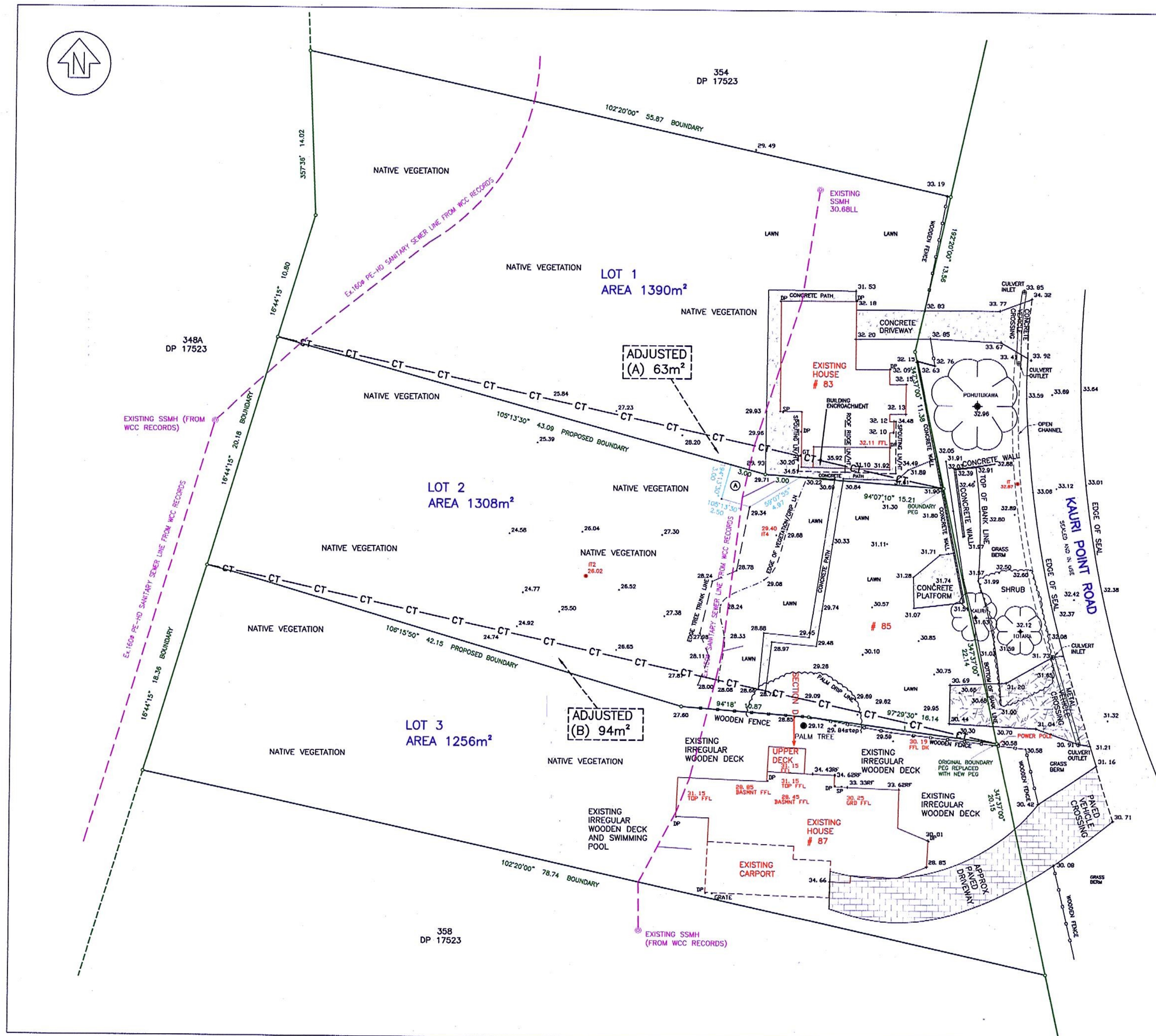
## SCHEME PLAN

LOT 355 DP 17523, NA733/287  
LOT 356 DP 17523, NA860/179  
LOT 357 DP 17523, NA798/71

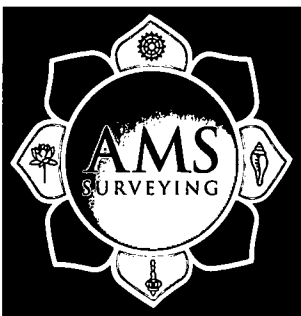
SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02







## AFFORDABLE MOBILE SURVEYORS LIMITED

CONSULTING LAND SURVEYORS

www.landsurvey.co.nz

1ST FLOOR • 18 DELTA AVENUE • NEW LYNN • AUCKLAND • NEW ZEALAND  
PRIVATE BAG MBE N388 • AUCKLAND • NEW ZEALAND • PH 0800 888 267  
PH 64 9 826 5668 • FAX 64 9 826 5662 • EMAIL ams@landsurvey.co.nz

28 October 2010

*Sent to EW  
16/11/10*

File: 00631/02

The Manager – Subdivision Consents  
Waitakere City Council  
6 Henderson Valley Road  
**HENDERSON**

**BY HAND**

**S223 APPLICATION – SUB 2010-1174 MINOR BOUNDARY ADJUSTMENT AT 83-87 KAURI POINT ROAD LAINGHOLM (LT 436878)**

*This application is for issue of certificate pursuant to Section 223 (and 224c of the Resource Management Act 1991 as no conditions are imposed).*

Waitakere City Council granted subdivision consent for the development on 4 October 2010 as attached.

The Land Transfer Plan <sup>436878</sup>~~4436878~~ (copy enclosed) is in accordance with the approved subdivision consent.

**S223 Conditions**

- (A) The survey plan is in accordance with our plans titled SP00631/02 dated 26-08-10;
- (B) The required wastewater easement is provided in a Memorandum of Easement table and included in the s223 as being “granted or reserved”.

Enclosed is our client's payment of \$487 being Council's fee for this application.

The LT plan 436878 for the development is available on Landonline for digital signing.

Please arrange for the digital execution of the application pursuant to S223 and 224c RMA 1991.

Yours faithfully,  
**AFFORDABLE MOBILE SURVEYORS LIMITED**

S Prakash  
Director/Senior Surveyor  
Encl.





# Title Plan - LT 436878

---

<b>Survey Number</b>	LT 436878
<b>Surveyor Reference</b>	AMS 631- 83-87 KAURI POINT RD
<b>Surveyor</b>	Matthew Keith Adams
<b>Survey Firm</b>	Affordable Mobile Surveyors Limited (Auckland)
<b>Surveyor Declaration</b>	

---

## Survey Details

<b>Dataset Description</b>	LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523		
<b>Status</b>	Initiated		
<b>Land District</b>	North Auckland	<b>Survey Class</b>	Class A Cadastral Survey
<b>Submitted Date</b>		<b>Survey Approval Date</b>	
		<b>Deposit Date</b>	

---

## Territorial Authorities

Waitakere City

---

## Comprised In

CT NA798/71  
CT NA860/179  
CT NA733/287

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## Created Parcels

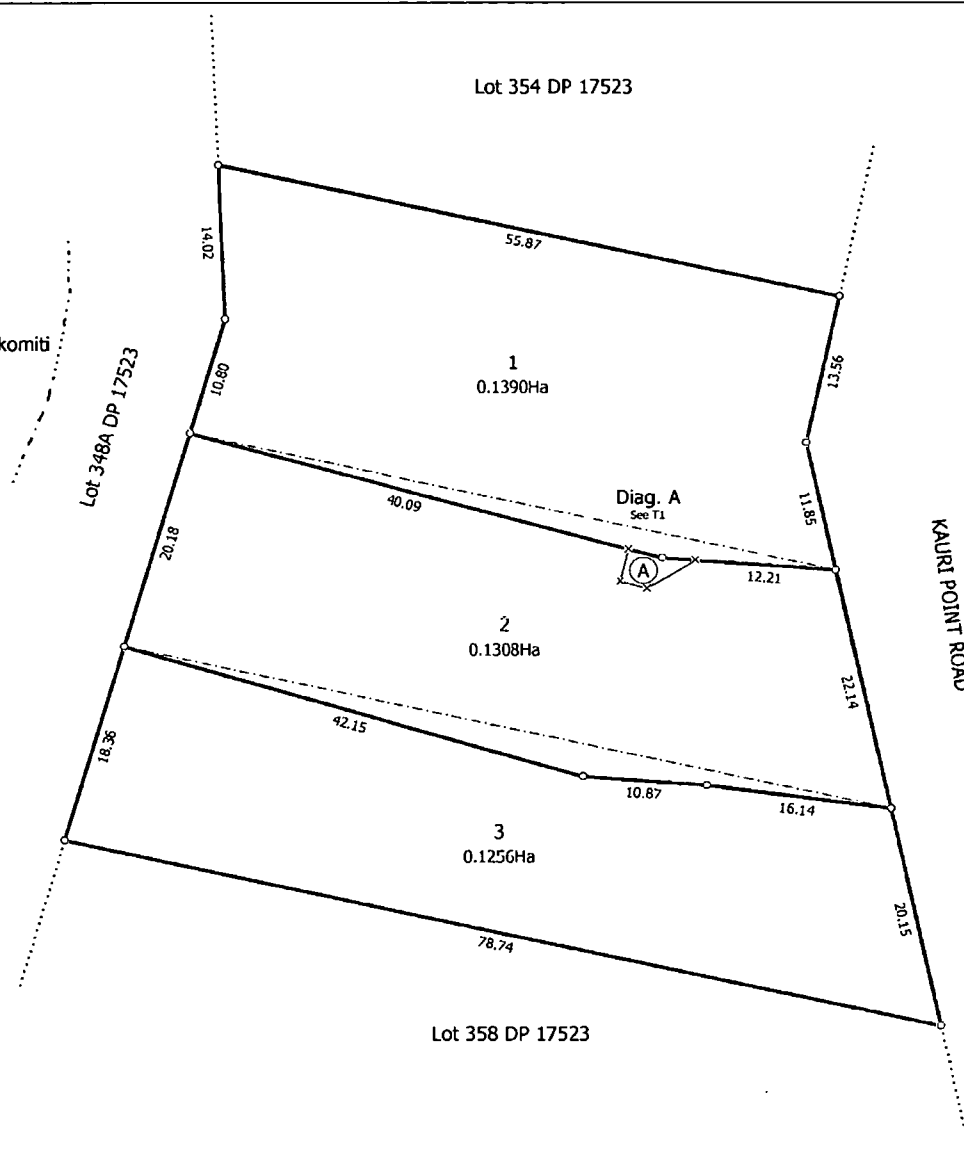
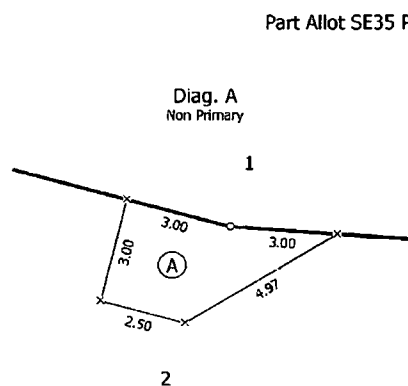
Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 436878	Fee Simple Title	0.1390 Ha	536963
Lot 2 Deposited Plan 436878	Fee Simple Title	0.1308 Ha	536964
Lot 3 Deposited Plan 436878	Fee Simple Title	0.1256 Ha	536965
Area A Deposited Plan 436878	Easement		
<b>Total Area</b>		0.3954 Ha	

## Schedule / Memorandum

**PLAN NUMBER DP 436878**

### MEMORANDUM OF EASEMENT

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	AREA 'A'	LOT 2 DP 436878	LOT 1 DP 436878



Land District North Auckland

LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523

Surveyor: Matthew Keith Adams  
Firm: Affordable Mobile Surveyors Limited

Title Plan  
LT 436878  
DRAFT

Digitally Generated Plan  
Generated on: 16/10/2010 4:54pm Page 3 of 3

T 1/1

## CITY OF WAITAKERE DISTRICT PLAN

### REPORT FOR LIMITED DISCRETIONARY ACTIVITY APPLICATION SECTIONS 95A-95F, 104 & 104C, ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH THE RESOURCE MANAGEMENT ACT 1991

#### 1.0 SUMMARY OF PROPOSAL

A proposed subdivision (boundary adjustment) of less than 10% of 3 lots. An area of 161m<sup>2</sup> (4.7%) is being adjusted.

#### 2.0 APPLICATION DETAILS

Reporting Officer:	Anthony Horton
Site Address:	83 Kauri Point Road 85 Kauri Point Road 87 Kauri Point Road
Applicant:	Scott William Iszard
Date Received:	14 September 2010
Resource Consent No:	SUB 2010 - 1174
Associated Land Use Consent No:	LUC 2010 -1177
Legal Description:	Lot 355 DP 17523 CT 733/287 Lot 356 DP 17523 CT 860/179 Lot 357 DP 17523 CT 798/71
Address for Service:	Affordable Mobile Surveyors Ltd 1 <sup>st</sup> Floor 18 Delta Avenue New Lynn Auckland  c/- S Prakash
Site Area:	Lot 1 (83 Kauri Point Road) – 1328m <sup>2</sup> Lot 2 (85 Kauri Point Road) – 1277m <sup>2</sup> Lot 3 (87 Kauri Point Road) – 1348m <sup>2</sup>
<b>District Plan:</b>	
Human Environment:	Bush Living
Natural Area:	General Natural Area Protected Natural Area
Landscape Elements:	Sensitive Ridge Buffer – 65m (83 and 85 Kauri Point Road) Outstanding (Natural Character) Coastal Area (Policy Map)

	3.5c)
	Outstanding Fauna – Native Fauna Habitat (Policy Map 3.5 b)
	Waitakere Range Heritage Area
Hazards:	Stability Sensitive
Roading Hierarchy:	Local
Heritage:	None Known
Proposed Plan Changes:	No
Further Information Requested	No
Site Visit:	16 September 2010
Section 37 Applied:	No
Any Affected Persons:	No
Approval Given:	N/A



Figure 1. Aerial Photo Showing the Location of Subject Site

2.1 Documents considered for this report include the application documentation and the site visit checklist.

### 3.0 REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES Extent of Infringement and Type of Activity Proposed

### 3.1 Operative District Plan

#### Rule 2.3(a) (i) - General

Limited Discretionary Activity for a boundary adjustment involves an adjustment which will change the site area of the three Lots by no more the 10%, all lots are located within the same Human environment and existing infrastructure connections will not be effected.

In this case, Lot 1 will be increased by 4.75%, Lot 2 will be increased by 2.42% and Lot 3 will be reduced by 6.9%

The application is considered to be a Limited Discretionary activity.

### 4.0 SITE AND PROPOSAL

#### 4.1 Site Description

Lots 1, 2 and 3 all comprise of rectangular shaped allotments with site areas of 1328m<sup>2</sup>, 1277m<sup>2</sup> and 1348m<sup>2</sup>. Lot 1 and Lot 3 contain existing large dwellings to the front portion of the site. Lot 2 does not contain any dwellings, but is characterised by well maintain lawn and footpath.

The rear of all sites is characterised by well established native bush which extends up to and beyond the rear boundary. The topography drops steeply from the road to the rear of the site, which adjoins Taumatarea Reserve.

#### 4.1A Heritage Features

The relevant Waitakere Range Heritage Area Act heritage features within or adjoining the site are identified as: 7(2)(a), 7(2)(b), 7(2)(e), 7(2)(f), 7(2)(g), 7(2)(i), 7(2)(l), 7(2)(m).

#### 4.2 Proposal

The applicant seeks consent for a minor boundary adjustment to change the location of the boundary line so that it matches the existing fence line present on the Lots.

Lot	Percentage Change	Actual Change
Lot 1	+ 4.75 %	+ 63m <sup>2</sup>
Lot 2	+ 2.42%	+ 31m <sup>2</sup>
Lot 3	- 6.9%	- 94m <sup>2</sup>

Table 1. Boundary Adjustment

The applicant proposes the following easement:

Purpose	Shown	Servient Tenant	Dominant Tenement
Right to Drain Sewage	A	Lot 1	Lot 2

Table 2. Memorandum of Easements

It is noted that by altering the location of the boundaries, the proposal generates an infringement of Rule 5 - Height in Relation to Boundary relating to the south boundary of Lot 1 and an infringement of the Rule 6: Yard in relation to Lot 1 and Lot 3. These infringements are addressed under LUC 2010 – 1177.

#### 4.3 Information Received

The following information has been provided:

- Application Form, Assessment of Environmental Effects
- Drawings
  - Scheme Plan Drawing SP00631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.

The following person(s) peer reviewed the information provided:

- Jason Lim, Council's Drainage Engineer

It is considered that adequate information has been provided to enable Council to fully assess the proposal and determine the application.

## **ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTION 95 OF THE RESOURCE MANAGEMENT ACT 1991**

### **5.0 STATUTORY CONSIDERATIONS**

Section 95A of the Resource Management Act provides for resource consents to be processed on a non-notified basis unless Council decides that the activity will have, or is likely to have, adverse effects on the environment that are more than minor (full notification) or adverse effects limited to adjacent properties (limited notification).

In regards to full notification in determining whether or not an adverse activity will have, or is likely to have, adverse effects on the environment that are more than minor, the following matters will be disregarded:

- Effects on persons who own and occupy the land in, on or over, which the activity will occur or land adjacent to the land over which the activity will occur;
- An adverse effect of the activity on the environment that does not relate to a matter specified in a rule or national environmental standard where discretion is restricted to;
- Any effect on a person who has given written approval to the application;
- Trade competition and the effects of trade competition.


The consent authority may also disregard an adverse effect of the activity on the environment if a rule or national environmental standard permits an activity with that effect.

If notification is required under Section 95A, Section 95A(3) states that applications must not be publicly notified if a rule in a plan or national environmental standard expressly precludes public notification. A provision exists within the Waitakere District Plan whereby applications for resource consent need not be notified for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

If the consent authority does not publicly notify an application, Council must determine if the activity will have, or is likely to have, adverse effects on any persons or order holders, including adjacent land owners. If it is decided that there are affected persons / affected order holder from whom consent has not been obtained (unless unreasonable and / or withdrawn) then the application is subject to limited notification.

If limited notification is required under Section 95B, Section 95B(2) states that applications must not be limited notified if a rule or national environmental standard expressly precludes limited notification. Such a provision exists within the Waitakere District Plan where written approvals of affected persons will not be required for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

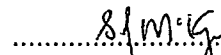
- A provision exists within the plan in that written approvals of affected persons will not be required for Limited Discretionary Activities.
- There are no affected order holders adversely affected by the proposed activity.
- There are no special circumstances to warrant notification of this application.

  
.....  
**Reporting Planner**

4/10/18  
.....  
**Date:**

## 9.0 SECTION 95 DETERMINATION

Acting under delegated authority and for the reasons set out in the above assessment this application SUB 2010 - 1174 for resource consent shall be non-notified as recommended in Section 8.0 above.

  
.....  
**Team Leader Consents**

4/10/18  
.....  
**Date:**

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.



Notwithstanding the above, a consent authority shall have regard to whether special circumstances apply. In such cases, the application may be publicly notified (Section 95A (4)).

## **6.0 ADVERSE EFFECTS ASSESSMENT**

The following assessment of effects is undertaken on the basis that the level of effects arising is avoided, remedied or mitigated (as appropriate) by the proposed consent conditions contained in this report. The assessment has regard to the provisions of Section 95.

- There will be no discernible changes in the visual amenities of the site, or to its relationship with adjoining and nearby properties.
- No physical works are proposed.
- The existing coastal landscapes characteristic of this area will remain unchanged.
- The resulting lots will not be incongruous with the surrounding heritage features of the Waitakere Ranges.
- The proposal will not affect the scale and intensity of activity generated by the existing residential uses. Therefore the quietness and darkness of the ranges will be unaffected.
- The proposal will not increase the propensity for flooding or land instability issues which may affect property or persons.
- The proposal will not affect vehicular access, or infrastructure capacity.
- Any effects generated by the adjustment will be limited to the application sites.

## **6.1 AFFECTED ORDER HOLDER**

There are no affected order holder's adversely affected by the proposed activity.

## **7.0 SPECIAL CIRCUMSTANCES**

Special Circumstances are generally those that are unusual or exceptional or involve some significant or important public interest element.

The proposal, in itself, is not considered to give rise to special circumstances and there is no basis for Council to exercise its discretion under s95A (4).

## **8.0 SECTION 95 RECOMMENDATION**

Pursuant to Sections 95A-95F of the Resource Management Act 1991, it is recommended that this application SUB 2010 - 1174 be processed as a non-notified application for the following reasons:

- The adverse effect on the environment (inclusive of any identified heritage features within the Waitakere Ranges Heritage Area) of the activity for which consent is sought will be no more than minor for reasons referred to in Section 6.0 of this report
- A provision exists within the plan in that applications for resource consent need not be notified for Limited Discretionary Activities.

## **ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTIONS 104 AND 104C OF THE RESOURCE MANAGEMENT ACT 1991**

### **10.0 STATUTORY CONSIDERATIONS**

The proposal requires consideration as a Limited Discretionary Activity under the provisions of the Resource Management Act 1991. In considering the application, the consent authority shall have regard to the matters specified in Section 104. The considerations are as follows:

When considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to:

- Any actual and potential effects on the environment of allowing the activity; and
- Any relevant provisions of—
  - a national environmental standard
  - other regulations
  - a national policy statement
  - a New Zealand coastal policy statement
  - a regional policy statement or proposed regional policy statement
  - a plan or proposed plan; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

When forming an opinion for the purposes of considering the actual and potential effects on the environment of allowing the activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard, or the plan, permits an activity with that effect.

In considering an application the consent authority must not have regard to trade competition or: or the effects of trade competition; or any effect on a person who has given written approval to the application.

As a Limited Discretionary Activity, a consent authority must consider only those matters to which it has restricted the exercise of its discretion as specified in its plan or proposed plan, or as specified in national environmental standards or other regulations.

A consent authority may grant or refuse the application to the matters over which it has restricted its discretion.

If the consent is granted it may impose conditions under section 108 only for those matters to which it has restricted the exercise of its discretion, as specified in national environmental standards or other regulations; or in its plan or proposed plan.

### **11.0 ASSESSMENT**

#### **11.1 Actual and Potential Effects on the Environment (s104 (1)(a))**

The District Plan has been prepared with a clear "effects-based" emphasis. Consideration of the proposed development in relation to each of the Plan's assessment criteria would ensure that all the relevant matters to which Council has restricted its discretion have been addressed.

The relevant matters to which Council has restricted its discretion in relation to the application will therefore be considered in accordance with the assessment criteria.

The relevant assessment criteria from the District Plan, together with comments as to whether each criterion can be satisfied are summarised as follows:

### **Subdivision**

#### **Rule 2.3 – General**

The effects of the proposed boundary adjustment (described in section 4.2 of the report) are considered to be less than minor. The transfer of land will result in the lots continuing to be in keeping with the existing character and amenity values of the surrounding neighbourhood.

All sites are currently serviced by infrastructure for stormwater, water supply and other services which will not be altered, although an easement is required to ensure a right to drain wastewater. The proposal has been assessed by Councils Drainage Engineer Jason Lim who raises no objection to the proposal and does not require any conditions of consent.

Access to the lots will not be compromised by the boundary adjustment. The proposal does not involve any physical works to the site.

The buildings on Lots 1 and 2 will not be affected by the adjustment and all lots will remain a usable size and shape. There will be no vegetation removal required by this consent, thus the natural character of the site and surrounding areas will be retained.

It is therefore concluded that the effects created by the proposed boundary adjustment will be less than minor.

#### **11.4 National Policy Statements (s104(b)(iii))**

The only National Policy Statement in place at the time of writing (notwithstanding the NZCPS) is the National Policy Statement on Electricity Transmission. This policy statement is not considered relevant with respect to this application.

#### **11.5 New Zealand Coastal Policy Statement (s104 (b)(iv))**

The NZCPS seeks that development in the coastal environment should be located in areas where the natural character has already been compromised to some degree. Development should therefore be located in coastal settlements or in other areas where there will be no more than minor adverse effects. As referred to policy 3.2.2 plans should define what form of development would be appropriate.

As discussed above, the proposal does not involve any physical works and the resulting lots, in terms of their size and shape are compatible with the scale of development located in the immediate vicinity.

#### **11.6 A Regional Policy Statement, or Proposed Regional Policy Statement (s104 (b)(v))**

The Auckland Regional Policy Statement became operative in 1999 (subject to plan changes at various stages in the statutory process) sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the Region, under which the Waitakere City Operative District Plan has been prepared.

The proposed development by reason of its size and scale and matters discussed elsewhere in this report is not considered to be contrary to the Regional Policy Statement, or any Proposed Plan Change associated with this document.

## **12.0 A plan or proposed plan(s104 (b)(vi))**

The District Plan Assessment Criteria, developed to address the issues covered in the relevant objectives and policies, have already been discussed in section 11.0.

The proposed development is considered to be consistent with these assessment criteria. For this reason the proposed development is also considered to be consistent with the relevant Objectives and Policies.

## **13.0 Other Matters (Section 104(1(c)))**

### **13.1. Waitakere Ranges Heritage Area Act**

The purpose of the WRHAA is to recognise the national, regional, and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations.

The objectives relevant to this application are: 8a), 8(b), 8(d), 8(f), 8(h), 8(i).

In having particular regard to the purpose and objectives of WRHAA and the policies of the District Plan the following is noted;

1. The proposal will not result in any physical works, therefore the landscape character, physical features, heritage features, ecosystems or native vegetation present in the surrounding environment will not be effected by the boundary adjustment.
2. The site will continue to be of an appropriate scale, character and intensity that is expected within the immediate locality. The character and amenity of the area will be maintained.
3. Taking into account the impacts of the proposal on the Heritage Area as a whole, the proposal would not result in any significant effects upon the surrounding environment. The proposal would not compromise the national, regional, and local significance of the Waitakere Ranges Heritage Area for both present and future generations.

It is considered that the development is consistent with the purpose of the Waitakere Ranges Heritage Area Act and that each relevant objective of the Act has been met, or will be met via conditions of consent.

The relevant provisions of the New Zealand coastal policy statement have been discussed in Section 13.2.

There are no other matters relevant to this application

## **14.0 PART II OF THE ACT- PURPOSE AND PRINCIPLES**

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management. In particular this proposal is concerned with the sustainable management of the Bush Living Environment and the General and Protected Natural Area in such a way that the communities'

social and cultural aspirations are realised whilst the quality of the environment and amenity values of the neighbourhood are maintained. The proposal would allow for minor boundary adjustment that would be appropriate within the environment and would be able to establish and operate in such a way that the amenities of the neighbourhood would not be adversely affected.

The existing outstanding coastal landscapes, identified as matters of national importance will not be adversely affected by the proposal.

The proposal is not considered to impact upon the Treaty of Waitangi.

Section 7 identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

The potential effects of the proposal on the amenity and character of the area have been discussed in detail in the effects assessment contained in Section 11 of this report. Subject to conditions, it is concluded that the proposed development would be compatible with the surrounding built and natural environment and the existing amenity of the area would not be reduced.

#### **15.0 TIME PERIOD IN WHICH TO IMPLEMENT THE CONSENT**

Under Section 125 of the Resource Management Act 1991, a consent lapses either on the date that is specified in the consent or if no date is specified, 5 years after the date of commencement of the consent.

There is no known reason to either decrease or increase the timeframe in this instance.

#### **16.0 RESERVE CONTRIBUTION**

The reserve contribution has been considered in accordance with the Resource Management Act 1991. Given that the boundary adjustment does not create any additional allotments there will be no Reserve Contribution applicable to this boundary adjustment.

## 18.0 RECOMMENDED DECISION

That Subdivision Consent Application SUB 2010 - 1174 being a limited discretionary activity and being a Subdivision of Lot 355 DP 17523 CT 733/287, Lot 356 DP 17523 CT 860/179, Lot 357 DP 17523 CT 798/71 be granted subdivision consent pursuant to Sections, 104, 104C, 108 and 220 of the Resource Management Act 1991, and that:-

- i. There will be no discernible changes in the visual amenities of the site, or the surrounding environment.
- ii. The proposal does not involve any physical works, therefore the landscape character and amenity of the surrounding environment will not be adversely affected.
- iii. The proposal will not increase the propensity for flooding or land instability issues which may affect property or persons.
- iv. The proposal satisfies the relevant objectives, policies, rules of the Waitakere City Operative District Plan
- v. The proposal is not contrary to Part II of the Resource Management Act 1991
- vi. The application is considered to be consistent with the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008 because the proposal would not result in any significant effects upon the surrounding environment. The proposal would not compromise the national, regional, and local significance of the Waitakere Ranges Heritage Area for present and future generations.

**Conditions imposed on the consent are as follows:**

### **1: SECTION 223 REQUIREMENTS**

A survey plan of the subdivision will be approved pursuant to Section 223 of the Act provided that the survey plan signing fee has been paid and that the following conditions have been complied with to the satisfaction of Council.

- (a) The Survey Plan shall be in accordance with the plans titled:-
    - o Scheme Plan Drawing SPoo631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.
- and all referenced by Council as SUB 2010 - 1174 and the information submitted with the application (including further information),
- (b) Provide wastewater easements (for the services through Lots to protect the existing or proposed connections) in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon."

### **Advice Notes**

The application requesting the 223 certification shall be in writing, shall state the LINZ allocated number, shall have attached a cheque for the advertised S223 processing fee, shall address how each of the following conditions have been satisfied. The Landonline documentation shall include the S223 and any other TA Certificates applicable. Note that the TA Ref. is SUB 2010 - 1174

The applicant must ensure that placement of the services and driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.

## **2: SECTION 224C REQUIREMENTS**

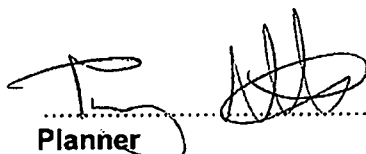
There are no Section 224 Requirements

### **Advice Notes**

(AV 1) The resource consent lapses on the expiry of **five years** after the commencement of this consent, unless the consent is given effect to by the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established.

(AV 2) If you are not satisfied with the decision and/or any of the conditions of consent you may lodge an objection in writing to the decision and / or conditions pursuant to S.357A of the Resource Management Act.

Objections must be in writing and addressed to the Principal Planner, Resource Management, Waitakere City Council, Private Bag 93109, Henderson 0650.

  
.....  
Planner

4/10/10  
.....  
Date:

## **19.0 CONSENT GRANTED AS RECOMMENDED**

Acting under delegated authority and for the reasons set out in the above recommendation(s) SUB 2010 - 1174 shall be granted subject to the conditions set out in Section 18.0 above.

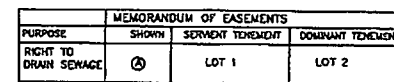
pp. S/MG  
.....  
Senior Subdivision Technical Officer

09/10/10  
.....  
Date:

S/MG  
.....  
Team Leader Consents

09/10/10  
.....  
Date:

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.



## ZONING

Bush Living  
General & Protected  
with Sensitive Ridge  
on parts of # 83 & # 85

## AREA SCHEDULE

LOT 1	=	1390m <sup>2</sup>
LOT 2	=	1308m <sup>2</sup>
LOT 3	=	1256m <sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot 356 OP 17523 hereby approve of the proposal shown hereon

X-Subscribed Date X-34/03/10  
Scott William Iszard

## NOTES

1. HEIGHTS SHOWN ARE IN TERMS OF DATUM AUGUST 1945 ORIGIN: RA7816 S0 67376 RL 27.10.
2. THIS PLAN DOES NOT NECESSARILY SHOW ALL EXISTING SERVICES. IT IS THE DUTY OF THE CONTRACTOR TO ACCURATELY LOCATE AND PROTECT ALL EXISTING SERVICES BEFORE EXCAVATION.
3. ALL DIMENSIONS, LEVELS & UNDERGROUND SERVICES LOCATIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ALL WORKS.
4. FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE SUBJECT TO L.T. SURVEY.

No	Issue	Date	Appd
----	-------	------	------



**AFFORDABLE MOBILE SURVEYORS LTD**  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland.  
Private Bag 986, M302, Auckland.  
Ph 09 626 5606 Fax 09 626 5682  
Email: [enquiries@mobilesurveyors.co.nz](mailto:enquiries@mobilesurveyors.co.nz)

Designed	Checked	SP
Drawn	KL	Date 25-08-2010

SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

### PROPOSED MINOR BOUNDARY ADJUSTMENT

SCHEME PLAN

LOT 355 DP 17523, NA733/287  
LOT 358 DP 17523, NA860/179  
LOT 357 OP 17523, NA786/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02



## Helen Fleming

---

**From:** Helen Fleming  
**Sent:** Monday, 22 November 2010 3:04 p.m.  
**To:** 'ISZARD, Chris'  
**Subject:** RE: Minor boundary changes 83-87 Kauri Pt Rd Laingholm

Hi Chris

I have signed the sec223/224c in Landonline now.

Regards  
Helen

Helen Fleming | Senior Subdivisions Advisor  
**Resource Consenting and Compliance West**

---

Email: [helen.fleming@aucklandcouncil.govt.nz](mailto:helen.fleming@aucklandcouncil.govt.nz)  
Ph 09 301-0101 | extn 8970 | fax 09 301-0100  
Auckland Council, Level 2, Administration Building  
6 Henderson Valley Road, Henderson  
Private Bag 92300, Auckland 1142  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

---

**From:** ISZARD, Chris [[mailto:Chris\\_Iszard@vero.co.nz](mailto:Chris_Iszard@vero.co.nz)]  
**Sent:** Friday, 19 November 2010 11:47 a.m.  
**To:** Helen Fleming  
**Cc:** Scott Iszard  
**Subject:** Minor boundary changes 83-87 Kauri Pt Rd Laingholm

Sub 2010-1174, LT43678.

Hi Helen , we are awaiting release of Section 224c certificate & ask if this can be given some urgency as it has now been some time in coming & is holding up progress on other matters.

\*\*\*\*\*

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\*\*\*\*\*

22/11/2010

## Helen Fleming

---

**From:** ISZARD, Chris [Chris\_Iszard@vero.co.nz]  
**Sent:** Friday, 19 November 2010 11:47 a.m.  
**To:** Helen Fleming  
**Cc:** Scott Iszard  
**Subject:** Minor boundary changes 83-87 Kauri Pt Rd Laingholm

Sub 2010-1174, LT43678.

Hi Helen , we are awaiting release of Section 224c certificate & ask if this can be given some urgency as it has now been some time in coming & is holding up progress on other matters.

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**Helen Fleming**

**From:** AMS [ams@landsurvey.co.nz]  
**Sent:** Wednesday, 17 November 2010 9:39 a.m.  
**To:** Helen Fleming  
**Subject:** RE: 83-87 Kauri Point Rd & 19 James Laurie St

*Rang Shyama*  
*17/11 9.40*  
*- 223 requests*  
*recd in subdvs*  
*16/11*

Hello Helen,

As requested, consent numbers below.

**SUB 2010-403 TWO LOTS SUBDIVISION AT 819 JAMES LAURIE STREET  
HENDERSON (LT 436633)**

**SUB 2010-1174 MINOR BOUNDARY ADJUSTMENT AT 83-87 KAURI POINT  
ROAD LAINGHOLM (LT 436878)**

Thanks.

Kind regards

**Shyama**

---

**From:** Helen Fleming [mailto:Helen.Fleming@aucklandcouncil.govt.nz]  
**Sent:** Friday, 12 November 2010 12:02 p.m.  
**To:** ams@landsurvey.co.nz  
**Subject:** RE: 83-87 Kauri Point Rd & 19 James Laurie St

Hi Shyama  
Could you supply the Consent numbers and LT plan numbers please  
Thanks  
Helen  
Helen Fleming | Senior Subdivisions Advisor  
**Resource Consenting and Compliance West**

-----  
Email: [helen.fleming@aucklandcouncil.govt.nz](mailto:helen.fleming@aucklandcouncil.govt.nz)  
Ph 09 301-0101 | extn 8970 | fax 09 301-0100  
Auckland Council, Level 2, Administration Building  
6 Henderson Valley Road, Henderson  
Private Bag 92300, Auckland 1142  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

---

**From:** AMS [mailto:ams@landsurvey.co.nz]  
**Sent:** Friday, 12 November 2010 8:21 a.m.  
**To:** Helen Fleming  
**Subject:** 83-87 Kauri Point Rd & 19 James Laurie St

Dear Helen,

Could you please update us on when we can expect the s223 signing for the above two properties.  
Many thanks.

Regards, Shyama

**Shyama Susheel Prakash**

Level 1

DDI+64 9 826 5692

17/11/2010

Director/Senior Surveyor

**AFFORDABLE MOBILE SURVEYORS**  
Consulting Land Surveyors

**AMS**  
SURVEYING <sup>TM</sup>

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📠 **m** +64 21 620 453  
✉ **e** [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

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## Helen Fleming

---

**From:** Helen Fleming  
**Sent:** Tuesday, 23 November 2010 6:52 a.m.  
**To:** Betty Lane  
**Subject:** FW: RE Kauri Point Road, Laingholm

Hi Betty  
– xml for LT 436878- 85-87 Kauri Point Rd

Regards  
Helen

Helen Fleming | Senior Subdivisions Advisor  
**Resource Consenting and Compliance West**

---

Email: [helen.fleming@aucklandcouncil.govt.nz](mailto:helen.fleming@aucklandcouncil.govt.nz)  
Ph 09 301-0101 | extn 8970 | fax 09 301-0100  
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6 Henderson Valley Road, Henderson  
Private Bag 92300, Auckland 1142  
Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

---

**From:** AMS [<mailto:ams@landsurvey.co.nz>]  
**Sent:** Monday, 22 November 2010 6:54 p.m.  
**To:** Helen Fleming  
**Subject:** FW: RE Kauri Point Road, Laingholm

Attached XML.

Thanks,

Regards, Shyama

**Shyama Susheel Prakash**  
Director/Senior Surveyor

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☎ **e** [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)



**[www.landsurvey.co.nz](http://www.landsurvey.co.nz)**

---

**From:** Mathew [<mailto:mathew@landsurvey.co.nz>]  
**Sent:** Monday, 22 November 2010 3:13 p.m.  
**To:** AMS  
**Cc:** [mkadams@xtra.co.nz](mailto:mkadams@xtra.co.nz)  
**Subject:** RE Kauri Point Road, Laingholm

Hello Helen,

As requested please find attached a XML file for out Kauri Point Road job.

I will see if I can find the James Laurie Street xml file and send it to you

23/11/2010

Kind regards

Matthew Adams  
Licensed Surveyor

AFFORDABLE MOBILE SURVEYORS LTD  
Consulting Land Surveyors  
1st Floor, 18 Delta Avenue, New Lynn, Auckland.  
Postal Address: Private Bag MBE N388, Auckland 1142.  
PH 09 826 5668 | MOB 021 764 755 | FAX 09 826 5662  
EMAIL [mathew@landsurvey.co.nz](mailto:mathew@landsurvey.co.nz) | WEB [www.landsurvey.co.nz](http://www.landsurvey.co.nz)

**Ellen Clarke**

---

**From:** Ravinesh Chand  
**Sent:** Monday, 22 November 2010 12:22 p.m.  
**To:** Res Wst 223 Clearances  
**Subject:** SUB-2010-1174, 85 Kauri Point Road, LAINGHOLM, Certify easements advice to Planner.

**Attachments:** Pathway.pth



Pathway.pth (300  
B)

Hello

I have assessed the survey plan and certify the easements are correct as shown on the survey plan.

Regards  
Ravi

● Additional Info:

Attachment links to SUB-2010-1174, 85 Kauri Point Road, LAINGHOLM



22 November 2010

S W Iszard  
C/- Affordable Mobile Surveyors  
MBE N388  
Private Bag 92185  
AUCKLAND 1142

Dear Sir / Madam

**Application Number:** SUB-2010-1174  
**Applicant Name:** Scott William Iszard  
**Application Address:** 85 Kauri Point Road, LAINGHOLM

## SECTION 223 – SURVEY PLAN ECOWATER APPROVAL

EcoWater's Section 223 conditions applying to the above subdivision application have been met and are now approved for the purposes of signing the survey plan. The assessment notes are shown below each condition in **BOLD**. For enquiries or clarification regarding the items noted below please contact Ravi Chand on 3010101 extension (42) 8941.

## PUBLIC DRAINAGE INFRASTRUCTURE – ECOWATER SECTION 223 CONDITIONS

- (a) Provide drainage easements (for Lot 1 private services that pass through Lot 2 to protect the existing private drains) in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon."

**Private drainage easement A – Right to Drain Sewage has been created Lot 2 DP 436878 (85 Kauri Point Road) in favour of Lot 1 DP 436878 (83 Kauri Point Road) to protect the existing private wastewater connection as shown on the Digital Survey Plan LT 436878 generated on 18/10/2010 at 4.54 p.m.**

Yours sincerely

Ravi Chand  
**Subdivision & Consents Engineer – EcoWater**

CSL\_S06 - Survey Lodgement

CSL\_S07 - TA Certification

Survey Details  
 Survey Number: LT 436878 Survey Status: Pre-allocate  
 Surveyor Ref: AMS 631-83-87 KAURI POINT RD Survey Purpose: LT Subdivision

TA Certification Details  
 TA Reference: W SUB2010-1174-85 Kauri Assigned User: Helen Faye Fleming, Auckland Council T Search...  
 TA Certification Status: Complete TA Name: Auckland Council TA Certification Division

TA Certification Annotations Supporting Documents

Packages

Name	Status	Signed By	Signed Date Time	Sign
Sec223	Signed	hleming001	22 Nov 2010 14:51:36	
Sec224c	Signed	hleming001	22 Nov 2010 14:54:13	

Prepare...

Packaged Certificates

Certificate Description	Status	Certify
223	Certified	
223 Easements	Certified	

Certificate Text

I hereby certify that plan 436878 was approved by the AUCKLAND COUNCIL pursuant to section 223 of the Resource Management Act 1991 on the 22nd day of November 2010

Londonline Workspace - CSL\_S07 - TA Certification

Message: 29131  
 A notice has been sent to the surveyor.

OK Cancel

Ready

2:56 p.m.

Sec 223 & 224c signed in LOL 22/11/2010  
 (W) SUB 2010-1174 LT 436878



## TA Approvals

<b>Territorial Authority</b>	Auckland Council TA Certification Division	<b>TA Reference</b>	W SUB2010-1174- 85 Kauri
<b>Survey Number</b>	LT 436878	<b>Survey Purpose</b>	LT Subdivision
<b>Surveyor Reference</b>	AMS 631- 83-87 KAURI POINT RD	<b>Land District</b>	North Auckland
<b>Surveyor</b>	Matthew Keith Adams		
<b>Surveyor Firm</b>	Affordable Mobile Surveyors Limited (Auckland)		
<b>Dataset Description</b>	LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523		

### TA Certificates

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the AUCKLAND COUNCIL. Dated this 22nd day of November 2010



### Signature

Signed by Helen Faye Fleming, Authorised Officer, on 22/11/2010 02:54 PM

\*\*\* End of Report \*\*\*



# TA Approvals

<b>Territorial Authority</b>	Auckland Council TA Certification Division	<b>TA Reference</b>	W SUB2010-1174- 85 Kauri
<b>Survey Number</b>	LT 436878	<b>Survey Purpose</b>	LT Subdivision
<b>Surveyor Reference</b>	AMS 631- 83-87 KAURI POINT RD	<b>Land District</b>	North Auckland
<b>Surveyor</b>	Matthew Keith Adams		
<b>Surveyor Firm</b>	Affordable Mobile Surveyors Limited (Auckland)		
<b>Dataset Description</b>	LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523		

## TA Certificates

I hereby certify that plan 436878 was approved by the AUCKLAND COUNCIL pursuant to section 223 of the Resource Management Act 1991 on the 22nd day of November 2010 ☒

The approval of the Council under Section 223 of the Resource Management Act 1991 is subject to the granting or reserving of the easement set out in the Memorandum of Easements attached as a supporting document to plan 436878 ☒

## Signature

Signed by Helen Faye Fleming, Authorised Officer, on 22/11/2010 02:51 PM

## Receipt Information

<b>Transaction Receipt Number</b>	5199075
<b>Signing Certificate (Distinguished Name)</b>	Fleming, Helen Faye
<b>Signing Certificate (Serial Number)</b>	1019698940
<b>Signature Date</b>	22/11/2010

\*\*\* End of Report \*\*\*



# Title Plan - LT 436878

West-Sub 290-1174

**Survey Number** LT 436878  
**Surveyor Reference** AMS 631- 83-87 KAURI POINT RD  
**Surveyor** Matthew Keith Adams  
**Survey Firm** Affordable Mobile Surveyors Limited (Auckland)  
**Surveyor Declaration**

## Survey Details

**Dataset Description** LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523  
**Status** Initiated  
**Land District** North Auckland  
**Submitted Date**  
**Survey Class** Class A Cadastral Survey  
**Survey Approval Date**  
**Deposit Date**

## Territorial Authorities

Waitakere City

## Comprised In

CT NA798/71  
CT NA860/179  
CT NA733/287

## Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Lot 1 Deposited Plan 436878	Fee Simple Title	0.1390 Ha	536963
Lot 2 Deposited Plan 436878	Fee Simple Title	0.1308 Ha	536964
Lot 3 Deposited Plan 436878	Fee Simple Title	0.1256 Ha	536965
Area A Deposited Plan 436878	Easement		
<b>Total Area</b>		0.3954 Ha	

Schedule / Memorandum

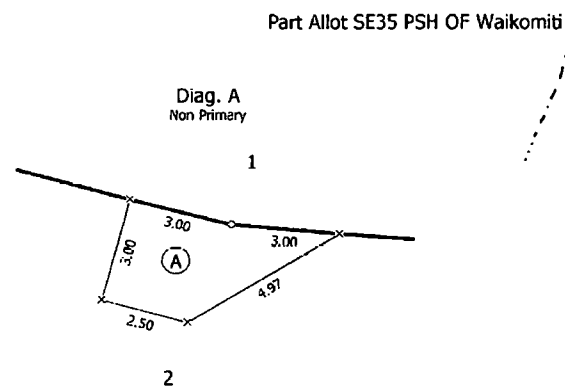
**PLAN NUMBER DP 436878**

(W) Sub 200-1174

**MEMORANDUM OF EASEMENT**

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	AREA 'A'	LOT 2 DP 436878	LOT 1 DP 436878





Lot 348A DP 17523

Lot 354 DP 17523

1  
0.1390Ha

2  
0.1308Ha

3  
0.1256Ha

Lot 358 DP 17523

Diag. A  
See T1



KAURI POINT ROAD

Sec 223 & Sec 224c signed in LOC 22/11/2010 (w) Sub 2010-1174

Land District North Auckland

LOTS 1-3 BEING A SUBDIVISION OF LOTS 355-357 DP 17523

Surveyor: Matthew Keith Adams  
Firm: Affordable Mobile Surveyors Limited

Title Plan  
LT 436878  
DRAFT

Digitally Generated Plan  
Generated on: 26/10/2010 09:48am Page 3 of 3



# RESOURCE CONSENT MONITORING FILE NOTE

RMA NUMBER: 2010 1177	DATE: 24/01/11
ADDRESS: 85 Kauri Point Road	

No works proposed. (Physical)

S224 Issued.

ENTERED

FINALISE

No need to bill 0.5  
*[Signature]*  
28/1/11

REINSPECTION: ✓		OFFICER STAMP:  PAUL TYLER ENVIRONMENTAL MONITORING OFFICER
RESULT: C	AREA: 3	
TIME RECORDING		
Date: 24/01	Hrs: 0.3	Comment: File review, Admin.
Date:	Hrs:	Comment:
Date:	Hrs:	Comment:





**PLANS AND SPECIFICATIONS**  
**APPROVED**  
 SUBJECT TO CONDITIONS ENDORSED  
 ON RMA2010-1174  
 SIGNED: *[Signature]* DATE: 4/10/10  
 AUTHORISED OFFICER

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	(A)	LOT 1	LOT 2

## ZONING

Bush Living  
 General & Protected  
 with Sensitive Ridge  
 on parts of # 83 & # 85

## AREA SCHEDULE

LOT 1 = 1390m<sup>2</sup>  
 LOT 2 = 1308m<sup>2</sup>  
 LOT 3 = 1256m<sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot 356 DP 17523 hereby approve of the proposal shown hereon

*[Signature]* Date *30/08/10*  
 Scott William Iszard

## NOTES:

- HEIGHTS SHOWN ARE IN TERMS OF DATUM AUCKLAND 1946 ORIGIN: RM7616 SO 67576 RL 27.10.
- THIS PLAN DOES NOT NECESSARILY SHOW ALL EXISTING SERVICES. IT IS THE DUTY OF THE CONTRACTOR TO ACCURATELY LOCATE AND PROTECT ALL EXISTING SERVICES BEFORE EXCAVATION.
- ALL DIMENSIONS, LEVELS & UNDERGROUND SERVICES LOCATIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ALL WORKS.
- FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE SUBJECT TO LT SURVEY

No	Issue	Date	Appd
----	-------	------	------

**AFFORDABLE MOBILE SURVEYORS LTD**  
 CONSULTING LAND SURVEYORS  
 1st Floor, 18 Delta Avenue  
 New Lynn, Auckland.  
 Private Bag MBE N388, Auckland.  
 Ph 09 826 5665 Fax 09 826 5662  
 Email: [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

Designed	Checked	SP
Drawn	KL	Date 26-08-2010

SCOTT ISZARD  
 83-87 KAURI POINT ROAD  
 LAINGHOLM

**PROPOSED MINOR  
 BOUNDARY ADJUSTMENT**

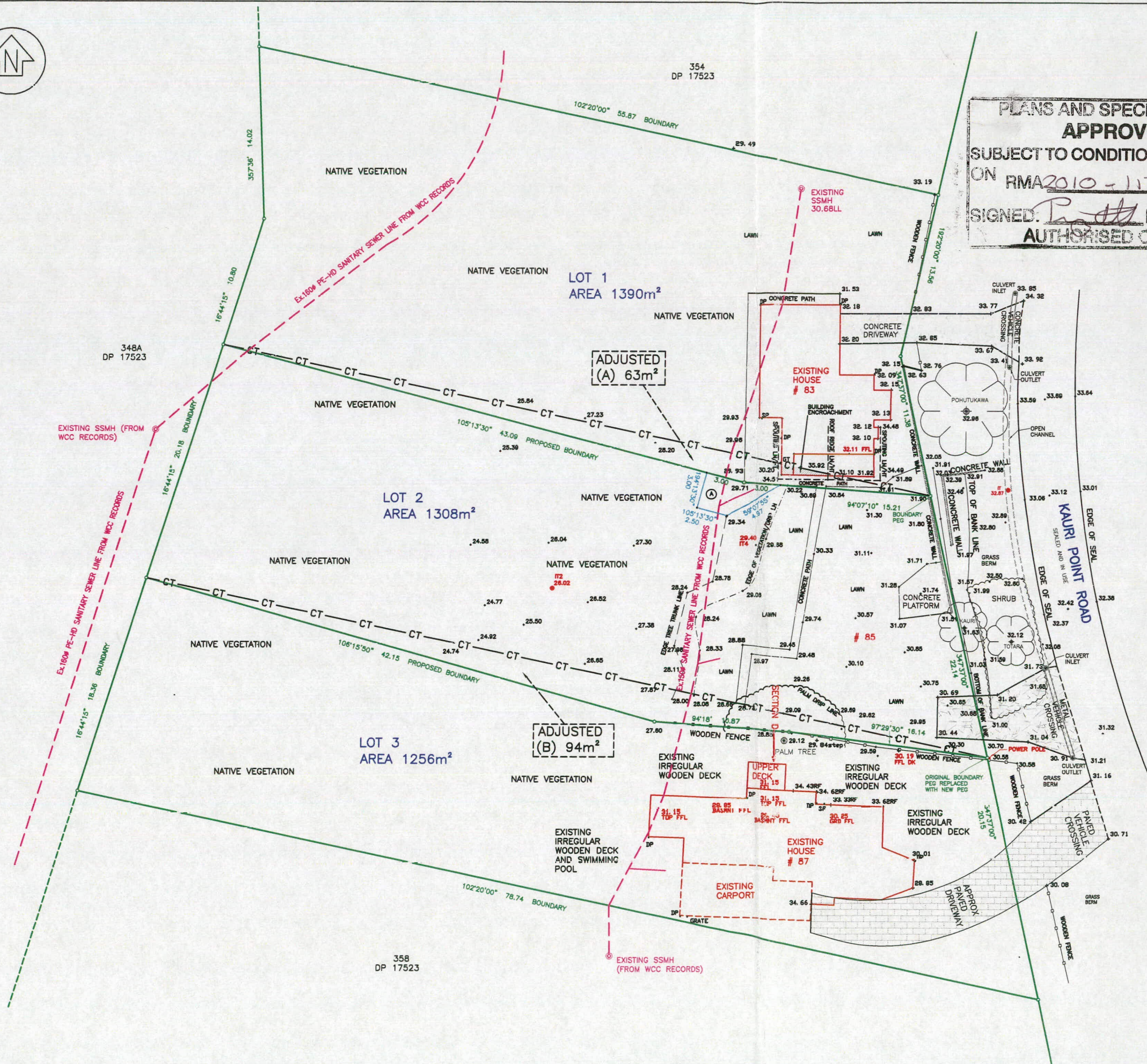
## SCHEME PLAN

LOT 355 DP 17523, NA733/287  
 LOT 356 DP 17523, NA860/179  
 LOT 357 DP 17523, NA798/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02





## CITY OF WAITAKERE DISTRICT PLAN

### REPORT FOR LIMITED DISCRETIONARY ACTIVITY APPLICATION SECTIONS 95A-95F, 104 & 104C, ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH THE RESOURCE MANAGEMENT ACT 1991

#### 1.0 SUMMARY OF PROPOSAL

A proposed subdivision (boundary adjustment) of less than 10% of 3 lots. An area of 161m<sup>2</sup> (4.7%) is being adjusted.

#### 2.0 APPLICATION DETAILS

Reporting Officer: Anthony Horton

Site Address: 83 Kauri Point Road  
85 Kauri Point Road  
87 Kauri Point Road

Applicant: Scott William Iszard

Date Received: 14 September 2010

Resource Consent No: SUB 2010 - 1174

Associated Land Use Consent No: LUC 2010 -1177

Legal Description: Lot 355 DP 17523 CT 733/287  
Lot 356 DP 17523 CT 860/179  
Lot 357 DP 17523 CT 798/71

Address for Service: Affordable Mobile Surveyors Ltd  
1<sup>st</sup> Floor  
18 Delta Avenue  
New Lynn  
Auckland

c/- S Prakash

Site Area: Lot 1 (83 Kauri Point Road) – 1328m<sup>2</sup>  
Lot 2 (85 Kauri Point Road) – 1277m<sup>2</sup>  
Lot 3 (87 Kauri Point Road) – 1348m<sup>2</sup>

new  
1390  
1308  
1256.

#### District Plan:

Human Environment:

Natural Area:

Landscape Elements:

Bush Living

General Natural Area

Protected Natural Area

Sensitive Ridge Buffer – 65m (83 and 85 Kauri Point Road)

Outstanding (Natural Character) Coastal Area (Policy Map)

	3.5c)
	Outstanding Fauna – Native Fauna Habitat (Policy Map 3.5 b)
	Waitakere Range Heritage Area
Hazards:	Stability Sensitive
Roading Hierarchy:	Local
Heritage:	None Known
Proposed Plan Changes:	No
Further Information Requested	No
Site Visit:	16 September 2010
Section 37 Applied:	No
Any Affected Persons:	No
Approval Given:	N/A



Figure 1. Aerial Photo Showing the Location of Subject Site

2.1 Documents considered for this report include the application documentation and the site visit checklist.

### 3.0 REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES Extent of Infringement and Type of Activity Proposed

3.1 Operative District Plan

Rule 2.3(a) (i) - General

Limited Discretionary Activity for a boundary adjustment involves an adjustment which will change the site area of the three Lots by no more the 10%, all lots are located within the same Human environment and existing infrastructure connections will not be effected.

In this case, Lot 1 will be increased by 4.75%, Lot 2 will be increased by 2.42% and Lot 3 will be reduced by 6.9%

The application is considered to be a Limited Discretionary activity.

4.0 SITE AND PROPOSAL

4.1 Site Description

Lots 1, 2 and 3 all comprise of rectangular shaped allotments with site areas of 1328m<sup>2</sup>, 1277m<sup>2</sup> and 1348m<sup>2</sup>. Lot 1 and Lot 3 contain existing large dwellings to the front portion of the site. Lot 2 does not contain any dwellings, but is characterised by well maintain lawn and footpath.

The rear of all sites is characterised by well established native bush which extends up to and beyond the rear boundary. The topography drops steeply from the road to the rear of the site, which adjoins Taumatarea Reserve.

4.1A Heritage Features

The relevant Waitakere Range Heritage Area Act heritage features within or adjoining the site are identified as: 7(2)(a), 7(2)(b), 7(2)(e), 7(2)(f), 7(2)(g), 7(2)(i), 7(2)(l), 7(2)(m).

4.2 Proposal

The applicant seeks consent for a minor boundary adjustment to change the location of the boundary line so that it matches the existing fence line present on the Lots.

Lot	Percentage Change	Actual Change
Lot 1	+ 4.75 %	+ 63m <sup>2</sup>
Lot 2	+ 2.42%	+ 31m <sup>2</sup>
Lot 3	- 6.9%	- 94m <sup>2</sup>

Table 1. Boundary Adjustment

The applicant proposes the following easement:

Purpose	Shown	Servient Tenant	Dominant Tenement
Right to Drain Sewage	A	Lot 1	Lot 2

Table 2. Memorandum of Easements

It is noted that by altering the location of the boundaries, the proposal generates an infringement of Rule 5 - Height in Relation to Boundary relating to the south boundary of Lot 1 and an infringement of the Rule 6: Yard in relation to Lot 1 and Lot 3. These infringements are addressed under LUC 2010 – 1177.

4.3 Information Received

The following information has been provided:

- Application Form, Assessment of Environmental Effects
- Drawings
  - Scheme Plan Drawing SP00631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.

The following person(s) peer reviewed the information provided:

- Jason Lim, Council's Drainage Engineer

It is considered that adequate information has been provided to enable Council to fully assess the proposal and determine the application.

## **ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTION 95 OF THE RESOURCE MANAGEMENT ACT 1991**

### **5.0 STATUTORY CONSIDERATIONS**

Section 95A of the Resource Management Act provides for resource consents to be processed on a non-notified basis unless Council decides that the activity will have, or is likely to have, adverse effects on the environment that are more than minor (full notification) or adverse effects limited to adjacent properties (limited notification).

In regards to full notification in determining whether or not an adverse activity will have, or is likely to have, adverse effects on the environment that are more than minor, the following matters will be disregarded:

- Effects on persons who own and occupy the land in, on or over, which the activity will occur or land adjacent to the land over which the activity will occur;
- An adverse effect of the activity on the environment that does not relate to a matter specified in a rule or national environmental standard where discretion is restricted to;
- Any effect on a person who has given written approval to the application;
- Trade competition and the effects of trade competition.

The consent authority may also disregard an adverse effect of the activity on the environment if a rule or national environmental standard permits an activity with that effect.

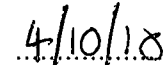
If notification is required under Section 95A, Section 95A(3) states that applications must not be publicly notified if a rule in a plan or national environmental standard expressly precludes public notification. A provision exists within the Waitakere District Plan whereby applications for resource consent need not be notified for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

If the consent authority does not publicly notify an application, Council must determine if the activity will have, or is likely to have, adverse effects on any persons or order holders, including adjacent land owners. If it is decided that there are affected persons / affected order holder from whom consent has not been obtained (unless unreasonable and / or withdrawn) then the application is subject to limited notification.

If limited notification is required under Section 95B, Section 95B(2) states that applications must not be limited notified if a rule or national environmental standard expressly precludes limited notification. Such a provision exists within the Waitakere District Plan where written approvals of affected persons will not be required for Limited Discretionary Activities (Rule 1.1 under the respective Human Environment / Natural Area Zoning).

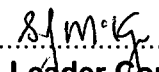
- A provision exists within the plan in that written approvals of affected persons will not be required for Limited Discretionary Activities.
- There are no affected order holders adversely affected by the proposed activity.
- There are no special circumstances to warrant notification of this application.

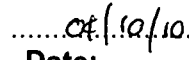
  
 .....  
**Reporting Planner**

  
 .....  
**Date:**

## 9.0 SECTION 95 DETERMINATION

Acting under delegated authority and for the reasons set out in the above assessment this application SUB 2010 - 1174 for resource consent shall be non-notified as recommended in Section 8.0 above.

  
 .....  
**Team Leader Consents**

  
 .....  
**Date:**

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.

Notwithstanding the above, a consent authority shall have regard to whether special circumstances apply. In such cases, the application may be publicly notified (Section 95A (4)).

## **6.0 ADVERSE EFFECTS ASSESSMENT**

The following assessment of effects is undertaken on the basis that the level of effects arising is avoided, remedied or mitigated (as appropriate) by the proposed consent conditions contained in this report. The assessment has regard to the provisions of Section 95.

- There will be no discernible changes in the visual amenities of the site, or to its relationship with adjoining and nearby properties.
- No physical works are proposed.
- The existing coastal landscapes characteristic of this area will remain unchanged.
- The resulting lots will not be incongruous with the surrounding heritage features of the Waitakere Ranges.
- The proposal will not affect the scale and intensity of activity generated by the existing residential uses. Therefore the quietness and darkness of the ranges will be unaffected.
- The proposal will not increase the propensity for flooding or land instability issues which may affect property or persons.
- The proposal will not affect vehicular access, or infrastructure capacity.
- Any effects generated by the adjustment will be limited to the application sites.

## **6.1 AFFECTED ORDER HOLDER**

There are no affected order holder's adversely affected by the proposed activity.

## **7.0 SPECIAL CIRCUMSTANCES**

Special Circumstances are generally those that are unusual or exceptional or involve some significant or important public interest element.

The proposal, in itself, is not considered to give rise to special circumstances and there is no basis for Council to exercise its discretion under s95A (4).

## **8.0 SECTION 95 RECOMMENDATION**

Pursuant to Sections 95A-95F of the Resource Management Act 1991, it is recommended that this application SUB 2010 - 1174 be processed as a non-notified application for the following reasons:

- The adverse effect on the environment (inclusive of any identified heritage features within the Waitakere Ranges Heritage Area) of the activity for which consent is sought will be no more than minor for reasons referred to in Section 6.0 of this report
- A provision exists within the plan in that applications for resource consent need not be notified for Limited Discretionary Activities.



## **ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER SECTIONS 104 AND 104C OF THE RESOURCE MANAGEMENT ACT 1991**

### **10.0 STATUTORY CONSIDERATIONS**

The proposal requires consideration as a Limited Discretionary Activity under the provisions of the Resource Management Act 1991. In considering the application, the consent authority shall have regard to the matters specified in Section 104. The considerations are as follows:

When considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to:

- Any actual and potential effects on the environment of allowing the activity; and
- Any relevant provisions of—
  - a national environmental standard
  - other regulations
  - a national policy statement
  - a New Zealand coastal policy statement
  - a regional policy statement or proposed regional policy statement
  - a plan or proposed plan; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

When forming an opinion for the purposes of considering the actual and potential effects on the environment of allowing the activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard, or the plan, permits an activity with that effect.

In considering an application the consent authority must not have regard to trade competition or: or the effects of trade competition; or any effect on a person who has given written approval to the application.

As a Limited Discretionary Activity, a consent authority must consider only those matters to which it has restricted the exercise of its discretion as specified in its plan or proposed plan, or as specified in national environmental standards or other regulations.

A consent authority may grant or refuse the application to the matters over which it has restricted its discretion.

If the consent is granted it may impose conditions under section 108 only for those matters to which it has restricted the exercise of its discretion, as specified in national environmental standards or other regulations; or in its plan or proposed plan.

### **11.0 ASSESSMENT**

#### **11.1 Actual and Potential Effects on the Environment (s104 (1)(a))**

The District Plan has been prepared with a clear “effects-based” emphasis. Consideration of the proposed development in relation to each of the Plan’s assessment criteria would ensure that all the relevant matters to which Council has restricted its discretion have been addressed.

The relevant matters to which Council has restricted its discretion in relation to the application will therefore be considered in accordance with the assessment criteria.

The relevant assessment criteria from the District Plan, together with comments as to whether each criterion can be satisfied are summarised as follows:

### **Subdivision**

#### **Rule 2.3 – General**

The effects of the proposed boundary adjustment (described in section 4.2 of the report) are considered to be less than minor. The transfer of land will result in the lots continuing to be in keeping with the existing character and amenity values of the surrounding neighbourhood.

All sites are currently serviced by infrastructure for stormwater, water supply and other services which will not be altered, although an easement is required to ensure a right to drain wastewater. The proposal has been assessed by Councils Drainage Engineer Jason Lim who raises no objection to the proposal and does not require any conditions of consent.

Access to the lots will not be compromised by the boundary adjustment. The proposal does not involve any physical works to the site.

The buildings on Lots 1 and 2 will not be affected by the adjustment and all lots will remain a usable size and shape. There will be no vegetation removal required by this consent, thus the natural character of the site and surrounding areas will be retained.

It is therefore concluded that the effects created by the proposed boundary adjustment will be less than minor.

#### **11.4 National Policy Statements (s104(b)(iii))**

The only National Policy Statement in place at the time of writing (notwithstanding the NZCPS) is the National Policy Statement on Electricity Transmission. This policy statement is not considered relevant with respect to this application.

#### **11.5 New Zealand Coastal Policy Statement (s104 (b)(iv))**

The NZCPS seeks that development in the coastal environment should be located in areas where the natural character has already been compromised to some degree. Development should therefore be located in coastal settlements or in other areas where there will be no more than minor adverse effects. As referred to policy 3.2.2 plans should define what form of development would be appropriate.

As discussed above, the proposal does not involve any physical works and the resulting lots, in terms of their size and shape are compatible with the scale of development located in the immediate vicinity.

#### **11.6 A Regional Policy Statement, or Proposed Regional Policy Statement (s104 (b)(v))**

The Auckland Regional Policy Statement became operative in 1999 (subject to plan changes at various stages in the statutory process) sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the Region, under which the Waitakere City Operative District Plan has been prepared.

The proposed development by reason of its size and scale and matters discussed elsewhere in this report is not considered to be contrary to the Regional Policy Statement, or any Proposed Plan Change associated with this document.

## **12.0 A plan or proposed plan(s)104 (b)(vi))**

The District Plan Assessment Criteria, developed to address the issues covered in the relevant objectives and policies, have already been discussed in section 11.0.

The proposed development is considered to be consistent with these assessment criteria. For this reason the proposed development is also considered to be consistent with the relevant Objectives and Policies.

## **13.0 Other Matters (Section 104(1(c)))**

### **13.1. Waitakere Ranges Heritage Area Act**

The purpose of the WRHAA is to recognise the national, regional, and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations.

The objectives relevant to this application are: 8a), 8(b), 8(d), 8(f), 8(h), 8(i).

In having particular regard to the purpose and objectives of WRHAA and the policies of the District Plan the following is noted;

1. The proposal will not result in any physical works, therefore the landscape character, physical features, heritage features, ecosystems or native vegetation present in the surrounding environment will not be effected by the boundary adjustment.
2. The site will continue to be of an appropriate scale, character and intensity that is expected within the immediate locality. The character and amenity of the area will be maintained.
3. Taking into account the impacts of the proposal on the Heritage Area as a whole, the proposal would not result in any significant effects upon the surrounding environment. The proposal would not compromise the national, regional, and local significance of the Waitakere Ranges Heritage Area for both present and future generations.

It is considered that the development is consistent with the purpose of the Waitakere Ranges Heritage Area Act and that each relevant objective of the Act has been met, or will be met via conditions of consent.

The relevant provisions of the New Zealand coastal policy statement have been discussed in Section 13.2.

There are no other matters relevant to this application

## **14.0 PART II OF THE ACT- PURPOSE AND PRINCIPLES**

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management. In particular this proposal is concerned with the sustainable management of the Bush Living Environment and the General and Protected Natural Area in such a way that the communities'

social and cultural aspirations are realised whilst the quality of the environment and amenity values of the neighbourhood are maintained. The proposal would allow for minor boundary adjustment that would be appropriate within the environment and would be able to establish and operate in such a way that the amenities of the neighbourhood would not be adversely affected.

The existing outstanding coastal landscapes, identified as matters of national importance will not be adversely affected by the proposal.

The proposal is not considered to impact upon the Treaty of Waitangi.

Section 7 identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

The potential effects of the proposal on the amenity and character of the area have been discussed in detail in the effects assessment contained in Section 11 of this report. Subject to conditions, it is concluded that the proposed development would be compatible with the surrounding built and natural environment and the existing amenity of the area would not be reduced.

## **15.0 TIME PERIOD IN WHICH TO IMPLEMENT THE CONSENT**

Under Section 125 of the Resource Management Act 1991, a consent lapses either on the date that is specified in the consent or if no date is specified, 5 years after the date of commencement of the consent.

There is no known reason to either decrease or increase the timeframe in this instance.

## **16.0 RESERVE CONTRIBUTION**

The reserve contribution has been considered in accordance with the Resource Management Act 1991. Given that the boundary adjustment does not create any additional allotments there will be no Reserve Contribution applicable to this boundary adjustment.

## 18.0 RECOMMENDED DECISION

That Subdivision Consent Application SUB 2010 - 1174 being a limited discretionary activity and being a Subdivision of Lot 355 DP 17523 CT 733/287, Lot 356 DP 17523 CT 860/179, Lot 357 DP 17523 CT 798/71 be granted subdivision consent pursuant to Sections, 104, 104C, 108 and 220 of the Resource Management Act 1991, and that:-

- i. There will be no discernible changes in the visual amenities of the site, or the surrounding environment.
- ii. The proposal does not involve any physical works, therefore the landscape character and amenity of the surrounding environment will not be adversely affected.
- iii. The proposal will not increase the propensity for flooding or land instability issues which may affect property or persons.
- iv. The proposal satisfies the relevant objectives, policies, rules of the Waitakere City Operative District Plan
- v. The proposal is not contrary to Part II of the Resource Management Act 1991
- vi. The application is considered to be consistent with the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008 because the proposal would not result in any significant effects upon the surrounding environment. The proposal would not compromise the national, regional, and local significance of the Waitakere Ranges Heritage Area for present and future generations.

**Conditions imposed on the consent are as follows:**

### **1: SECTION 223 REQUIREMENTS**

A survey plan of the subdivision will be approved pursuant to Section 223 of the Act provided that the survey plan signing fee has been paid and that the following conditions have been complied with to the satisfaction of Council.

- (a) The Survey Plan shall be in accordance with the plans titled:-
  - o Scheme Plan Drawing SPoo631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.and all referenced by Council as SUB 2010 - 1174 and the information submitted with the application (including further information),
- (b) Provide wastewater easements (for the services through Lots to protect the existing or proposed connections) in a Memorandum of Easements endorsed on the survey plan. Include in the Section 223 approval on the plan, "subject to the granting or reserving of the easement(s) set out in the Memorandum hereon."

### **Advice Notes**

The application requesting the 223 certification shall be in writing, shall state the LINZ allocated number, shall have attached a cheque for the advertised S223 processing fee, shall address how each of the following conditions have been satisfied. The Landonline documentation shall include the S223 and any other TA Certificates applicable. Note that the TA Ref. is SUB 2010 - 1174

The applicant must ensure that placement of the services and driveway/s occurs entirely within the easement/s and/or lot boundaries as shown.

**2: SECTION 224C REQUIREMENTS**

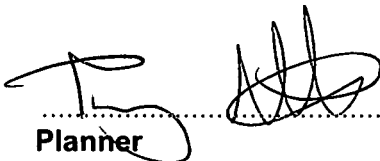
There are no Section 224 Requirements

**Advice Notes**

(AV 1) The resource consent lapses on the expiry of **five years** after the commencement of this consent, unless the consent is given effect to by the end of that period. To give effect to this consent, the activity allowed by this consent must be established and the conditions contained in the consent complied with. Please note that there must be compliance with all of the consent conditions once the land use has been established.

(AV 2) If you are not satisfied with the decision and/or any of the conditions of consent you may lodge an objection in writing to the decision and / or conditions pursuant to S.357A of the Resource Management Act.

Objections must be in writing and addressed to the Principal Planner, Resource Management, Waitakere City Council, Private Bag 93109, Henderson 0650.

  
.....  
**Planner**

4/10/10  
.....  
**Date:**

**19.0 CONSENT GRANTED AS RECOMMENDED**

Acting under delegated authority and for the reasons set out in the above recommendation(s) SUB 2010 - 1174 shall be granted subject to the conditions set out in Section 18.0 above.

pp. Slnk  
.....  
**Senior Subdivision Technical Officer**

09/10/10  
.....  
**Date:**

Slnk  
.....  
**Team Leader Consents**

09/10/10  
.....  
**Date:**

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.



**PLANS AND SPECIFICATIONS**  
**APPROVED**  
 SUBJECT TO CONDITIONS ENDORSED  
 ON RMA2010-1174  
 SIGNED: *[Signature]* DATE: 4/10/10  
 AUTHORIZED OFFICER

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	Ⓐ	LOT 1	LOT 2

**ZONING**

Bush Living  
 General & Protected  
 with Sensitive Ridge  
 on parts of # 83 & # 85

**AREA SCHEDULE**

LOT 1 = 1390m<sup>2</sup>  
 LOT 2 = 1308m<sup>2</sup>  
 LOT 3 = 1256m<sup>2</sup>

TOTAL = 3954m<sup>2</sup>

I, registered owner and occupier of Lot 356 DP 17523 hereby approve of the proposal shown hereon

*[Signature]* Date 23/03/10  
 Scott William Iszard

**NOTES:**

1. HEIGHTS SHOWN ARE IN TERMS OF DATUM AUCKLAND 1946 ORIGIN: RM7616 SO 87576 RL 27.10.
2. THIS PLAN DOES NOT NECESSARILY SHOW ALL EXISTING SERVICES. IT IS THE DUTY OF THE CONTRACTOR TO ACCURATELY LOCATE AND PROTECT ALL EXISTING SERVICES BEFORE EXCAVATION.
3. ALL DIMENSIONS, LEVELS & UNDERGROUND SERVICES LOCATIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ALL WORKS.
4. FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE SUBJECT TO LT SURVEY

No	Issue	Date	Appd

**AMSL**  
 AFFORDABLE MOBILE SURVEYERS LTD  
 CONSULTING LAND SURVEYORS  
 1st Floor, 18 Delta Avenue  
 New Lynn, Auckland.  
 Private Bag MBE H368, Auckland.  
 Ph 09 828 5688 Fax 09 828 5682  
 Email [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

Designed	Checked	SP
Drawn	KL	Date 26-09-2010

SCOTT ISZARD  
 83-87 KAURI POINT ROAD  
 LAINGHOLM

PROPOSED MINOR  
 BOUNDARY ADJUSTMENT

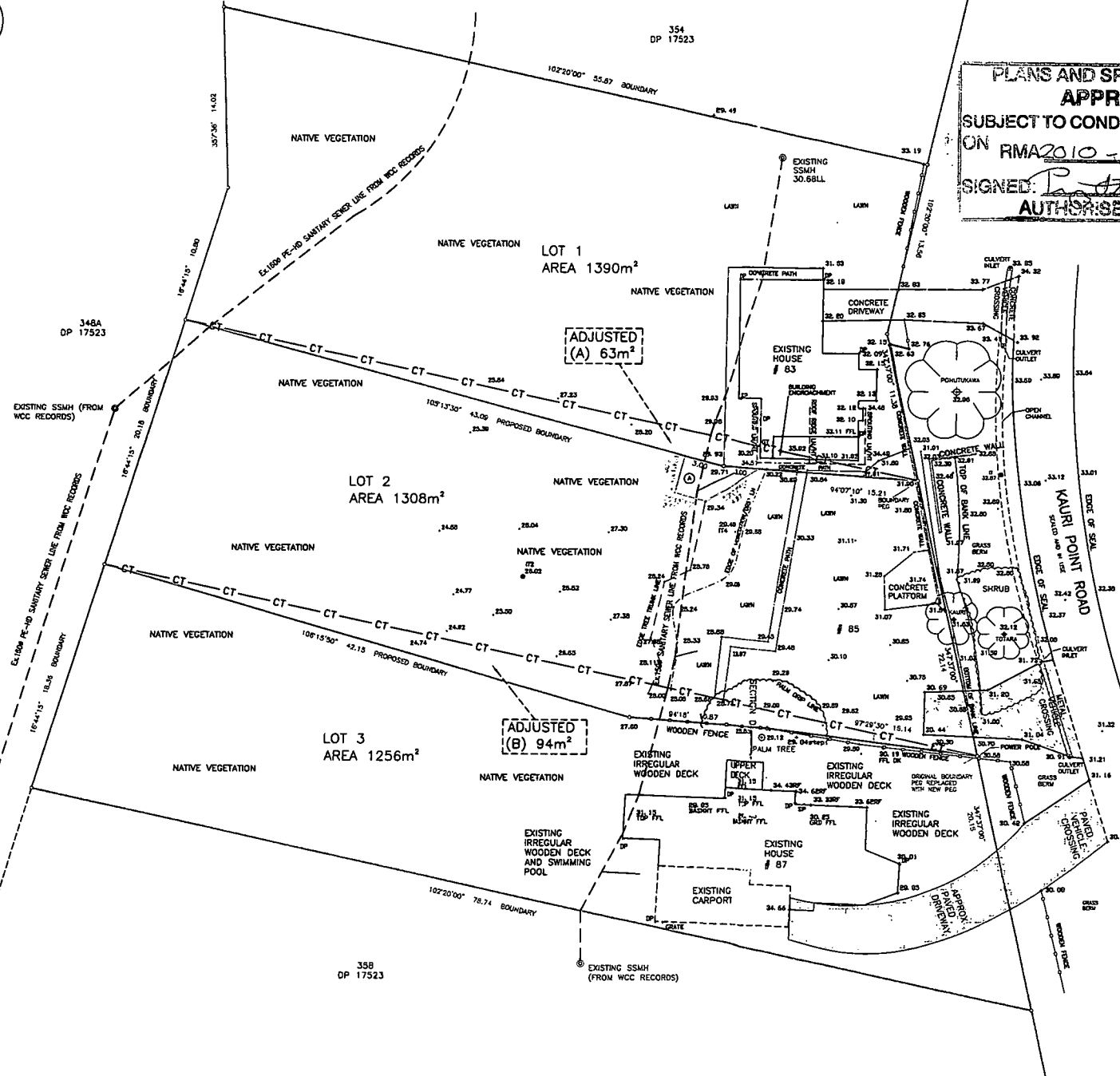
**SCHEME PLAN**

LOT 355 DP 17523, NA733/287  
 LOT 356 DP 17523, NA880/179  
 LOT 357 DP 17523, NA788/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02



# Swimming and spa pool fencing inspection checklist

No Fee



Address of property: 87 Kauri Pt Rd, Levingham.

Email: \_\_\_\_\_

Owner/Occupier/Tenant name: \_\_\_\_\_

Phone no: \_\_\_\_\_

Date of inspection: 06/02/18

Remedial work to be inspected on or after \_\_\_\_\_

RESULT: ☒ NO ACCESS ☐ EMPTY ☐ PASS ☐ FAIL ☐ REFER TO NOTICE ATTACHED

Pool type: ☒ Swimming Pool ☐ Spa Pool ☐ Other: \_\_\_\_\_ Consent No: \_\_\_\_\_ SWP #: 20024717

To book a recheck please phone or email:

North / West 09 484 7237 poolsnorthwest@aucklandcouncil.govt.nz Central / South 09 353 9143 pools@aucklandcouncil.govt.nz

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	5. Do all doors close and latch automatically from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Sliders: _____ French: _____ B'fold: _____	10. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g glass) or shielded where required?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring / adjoining fences, barriers, ledges, trees, sheds, returns on fencing etc)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is the gap under the fence or between vertical rails less than 100mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Does the gate open away from pool area?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis / horizontal fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the distance between any 2 of the rails, at any point, at least 900mm  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate self-close and latch from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: E-mail received from Bartlett Thompson Property manager Karen Rodie.  
Form completed & photographic evidens provided.

## SITE PLAN

Many Thanks for been so quick.

Please match to previous inspection

Reason for inspection: ☐ 3 yearly inspection ☒ Re-inspection ☐ New pool ☐ Site meeting ☐ Other:

Owner / Occupier / Tenant on site? ☐ Yes ☒ No

Photos: ☒ Yes ☐ No

Inspector's Name: LT Dean

Mobile: 021 227 8635

Report left: Post.

## Disclaimer

This inspection relates to the compliance of the fencing to your swimming / spa pool. We have not referred to any consented plans; this inspection therefore has been based on the understanding that there have been no changes to the pool area / fencing in the intervening period.



# Application to remove a residential or small heated pool

This notification is used to update Councils Fencing of Swimming Pools Register  
No fee applies to this application type



Swimming pool reference number SWP#: \_\_\_\_\_

## CUSTOMER DETAILS:

Full name:

Barfoot + Thompson Ltd

Customer's address:

4 Delta Ave, New Lynn, Auckland.  
0600

Phone number:

09-8273081

Mobile:

027 836 0546 - Patricia Dick

Email:

p.dick@barfoot.co.nz

## RESIDENTIAL / SMALL HEATED POOL DETAILS:

Address of property:

87 Kauri Point Rd  
Laingholm, Auckland 0604

Pool type:

☒ Swimming pool

☐ Hot tub

☐ Spa pool

Date pool removed:

2/2/2018

In-ground pool:

☐ Yes ☒ No

In-ground pools need to be back-filled when removed. If you intend to subdivide or build on this site in the future we recommend that you obtain an engineer's report for the compaction of the hard-fill, i.e. where it is in excess of 600mm. A copy of this certificate may be placed on your property file.

Compaction certificate attached ☐ Yes ☐ No ☐ N/A

## DECLARATION:

Karen Rodie Relieving Property Manager

(Print name), confirm that the residential / small heated pool has been removed from my property.

Signature:

[Signature]

Relationship to the property:

☐ Pool owner

☐ Pool operator

Property Management Company  
on behalf of owners Susan Walker et al

Date:

5/2/18

Imtiaz Kagalwala

☒ Before and after photos attached to confirm that the pool has been removed

Please note: should you decide to install another residential or small heated pool in the future; a building consent may be required.

## POST OR EMAIL THIS FORM TO:

North / West 09 484 7237 [poolsnorthwest@aucklandcouncil.govt.nz](mailto:poolsnorthwest@aucklandcouncil.govt.nz)  
Central / South 09 353 9143 [poolsc@aucklandcouncil.govt.nz](mailto:poolsc@aucklandcouncil.govt.nz)

Alternatively you may post this form to: Auckland Council, Private Bag 92300, Wellesley Street, Auckland 1036

# Swimming and spa pool fencing inspection checklist

No Fee



Address of property: 87 Kauri Pt Rd, Teitaki Email: \_\_\_\_\_

Owner/Occupier/Tenant name: Karen (Barfoot) Phone no: \_\_\_\_\_

Date of inspection: 05/02/18 Remedial work to be inspected on or after 12/02/18

RESULT: ☐ NO ACCESS ☐ EMPTY ☐ PASS ☒ FAIL ☐ REFER TO NOTICE ATTACHED

Pool type: ☒ Swimming Pool ☐ Spa Pool ☐ Other: \_\_\_\_\_ Consent No: \_\_\_\_\_ SWP #: 20026220

To book a recheck please phone or email:

North / West 09 484 7237 poolsnorthwest@aucklandcouncil.govt.nz Central / South 09 353 9143 pools@aucklandcouncil.govt.nz

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	5. Do all doors close and latch automatically from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors open away from pool?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Sliders: _____ French: _____ B'fold: _____	10. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g glass) or shielded where required?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring / adjoining fences, barriers, ledges, trees, sheds, returns on fencing etc)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is the gap under the fence or between vertical rails less than 100mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Does the gate open away from pool area?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis / horizontal fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the distance between any 2 of the rails, at any point, at least 900mm  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate self-close and latch from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: Karen from Barfoot called to advise pool empty. Have asked her it to be removed so that leaf mulch doesn't block cut in bladder. Have e-mail

SITE PLAN removal form to p.dick@barfoot.co.nz  
Have text Diane as well on 0274195995.

Reason for inspection: ☐ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Other:

Owner / Occupier / Tenant on site? ☐ Yes ☒ No Photos: ☐ Yes ☒ No

Inspector's Name: Kit Dean Mobile: 042278835 Report left: \_\_\_\_\_

## Disclaimer

This inspection relates to the compliance of the fencing to your swimming / spa pool. We have not referred to any consented plans; this inspection therefore has been based on the understanding that there have been no changes to the pool area / fencing in the intervening period.

# Swimming and spa pool fencing inspection checklist

Address of property: 87 Kauri Pt Rd, Langhulm Email: \_\_\_\_\_  
 Owner/Occupier/Tenant name: Diane Phone no: 0274199995  
 Date of inspection: 36/01/18 Remedial work to be inspected on or after 02/02/18  
**RESULT:** ☐ NO ACCESS ☐ EMPTY ☐ PASS ☒ FAIL ☐ REFER TO NOTICE ATTACHED  
 Pool type: ☒ Swimming Pool ☐ Spa Pool ☐ Other: \_\_\_\_\_ Consent No: \_\_\_\_\_ SWP #: 20026220  
 To book a recheck please phone or email:  
 North / West 09 484 7237 poolsnorthwest@aucklandcouncil.govt.nz Central / South 09 353 9143 pools@aucklandcouncil.govt.nz

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	5. Do all doors close and latch automatically from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	9. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities)  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors open away from pool?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Sliders: _____ French: _____ B'fold: _____	10. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	14. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring / adjoining fences, barriers, ledges, trees, sheds, returns on fencing etc)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Is the gap under the fence or between vertical rails less than 100mm?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	7. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	11. Does the gate open away from pool area?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis / horizontal fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Is the distance between any 2 of the rails, at any point, at least 900mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	8. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate self-close and latch from a stationary opening position of 150mm?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

**Special exemption** – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☒ N/A

**Comments:** LOICB: Pool Rental Property: Gap under deck needs to be filled in. Gap in fence to be filled in. Railing with seating to be chlorboarded. Tree next door to be removed. Strangely recommend to be emptied.



**Reason for inspection:** ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Other: \_\_\_\_\_  
**Owner / Occupier / Tenant on site?** ☒ Yes ☐ No **Photos:** ☒ Yes ☐ No  
**Inspector's Name:** Kif Dean **Mobile:** 0212278635 **Report left:** Diane

## Disclaimer

This inspection relates to the compliance of the fencing to your swimming / spa pool. We have not referred to any consented plans; this inspection therefore has been based on the understanding that there have been no changes to the pool area / fencing in the intervening period.

# Swimming and spa pool fencing inspection checklist

Address of property: 87 Kauri St Rd, Longholm Email: \_\_\_\_\_

Owner/Occupier/Tenant name: Diane Phone no: 0274199 995

Date of inspection: 30/01/18 Remedial work to be inspected on or after no required

RESULT: ☐ NO ACCESS ☒ EMPTY ☐ PASS ☐ FAIL ☐ REFER TO NOTICE ATTACHED

Pool type: ☐ Swimming Pool ☒ Spa Pool ☐ Other: \_\_\_\_\_ Consent No: \_\_\_\_\_ SWP #: 3002620

To book a recheck please phone or email:

North / West 09 484 7237 poolsnorthwest@aucklandcouncil.govt.nz Central / South 09 353 9143 pools@aucklandcouncil.govt.nz

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	5. Do all doors close and latch automatically from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors open away from pool?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Sliders: _____ French: _____ B'fold: _____	10. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring / adjoining fences, barriers, ledges, trees, sheds, returns on fencing etc)  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is the gap under the fence or between vertical rails less than 100mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Does the gate open away from pool area?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis / horizontal fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the distance between any 2 of the rails, at any point, at least 900mm  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate self-close and latch from a stationary opening position of 150mm?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: LoICB: spa pool (Hot Tub indoors)  
Empty to remain empty at all times  
until Auckland council complies for doors &

SITE PLAN Windows.

Reason for inspection: ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☒ Site meeting ☐ Other:

Owner / Occupier / Tenant on site? ☒ Yes ☐ No

Photos: ☒ Yes ☐ No

Inspector's Name: Kit Dean

Mobile: 0212278635

Report left: Diane

## Disclaimer

This inspection relates to the compliance of the fencing to your swimming / spa pool. We have not referred to any consented plans; this inspection therefore has been based on the understanding that there have been no changes to the pool area / fencing in the intervening period.

5 October 2010

Scott William Iszard  
C/- Affordable Mobile Surveyors  
Private Bag MBE N388  
AUCKLAND 1142

Dear Sir/Madam

**Resource Consent Application: LUC-2010-1177 & SUB-2010-1174**

**Proposal: land use associated with SUB-2010-1174 for HIRB**

**Site Address: 85 Kauri Point Road, LAINGHOLM**

I am pleased to advise that your Resource Consent (Planning) application has been considered and consent has been granted pursuant to Sections 93, 94, 104, and 108 of the Resource Management Act 1991.

The full report considering your application and the decision which has been made is attached. Please pay particular attention to the consent conditions which must be met for your consent to be valid.

Compliance with the consent conditions will be monitored by Councils Environmental Monitoring Officer in accordance with section 35(d) of the Resource Management Act. This will typically include site visits to verify compliance (or non compliance) and documentation (site notes and photographs) of the activity established under the Resource Consent. In order to recover actual and reasonable costs, inspections, in excess of those covered by the base fee paid, shall be charged at the relevant hourly rate applicable at the time. Only after all conditions of the Resource Consent have been met, will Council issue a letter of compliance on request of the applicant.

If you are not satisfied with the decision and/or any of the conditions of consent you may lodge an objection to the decision and / or conditions pursuant to S.357A of the Resource Management Act. Objections made under S.357A must be lodged with Council **within 15 working days of the date of issue of the consent**.

**No works may commence in relation to the consent until the objection under S.357A is resolved.**

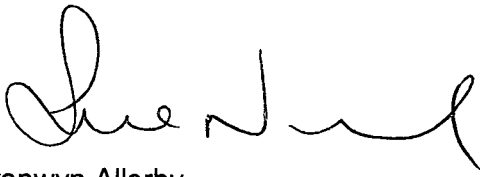
Pursuant to S.357B of the Resource Management Act there is a right of objection to levied additional charges or costs in relation to the processing of the application. Objections made under S.357B must be lodged with Council **within 15 working days of the date of issue of the consent**.

Objections must be in writing and addressed to the Principal Planner, Resource Management, Waitakere City Council, Private Bag 93109, Henderson 0650.

Please note also that you must complete the activity that is consented to within five (5) years including compliance with the conditions of consent. If that does not happen, the consent lapses and you may need to apply for an extension or a new consent. **Note: Your consent lapses on 04-Oct-2015.**

Please contact Anthony Horton (839 0400) of the Resource Consents Section if you have any general queries about the enclosed report or decision.

Yours faithfully

  
Bronwyn Allerby  
**MANAGER RESOURCE CONSENTS**

## CITY OF WAITAKERE DISTRICT PLAN

### REPORT FOR DISCRETIONARY ACTIVITY APPLICATION SECTIONS 95A- 95F, 104 and 104B ASSESSMENT AND DETERMINATION IN ACCORDANCE WITH THE RESOURCE MANAGEMENT ACT 1991

#### 1.0 SUMMARY OF PROPOSAL

Southern height in relation to boundary infringement of 2.07m over a distance of 7.8m and a southern and northern side yard set back infringement of 0.8m and 2.71m as a result of a proposed minor boundary adjustment (SUB 2010 – 1174).

#### 2.0 APPLICATION DETAILS

Reporting Officer:	Anthony Horton
Site Address:	83 Kauri Point Road 85 Kauri Point Road 87 Kauri Point Road
Applicant:	Scott William Iszard
Date Received:	14 September 2010
Resource Consent No:	LUC 2010 - 1177
Related Subdivision Consent No:	SUB 2010 - 1174
Legal Description:	Lot 355 DP 17523 CT 733/287 Lot 356 DP 17523 CT 860/179 Lot 357 DP 17523 CT 798/71
Address for Service:	Affordable Mobile Surveyors Ltd 1 <sup>st</sup> Floor 18 Delta Avenue New Lynn Auckland  c/- S Prakash
Site Area:	83 Kauri Point Road – 1328m <sup>2</sup> 85 Kauri Point Road – 1277m <sup>2</sup> 87 Kauri Point Road – 1348m <sup>2</sup>
<b>District Plan:</b>	
Human Environment:	Bush Living
Natural Area:	General Natural Area Protected Natural Area
Landscape Elements:	Sensitive Ridge Buffer – 65m (83 and 85 Kauri Point Road) Outstanding (Natural Character) Coastal Area (Policy Map)



	3.5c) Outstanding Fauna – Native Fauna Habitat (Policy Map 3.5 b) Waitakere Range Heritage Area Stability Sensitive Local None Known
Hazards:	
Roading Hierarchy:	
Heritage:	
Site Visit:	16 September 2010
Section 37 Applied:	No
Any Affected Persons:	Yes
Approval Given:	Yes

Locality Diagram:



Figure 1. Aerial Photo Showing the Location of Subject Site

- 2.1 Documents considered for this report include the application documentation and the site visit checklist.
- 3.0 **REASON FOR APPLICATION- RELEVANT DISTRICT PLAN RULES**  
**Extent of Infringement and Type of Activity Proposed**
- 3.1 **Operative District Plan**



## **Bush Living Environment**

### **Rule 5 – Height In Relation to Boundary**

Discretionary Activity for buildings which do not meet the standards of Rule 5.1. The associated minor boundary adjustment (SUB 2010 – 1174) will generate a southern height in relation to boundary infringement of 2.07m above the 35° Degree Recession Plane over a distance of 7.8m for the property at No. 83 Kauri Point Road.

### **Rule 6 – Yards**

Discretionary Activity for buildings which do not meet the standards of Rule 6.1 which requires all buildings to be set back a minimum of the 3m from the boundary. The southern elevation of the existing dwelling at 83 Kauri Point Road will be located within 0.8m of the boundary and the covered upper deck of the existing dwelling at 87 Kauri Point Road will be located within 2.71m of the northern boundary.

Overall, the application is considered to be a Discretionary activity.

## **4.0 SITE AND PROPOSAL**

### **4.1 Site Description**

83, 85 and 87 Kauri Point Road all comprise of rectangular shaped allotments with site areas of 1328m<sup>2</sup>, 1277m<sup>2</sup> and 1348m<sup>2</sup>. 83 and 87 Kauri Point Road contain an existing large dwelling to the front portion of the site. The dwelling at 83 Kauri Point Road currently sits on top of the existing boundary line.

85 Kauri Point Road does not contain any dwellings, but is characterised by well maintained lawn and footpaths which are owned and used by 87 Kauri Point Road.

The rear of all sites is characterised by well established native bush which extend up to and beyond the rear boundary. The topography drops steeply from the road to the rear of the site, which adjoins Taumatarea Reserve.

#### **4.1A Heritage Features**

The relevant Waitakere Range Heritage Area Act heritage features within or adjoining the site are identified as: 7(2)(a), 7(2)(b), 7(2)(e), 7(2)(f), 7(2)(g), 7(2)(i), 7(2)(l), 7(2)(m).

### **4.2 Proposal**

The applicant seeks consent for a height in relation to boundary infringement and yard set back infringement generated by proposed minor boundary adjustments to change the location of the boundary line so that it matches the existing fence present on the site. The proposed boundary adjustments (assess by SUB 2010 – 11740 are between the boundaries of 83, 85 and 87 Kauri Point Road.

No physical works are proposed. However by moving the boundary line, this has resulted in a height in relation to boundary infringement which would occur on the southern boundary of 83 Kauri Point Road, shared with 85 Kauri Point Road. The existing dwelling on 83 Kauri Point Road would project 2.07m above the 35 degree recession plane over a distance of 7.8m.

The proposed boundary adjustment will also result in the southern elevation of the existing dwelling at 83 Kauri Point Road being with 0.8m of the boundary and the covered upper deck of the existing dwelling at 87 Kauri Point Road being within 2.71m of the northern boundary.

#### 4.3 Information Received

The following information has been provided:

- Application Form, Assessment of Environmental Effects
- Drawings
  - Scheme Plan Drawing SP00631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.
  - Height in Relation to Boundary Scheme Plan Drawing SP00631/02A, 26.08.2010, Affordable Mobile Surveyors Ltd.

It is considered that adequate information has been provided to enable Council to fully assess the proposal and determine the application.

### **ASSESSMENT OF DISCRETIONARY RESOURCE CONSENT APPLICATION UNDER SECTIONS 95A-95F OF THE RESOURCE MANAGEMENT ACT 1991**

#### 5.0 STATUTORY CONSIDERATIONS

Section 95A of the Resource Management Act provides for resource consents to be processed on a non-notified basis unless Council decides that the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

Regardless of Section 95A, Section 95A(3) states that applications must not be publicly notified if a rule or national environmental standard precludes public notification. No such provision is contained within the Waitakere District Plan.

In regards to full notification, in determining whether or not the activity will have, or is likely to have, adverse effects on the environment which are more than minor, the following matters will be disregarded:

- Effects on persons who own and occupy the land in, on or over which the activity relates, or land adjacent to that land; ;
- Any effect on a person who has given written approval to the application;
- Trade competition and the effects of trade competition.

The consent authority may also disregard an adverse effect of the activity on the environment if a rule or national environmental standard permits an activity with that effect.

If an application does not need to be publicly notified, then the consent authority must decide if there are any affected persons or affected order holders in relation to the proposed activity. A person is considered to be an affected person if the adverse effects of the activity on the person are minor or more than minor (but are not less than minor).

In considering whether a person is an affected person in relation to an activity, the consent authority in its assessment:

- may disregard an adverse effect on a person if a rule or national environmental standard permits an activity with that effect.
- must have regard to every statutory acknowledgement made in accordance with the Act specified in Schedule 11.

- must disregard those persons who have provided their written approval (and has not been withdrawn in writing).

A person is an affected order holder if

- the person is the holder of a customary rights order.
- the activity may have any adverse effects on a recognised customary activity.

If the consent authority does not fully notify an application, and it is decided that there are affected persons / affected order holder (of which consent has not been obtained (unless unreasonable) and /or withdrawn) then the application is subject to limited notification under S.95B. Regardless of Section 95B, Section 95B(2) states that applications must not be limited notified if a rule or national environmental standard precludes limited notification. No such provision is contained within the Waitakere District Plan.

Notwithstanding the above, a consent authority shall have regard to whether special circumstances apply. In such cases, the application may be publicly notified (Section 95A (4)).

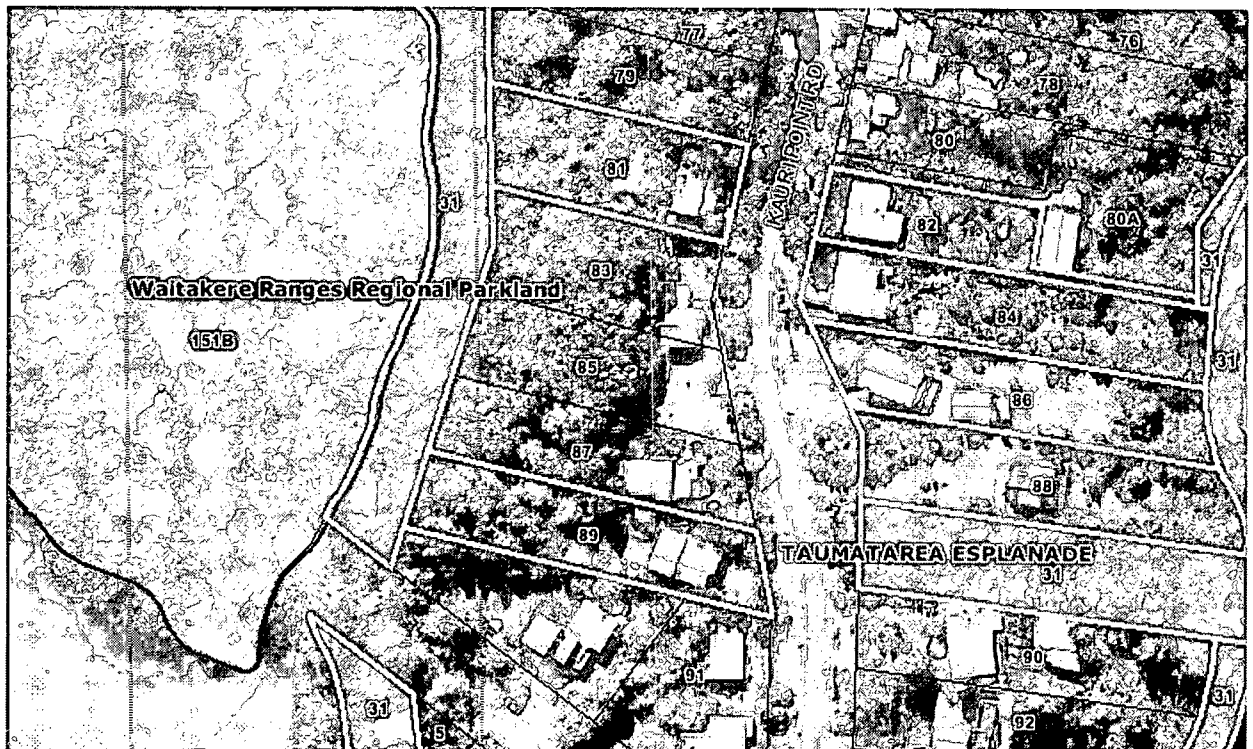
## 6.0 ADVERSE EFFECTS ON THE ENVIRONMENT ASSESSMENT

The following assessment of effects is undertaken on the basis that the level of effects arising is avoided, remedied or mitigated (as appropriate) by the proposed consent conditions contained in this report.

### Effects that must be disregarded

- A) Effects on persons who own and occupy the land in, on or over which the applications relates, or land adjacent to that land;

For the purposes of this assessment, adjacent land includes the following properties listed below and shown on the aerial photograph below.



- 31 Sandys Parade (Taumatarea Esplanade)

- 81, 82, 84, 86, 88 and 89 Kauri Point Road

B)     Any effect on a person who has given written approval to the application

The following person/s have given their written consent to the application

PERSON (owner/occupier)	ADDRESS
Scott William Iszard (Owner)	85 Kauri Point Road, Laingholm

It is also noted that Mr Iszard is owner of 87 Kauri Point Road and is the applicant for this consent.

The effects on these persons above have been disregarded for the purposes of this assessment.

It is noted that no physical works will be generated by this proposal, which relates purely to a minor boundary adjustment. Therefore due to the nature of this application it is not considered that the proposal would have a more than minor effect on water, land, vegetation, ecosystems, air, outstanding natural features or the character of the coastal environment.

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

- The proposal would maintain the character and amenity of the surrounding environment. The voids and distances between the structures will be retained and as the physical form of existing buildings will not be altered their height and bulk will remain the same.
- The character of the street scene and the sense of place in this Bush Living Environment will be not be adversely effected by the proposal.
- The proposal would not increase the propensity for loss of light, overshadowing or loss of privacy on the wider environment and it is therefore considered that the amenity of the surrounding area will be retained.
- The proposal would not affect means of vehicle or pedestrian access.
- It is concluded that the proposal would have a de minimis effect on the amenity values of the surrounding environment.

**6.11   Waitakere Ranges Heritage Features**

There would be no adverse effects in respect of heritage items as the proposed activity would not be located near, or impact on any identified Waitakere Ranges Heritage Features.

**6.12   Conclusion in relation to Sections 95A.**

Overall, the adverse effects on the environment (inclusive of any identified heritage features within the Waitakere Ranges Heritage Area) of the activity for which consent is sought will have, or is likely to have, adverse effects on the environment which are no more than minor

**7.0     SPECIAL CIRCUMSTANCES**

Special Circumstances are generally those that are unusual or exceptional or involve some significant or important public interest element.

The proposal, in itself, is not considered to give rise to special circumstances and there is no basis for Council to exercise its discretion under s95A (4).

## **8.0 LIMITED NOTIFICATION / ADVERSELY AFFECTED PERSONS (Section 95B & 95E Assessment)**

The following person(s) have provided their written consent to the activity

<b>PERSON (owner/occupier)</b>	<b>ADDRESS</b>
Scott William Iszard (Owner)	85 Kauri Point Road, Laingholm

No others persons are considered to be adversely affected by the activity because:

- No physical works are proposed.
- The existing dwelling on 83 Kauri Point Road sits on top of the existing boundary line. Therefore by relocating the boundary away from the dwelling to reflect the actual fence line, the extent of the height in relation boundary and yard infringements would be reduced.
- The infringement generated at 87 Kauri Point Road would not generate any overlooking or loss of privacy to an extent which would adversely affect the amenity of any occupants of neighbouring properties.
- No overshadowing or loss of light would be caused by the proposal boundary change.
- The existing dwellings and their associated allotments would remain of scale, design and location appropriate for the site and its surroundings.

## **9.0 AFFECTED ORDER HOLDER (Section 95F Assessment)**

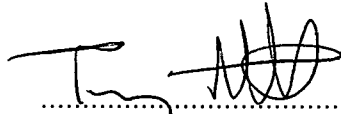
There are no affected order holders adversely affected by the proposed activity.

## **10.0 SECTION 95 RECOMMENDATION**

Pursuant to Sections 95A-95F of the Resource Management Act 1991, it is recommended that this application LUC 2010 - 1177 be processed on a non-notified basis for the following reasons:

- The adverse effects on the environment (inclusive of any identified heritage features within the Waitakere Ranges Heritage Area) of the activity for which consent is sought will be no more than minor for reasons specified in Section 6 of this report
- There are no persons considered to be adversely affected by the activity as per Section 8 of this report.
- There are no affected order holders adversely affected by the proposed activity.

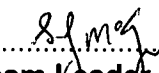
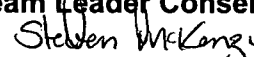
- There are no special circumstances to warrant notification of this application.

  
.....  
**Reporting Officer**

4/10/10  
.....  
**Date:**

## 11.0 SECTION 95 DETERMINATION

Acting under delegated authority and for the reasons set out in the above assessment this application LUC 2010 - 1177 for resource consent shall be non-notified as recommended in Section 10.0 above.

  
.....  
**Team Leader Consents**  


04/10/2010  
.....  
**Date:**

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.



**ASSESSMENT OF NON-NOTIFIED RESOURCE CONSENT APPLICATION UNDER  
SECTIONS 104 AND 104B OF THE RESOURCE MANAGEMENT ACT 1991**

**12.0 STATUTORY CONSIDERATIONS**

As noted, the proposal requires consideration as a Discretionary Activity under the provisions of the Resource Management Act 1991. In considering the application, the consent authority shall have regard to the matters specified in Section 104. The considerations are as follows:

When considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to—

- Any actual and potential effects on the environment of allowing the activity; and
- Any relevant provisions of—
  - a national environmental standard
  - other regulations
  - a national policy statement
  - a New Zealand coastal policy statement
  - a regional policy statement or proposed regional policy statement
  - a plan or proposed plan; and
- Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

When forming an opinion for the purposes of considering the actual and potential effects on the environment of allowing the activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard, or the plan, permits an activity with that effect.

In considering an application the consent authority must not have regard to trade competition or the effects of trade competition; or any effect on a person who has given written approval to the application. In this instance, the following persons have provided their written consent.

PERSON (owner/occupier)	ADDRESS
Scott William Iszard (Owner)	85 Kauri Point Road, Laingholm

As a Discretionary Activity Consent, the consent authority may grant or refuse the application. If the consent is granted it may impose conditions under section 108.

It is considered that adequate information has been provided to enable Council to fully assess the proposal and determine the application, and that the application does not need to be publicly notified.

**13. SECTION 104 ASSESSMENT**

**13.1 Actual and Potential Effects on the Environment (s104 (1)(a))**

As a discretionary activity a variety of issues are relevant when determining the nature and scale of adverse effects on the environment including effects on visual amenity and privacy.

These aspects have been discussed previously in Section 6 of the accompanying Section 95 Assessment and Determination Report. The assessment of effects concluded that the adverse effect on the environment of the activity for which consent is sought will be no more than minor

In addition the Plan has been prepared with a clear “effects-based” emphasis. Consideration of the proposed development in relation to each of the Plan’s assessment criteria would ensure that all the relevant matters contained in Section 104 of the Act have been addressed. The relevant assessment criteria from the District Plan, together with comments as to whether each criterion can be satisfied are summarised as follows:

**Rule 5.3 – Height in Relation to Boundaries**  
**Assessment Criteria 5(a) to 5(d)**

The existing dwelling at 83 Kauri Point Road will project above the southern 35° recession plane by 2.07m over a distance of 7.8m

- It is noted that this infringement is generated through a minor boundary adjustment rather than physical alteration of the existing structures.
- By relocating the boundary away from the existing dwelling at 83 Kauri Point Road to reflect the actual fence line, the extent of the height in relation boundary would be reduced. Set against this context, the proposal will not materially alter the level of overshadowing or overlooking which currently takes place.
- The infringement generated at 87 Kauri Point Road would not change the existing situation on site and therefore would not increase the propensity for loss of privacy or loss of light.
- The distance of separation between the development and neighbouring sites is considered an important element to the character of the immediate surrounding environment; this would not be diminished by this proposal.

It is therefore considered that the proposal would be in accordance with assessment criteria 5 (a) to 5 (d) of Rule 5 of the District Plan

**Rule 6.2 – Yards**  
**Assessment Criteria 6(a) to 6(e).**

As noted previously, the proposed boundary adjustment would generate a side yard infringement as noted in section 3.1 of this report. The following assessment is made in relation to this infringement :-

- No structural alterations are proposed, and therefore, the appearance of the subject site would not be altered.
- The voids and distance of separation between the existing structures will be maintained; as such the development would continue to appear in keeping with the surrounding environment and would not form an incongruous feature within the streetscene.
- The proposal would still allow for a lawned area and existing vegetation within 85 Kauri Point Road to be retained.
- The proposal would not lead to a material increase in the degree of overlooking, loss of privacy or overshadowing.
- It is not considered that the proposal would have an adverse effect on the safety of road users or pedestrians and would allow for safe vehicle manoeuvrability.

In summary the proposal accords with assessment criteria 6(a) to 6(e).

### **13.2 National Policy Statements (s104(b)(iii))**

The only National Policy Statement in place at the time of writing (notwithstanding the NZCPS) is the National Policy Statement on Electricity Transmission. This policy statement is not considered relevant with respect to this application.

### **13.3 New Zealand Coastal Policy Statement (s104 (b)(iv))**

The NZCPS seeks that development in the coastal environment should be located in areas where the natural character has already been compromised to some degree. Development should therefore be located in coastal settlements or in other areas where there will be no more than minor adverse effects. As referred to policy 3.2.2 plans should define what form of development would be appropriate.

As discussed above, the proposal does not involve any physical works and the resulting lots, in terms of their size and shape are compatible with the scale of development located in the immediate vicinity.

### **13.4 A Regional Policy Statement, or Proposed Regional Policy Statement (s104 (b)(v))**

The Auckland Regional Policy Statement became operative in 1999 (subject to plan changes at various stages in the statutory process) sets out the broad resource management issues, objectives and policies for the Auckland Region to achieve the integrated management of its natural and physical resources. The Policy Statement functions as an umbrella policy document for environmental planning and policy development within the Region, under which the Waitakere City Operative District Plan has been prepared.

The proposed development by reason of its size and scale and matters discussed elsewhere in this report is not considered to be contrary to the Regional Policy Statement, or any Proposed Plan Change associated with this document.

### **14.0 A PLAN OR PROPOSED PLAN (s104 (b)(vi))**

It is considered that the proposed development would be consistent with the objectives and policies of the District Plan. The District Plan is "effects-based" in its approach to natural and physical resources and it has been demonstrated in the previous environmental assessment of effects that subject to conditions any adverse effects arising from the proposal would be no more than minor.

### **15.0 OTHER MATTERS(Section 104(1)(c))**

#### **15.1. Waitakere Ranges Heritage Area Act**

Section 13(1) of the WRHAA states that when considering an application for resource consent for a discretionary or non complying activity in the heritage area, a consent authority must have particular regard to the purpose of the Act and its relevant objectives the relevant provisions of any national policy statement or New Zealand coastal policy statement; and must consider the objectives having regard to any relevant policies in the regional and district plans.

The purpose of the WRHAA is to recognise the national, regional, and local significance of the Waitakere Ranges heritage area and to promote the protection and enhancement of its heritage features for present and future generations.

The objectives relevant to this application are: 8a), 8(b), 8(d), 8(f), 8(h), 8(i).

In having particular regard to the purpose and objectives of WRHAA and the policies of the District Plan the following is noted;

1. The proposal will not result in any physical works, therefore the landscape character, physical features, heritage features, ecosystems or native vegetation present in the surrounding environment will not be effected by the boundary adjustment.
2. The site will continue to be of an appropriate scale, character and intensity that is expected within the immediate locality. The character and amenity of the area will be maintained.
3. Taking into account the impacts of the proposal on the Heritage Area as a whole, the proposal would not result in any significant effects upon the surrounding environment. The proposal would not compromise the national, regional, and local significance of the Waitakere Ranges Heritage Area for both and future generations.

It is considered that the development is consistent with the purpose of the Waitakere Ranges Heritage Area Act and that each relevant objective of the Act has been met, or will be met via conditions of consent.

The relevant provisions of the New Zealand coastal policy statement have been discussed in Section 13.2.

There are no other matters relevant to this application

## **16.0 PART II OF THE ACT- PURPOSE AND PRINCIPLES**

Section 5 in Part II of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

It is considered that the proposal is consistent with sustainable resource management. In particular this proposal is concerned with the sustainable management of the Bush Living Environment and General and Protected Natural Area in such a way that the communities' social and cultural aspirations are realised whilst the quality of the environment and amenity values of the neighbourhood are maintained. The proposal would allow for the minor boundary adjustment resulting in a yard and height in relation to boundary infringement that would be appropriate within the environment and would be able to establish and operate in such a way that the amenities of the neighbourhood would not be adversely affected.

The proposal is not considered to adversely affect any matters of national importance. It is considered that the adverse effects arising from the proposal and the proposed mitigation are limited in significance to the surrounding urban neighbourhood.

The proposal is not considered to impact upon the Treaty of Waitangi.

Section 7 identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

The potential effects of the proposal on the amenity and character of the area have been discussed in detail in the effects assessment contained in Section 13 of this report. Subject to conditions it is concluded that the proposed development would be compatible with the

surrounding built and natural environment and the existing amenity of the area would not be reduced.

## 17.0 RECOMMENDED DECISION

Pursuant to Sections, 104, 104B and 108 of the Resource Management Act 1991, **consent is granted** to the application by Scott William Iszard for a southern height in relation to boundary infringement of 2.07m over a distance of 7.8m and a yard set back infringement as a result of a minor boundary adjustment (as more accurately defined in Sections 3 and 4 of this report) at 83, 85 and 87 Kauri Point Road being Lot 355 DP 17523 CT 733/287, Lot 356 DP 17523 CT 860/179, Lot 357 DP 17523 CT 798/71 for the following reasons:

1. The proposal would be of a scale and extent that would not harm the visual amenity or landscape character of the site or its surroundings.
2. No physical works are proposed.
3. The proposal would not generate any overlooking or loss of privacy to an extent which would adversely affect the amenity of any occupants of neighbouring properties.
4. The proposal would not be contrary to the relevant objectives and policies of the Waitakere City District Plan.
5. The proposal would not be contrary to the relevant provisions of the Auckland Regional Policy Statement.
6. The proposal would not be contrary to Part II of the Act.
7. The proposal is considered to be consistent with the purpose and objectives of the Waitakere Ranges Heritage Area Act 2008.

### Conditions imposed on the consent are as follows:

#### GENERAL

(GN 1) The development shall proceed in accordance with the plans titled

- o Scheme Plan Drawing SPoo631/02, 26.08.2010, Affordable Mobile Surveyors Ltd.
- o Height in Relation to Boundary Scheme Plan Drawing SPoo631/02A, 26.08.2010, Affordable Mobile Surveyors Ltd.

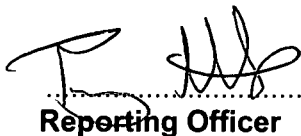
and all referenced by Council as LUC 2010 - 1177 and the information, including further information, submitted with the application.

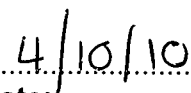
#### Advice Notes:

1. If you are not satisfied with the decision and/or any of the conditions of consent you may lodge an objection in writing to the decision and / or conditions pursuant to S.357A of the Resource Management Act.

Objections must be in writing and addressed to the Principal Planner, Resource Management, Waitakere City Council, Private Bag 93109, Henderson 0650.

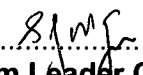



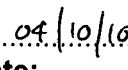
  
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**Reporting Officer**

  
.....  
**Date:**

#### 18.0 CONSENT GRANTED AS RECOMMENDED

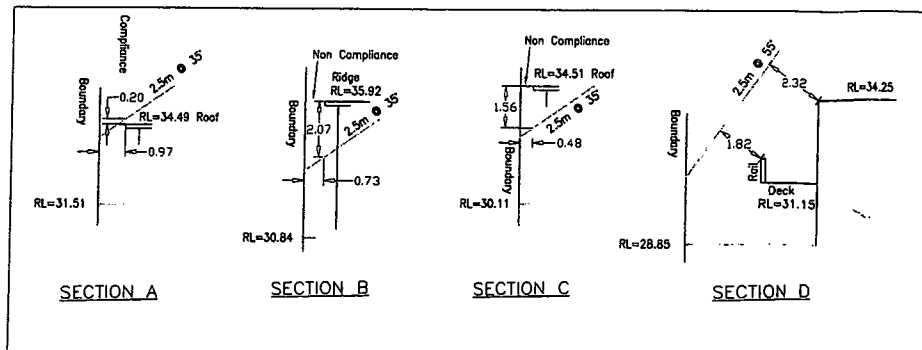
Acting under delegated authority and for the reasons set out in the above recommendation to LUC 2010 - 1177 shall be granted subject to the conditions set out in Section 19.0 above.

  
.....  
**Team Leader Consents**  


  
.....  
**Date:**

Please contact Anthony Horton (Ph 839 0400) if you have any queries about this resource consent and associated report.

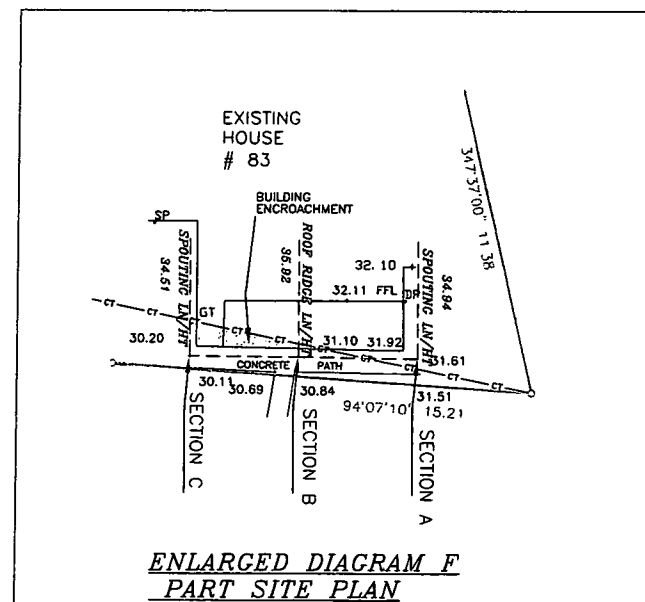
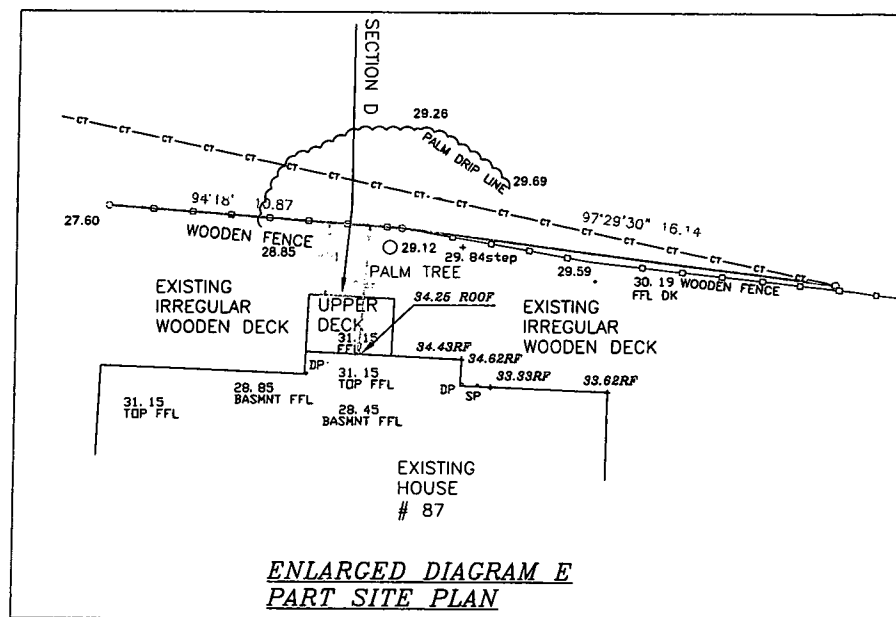




PLANS AND SPECIFICATIONS  
**APPROVED**  
SUBJECT TO CONDITIONS ENDORSED  
ON: RMA 2010-177  
SIGNED: *[Signature]* DATE: 4/10/10  
AUTHORISED OFFICER

I, registered owner and occupier of Lot  
356 DP 17523 hereby approve of the  
proposal shown hereon

*[Signature]* Date 30/08/10  
Scott William Iszard



AFFORDABLE MOBILE SURVEYORS LTD  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland  
Private Bag MBE N388, Auckland.  
Ph 09 826 5668 Fax 09 826 5662  
Email [ams@landsurvey.co.nz](mailto:ams@landsurvey.co.nz)

HEIGHT RELATIVE TO BOUNDARY

LOTS 355,356,357, DP 17523

SCHEME PLAN

SCOTT ISZARD  
83-87 KAURI POINT ROAD  
LAINGHOLM

No Issue Date Appd

Designed

Drawn KL

Checked SP

Date 26-AUG-2010

SCALE: 1: 200 @ A3

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02A



**PLANS AND SPECIFICATIONS**  
**APPROVED**  
SUBJECT TO CONDITIONS ENDORSED  
ON RMA2010-1177  
SIGNED: *[Signature]* DATE: 4/10/10  
AUTHORISED OFFICER

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERMENT TENEMENT	DOMINANT TENEMENT
RIGHT TO DRAIN SEWAGE	②	LOT 1	LOT 2

**ZONING**  
Bush Living  
General & Protected  
with Sensitive Ridge  
on parts of # 83 & # 85

**AREA SCHEDULE**  
LOT 1 = 1390m<sup>2</sup>  
LOT 2 = 1308m<sup>2</sup>  
LOT 3 = 1256m<sup>2</sup>

**TOTAL = 3954m<sup>2</sup>**

I, registered owner and occupier of Lot 356 DP 17523 hereby approve of the proposal shown hereon

*[Signature]* Date *3/3/10*  
Scott William Iszard

- NOTES:**
1. HEIGHTS SHOWN ARE IN TERMS OF DATUM AUCKLAND 1948 ORIGIN: RM7818 SO 87576 RL 27.10.
  2. THIS PLAN DOES NOT NECESSARILY SHOW ALL EXISTING SERVICES. IT IS THE DUTY OF THE CONTRACTOR TO ACCURATELY LOCATE AND PROTECT ALL EXISTING SERVICES BEFORE EXCAVATION.
  3. ALL DIMENSIONS, LEVELS & UNDERGROUND SERVICES LOCATIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF ALL WORKS.
  4. FINAL BOUNDARIES, DIMENSIONS AND AREAS ARE SUBJECT TO LT SURVEY

No	Issue	Date	Appd
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**AFFORDABLE MOBILE SURVEYORS LTD**  
CONSULTING LAND SURVEYORS  
1st Floor, 18 Delta Avenue  
New Lynn, Auckland.  
Private Bag 1368, Auckland.  
Ph 09 828 5668 Fax 09 828 5662  
Email [ams@amssurvey.co.nz](mailto:ams@amssurvey.co.nz)

Designed	Checked	SP
Drawn	KL	Date 28-08-2010

**SCOTT ISZARD**  
83-87 KAURI POINT ROAD  
LAINGHOLM

**PROPOSED MINOR  
BOUNDARY ADJUSTMENT**

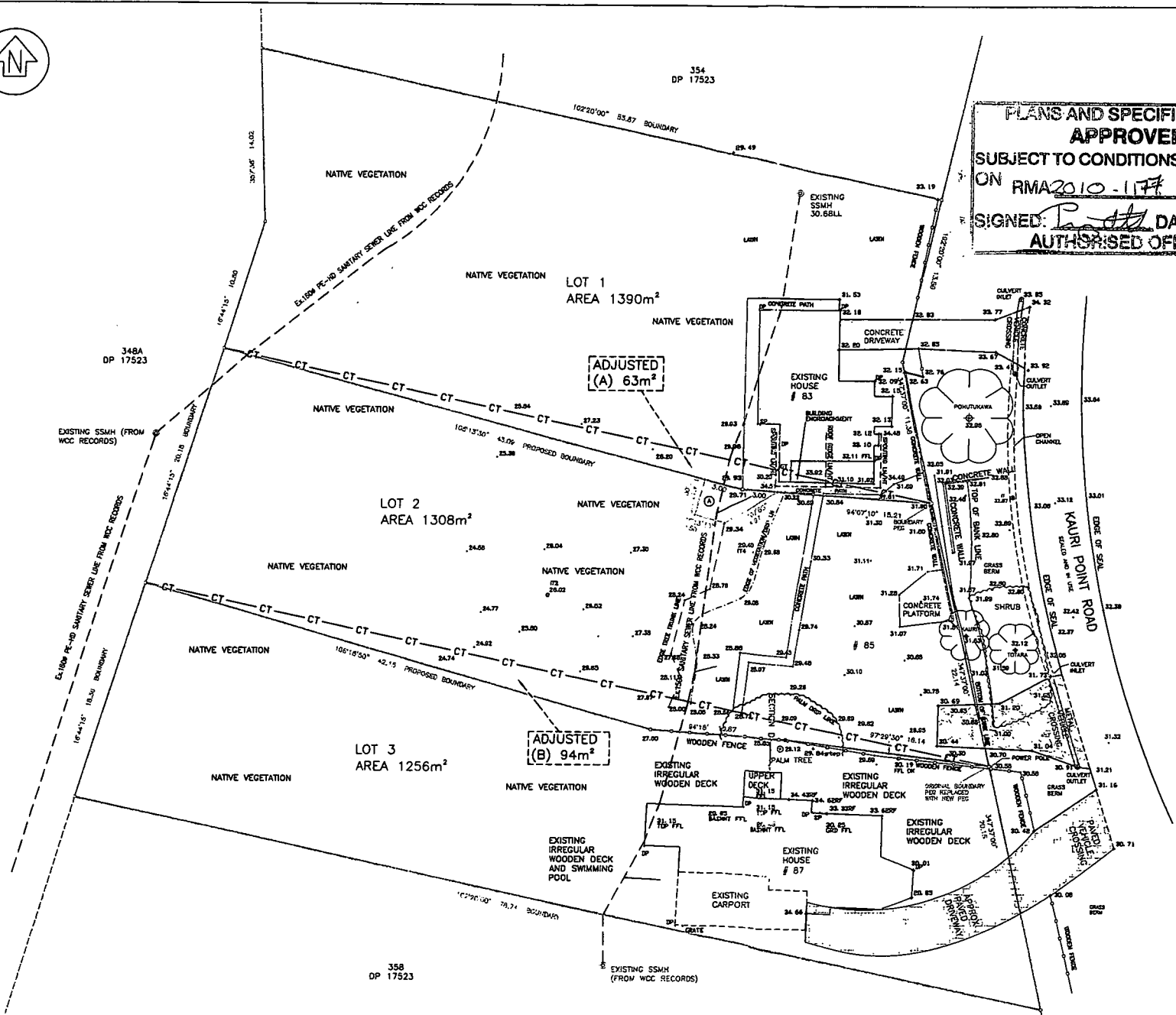
**SCHEME PLAN**

LOT 355 DP 17523, NA733/287  
LOT 356 DP 17523, NA890/179  
LOT 357 DP 17523, NA798/71

SCALE: 1: 250 @ A2

DRAWING STATUS: FOR CONSENT

DRAWING: SP00631/02



REPORT ON COMMERCIAL OR INDUSTRIAL BUILDING STRUCTURAL

ENGINEER'S REPORT

Report C (1)

APPLICATION NO: 554/1

APPLICANT'S NAME: M. J. WATSON

BUILDER'S NAME: Cantell Builders

PROPOSAL: Pole house Addn to Dwelling

LEGAL DESCRIPTION: Lot 357 DP 17533

ROAD NAME & LOCALITY: KARRI PT RD LAINCHOLM

CALCULATIONS & STRUCTURAL CHECK

1. THE FOLLOWING AMENDMENTS, ALTERATIONS OR ADDITIONAL INFORMATION MUST BE MADE (OR SUPPLIED) BEFORE APPROVAL CAN BE CONSIDERED: (Please list clearly, and date and sign requirements) -

RECOMMENDATION:

\*(a) The matters listed in (1) above (When applicable), have been settled to my satisfaction and I recommend that the application be APPROVED subject to the following conditions:-

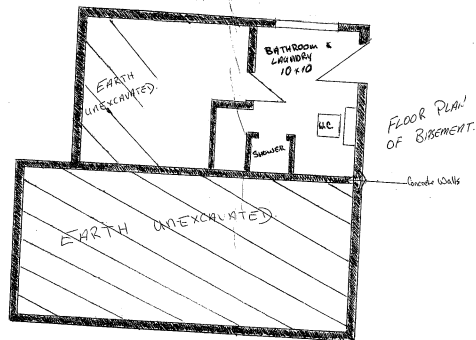
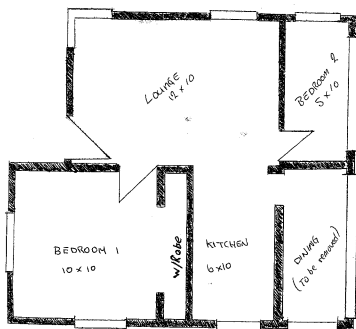
\*(b) ~~I recommend that the application be NOT APPROVED for the following reasons:-~~

\*Delete not applicable

Dealt with by M. Brins

Structural Engineer

22/6/76 Date



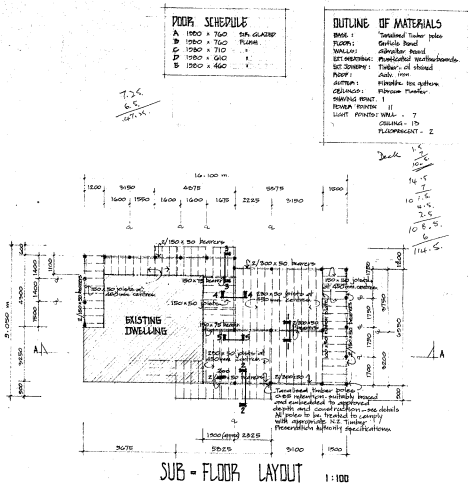
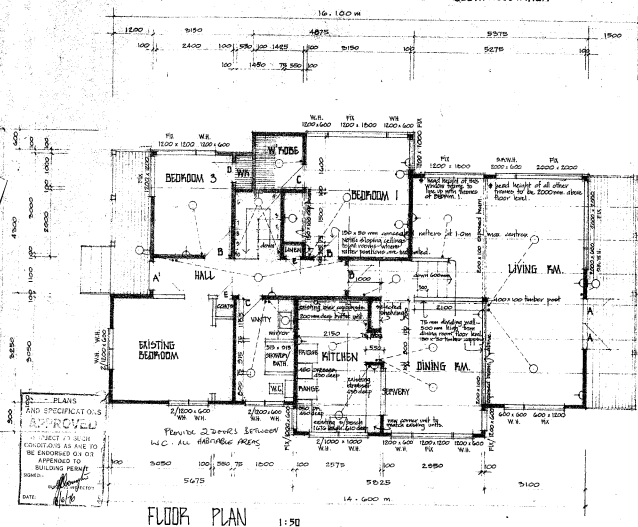
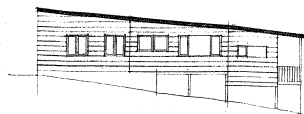
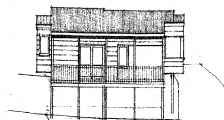
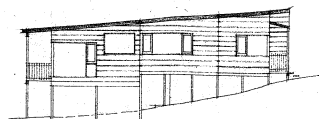
FLOOR PLAN OF EXISTING DWELLING OF MR & MRS M WATSON  
87 KAHRI POINT ROAD LAINGHOLM.

1/3

TE ATATU  
0.0  
- 9 JUN 67

312





PROPOSED ADDITIONS AND ALTERATIONS TO 87 KAURI POINT ROAD, LAINGHOLM, FOR MR & MRS M. WATSON



0001 0326 0001

Waitakere City Council

Building Consents

Page: 1

Date: 13/06/98

---

Property Id	Z0045534000
Legal Desc	LOT 357 DP 17523
Property Address	87 KAURI POINT RD, LAINGHOLM WAITAKERE CITY, 1007
Owner's Name	BURRAGE DAVID ALAN BURRAGE JANE
Unauthorised work exists?	N

e supplied.

ication—refer to schedule below.

not exceeding	\$16,000	\$ c.
"	\$18,000	\$7.00
"	\$20,000	\$7.00
"	\$25,000	\$7.00
"	\$30,000	\$7.00
"	\$35,000	\$8.00
"	\$40,000	\$9.00
"	\$50,000	\$10.00
"	\$60,000	\$13.00
"	\$70,000	\$14.00
"	\$80,000	\$15.00
"	\$90,000	\$16.00
"	\$100,000	\$17.00
"	\$120,000	\$18.00
"	\$140,000	\$19.00
"	\$160,000	\$20.00
"	\$180,000	\$21.00
"	\$200,000	\$23.00
"	\$240,000	\$24.00
"	\$280,000	\$24.00

or part thereof in excess of \$280,000,  
additional fee of \$11.00.  
value of such work.

ue of \$1,000 at the following rates and  
the property has—

Nil.  
c. Amount of deposit: \$10.  
et out in (a) above. Amount of deposit:  
n (a) above. Amount of deposit: \$20.  
n (a) above. Amount of deposit: \$40.

vehicle may cross from any road to any  
plying for a building permit, unless such

below builder's name on page one).

ained from Rate Demand, Title Deeds, or  
previous owner's name.

etails in space provided on page one.

all that is necessary is a floor plan and two  
building construction is to be employed,  
nent plans, floor plan, four elevations and  
at special design for retaining walls, steel  
with calculations and a Design Certificate.  
of particulars required in respect to such

D PENCIL SKETCHES CANNOT BE  
E INSPECTOR THE APPLICATION  
BE SUBMITTED IN DUPLICATE.

existing and proposed buildings (see page  
t, it is advisable to confer with the Building

ce two a brief locality plan showing location

APPLICATION NO. 554/1  
DISTRICT OFFICE NO. 1

PERMIT NO. 4663  
DATE ISSUED 30.6.76

LODGED AT  
DISTRICT OFFICE

DISTRICT

DATE

HEAD OFFICE DATE-STAMP



# CITY OF WAIITEMATA

68 GREYS AVENUE (P.O. BOX 5440), AUCKLAND. PHONE 33-419.

## BUILDING PERMIT APPLICATION

OWNER OF SECTION: NAME MICHAEL JOSEPH WATSON (BLOCK CAPITALS) PHONE NO. 740 3064

PRESENT POSTAL ADDRESS 87 Kauri Point Road Laingholm

BUILDER: NAME Cantrell Builders Ltd PHONE NO. 761 8056

POSTAL ADDRESS P.O. Box 6060 TBN

SIGNATURE OF APPLICANT M. Watson (Permit will be posted to builder unless otherwise requested)

### NATURE OF PROPOSED BUILDING WORK

Additions to Existing Dwelling

FLOOR AREA  
OF PROPOSED  
WORK

Total area  
114.5 m<sup>2</sup>

Basement:

Ground Floor: 71 sq m app.

First Floor:

Others: 42 sq m app.

Total: 113.5 sq m app.

PAYABLE ON APPLICATION.

VALUE OF WORK \$ 10,000.00 FEE \$ 40.00

ULL LEGAL DESCRIPTION OF SECTION

at 35.7 DP 17523

BUILDING RESEARCH ACT 1969  
Levy on Buildings Valued in  
excess of \$3,000

Amount of Levy \$ 5.00  
Receipt No. 92753  
Date 25/5/76

VALUATION ROLL NO. 3380/1080/000.0

AME OF PREVIOUS OWNER OF SECTION

EA OF SECTION 0.1348 SQUARE METRES FRONTAGE 20.422 Metres

AD NAME Kauri Point Road LOCALITY Laingholm

IMPORTANT — SEE INSTRUCTIONS ON PAGE FOUR

FOR OFFICE USE ONLY

MARKS BASEMENT LAUNDRY 2 check ✓

it Issued Subject to the Following Conditions

Plumbing & H. wiring to be arranged and job

oved by J. Oldman Building Inspector 16/6/76 Date

oved by J. Oldman Plumbing/Drainage Inspector 16-6-76 Date

oved by He A1 Blay Health Inspector 27/5/76 Date

Planning Zoning Res A1 Blay Town Planning Officer 27/5/76 Date

ng Permit Fee \$ 40.00 Receipt No. 92749 Date 25/5/76

Damage Deposit Fee \$ 10.00 Receipt No. 92751 Date 25/5/76

Damage Deposit Refund \$ 10 To Owner Date 18.8.77

Vehicle Crossing SNR Date

ity Transmission Lines: Present/Not Present over property\* Location of ARA or NSDB Trunk Sewers

Checked — Release/Hold\*

not applicable.

Initials Date

PLEASE REFER TO INSTRUCTIONS ON PAGE FOUR

**SPECIFICATION** TO BE COMPLETED BELOW FOR MINOR BUILDINGS ONLY  
(Full specifications are required for all other work)

## FOUNDATIONS

If solid concrete. Size of footings POLYSTERS Walls Reinforcing \_\_\_\_\_

If concrete blocks. Size \_\_\_\_\_ Spacing \_\_\_\_\_

N.B. All blocks must be at least 300mm in to ground and set on a 300mm x 300mm x 100mm concrete pad.

## FRAMING

	Size	Spacing	Span	Timber
Jack Studs	100 x 75	600		Treated Pine
Bearer Plates	300 x 50			" "
Floor Joists	230 x 50	450	3.600	" "
Outer Studs	100 x 50	600		" "
Inner Studs	100 x 50	600	3.000	" "
Ceiling Joists	150 x 50	800		" "
Bottom Plates	Size 100 x 50			Top Plates. Size 100 x 50
Noggins	Size 100 x 50	600	Number of rows of noggins 3	

N.B. (a) Minimum stud height for dwellings is 2.4m.

(b) Top window trimmers must be checked 15mm or otherwise supported.

## ROOF

Covering Iron Roof Ridges. Size \_\_\_\_\_ Purlins. Size 75 x 50  
Sarking. Size \_\_\_\_\_ Under Purlins \_\_\_\_\_

Rafters Size 150 x 50 Spacing 800 Span 3.000 Timber Treated Pine

## MISCELLANEOUS

Flooring. Size 20mm Particle Board Exterior Sheathing Weather Boards.Inside Lining Wall Gypsum, Ceiling 12mm Particle Board.Is any second-hand material to be used in the proposed construction? No If YES, then a separate application must accompany this form.

## SANITATION

Privy Type W.C. e.g. water closet, chemical pan or other type?

## LOCALITY SKETCH TO SHOW LOCATION OF BUILDING SITE

## DRAINAGE AND PLUMBING

All drainage and plumbing must be carried out by registered tradesmen. If it is intended to install a septic tank, now or in the future, the site must be inspected by the Inspector before building is commenced.

IT IS MOST IMPORTANT that buildings should not be occupied before complete plumbing and drainage system have been installed and officially approved.

PLEASE REFER

SITE PLAN: (a) All of site  
(b) For one building  
(c) All of site  
(d) All of site

8.130

4.000

48.77

## PLEASE REFER TO INSTRUCTIONS ON PAGE FOUR

- SITE PLAN: (a) All existing buildings are to be shown in black ink and new buildings in red.  
 (b) For residential sections the site plan must be accurately drawn to the scale provided. 1:200 (i.e., one square equals one metre).  
 (c) All other sections (including farms, etc.), please state scale used.  
 (d) All dimensions MUST be specified.

## ROAD BOUNDARY

OR BUILDINGS ONLY  
 (all other work)

forcing

concrete pad.

Timber  
 Treated Pine  
 " " " " " "  
 " " " " " "  
 " " " " " "  
 " " " " " "  
 " " " " " "  
 Size 100 x 50  
 3

Purlins. Size 75 x 50  
 Under Purlins

Timber  
 Treated Pine

or Boards.

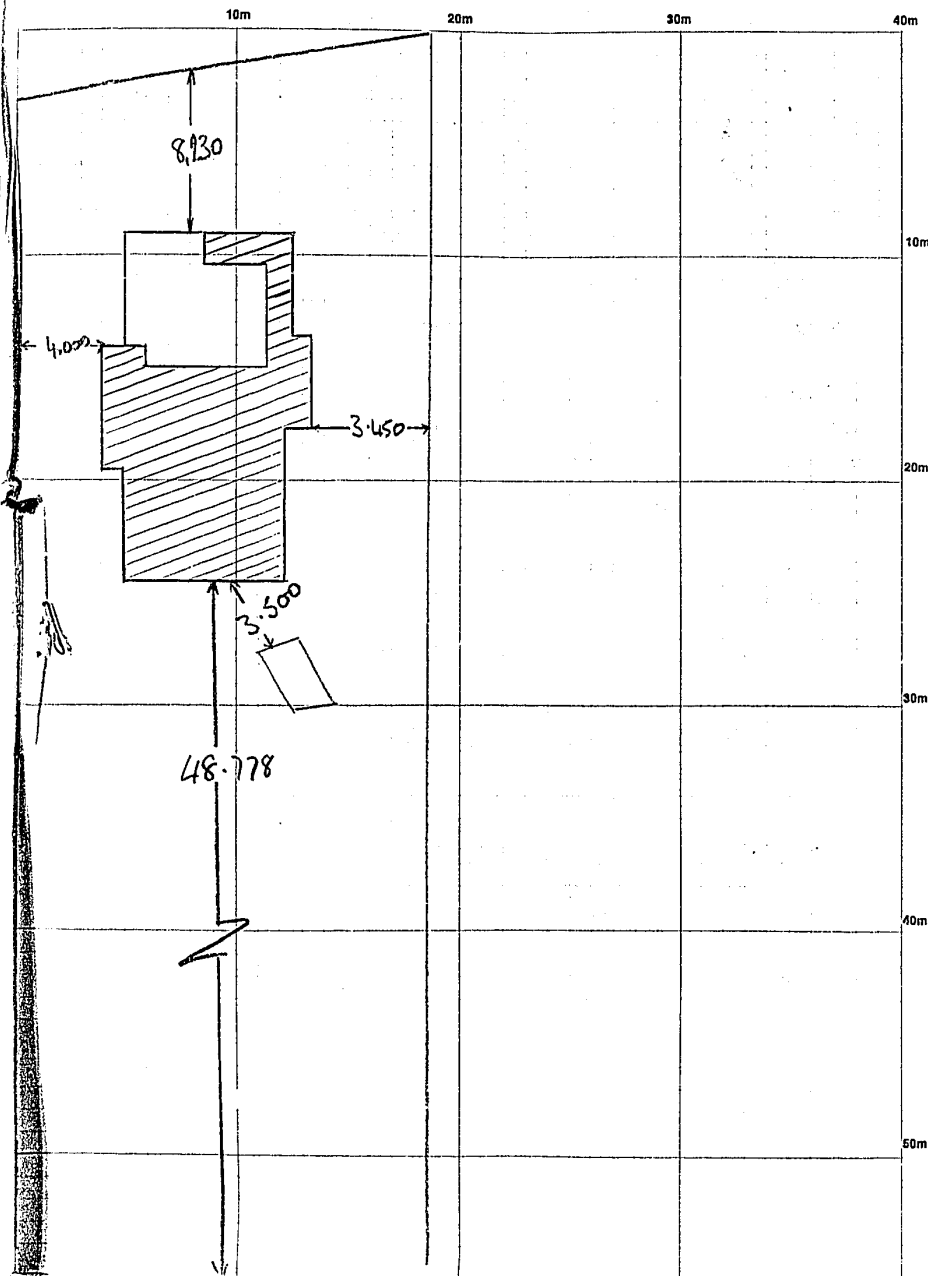
then a separate application r.

can or other type?

## DRAINAGE AND PLUMBING

Drainage and plumbing must be carried out by registered tradesmen. If it is intended to install a septic tank, now or in the future, the site must be inspected by the Inspector before building is commenced.

IS MOST IMPORTANT  
 Buildings should not be occupied before complete plumbing and drainage systems have been installed and officially approved.





0000 1 0328 00005

18.8.77

CITY OF WAITEMATA

Roll No. / /

3360/580 **BUILDING PERMIT** No 4663

Owner of Section M.J. Watson Date 25.8.78

Address 87 Kauri Pt. Road, Laingholm

THIS PERMIT is granted to the undermentioned person authorising the following building work on Lot No. 357 DP 17823 on 87 Kauri Point Road, Laingholm in accordance with the plans lodged and subject to the following conditions: Plumbing and drainage to be arranged on job.

Nature of proposed work  
Add to dwelling

TO NOTATIONS ON PLANS

Value of work, \$10,000

Fee \$40.00 : Rec. No. 92740 - 25.3.78

For the Waitemata City Council

Duly Authorised Officer.

Cantall Builders Ltd.,  
Box 60060,  
TITIRANGI

0000 0326 0006

CITY OF WAITEMATA

Roll No. / /

3380/580

**BUILDING PERMIT**

No 4663

Owner of Section

M.J. Watson

Date

25.6.78

Address

87 Kauri Pt. Road, Laingholm

THIS PERMIT is granted to the undermentioned person authorising the following building work on Lot No. 357 DP 17523 on 87 Kauri Point Road, Laingholm

in accordance with the plans lodged and

subject to the following conditions: Plumbing and drainage to be arranged on job.

Nature of proposed work

Add to dwelling

Cantell Builders Ltd.,  
Box 60060,  
TITIRANGI

TO MODIFICATIONS ON PLANS

Value of work, £0,000

Fee 40 00 : Rec. No 92749 - 25.5.78

For the Waitemata City Council

FOR FURTHER CONDITIONS SEE OVER

Duly Authorised Officer.

[illegible]

0001 0326 0008

## Waitemata County Council

### APPLICATION FOR PERMIT FOR PLUMBING OR DRAINAGE WORKS

TO THE COUNTY CLERK  
WAITEMATA COUNTY COUNCIL  
P.O. BOX 5440, AUCKLAND, 1.

I the undersigned (Name in full) G L FLETCHER  
being a registered plumber/drainlayer, hereby apply for permission to have the work described herein,  
and set out in the plans attached hereto [IMPORTANT—SEE NOTE RE PLANS ON PAGE 2] carried  
out in the following premises:

Lot 357 D.P. 17523  
Road Name KAURI PT RD  
Locality LAINGHOLM

NAME AND ADDRESS OF PERSON FOR WHOM WORK IS TO BE CARRIED OUT (i.e. owner):  
M. WATSON 8Y KAURI PT. RD LAINGHOLM

#### DESCRIPTION OF PROPOSED WORK

\*Drainage (Give brief description of type of drainage work to be carried out, including details of storm-  
water drainage if applicable):—

ADDITIONS TO EXISTING FOUL WATER  
DRAINAGE

\*Plumbing (Give brief description of work including type and number of sanitary fittings):—

Value of Proposed Work (including materials):—

Plumbing \$

Fee herewith (See scale below) \$

Drainage \$ 300

Fee herewith 712.50

\$

\$ 912.50

Total Fee

\$12-50

Dated this

2

day of

11

19 76

Signature

G L Fletcher

Address

171 VICTORY RD LAINGHOLM

\*Registered Drainlayer No.

33067

\*Registered Plumber No.

\*DELETE NOT APPLICABLE.

IMPORTANT: REFER TO PAGE 2 RE PLANS, AND FOR GENERAL INFORMATION.

For Office Use Only:—		Inspector. Date <u>5/11/76</u>		PERMIT No. <u>5247</u>
Permit Approved for issue <u>G L Fletcher</u>		Date		Date <u>5/11/76</u>
Fee Paid	Plumbing \$	Receipt No.	Date	
	Drainage \$ <u>17.50</u>	Receipt No. <u>99100</u>	Date <u>3/1/76</u>	
Remarks:				

#### Scale of Fees

Estimated Value of Work:	Fee Payable \$ c.	Fee Payable \$ c.
Not exceeding \$20	50	
Exceeding \$20 but not exceeding \$50	1.00	Exceeding \$300 but not exceeding \$400 10.00
Exceeding \$50 but not exceeding \$100	3.00	
Exceeding \$100 but not exceeding \$200	5.00	For every additional \$200 or part thereof in excess of the first \$400
Exceeding \$200 but not exceeding \$300	7.00	2.00

NOTE:— In assessing the value of the work no SINGLE fitting shall be deemed to have a value exceeding \$100.

## GRAPH FOR PLAN:—

Where drainage plans are necessary (see page 2) the graph below is to be completed accurately to scale in ink, and must show clearly street boundary, property boundaries, outline of buildings as well as layout of A.L. drains & inspection fittings.

Owner's Name: M. WATSON

Address of Property: 37. KAURI PT. RD. KEMUNGM

Lot 357 D.P. 17523

Drainlayer's Name: G. L. FLETCHER

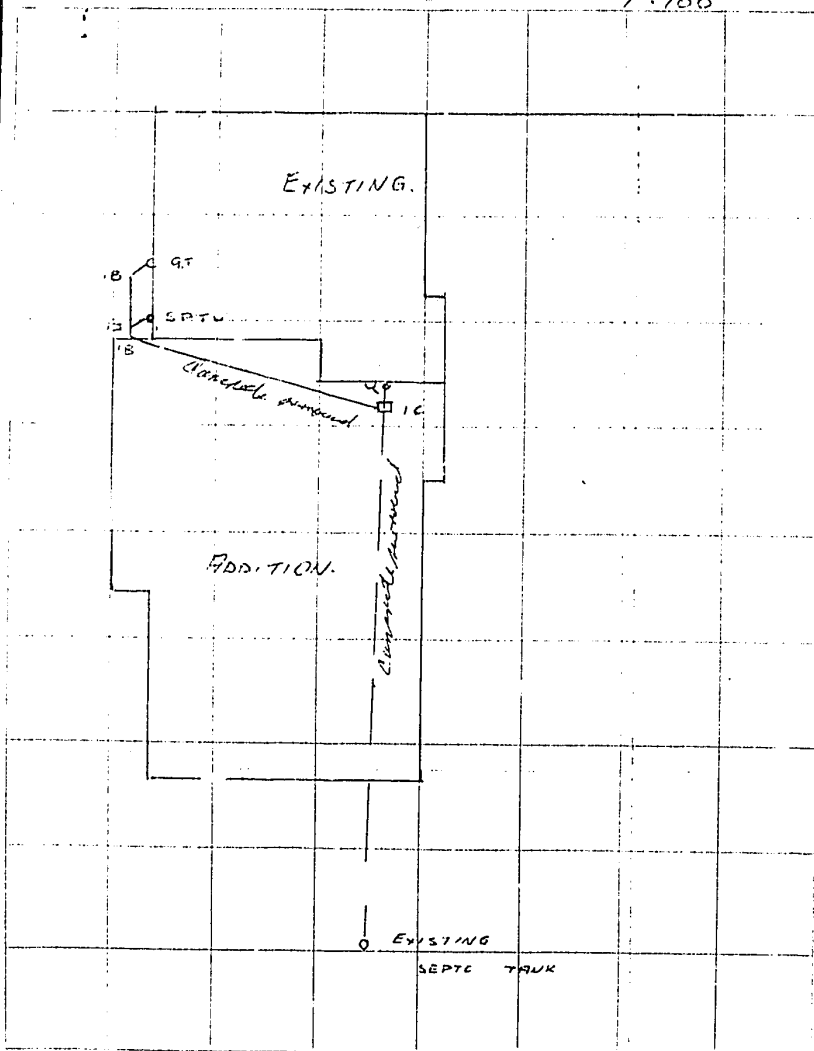
Scale:

Horizontal scale 1" = 1 foot

Vertical scale 1/16" = 1 foot

Please Indicate Scale Used.

1:100



For Office Use Only:—

Drainage Permit No. 5267

Building Permit No. 4663

Remarks:

Date inspected: 14/11/76 Inspector [Signature]

33800/580

No 17578

**BUILDING PERMIT**

Owner of Section

MURRAY. D.A. AND. J.

Date 21st July 1981

Address

87 Kauri Point Rd, LAINGHOLM.

THIS PERMIT is granted to the undermentioned person authorising the following building work on Lot No. 357  
D.P.17523

on 87 Kauri Point Rd, LAINGHOLM. in accordance with the plans lodged and

subject to the following conditions:

To notations on plans.

Nature of proposed work

INSTALL SPACE HEATER

R. GODDARD,  
21 Sylvan Ave,  
WOODLANDS PARK.

Value of work, \$600

Fee \$ 12: 0 : 0 Rec. No. L98 16/7/1981

For the Waitemata City Council

FOR FURTHER CONDITIONS SEE OVER

Duly Authorised Officer.



ON FILE IN THE RECORDS OF THE

Building Inspected. Date \_\_\_\_\_ Insp. Initials \_\_\_\_\_

NO RECORDS  
OF INSPECTIONS

Final Inspection \_\_\_\_\_

Inspector \_\_\_\_\_

Register Noted, \_\_\_\_\_ Date \_\_\_\_\_

3 July 2001

J Burrage  
87 kauri Point Road  
Laingholm

Dear Sir/Madam,

**PROPERTY ADDRESS: 87 KAURI POINT ROAD, LAINGHOLM, LOT 357**  
**DP 17523**  
**HEATER INSTALLATION NO: 81/017578**

Council has no record of a final inspection of this installation and due to the age of the heater, we are unable to sign this off. It is required that heaters be inspected immediately after installation.

Should you have any concerns regarding the heater you should seek an inspection from a registered installer with the Home Heating Association.

Yours faithfully



Trisha Chapman

**LAND INFORMATION MEMORANDUM CLERK**

0001 0327 0001

Waitakere City Council

Building Consents

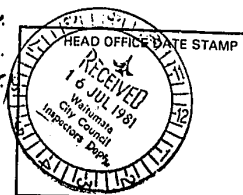
Page: 1

Date: 13/06/98

Property Id Z0045534000  
Legal Desc LOT 357 DP 17523  
Property Address 87 KAURI POINT RD, LAINGHOLM WAITAKERE CITY, 1007  
Owner's Name BURRAGE DAVID ALAN BURRAGE JANE  
Unauthorised work exists? N

0001 0327 0002

APPLICATION No. 713/11  
 FINAL CHECK Initials [Signature]  
 Date 22/7/81  
 PERMIT No. 17578  
 DATE ISSUED 21/7/81  
 Authorised Officer [Signature]



## CITY OF WAITEMATA

JOHN HENRY CENTRE, 6-8 PIONEER STREET, HENDERSON  
 POSTAL ADDRESS: PRIVATE BAG, HENDERSON 8 — PHONE: HSN 61-195 and 61-119  
 INSPECTORS DEPARTMENT ON GROUND FLOOR

## BUILDING PERMIT APPLICATION

OWNER OF SECTION: NAME BURRAGE DAVID ALAN & JANE PHONE No. TEN 4541  
(BLOCK CAPITALS)  
 PRESENT POSTAL ADDRESS 87 KAURI POINT ROAD LANCHELM AUCKLAND  
 BUILDER: NAME MR. R. GIDDARD PHONE No. 6837  
 POSTAL ADDRESS 21 SYLVAN AVE WOODLANDS PARK  
(Permit will be posted to builder unless otherwise requested)  
 SIGNATURE OF APPLICANT [Signature]

NATURE OF PROPOSED BUILDING WORK  
INSTALLATION OF  
ART. STONE  
Intell Stone Henty  
 VALUATION ROLL NO. 33800 / 580

FULL LEGAL DESCRIPTION OF THE PROPERTY (as per Rate Demand or Title Deeds)

LOT 357D.P. 17523

VALUE OF WORK  
 Building (including the materials for Plumbing & Drainage) 600  
 † Building Permit Fee \$.....  
 \* Drainage (excluding materials) \$.....  
 \* Plumbing (excluding materials) \$.....  
 \* Separate permits to be obtained by Drainlayer and Plumber.  
 \* Fee to be assessed on value of work excluding amount upon which Drainage and Plumbing Fees payable and may be paid at time of lodging application.  
 † A further 25% is payable on this fee where structural check is required.

FLOOR AREA OF PROPOSED WORK  
 Basement .....  
 Ground Floor .....  
 First Floor .....  
 Others .....  
 Total .....

Building Research Act 1969  
 LEVY ON TOTAL VALUE OF \$3,000 OR MORE INCLUDING DRAINAGE AND PLUMBING WORK  
 Fee: \$1.00 per \$1000 or part thereof  
 Amount of Levy .....  
 Receipt No. ....  
 Date .....

NAME OF PREVIOUS OWNER OF SECTION MJ. VA. WATSON  
 AREA OF SECTION: 1.348 square metres FRONTAGE: 18 metres  
(Show large sites in hectares)  
 ROAD NAME KAURI POINT ROAD LOCALITY LANCHELM  
 IMPORTANT — SEE INSTRUCTIONS ON PAGE FIVE  
 FOR OFFICE USE ONLY

REMARKS.....

Permit issued subject to the following conditions: 1. Drainage to be carried to N. of section on Pl. 2.

Approved by ..... Building Inspector [Signature] Date 22/7/81  
 Approved by ..... Plumbing/Drainage Inspector [Signature] Date 22/7/81  
 Approved by ..... Health Inspector ..... Date .....  
 Town Planning Zoning Prop. A1 PROPOSED N.U.R. 1  
 Approved by [Signature] Town Planning Officer 17-7-81 Date

Building Permit Fee \$ 12.00 Receipt No. 298 Date 22 JUL 1981  
 Structural Checking Fee \$ ..... Receipt No. .... Date .....  
 Road Damage Deposit Fee \$ ..... Receipt No. .... Date .....  
 Road Damage Deposit Refund \$ ..... To ..... Date .....  
 Cost of Vehicular Crossing \$ 50 Date .....

Electricity Transmission Lines:  
 Present/Not present over property

Initials [Signature] Date .....

WCC Sanitary and Stormwater  
 Sewers checked — Release/Hold

Initials [Signature] Date .....

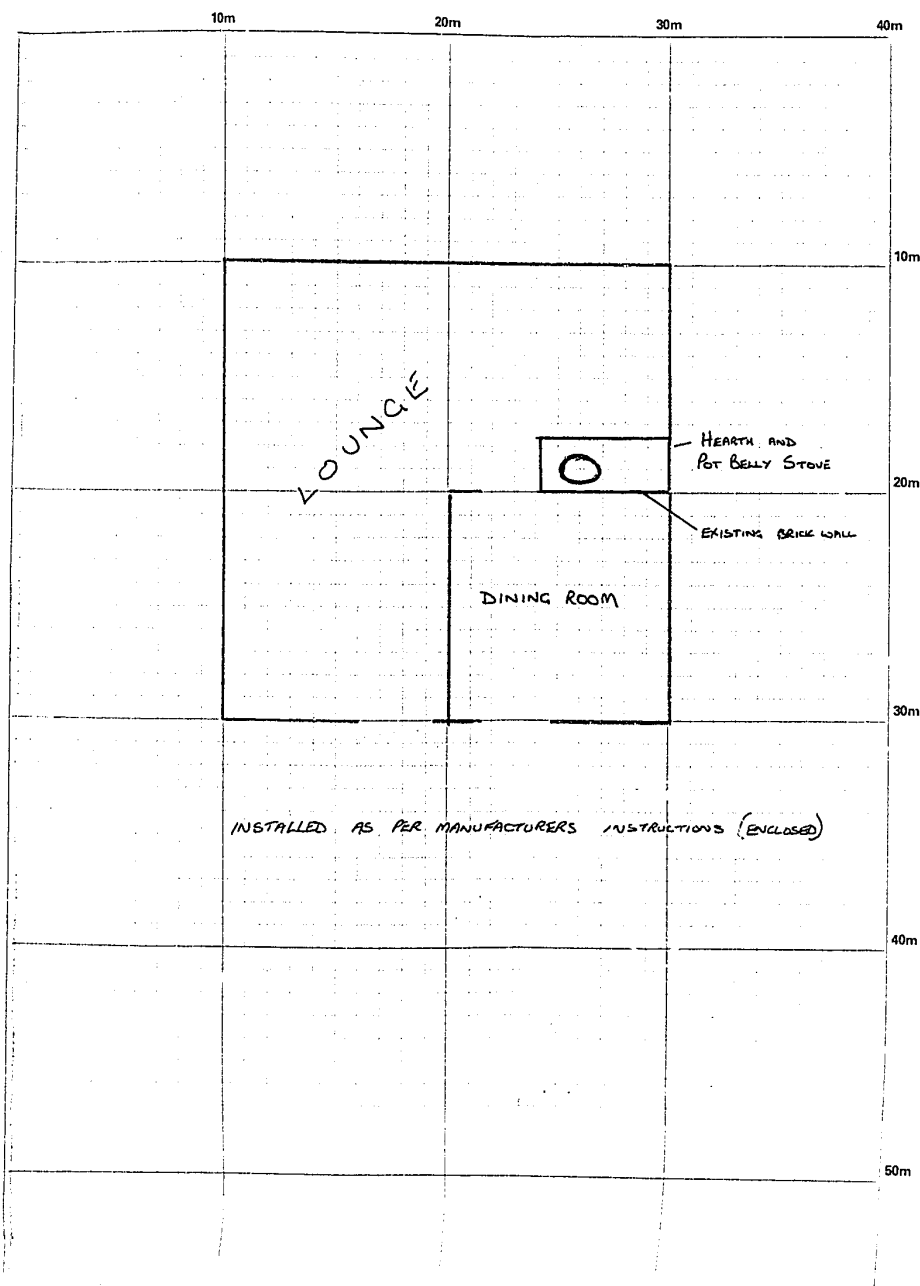
Location of ARA Trunk  
 Sewers checked — Release/Hold

Initials [Signature] Date .....

## PLEASE REFER TO INSTRUCTIONS ON PAGE FIVE

SITE PLAN: (a) All existing buildings are to be shown in black ink and new buildings in red.  
 (b) For residential sections the site plan must be accurately drawn to the scale provided. 1:200 (i.e., one square equals one metre).  
 (c) All other sections (including farms, etc), please state scale used.  
 (d) All dimensions MUST be specified.

## ROAD BOUNDARY



DINGS ONLY  
 work)

umber, Piles, etc.

Timber

umber

application must

# PLUMBING

PLUMBING  
 OUT BY  
 SMEN. IF  
 NSTALL A  
 OR IN THE  
 MUST BE  
 SPECTOR  
 IS COM-

NT THAT  
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0001 0327 0004

CITY OF WAITEMATA

Roll No. / /  
33800/580

**BUILDING PERMIT**

No 17578

Owner of Section  
Address

BURRAGE. D.A. AND. J.  
87 Maori Point Rd, LAINGHOLM.

Date 21st July 1981

THIS PERMIT is granted to the undermentioned person authorising the following building work on Lot No. 357  
on 87 Maori Point Rd, LAINGHOLM. D.P. 17523  
subject to the following conditions: in accordance with the plans lodged and

To notations on plans.

Nature of proposed work

INSTALL SEACH HEATER

R. GODDARD,  
21 Sylvan Ave,  
WOODLANDS PARK.

Value of work, \$600

Fee \$ 12 : 0 : 0 Rec. No. E98 16/7/1981

For the Waitemata City Council

Duly Authorised Officer.

Unity Press 57580/81



# MASPORT POTBELLY STOVE

The heater and flue shall be installed in strict accordance with the Manufacturer's instructions NZS 7421: 1972 and NZS 1900 Chapter 7. NZS 4603 1976.

If a wet back is installed a permit is required for. Approved by a

Maximum height for a brick wall on a timber and masonry chimney.

Clearances to be maintained to drapes and combustibles.

AND PLANS  
AND SPECIFICATIONS INS.  
**APPROVED**  
SIGNED: [Signature]  
BUILDING INSPECTOR  
DATE: 10/1/81



**Masport®**

# Masport Pot Belly Stoves Installation Instructions

**For Pittsburgh, Klondike, Yukon, Fatso  
and Oregon Models**

## INDEX

INTRODUCTION	2
INSTALLING THE STOVE	3
Unprotected walls	3
Protecting the walls	3
Heat screen material	3
MINIMUM CLEARANCES	4
HEAT SCREEN MATERIAL	4
Single heat screen	5
Double heat screen	5
Brick screens	5
PROTECTING THE FLOOR	6
INSTALLING THE FLUE	7
Installations with the standard flue kit	7
NON STANDARD INSTALLATIONS	9
INSTALLING A STOVE IN A FIREPLACE	10
Stove installation	10
Flue installation	10
INSTALLING A STOVE FITTED WITH A WATER HEATING COIL	12

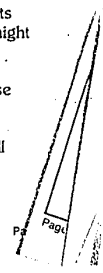
These installation instructions are based on New Zealand Standard 7421:1972. The Insurance Council of New Zealand have confirmed their satisfaction that the Pittsburgh Stove meets insurance requirements when installed in accordance with these instructions. Since the Insurance Council no longer tests these appliances, the other stoves have been checked by an independent Telarc Registered Testing Laboratory which reported that they meet the requirements of N.Z.S. 7421:1972 when installed as follows.

We recommend that you check with your Building Inspector for Local Body requirements in your

district and that the installation of your Masport stove be carried out by a Craftsman plumber or other suitably qualified specialist. The use of components which are not genuine Masport parts could affect the performance of the stove and might nullify its compliance with the New Zealand Standard.

Note: For installation outside New Zealand please check Local Authority requirements.

These instructions are Copyright to Mason and Porter and must not be reproduced in part or full without permission. December 1980.



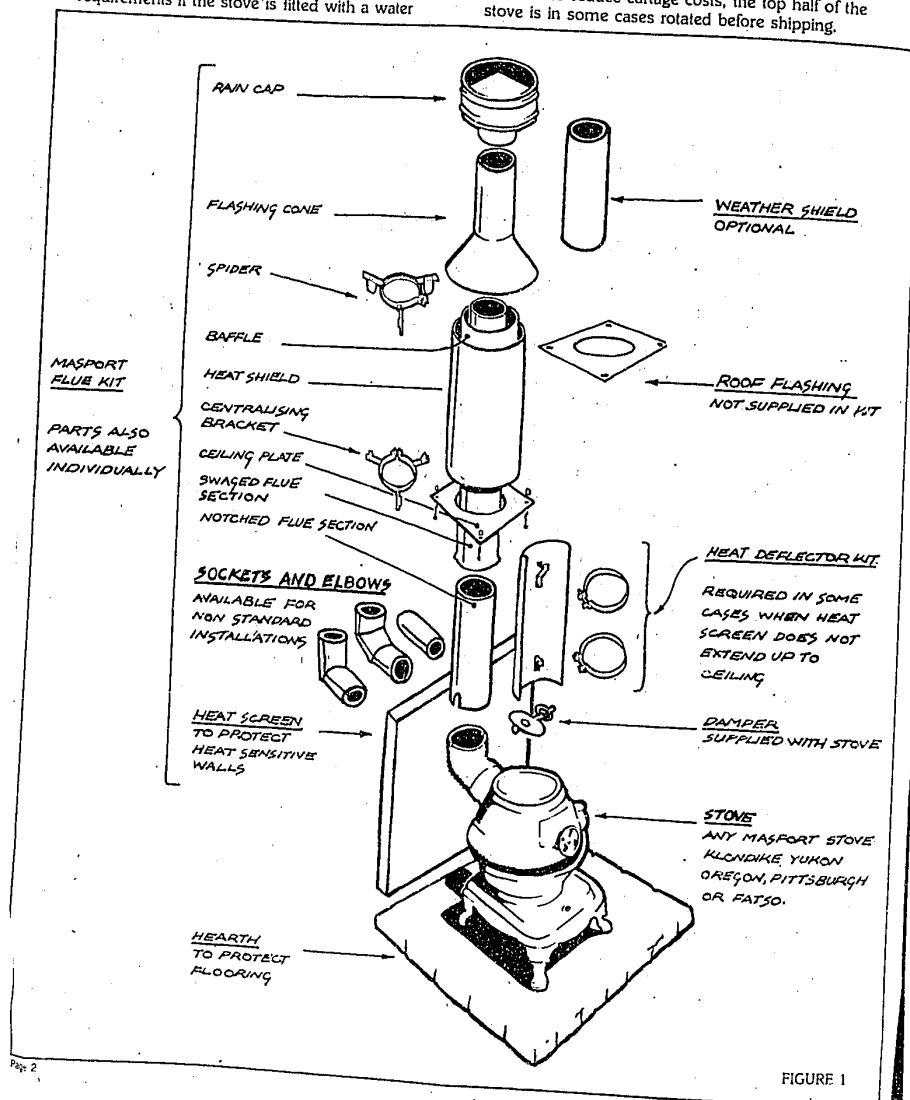
## Introduction

Pot Belly Stoves generate the bulk of their energy in the form of radiant heat and, ideally, should be placed in the centre of a room. However, if this is not possible, the position of the stove should be decided after considering the natural flow of air, space requiring heating, seating arrangements, roof construction, living areas and plumbing requirements if the stove is fitted with a water

heating coil. The use of a Pot Belly Stove in a room having an open fireplace is quite acceptable, although it is best sited away from the fireplace to achieve the best possible heat distribution.

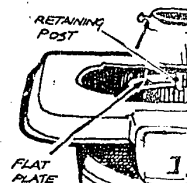
### Assembling the Stove.

In order to reduce cartage costs, the top half of the stove is in some cases rotated before shipping.



Before installing, check correct position. Lift the necessary.

The Yukon Stove has a loosely held in the correct inside the upper belly. Remove bolts and position the Elbow holes, Figure 2. Replace the Baffle must be in place with Elbow or the optional Str



A flat Baffle Plate is supplied for Oregon Stoves. Insert the Top Chamber, with the word 'Front' facing the stove, and position the retaining post, Figure 3.

## 1. Installing stove

This section covers all models of heating coils, except for a Yukon installation (refer to Section 1.1 Unprotected).

### 1.1 Unprotected

The following minimum clearances to unprotected walls must be observed. Clearances to the side of the flue. Clearances to the side of the nearest point on the ring of the stove, Figure 4.

Where a Yukon Stove is fitted with a straight Flue Socket (for use with a chimney), the clearances are added to the figures shown on

Pot Belly Stove in a room quite acceptable, away from the fireplace to heat distribution.

costs, the top half of the stove is painted before shipping.

**WEATHER SHIELD**  
OPTIONAL

**ROOF FLASHING**  
NOT SUPPLIED IN KIT

**HEAT DEFLECTOR KIT**  
REQUIRED IN SOME CASES WHEN HEAT SCREEN DOES NOT EXTEND UP TO CEILING

**DAMPER**  
SUPPLIED WITH STOVE

**STOVE**  
ANY MASPORT STOVE  
KLONDIKE YUKON  
OREGON, PITTSBURGH  
OR FATSO.

FIGURE 1

Before installing, check that the top bowl is in its correct position. Lift the bowl before rotating if this is necessary.

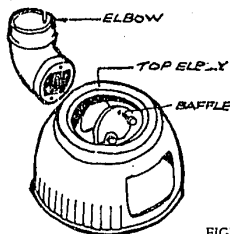


FIGURE 2

The Yukon Stove has a circular baffle which is loosely held in the correct position by two bolts inside the upper belly. Remove the nuts from the bolts and position the Elbow/Socket over the outlet holes, Figure 2. Replace the nuts and tighten. The Baffle must be in place whether the standard Fluted Elbow or the optional Straight Flue Socket is used.

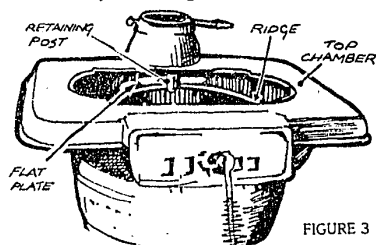


FIGURE 3

A flat Baffle Plate is supplied with Fatso and Oregon Stoves. Insert the Plate against the inside of the Top Chamber, with the curved edge downward and the word 'Front' facing inward. Slide the Plate around on the ridge in the Top Chamber until the notch in the top edge of the Plate engages behind the retaining post, Figure 3.

## 1. Installing the stove

This section covers all models, with or without water heating coils, except for a Yukon Stove fireplace installation (refer to Section 3).

### 1.1 Unprotected walls

The following minimum clearances from stoves to unprotected walls must be observed. Measurements to the rear of the stove are taken from the back of the flue. Clearances to the side are measured from the nearest point on the ring around the belly of the stove, Figure 4.

Where a Yukon Stove is fitted with the optional straight Flue Socket (for use when the flue discharges into a chimney), the rear clearance is measured from the belly and 80 mm should be added to the figures shown on the following page.

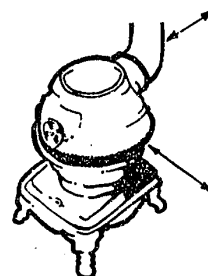


FIGURE 4

### 1.2 Protecting the walls

A heat sensitive wall can be protected by the erection of a single or double heat screen, or by a brick screen, thus enabling the stove-to-wall distance to be reduced greatly.

#### 1.2.1 Heat Screen Material

The material must be capable of withstanding 180°C without damage. Sheetmetal and certain heat resistant materials, (e.g., 12 mm Harditherm), are obvious choices. If they are to be painted, only fire resistant paints should be used and the colours should be kept light, as dark finishes will raise the panel temperatures significantly. Allowances for expansion must be made when fastening.

Note: An information sheet on the use of Rocboard insulating panels for protecting walls and insulating hearths is available from New Zealand Forest Products Limited or their agents. Rocboard should be used only in accordance with that information.

\* SUGGESTED POSITIONING ONLY.

THERE ARE OTHER WAYS OF PERMITTING AIRFLOW BEHIND SCREEN E.G. DRILLING HOLES, RAISING HEARTH ETC.

IF HEAT SCREEN DOES NOT EXTEND BEYOND 1200 MM FROM HEARTH, IN SOME CASES A HEAT DEFLECTOR MUST BE FITTED

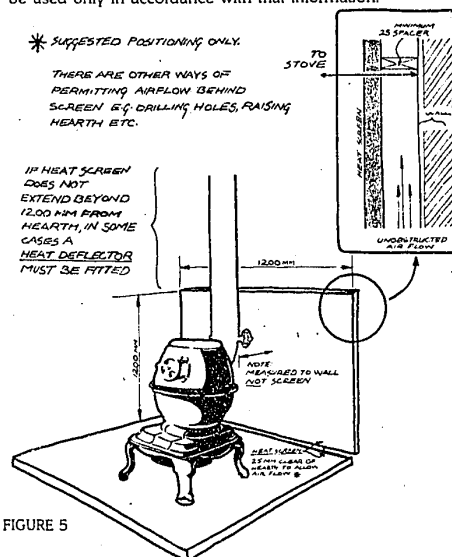


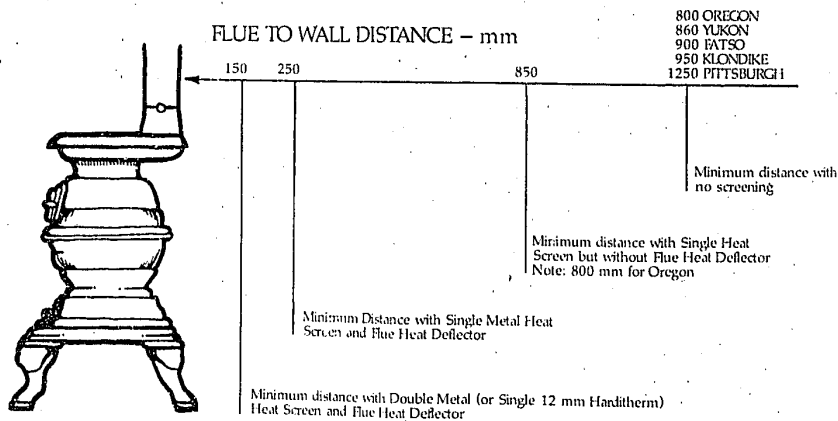
FIGURE 5

TABLE 1

MINIMUM STOVE TO WALL CLEARANCES

	PITTSBURGH mm	KLONDIKE mm	FATSO mm	YUKON mm	OREGON mm
a. Concrete or Concrete Block Walls .....	200	200	200	200	200
b. Brick Walls					
(i) Cavity brick walls which do not enclose timber framing or other heat sensitive material .....	150	150	150	150	150
(ii) Brick walls erected in contact with heat sensitive materials (e.g. timber, gypboard, etc.)					
- bricks on edge .....	625	475	450	430	400
- bricks on flat .....	500	380	360	345	320
(iii) Brick walls which have the spacing and reflective screen requirements detailed under "Brick Screens" below .....	150	150	150	150	150
c. Heat sensitive walls or other objects, e.g. timber, asbestos cement board, plaster board, gypsum plaster, etc., including sheetmetal in contact with such materials (This distance can be reduced by screening in accordance with 1,2).	1,250	950	900	860	800

## STOVE SCREENING REQUIREMENTS FOR HEAT SENSITIVE WALLS



- NOTE: 1. All Heat Screens 1200 mm minimum height and 1200 mm minimum width.
2. Flue Heat Deflector may be omitted if Screen shields full height of wall.
3. Minimum distance when combustible wall is faced with Brick Screen as per Instructions - 150 mm measured to outer face of Brick Screen.
4. See Text for constructional details.

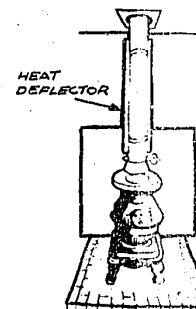
## 1.2.2 Single Heat Screen

This must be fastened to non-combustible insulating an air space of not less than 600 mm gap along the top and the spacers must be vertical air flow between the screen and the wall. The screen should be wide at least 600 mm along the centreline. Where the stove walls need to be screened.

The screen must never be high and such a screen is wall distances not less than 800 mm). If the distance is less than 800 mm and the screen height of the wall, a flue fitted, Figure 6.

NOTE: Minimum stove to heat screen is sheetmetal.

If the screen material is distance may be reduced.



A FLUE HEAT DEFLECTOR IS REQUIRED WHEN A SCREEN DOES NOT EXTEND THE HEIGHT OF A HEAT SENSITIVE WALL AND THE BACK OF THE FLUE IS LESS THAN 850 (OREGON 800MM) FROM

## 1.2.3 Double Heat Screen

The construction is similar to case (see 1.2.2) except the screen is fixed mid-way in must be the same size as two air spaces must each be 600 mm. A suitable material for this is 12 mm galvanised steel. The screen must be arranged to the bottom intake slots to the stove. The width and height requirements are the same as for Figure 5. Again, if the flue

O mm	YUKON mm	OREGON mm
200	200	200
50	150	150
150	430	400
400	345	320
150	150	150
900	860	800

#### HEAT SENSITIVE WALLS

800 OREGON  
860 YUKON  
900 EATSO  
950 KLONDIKE  
1250 PITTSBURGH

Minimum distance with  
no screening

with Single Heat  
at Flue Heat Deflector  
Oregon

#### 1.2.2 Single Heat Screen

This must be fastened to the wall on non-combustible insulating spacers so that there is an air space of not less than 25 mm between the screen and the wall, Figure 5. There must be a 25 mm gap along the top and bottom of the screen and the spacers must be arranged to permit free vertical air flow between the screen and the wall. The screen should be wide enough to extend at least 600 mm along the wall each side of the stove centreline. Where the stove is fitted in a corner, both walls need to be screened.

The screen must never be less than 1,200 mm high and such a screen is adequate on its own for wall distances not less than 850 mm. (Oregon 800 mm). If the distance is less than 850 mm (Oregon 800 mm) and the screen does not shield the full height of the wall, a flue heat deflector must be fitted, Figure 6.

NOTE: Minimum stove to wall distance when the heat screen is sheetmetal; 250 mm (All models).

If the screen material is 12 mm Hardtherm, the distance may be reduced to 150 mm. (All models).

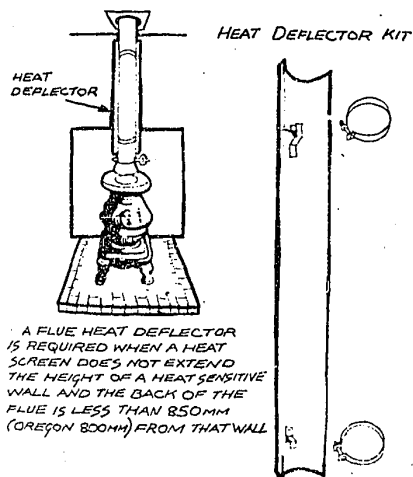


FIGURE 6

#### 1.2.3 Double Heat Screen

The construction is similar to the single heat screen case (see 1.2.2) except that an extra sheetmetal screen is fixed mid-way in the air space, Figure 7. It must be the same size as the heat screen, and the two air spaces must each be not less than 12 mm. A suitable material for this air space divider is 0.5 mm galvanised steel. The spacers behind the double screen must be arranged to allow free air flow from the bottom intake slots to the outlet slots at the top. The width and height requirements for double screens are the same as for single screens, refer Figure 5. Again, if the flue to wall distance is less

than 850 mm (Oregon 800 mm) and the screen does not shield the full height of the wall, a flue heat deflector must be fitted, refer Figure 6.

Minimum stove to wall distance when a double sheetmetal heat screen is fitted, 150 mm, all models.

ALL PANELS (SCREENS) MUST  
BE OPEN TOP AND BOTTOM  
TO ALLOW FREE AIR FLOW

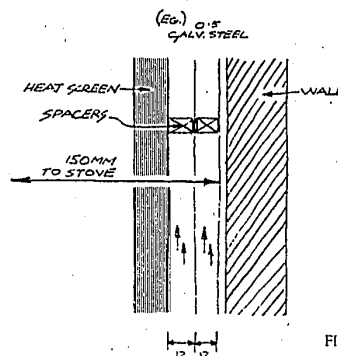


FIGURE 7

#### 1.2.4 Brick Screens

Heat sensitive walls can be faced with brick provided that the bricks are laid flat and spaced not less than 25 mm from the wall, Figure 8. A layer of reflective building paper must be secured to the face of the wall (reflective side facing the bricks) in such a manner that it will not inhibit the air flow in the space. Alternatively, the building paper may be

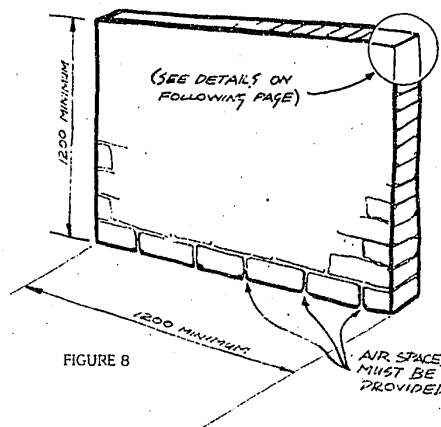


FIGURE 8

replaced by a sheetmetal air space divider as specified for a double heat screen, refer Figure 7. The top of the air space must be left open and gaps must be provided between the bricks in the bottom rows, to allow adequate air entry.

The brick facing must extend at least 600 mm each side of the stove centreline and should be at least 1200 mm high. If the flue to wall distance is less than 850 mm (Oregon 800 mm) and the brick screen does not shield the full height of the wall, a flue heat deflector must be fitted, refer Figure 6.

Minimum distance between stove and outer face of brick screen 150 mm, all Models. (This will give a minimum stove to wall distance of 285 mm.)

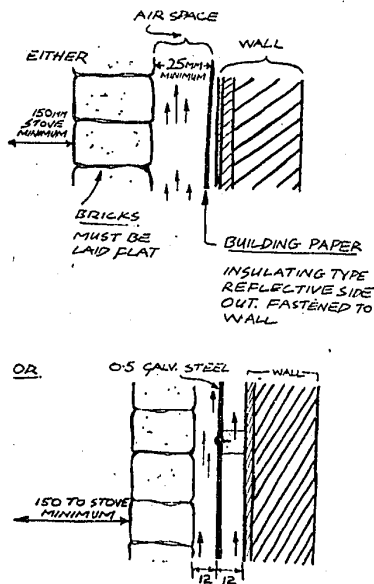


FIGURE 9

### 1.3 Protecting the floor

The Stove must stand on a fire-proof floor or hearth extending to the wall(s) or at least 300 mm beyond the feet in all directions, Figure 10. Hearths of solid material can conduct heat through to the floor and should be raised on insulating blocks to provide an air space beneath. This air space should be not less than 12 mm and the blocks (about 100 mm square) should be positioned directly over the floor joists. Access to the air space should be unobstructed to permit the free flow of air. As long as the air space is not impeded, the hearth may be installed as above directly onto existing carpet coverings.

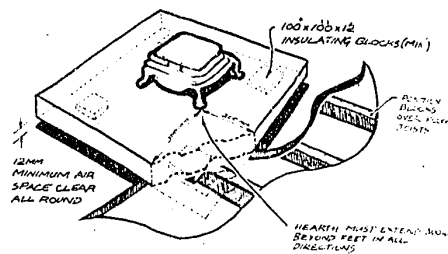


FIGURE 10

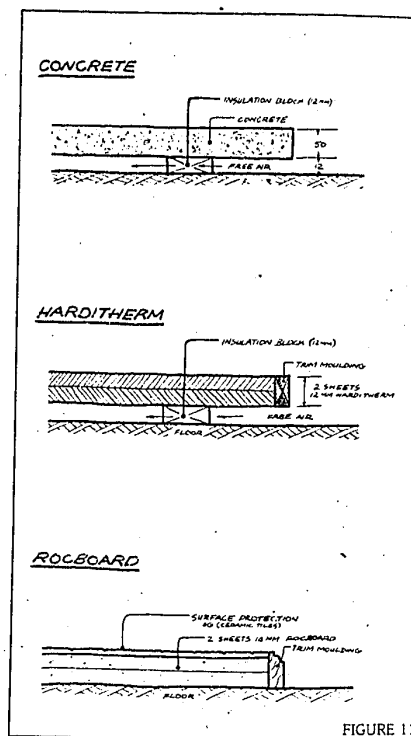
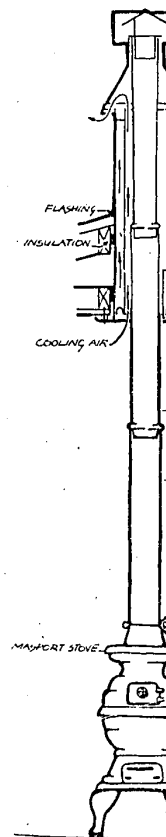


FIGURE 11

## 2. Instal

Flue installations are covered in Section 2.3 covers installation height is 2400 mm and normal. In these cases should be all that is required. Section 2.2 deals with components may be not a) the stud height is greater b) there is a high pitched roof would not project 600 mm c) the Heat Shield would be above the roof; d) the ceiling is sloping. Section 3 explains the steps when fitting a Yukon stove.





## 2. Installing the flue

Flue installations are covered in three sections. Section 2.1 covers installations where the stud height is 2400 mm and the roof pitch is low to normal. In these cases a standard Masport Flue Kit should be all that is required.

Section 2.2 deals with cases where extra components may be needed because:

- a) the stud height is greater than 2,400 mm;
- b) there is a high pitched roof and the standard flue would not project 600 mm above the ridge;
- c) the Heat Shield would not protrude 400 mm above the roof;
- d) the ceiling is sloping.

Section 3 explains the special requirements needed when fitting a Yukon stove into an existing fireplace.

### 2.1 Installations with the standard flue kit

2.1.1 Place the stove in position, satisfying all clearances noted in Section 1. Take care that the flue will not pass through ceiling joists, rafters, valleys or ridges. Drop a plumb bob from the ceiling to the centre of the flue outlet flange of the stove to locate the position where the flue will pass through the ceiling.

Cut a 275 mm square hole through the ceiling on this centre-line. Secure suitable nogs to the ceiling timbers forming a 275 mm square opening to which the bottom of the Heat Shield will be secured, Figure 13. Care should be taken that the hole is square and is no greater than 275 mm so that the Ceiling Plate will cover the opening.

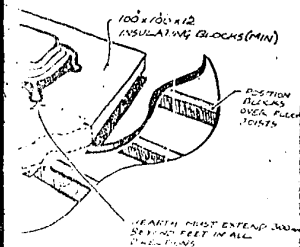


FIGURE 10

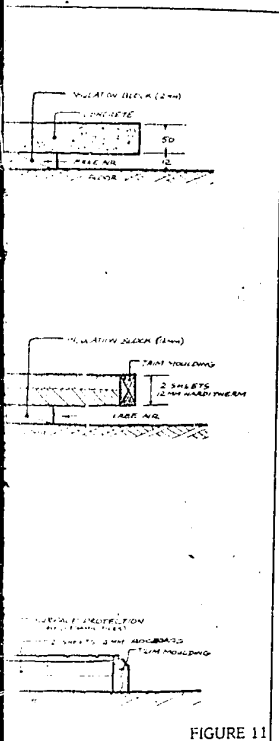


FIGURE 11

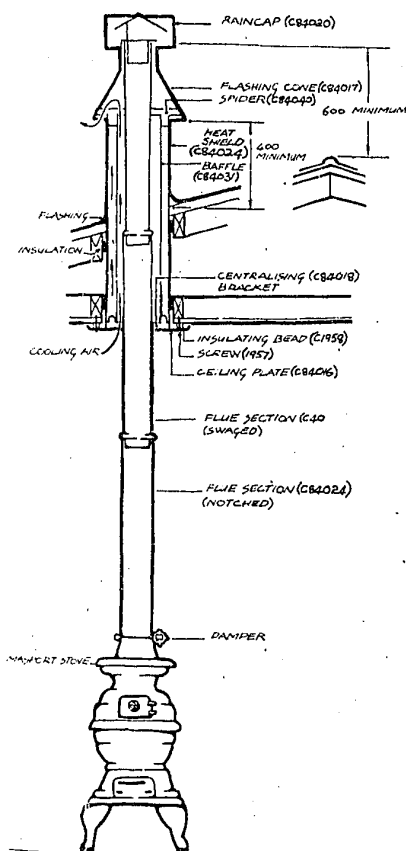


FIGURE 12

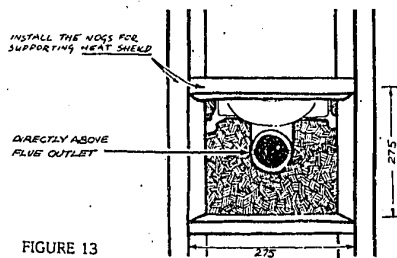


FIGURE 13

2.1.2 On the same centre-line cut a 250 mm diameter hole through the roof and secure suitable nogs to the roofing timbers forming a 275 mm square opening to which the top of Heat Shield may be secured. With the crinkled or swaged end uppermost and the lower end protruding 12 mm below the ceiling, nail or screw the Heat Shield in place using four 12 mm thick insulating spacers at each end, Figure 14.

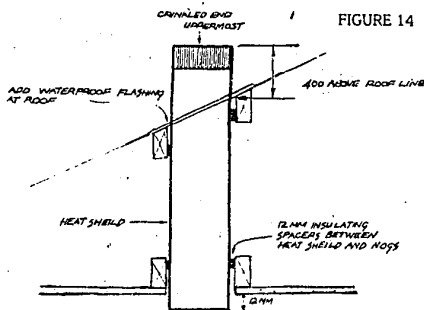


FIGURE 14

The top of the Heat Shield must be at least 400 mm above the roof as shown in Figure 14. If more than 400 mm of the Heat Shield protrudes above the roof, the Shield may, but need not, be trimmed. The Heat Shield should now be flashed to waterproof the joint.

2.1.3 Assemble the two Flue Sections and fit the notched Flue Section to the lower (swaged) end, Figure 15. All flue seams should be in line. The bottom flue is notched to accommodate the Damper.

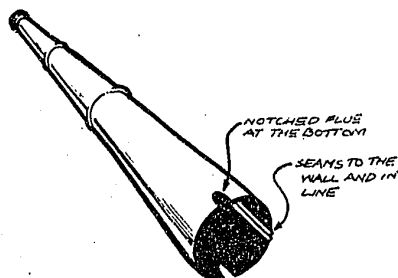


FIGURE 15

2.1.4 Clamp the Centralising Bracket with the lugs upwards, to the assembled Flue Sections so that the bottom of the bracket will be flush with the bottom of the Heat Shield when the flue is in place, Figure 16. Move the flue up and down to ensure that the Centralising Bracket is a free sliding fit within the Heat Shield. This is to accommodate expansion and contraction of the flue. If the bracket is tight, bend the ends of the arms slightly to achieve the desired fit.

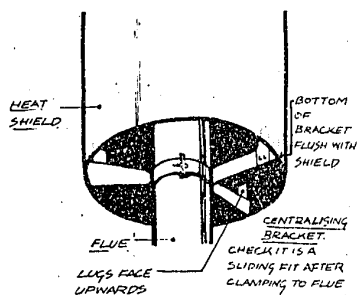


FIGURE 16

2.1.5 To ensure that the tops of the Baffle and Heat Shield are level with each other when finally installed, measure the length of the Heat Shield and subtract 19 mm (the height of the Centralising Bracket). Trim the Baffle to this dimension, Figure 17.

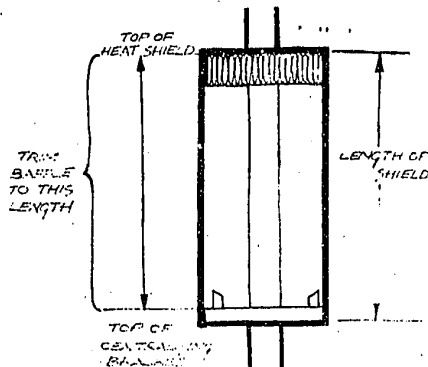


FIGURE 17

2.1.6 Ensure that the Damper is in position and place the Ceiling Plate, with the plastic coated side down over the flue outlet flange on the stove, Figure 18.

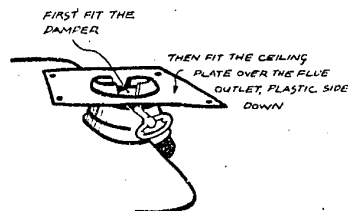


FIGURE 18

2.1.7 Insert the assembled flue upwards through the Heat Shield and fit the notched flue onto the outlet flange, making sure that the flue seam is towards the wall. Slide the Ceiling Plate up and screw it to the ceiling, using the spacers provided to keep the Ceiling Plate clear of the ceiling, Figure 19, making sure that the gap between the Ceiling Plate and flue is even all around. The protective plastic coating may now be peeled from the Ceiling Plate.

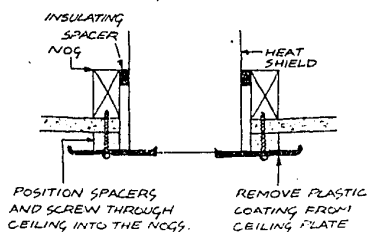


FIGURE 19

2.1.8 Lower the Baffle down the Heat Shield and centralise it on the Centralising Bracket, Figure 20.

SPIDER LUGS FIT BETWEEN SHIELD AND BAFFLE

2.1.9 The Spider may now be fitted to the assembled flue. The Spider should pass down between the Heat Shield and Baffle, Figure 20. Clamp the Spider to the flue.

Since the flue will expand and contract, the Spider must be able to slide freely between the flue and Baffle. If necessary, trim the Spider to allow this free movement.

2.1.10 The Flashing Cone is fitted to the top of the flue to rest on the flue and Flashing Cone. The Flashing Cone is 600 mm above the roof level. The Flashing Cone is slipped into place inside the Heat Shield, Figure 21. The Flashing Cone is fastened to the top flue section by a firm sliding fit. If it is slightly loose, it can be tightened slightly to obtain the required fit.

FIT FLASHING CONE

600 mm

ROOF APEX

If the Flashing Cone is not fitted correctly, the Flashing Cone may project above the roof, Figure 24, a Weather Seal is required. See details in Non Standard Installation below.

2.1.11 If a Flue Heat Deflector is now fitted to complete the flue, the bottom of the Flue Heat Deflector must be less than 150 mm below the roof level. Assembly of the Flue Heat Deflector Kit is detailed in Figure 25.

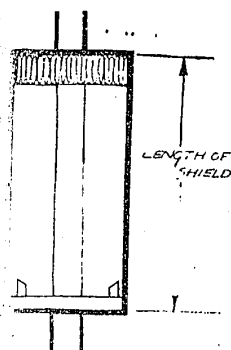


FIGURE 17

is in position and the plastic coated side on the stove, Figure

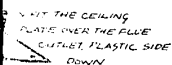


FIGURE 18

upwards through the flue onto the outlet. The seam is towards the top and screw it to the wall to keep the flue in position. Figure 19, making the Ceiling Plate and flue flange plastic coating Ceiling Plate.

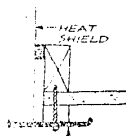


FIGURE 19

2.1.8 Lower the Baffle down through the Heat Shield and centralise it on the lugs on the Centralising Bracket, Figure 20.

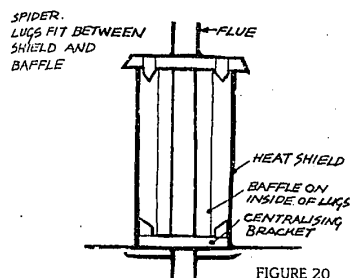


FIGURE 20

2.1.9 The Spider may now be placed over the top of the assembled flue. The lugs on the Spider arms should pass down between the Baffle and the Heat Shield, Figure 20. Clamp the Spider in place.

Since the flue will expand and contract, the Spider must be able to slide freely between the Heat Shield and Baffle. If necessary, distort the top of the Heat Shield to allow this free movement.

2.1.10 The Flashing Cone can now be placed over the top of the flue to rest on the Spider. If the top of the flue and Flashing Cone are level, and at least 600 mm above the roof ridge, the Raincap may be slipped into place inside the flue to complete the installation, Figure 21. The Raincap should not be fastened to the top flue section, although it should be a firm sliding fit. If it is loose, distort the flue slightly to obtain the required fit.

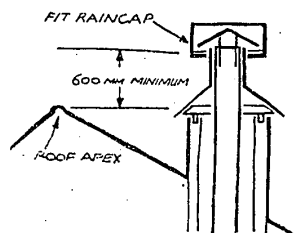


FIGURE 21

If the Flashing Cone is above the flue as in Figure 22, the Flashing Cone may be trimmed to suit, or, if the flue projects above the Flashing Cone as in Figure 24, a Weather Sleeve will be required as detailed in Non Standard Installations, Section 2.2.2 below.

2.1.11 If a Flue Heat Deflector is required, this may now be fitted to complete the installation, Figure 6. The bottom of the Flue Heat Deflector should not be less than 150 mm below the top of the heat screen on the wall. Assembly instructions accompany each Flue Heat Deflector Kit.

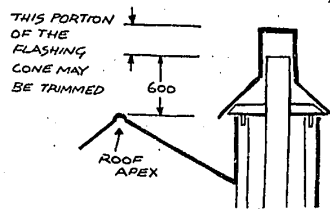


FIGURE 22

## 2.2 Non Standard installations

Installations should proceed as in 2.1. When extra Flue Sections, Heat Shields, Baffles and Weather Sleeves are required to achieve the necessary heights above the roof, additional components are available from your retailer. Refer to Figure 10 for part numbers.

2.2.1 On sloping ceilings, the bottom end of the Heat Shield and Baffle must be trimmed to the appropriate angle, Figure 23. The Baffle will have to be slotted to fit over the arms of the Centralising Bracket.

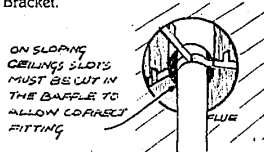


FIGURE 23

2.2.2 The Flashing Cone and Spider may now be installed on top of the Heat Shield as in 2.1.9. If the flue protrudes above the Flashing Cone, up to 300 mm of the flue may be trimmed off to bring the top of the flue and Flashing Cone level. When more than 300 mm of the flue protrudes above the Flashing Cone, a Weather Sleeve must be added, Figure 21, with swaged end uppermost. The bottom end of this sleeve should be trimmed so that the top is level with the top of the flue.

More than one Weather Sleeve may be used if the height of the installation requires it, but if more than two Sleeves are required, they must be stabilised with wire stays.

2.2.3 The Raincap may now be slipped into place inside the top flue to complete the installation.

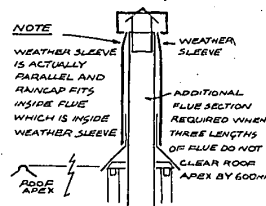


FIGURE 24

### 3. Installing a stove in a fireplace

Only the Yukon Stove is suitable for this type of installation and may be installed in most existing fireplaces.

#### 3.1 Stove installation

Before installing the stove, the chimney should be swept and inspected for soundness; the joint of the fireplace with the chimney face should be examined for separation, and all timber work near the fireplace should be checked to ensure that it is at least 50 mm clear of the brickwork to prevent overheating.

A straight Flue Socket will usually be required and this is bolted to the back of the stove in place of the Elbow supplied as standard. Your stove stockist will supply you with a straight Socket in exchange for the standard Elbow at no charge. The Baffle Plate must be reinstalled when the straight Socket is fitted, Figure 2. With the straight Socket, the Damper is fully open when the Damper Handle is in line with the flue, not vertical as it is when used with the standard Elbow.

When installed in a fireplace opening, the following requirements must be met.

A) Exposed heat sensitive materials within 860 mm

of the stove should be screened in an approved manner, refer 1.2 Protecting the Walls. This includes mantelpieces and heat sensitive walls.

B) The hearth should extend at least 300 mm beyond the legs in all directions, refer 1.3 Protecting the Floor.

C) The stove should not discharge into a chimney common with another fireplace.

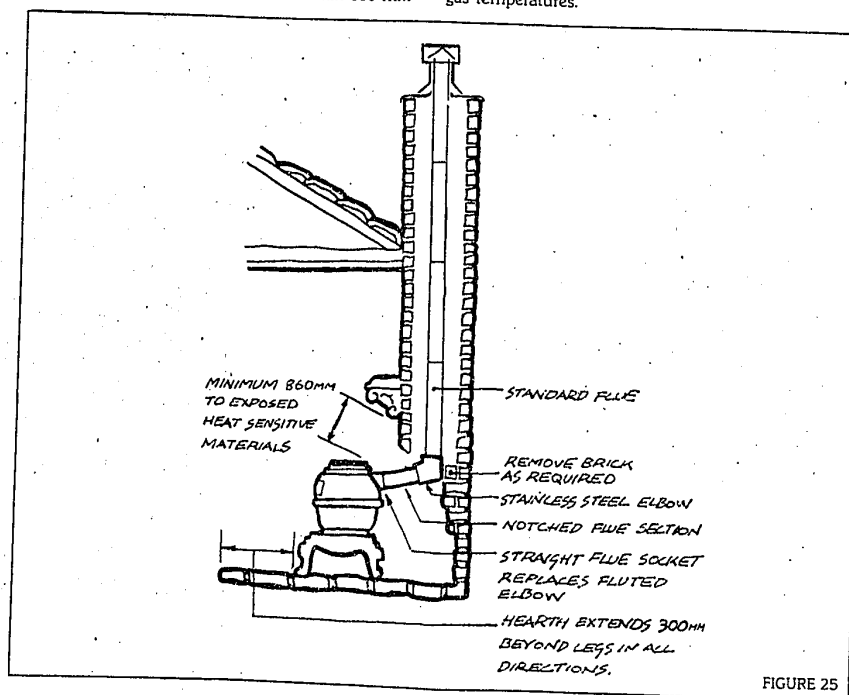
D) Provision should be made for sweeping the flue without requiring dismantling or reinstatement work by tradesmen other than the chimney sweep.

#### 3.2 Flue installation

Two methods of installation are possible, Full Height Flue and, Short Flue installations.

##### 3.2.1 Full Height Flue Installation:

This method of installation is recommended as it gives a more positive draught which yields the best stove combustion efficiency, Figure 25. A full height flue should always be used if there is any doubt regarding the soundness of the mortared chimney joints and their ability to withstand the increased flue gas temperatures.



Assemble the Swaged Flue downward, in the chimney, ensure that the top will project above the top of the chimney.

The flue may now be connected using a Notched Flue Section, length, and a stainless steel flue be supported as described.

Fabricate a chimney flue cap of steel with a hole which allows a sliding fit. The hole should be large enough to stop water running down the flue.

Flashing Cone over the flue into the top to rainproof the chimney. The second installation method is for a short flue, where the flue plate to be secured in the fireplace opening; Figure 26 shows the stove as in 3.2.1 above.

The register plate must be secured in the fireplace opening above it by at least 1200 mm of masonry to prevent air loss. The register plate must have a removable cover on the chimney to be swept.

## place

screened in an approved  
facing the Walls. This includes  
sensitive walls.

extend at least 300 mm  
sections, refer 1.3 Protecting

discharge into a chimney  
replace.

made for sweeping the flue  
flashing or reinstatement work  
the chimney sweep.

## ilation

ion are possible, Full Height  
ulations.

tallation:

is recommended as it  
ght which yields the best  
y, Figure 25. A full height  
d if there is any doubt  
of the mortared chimney  
withstand the increased flue

Assemble the Swaged Flue Sections, swaged end  
downward, in the chimney using sufficient lengths to  
ensure that the top will protrude at least 300 mm  
above the top of the chimney.

The flue may now be connected to the stove  
using a Notched Flue Section cut to the required  
length, and a stainless steel Elbow. The flue should  
be supported as described in Section 3.2.3.

Fabricate a chimney flashing sheet of galvanised  
steel with a hole which accepts the flue with an easy  
sliding fit. The hole should be flanged upward to  
stop water running down the chimney. Place a  
Flashing Cone over the flue and slide a Rain Cap  
into the top to rainproof and prevent draught.

### 3.2.2 Short Flue Installation:

The second installation method requires a register  
plate to be secured in the chimney at the roof of the  
fireplace opening; Figure 26. The flue is attached to  
the stove as in 3.2.1 above, and passes through a  
close fitting hole in the register plate, extending  
above it by at least 1200 mm.

The register plate must fit snugly against the  
masonry to prevent air loss up the chimney. It must  
have a removable cover or other means of allowing  
the chimney to be swept.

### 3.2.3 Supporting the Flue

It may be necessary, especially where a full height  
flue is used, to use some additional form of flue  
support. This may be done by fastening a bracket to  
the masonry, or by constructing a support or tripod  
which can stand in the fireplace, Figure 27.

A strap (Centralising Bracket) or similar may be  
clamped around the flue to transfer the weight of  
the flue to the support.

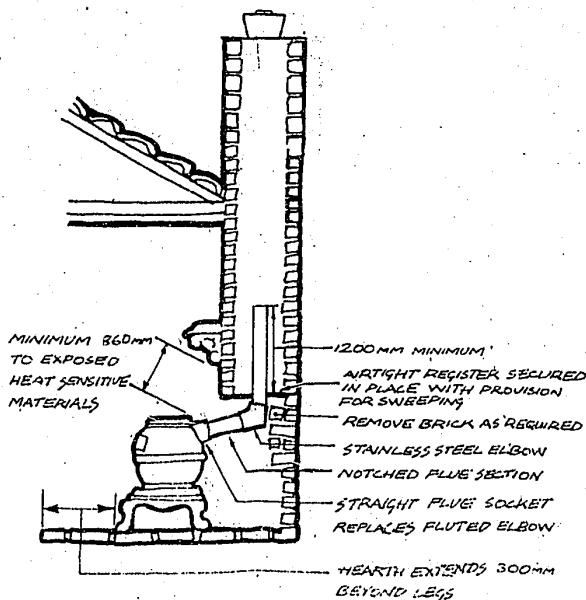
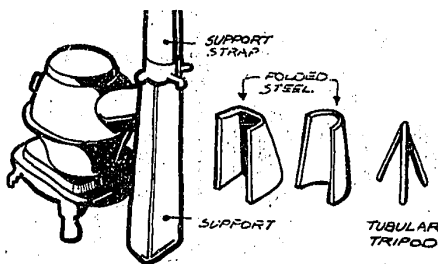


FIGURE 25

FIGURE 26

## 4. Installing a stove fitted with a water heating coil.

Plumbing work should meet the requirements of N.Z.S. 4603:1976 unless Local By-Laws rule otherwise, and it should be carried out by a qualified tradesman.

A stove fitted with a Coil should not be fired unless connected to the cylinder with water free to circulate. The external pipe connections are located at the rear of the stove: the outlet at the top, inlet at the bottom, Figure 28.

Check that the Water Heating Coil is correctly positioned inside the Stove. The Coil should rise steadily from the lower inlet to the top outlet without any down hill section which could cause an air-trap and give poor circulation.

Ideally, the following conditions should be fulfilled when connecting the Coil to a hot water cylinder, Figure 28.

The piping methods suggested are designed to prevent hot water circulating back through the stove when it is not in use. It will normally be necessary to modify an existing cylinder by adding an outlet leading to the Coil and providing an inlet with an internal riser. Alternatively, a new dual purpose cylinder may be installed.

4.1 The bottom of the cylinder should be above the outlet of the Coil. Some Electrical Authorities specify a minimum height difference. Check in your area.

The further the Stove is from the Cylinder the higher the cylinder should be above the coil. It is

recommended that the cylinder be 200 mm above the coil for every metre it is away from the stove.

4.2 The cylinder should be within three metres of the coil. The unit will operate at greater distances but the water circulation rate will be reduced as the length of pipe increases.

4.3 The pipe returning to the cylinder should not fall below the level of the coil outlet and should preferably rise continuously from the coil to the cylinder. Both pipes between the Coil and the cylinder should be lagged separately to minimise heat loss. They should not be run immediately adjacent to each other as this will minimise the heat differential and reduce the flow rate.

4.4 The changes in direction in pipes should be through bends rather than elbows to minimise frictional losses.

4.5 All pipe work between Coil and cylinder should be at least 25 mm diameter.

4.6 If the return pipe rises above the point of re-entry into the cylinder, a vent pipe must be provided at the highest point in the return pipe, Figure 29.

Note: Shut-off or non-return valves must not be fitted in the pipes between the cylinder and the Coil. A drain valve may be fitted at the low point in the system.

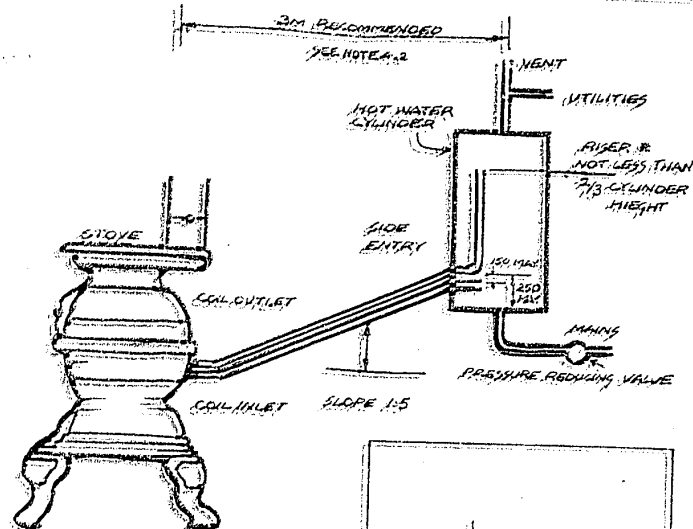
	PITTSBURGH mm	KLONDIKE mm	YATSO mm	YUKON mm	OREGON mm
a. Pipe Connections					
Height above					
hearth (i) inlet	445	335	445	285	335
(ii) outlet	495	435	495	385	435
b. Connection Thread	1" BSP	3/4" BSP	1" BSP	3/4" BSP	3/4" BSP

\* NOTE: RISER IN  
ELIMINATING  
THROUGH  
DEPOSIT  
TOP FOR

\*  
NOT LESS THAN  
2/3 CYLINDER  
HEIGHT

RETURN PIPE  
25 MM

BOTTOM END



\* NOTE: RISER INSIDE CYLINDER  
ELIMINATES BACK CIRCULATION  
THROUGH COLD STOVE AND  
DEPOSITS HOT WATER AT THE  
TOP FOR QUICK RECOVERY

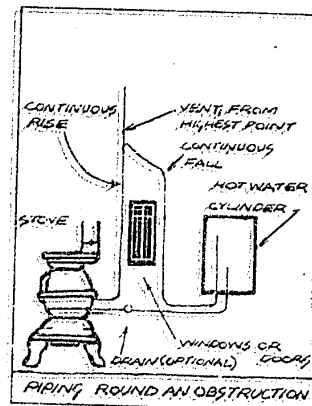
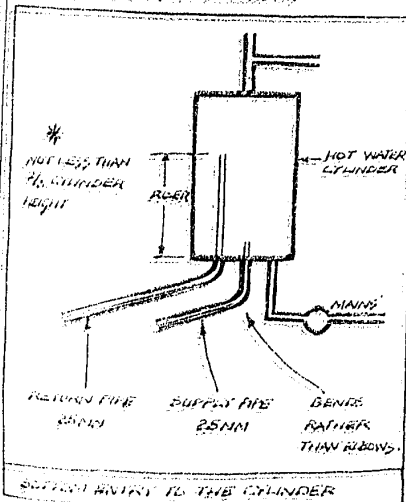


FIGURE 28

These diagrams are manufacturer's recommendations only and may not necessarily comply with Local Body requirements regarding water coil installations. Please check with your local authority before proceeding.

FIGURE 27



# COPY

CODE COMPLIANCE CERTIFICATE NO: ABA 98003622

Section 43(3), Building Act 1991

ISSUED BY: WAITAKERE CITY COUNCIL

BUILDING CONSENT NO: ABA 98003622

(Insert a cross in each applicable box. Attach relevant documents).

PROJECT	PROJECT LOCATION
<div>All <input checked="" type="checkbox"/></div> <div>Intended Use(s) in detail:</div> <div>Unknown</div> <div>Proposed Work:</div> <div>HEATER INSTALLATION</div> <div>Intended Life:</div> <div>15 Years</div>	<div>Name: BURRAGE, DAVID ALAN</div> <div>Street Address:</div> <div>87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY</div> <div>Mailing Address:</div> <div>87 KAURI POINT RD</div> <div>LAINGHOLM</div> <div>WAITAKERE CITY 1007</div>
	<div>LEGAL DESCRIPTION</div> <div>Property Number: 50949</div> <div>Valuation Roll No: 33800 58000</div> <div>Legal Description: LOT 357 DP 17523</div>

This is:

☒

A final code compliance issued in respect of all of the building work under the above building consent.

☐

An interim code compliance certificate in respect of part only, as specified in the attached particulars of the building work under the above consent.

☐

This certificate is issued subject to the conditions specified in the attached ...page(s) headed "Scope and Conditions of Code Compliance Certificate No. ABA 98003622 (being this certificate)"

Signed for and on behalf of the Council:

Name:

*LB Welch*

Position: ~~Building/Plumbing and Drainage Surveyor~~

Date: 02/09/1998

# ADVICE of COMPLETION OF BUILDING WORK

Section 43(1), Building Act 1991

WAITAKERE CITY COUNCIL

TO WAITAKERE CITY COUNCIL

25 AUG 1998

Under building consent no : 98003622

(Insert a cross in each applicable box. Attach relevant documents.)

From (Applicant):

368350

Name: BURRAGE, DAVID ALAN

Mailing Address: 87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

You are hereby advised that:

☒

All

☐

Part only as specified in the attached particulars

of the building work under the above building consent is believed to have been completed to the extent required by that building consent.

You are requested to issue

☒

A final

☐

An interim

02 SEP 1998

code compliance certificate accordingly (except where a code compliance certificate has been issued by a building certifier as stated below).

The attached particulars include:

☐

Building certificates

☐

Code compliance certificate issued by a building certifier.

☒

Producer Statements

Signed by/for and on behalf of the owner:

Name: 

Position: OWNER

Date: 22. 8. 98

Chief Executive	
Corporate Services	
Construction Dept.	
Regulatory	✓
Strategy & Dev	
Human Resources	

TO: WAIKARE CITY  
(Territorial Authority)



BUILDING CONSENT NO: 98003622  
BUILDING REGULATION CLAUSE

**PRODUCER STATEMENT - CONSTRUCTION**

ISSUED BY: **JOHN SCHISHKA**  
(N.Z. Home Heating Assoc. Certified Installer)

INSTALLER NO: **1239**

IN RESPECT OF: Installation of Solid Fuel Heater

AT: 87 KAURI POINT ROAD  
L AINGHUA  
(Address)

LOT: 387 DP: 17523 SO: —

**JOHN SCHISHKA**  
(Certified Installer)

has contracted to

DAVID & JANE BUCKAGE  
(Owner/Developer)

to perform the above work as described.

I **JOHN SCHISHKA** Certified Installer No. **1239** have sighted

Building Consent No. 98003622 and believe on reasonable grounds that the solid fuel heating appliance installation has been installed as per the above Building Consent and the Heater Manufacturers instructions.

SIGNATURE OF CERTIFIED INSTALLER: *John Schishka*

DATE: 20.8.98

**EMPLOYMENT STATUS** - Self employed

Address: **Fireplace Service (1998) Ltd**  
**13 b Crystal Ave**  
**Glendene**

Phone: **(09) 8387661**

**BUILDING CONSENT NO: ABA 98003622**

**Section 35, Building Act 1991**

**ISSUED BY: WAITAKERE CITY COUNCIL**

(Insert a cross in each applicable box. Attach relevant documents).

APPLICANT	PROJECT
Name: BURRAGE, DAVID ALAN Mailing Address: 87 KAURI POINT RD LAINGHOLM WAITAKERE CITY 1007	All <input checked="" type="checkbox"/>  <b>Proposed Work :</b>  HEATER INSTALLATION
<b>PROJECT LOCATION</b>	
Street Address:  87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY	<b>Intended Use(s) in detail:</b>  Unknown
<b>LEGAL DESCRIPTION</b>	<b>Intended Life:</b>  15 Years
Property Number: 50949  Valuation Roll No: 33800 58000  Legal Description: LOT 357 DP 17523	<b>Estimated Value: \$2000</b>  <b>Signed for and on behalf of the Council:</b>  Name: T.C.  Position: Clerk - Building Consents  Date: 19/08/1998

This building consent is a consent under the Building Act 1991 to undertake building work in accordance with the attached plans and specifications so as to comply with the provisions of the building code. It does not affect any duty or responsibility under any other Act nor permit any breach of any other Act.

This building consent is issued subject to the conditions specified in the attached pages headed "Conditions of Building Consent No "

## **CONDITIONS OF BUILDING CONSENT ABA 98003622**

The above Building Consent has been approved today subject to the following conditions:-

1. Subject to compliance with the maximum building height and the height in relation to boundary controls contained in the Waitakere City District plan. (If you have any concern above this you should apply separately for a planning clearance).
2. Installation to comply with NZS 7421 and the manufacturer's installation instructions.
3. Seismic restraints must be provided.
4. A Producer Statement from the installer is to be forwarded to Council on completion of the installation.

### **PLEASE NOTE:**

If second-hand parts or material are to be incorporated into this installation they should be checked to determine soundness by a suitably qualified person prior to installation.

The inspection carried out after installation in terms of the building consent only covers the installation of the unit to ensure that the installation is in accordance with the manufacturer's installation instructions.

# PRODUCER STATEMENT APPLICATION FOR THE INSTALLATION OF A SOLID FUEL HEATER

Applicant: I                      **John Schischka**                      Installer No      **1239**

a certified installer with the New Zealand Home Heating Association hereby apply to

the WAITAKERE CITY  
(Territorial Authority)

to install a solid fuel heating appliance for:

Customer: D. A. + J. BURRAGE at

Address: 87 KAURI POINT ROAD  
LAINGHOLM AUCKLAND

and on completion of the work furnish to the territorial authority a Producer Statement, as provide for in Section 33(5) of the Building Act 1991, certifying that the work has been carried out in accordance with the manufacturers specifications and the installation complies with the New Zealand Building Regulations 1992.

Certified Installer:      **John Schischka**                      Date: 18.8.98

Signature:                      

EMPLOYMENT STATUS – Self employed

Address: Fireplace Services (1998) Ltd  
13b Crystal Ave  
Glendene

Phone:      (09) 838 7661

# INSTALLERS' CERTIFICATE



INCORPORATED

NEW ZEALAND HOME HEATING ASSOCIATION (INC)

## SOLID FUEL INSTALLERS' CERTIFICATE

This is to certify that

JOHN SCHISCHKA

OF

FIREPLACE SERVICE LIMITED

has passed the examinations of the New Zealand Home Heating Association in Solid Fuel Safety Technician's Certification Programme conducted in the year 1996 and has qualified for a three year period as a Registered Installer of Solid Fuel Heating Appliances.

Dated : 24 October 1996

Installer's No. 1239

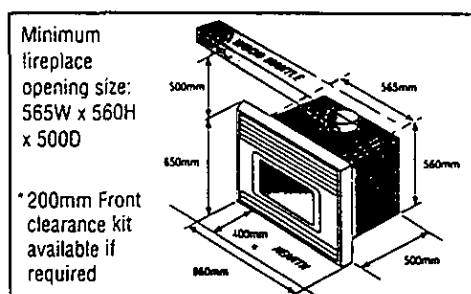
President

Secretary



# INSTALLATION CLEARANCES

## IN-BUILT MODEL



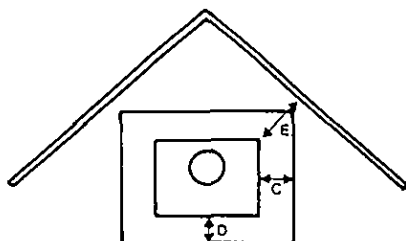
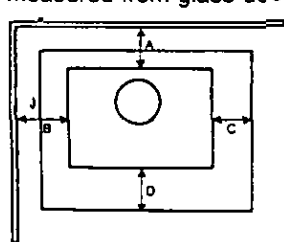
## FREE STANDING MODELS

### WITHOUT FLUE SHIELD

### WITH FLUE SHIELD

	A	B	C	D*	E	A	B	C	D*	E
SPECTRA	350	350	110	200	250	175	300	110	200	50
TILEFIRE	400	450	130	200	300	100	400	130	200	50
FIORENZI	375	300	110	365	225	75	200	110	365	50
FIAMMA	375	300	110	200	225	75	200	110	200	50
SHERWOOD	425	550	130	450	400	125	500	130	450	175
LOGGER	400	550	255	400	480	250	550	255	400	320
EUROFIRE	375	300	110	200	225	75	200	110	200	50
MULTIFUEL	550	425	110	400	400	175	350	110	400	100
VISTA	550	400	110	400	350	175	300	110	400	100
COMBI	550	400	110	400	350	175	300	110	400	100

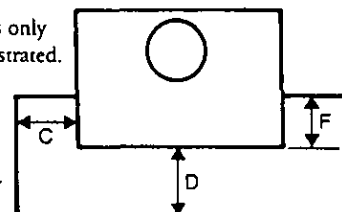
\*Measured from glass door



### EUROFIRE

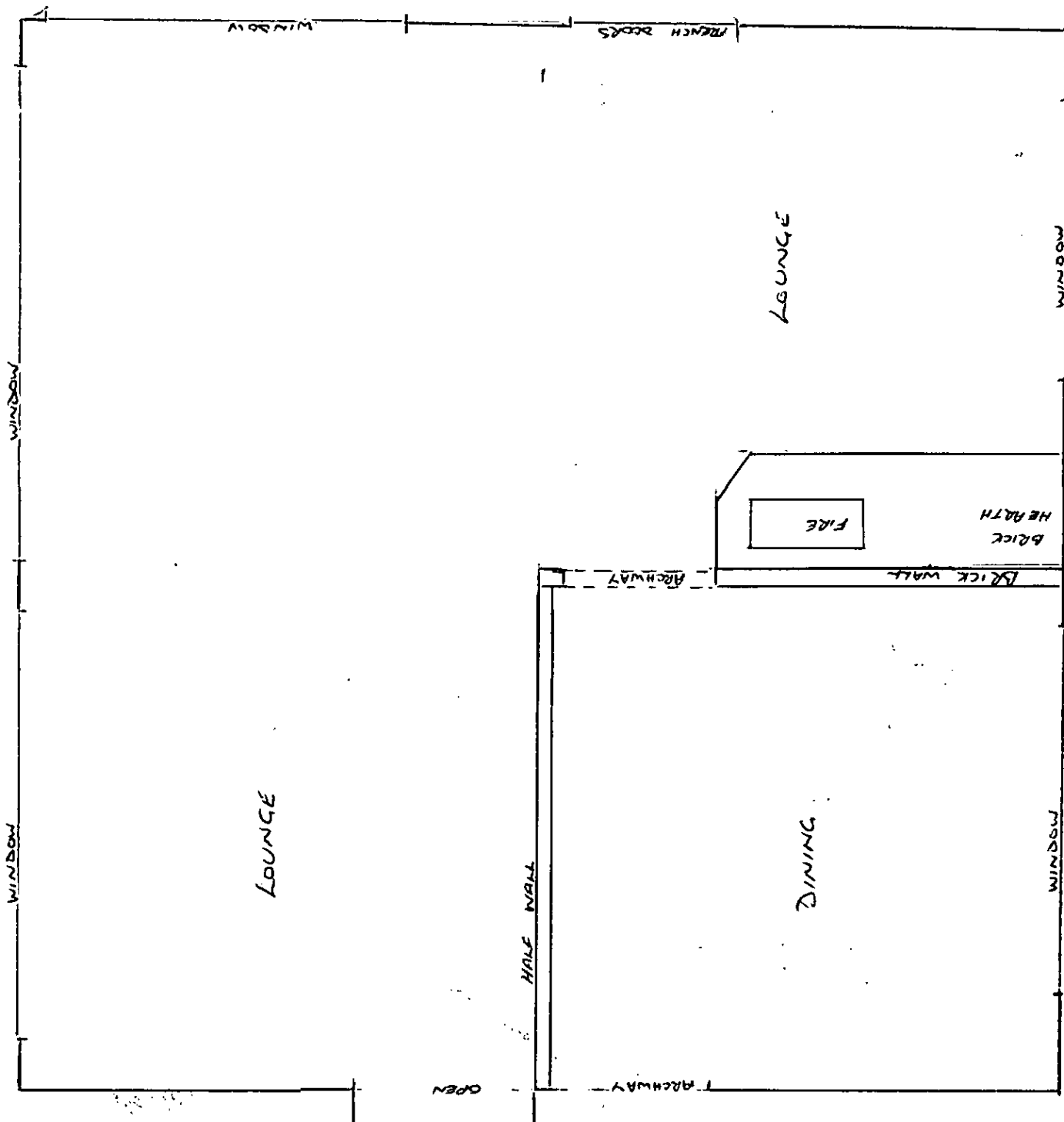
Note: Eurofire requires only an "ash hearth" as illustrated. It is not necessary for this hearth to extend underneath the fire.

F = 200mm



## KENT SPECIFICATIONS

SPECIFICATIONS	SPECTRA CLEAN AIR	TILEFIRE CLEAN AIR	FIORENZI CLEAN AIR	FIAMMA CLEAN AIR	SHERWOOD CLEAN AIR	EUROFIRE CLEAN AIR	LOGFIRE CLEAN AIR	MULTI FUEL	VISTA	COMBI
Flue Diameter (mm)	150	150	150	150	150	150	150	150	150	150
Height (mm)	645	660	515	635	660	765	560 (fire) 650 (fascia)	690	540	600
Width (mm)	645	530	615	615	525 (body) 550 (top)	615	565 (fire) 860 (fascia)	645	645	645
Depth (mm)	500	710	510	510	710	435	500	470	470	470
Max Output (up to) (kw)	15	17	10	10	17	10	17	35c/19w	16	16
Shipping Weight (kg)	106	120	66	72	125	75	106	144	108	108
Max. Log Size (mm)	400	420	370	370	420	370	420	480	480	480
Firebox Volume (litres)	46	51	34	34	51	34	51	31	42	42
Emission Level (g/kg)	5.45	3.1	5.3	5.3	3.1	5.3	2.2	-	-	-



PLANS AND SPECIFICATIONS  
 APPROVED  
 SUBJECT TO CONDITIONS FOR DEED  
 ON BUILDING CONSENT  
 DATED: 1. Aug. DATE 18/8/98  
 BUILDING CONTROL OFFICE

**WAITAKERE  
CITY  
COUNCIL**

 PRIVATE BAG 93109 HENDERSON  
 WAITAKERE CITY  
 PH 836-8080

**APPLICATION FOR BUILDING CONSENT  
SOLID FUEL HEATERS**

(Attach all relevant documents in duplicate)


 Waitakere City Council  
 Te Taiao o Waitakere
APPLICATION NUMBER 98003622

OWNER	CONTACT (if not owner)
Name: <u>DAVID &amp; JANE BURRAGE</u> Postal Address: <u>87 Kauri Point Rd</u> <u>Langitohu</u> Phone Number: <u>817454</u> Fax Number: _____	Contact Name/Company: _____ Postal Address: _____ Phone Number: _____ Fax Number: _____
<b>PROJECT LOCATION</b>	
Number: <u>87</u> Street: <u>Kauri Point Rd</u> Locality: <u>Langitohu</u>	
<b>LEGAL DESCRIPTION</b>	
Valuation Number: _____ Lot: <u>357</u> DP: <u>17523</u>	
<b>PROJECT</b>	
Proposed Work: <u>Installation of a solid fuel heater</u> Estimated Value: \$ <u>2000.00</u> (GST Incl.) Intended Life: Indefinite but not less than 50 years. <input checked="" type="checkbox"/> or specified as <u>15</u> Years Do high-tension electricity transmission lines cross the property? Yes <input type="radio"/> No <input checked="" type="radio"/> Will a wet-back be installed? Yes <input type="radio"/> No <input checked="" type="radio"/> Is the heater already installed? Yes <input type="radio"/> No <input checked="" type="radio"/>	
<p>The information collected in this form is required under provisions of the Building Act 1991 to process this application for Building Consent.</p> <p>This information forms part of the Council's records relating to the property and will be held for at least the life of the building to which it relates. The information is freely available upon request to any person who so wishes to inspect Council's record except for those plans marked confidential pursuant to s.27 of the Building Act 1991.</p> <p>Personal information relating to the applicant/owner, the project and the property contained in this form will be used as part of statistical information produced by Council which is provided to Valuation NZ and Statistics New Zealand and is also available, for a fee, to any person upon request from the Council.</p>	
Signed by or for and on behalf of the owner: _____ Position: <u>Owner</u> Date: <u>19/8/98</u>	

## NOTES

### **Application for Building Consent:**

This application form can be used to apply for a building consent to install a solid fuel heater, a wood/coal burning range, or a domestic 'chip' heater. All applicable parts of the form should be completed.

**Note:** Pursuant to sections 32 and 33 of the Building Act 1991 a building consent must be uplifted prior to the commencement of any work proposed in this application for building consent. A building consent cannot be issued retrospectively for any work that has been carried out prior to the issue of the building consent.

### **Supporting Documentation:**

With your application it will be necessary to provide (in duplicate) the manufacturer's installation instructions and a floor plan or plan of the room showing the position of the proposed appliance.

### **Wet-back Installation:**

If it is intended to connect the appliance to the hot water system it will be necessary to show on the above plan the position of the hot water cylinder and the position of the pipes between the cylinder and the wet-back.

### **Solid Brick Screens/Feature Walls:**

If solid brick screens or feature walls are proposed that exceed 1.2metres in height a report will be required from a registered engineer proving that the floor will support the weight of the screen/wall. The report and any upgrading measures that may be necessary should accompany your application for building consent.

### **High-Tension Electricity Transmission Lines:**

If high-tension electricity transmission lines cross your property in the vicinity of your building, proof will be required from the line owner that the flue complies with the conductor clearances prescribed in the New Zealand Electrical Code of Practice. This approval will need to be included with your application for building consent.

**Note:** The above requirement does not refer to the power lines that are on the street frontage or the domestic supply from the street to the house.

### **Inspection Fee:**

An inspection fee is not applicable if a producer statement is provided by an approved installer. If a wet-back is installed an additional inspection fee will be required for the plumbing inspection which will be carried out by Council.

### **Further Help:**

Should you have any queries about making your application for a building consent please contact our Customer Services Staff on 836-8080.

OFFICE USE ONLY	
CHARGES	CATEGORY 1
The Council's charges payable on the making of this application are:	Plan Processing Fee: .....
\$ <u>55.00</u> Receipt No: <u>322621</u>	Code Compliance Certificate: .....
Date: <u>19/8/98</u>	Inspection Fee: .....
This application will not be processed until the Application Fee is paid	.....
	<b>TOTAL</b> .....

ABA NO: 98003632

1 July 97

**HEATER INSTALLATION PROCESSING SHEET**

Approved by J. Day Building Surveyor 19/8/98 Date

Approved by Plumbing & Drainage Surveyor Date

**REMARKS**

**BUILDING SURVEYORS CHECKLIST**

**INITIAL OR N/A**

Electricity Transmission Line Clearance Received

**BUILDING CONSENT CONDITIONS**

1. Subject to compliance with the maximum building height and the height in relation to the boundary controls contained in the Waitakere City District Plan. (If you have any concern about this you should apply separately for a planning clearance.)
2. Installation to comply with NZS 7421 and the manufacturers installation instructions.
3. Seismic restraints must be provided.
4. A producer statement from the installer is to be forwarded to Council on completion of the installation.

**INSPECTIONS REQUIRED :** ☐ Final CCC Bldg ☐ Final CCC P&D

CODE	FEE DESCRIPTION	\$	c
101	Plan Processing Fee		
104	Inspection Fee		
105	Code Compliance Certificate		
	<b>TOTAL</b>	\$	

**FINAL CHECK**

Initials J-C

Date 19/8/98



Waitakere City Council  
*Te Tatao o Waitakere*

Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)  
Website: [www.waitakere.govt.nz](http://www.waitakere.govt.nz)

Private Bag 93109  
Henderson  
Waitakere City

Refer: R Greaves (Field Services)  
Extn: 8699 (Civic Centre)

13 August 2002

Daniel Simperingham  
87 Kauri Point Road  
Laingholm  
**WAITAKERE CITY 1007**

Dear Sir

**RE: UNAUTHORISED SUBFLOOR DEVELOPMENT**

Thank you for your letter dated 6 August 2002.

A private certifier *could* carry out a Safe and Sanitary inspection for that alteration. However that would not help the situation, as you have a separate dwelling unit, and that would have to be an application made through the Council.

I suggest you visit Council with your proposal. You may have planning issues which will have to be discussed, and other information required.

Yours faithfully

Richard Greaves  
**CUSTOMER FIELD ADVISOR**  
**(Building Compliance)**

- 7 AUG 2002

6<sup>th</sup> August 2002

Richard Greaves  
Customer Field Advisor  
Waitakere City Council.

540970

Re: 87 Kauri Point Road Laingholm  
Lot 357 DP17523

Dear Richard

The downstairs area of the house was in existence when I bought the house. I assume the previous owner built the rooms downstairs.

I bought the house at auction and was unaware there was no record of that part of the house on the Council file.

May I apply for a safe and sanitary certificate to help rectify this situation?

Thank you for your assistance with this matter.

Sincerely

Dan Simperingham.

13 AUG 2002

DAN M. SIMPERINGHAM,

UNAUTHORISED SUBROOM DEVELOPMENT

THANK YOU FOR YOUR LETTER DATED 6<sup>th</sup> AUGUST 02.

A SAFE AND SANITARY COULD BE CARRIED OUT  
BY A PRIVATE CERTIFICATOR FOR <sup>THE</sup> ALTERATION,  
HOWEVER THAT WOULD NOT HELP THE SITUATION  
YOU HAVE AS A SEPARATE DWELLING UNIT.  
THAT WOULD BE A APPLICATION <sup>MADE</sup> THROUGH COUNCIL.

Chief Executive	
Corporate Services	
Community Devel.	
Regulatory	
Strategy & Dev.	
Human Resources	
City Infrastructure	
Maori Issues	
Field	

I suggest that you visit council with your proposal,  
you have planning issues which would have to be discussed,  
and other information required

Y F B



23 July 2002

Refer: Mr Greaves : pt (Field Services)  
Extn. 8699 (Civic Centre)

Daniel Simperingham  
87 Kauri Point Road  
Laingholm  
**WAITAKERE CITY 1007**

Dear Sir/Madam,

**RE: UNAUTHORISED BUILDING WORK AT 87 KAURI POINT ROAD, LAINGHOLM  
WAITAKERE CITY  
LOT 357 DP 17523**

A visit was made to the above property on 22 July 2002 and it was found that unauthorised building work has been carried out on the property, being:

1. That a separate dwelling unit has been built within an existing dwelling.

Would you please confirm to Council what you intend to do with the separate space.

This building work is unauthorised because no building consent has been obtained for it. Building work at this property must cease immediately.

Council cannot issue a retrospective building consent for work already undertaken and consequently a requisition noting the unauthorised work will be placed on the property and will remain there until the unauthorised work is removed.

Council asks for an explanation about how this building work was carried out and who was involved in doing it. However, you should note that any information provided by you could be used in Court, as carrying out unauthorised building work is an offence under the Building Act 1991. Please provide this information within two weeks.

Feel free to contact the writer if you have any questions.

Yours faithfully



Richard Greaves  
**CUSTOMER FIELD ADVISOR  
(BUILDING COMPLIANCE)**

# Swimming and spa pool fencing inspection checklist

**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



Address of property: 87 Kauri Point Road Laingholm  
 Owner/Occupier name: Imtiaz Kagalwala Phone no: \_\_\_\_\_  
 Inspector's name: Reg Pitchard Phone no: 09 484-7237  
 Pool type: ☒ Swimming pool ☐ Spa pool ☐ Other: Swimming Pool  
 Reason for inspection: ☐ 3 yearly inspection ☐ Re-inspection ☐ New pool ☒ Site meeting ☐ Prim. inspection ☐ Sec. inspection  
 Date of inspection: 5/6/15 BC # \_\_\_\_\_ ☒ SWP# 2001-~~2001~~ 9717

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors close and latch automatically from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	10. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	11. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring fences, barriers, ledges, trees, sheds, etc) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate open away from pool area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Is the gap under the fence or between vertical rails less than 100mm? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	13. Does the gate self-close and latch from a stationary opening position of 150mm? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
5. Is the distance between any 2 of the rails, at any point, at least 900mm? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☒ N/A

Comments: Follow up for pool fencing done. Photo's & email received from owner showing work completed for compliance. Pool fencing complies with FOSPA. No fee required

Result of inspection: (refer to schedule overleaf for more information)

☒ PASS

☐ FAIL (please rectify faults immediately)

☐ REFER TO NOTICE ATTACHED

SITE PLAN

## The Fencing of Swimming Pools Act 1987

The Act requires all pool owners, occupiers or tenants to fence the immediate pool area. This means the land in which the pool is situated on and as much of the surrounding area that is used for activities or purposes related to the use of the pool (this includes spa pools). The fence should be situated to prevent young children moving directly to the pool from the house, other buildings, garden paths and other areas of the property that would normally be available to young children. Refer to schedule below for further information.

**Important note:** If your pool does not comply, the Fencing of Swimming Pools Act 1987 requires the pool to be emptied immediately and remain empty until such time as it does comply.

### 1. Required height of a pool fence

- I. The fence shall extend-
  - a. at least 1.2 metres above the ground on the outside of the fence; and
  - b. at least 1.2 metres above any permanent projection from or object permanently placed on the ground outside and within 1.2 metres of the fence
- II. Notwithstanding sub clause (1), where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting, or mesh has a dimension (other than the circumference or perimeter) greater than 10mm, the fence shall extend at least 1.8 metres above the ground or the projection or object.

### 2. Ground clearance

Any clearance between the bottom of the fence and ground level shall not exceed 100mm.

### 3. Materials

All materials and components shall be of a durable nature and shall be erected so as to inhibit any child under the age of 6 years from climbing over or crawling under the fence from the outside.

4. Except where the fence is horizontally close-boarded or is made of perforated material, netting, or mesh, the spacing between adjacent vertical pales, panels, or other posts shall not exceed 100mm at any point.
5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.
  - 5A. Notwithstanding clause 5, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if-
    - a. the distance between any 2 of them at any point is at least 900mm; and
    - b. there is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.
6. Where any perforated material, netting, or mesh is used, no opening in that material, netting, or mesh shall have any dimension (other than the circumference or perimeter) greater than 50mm.
7. All perforated material, netting, or mesh material shall be firmly attached at both top and bottom to a rail, pipe, or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of 6 years.

### 8. Gates and doors

Every gate or door shall be so constructed as to comply with the relevant requirements of clauses 1 to 7, and shall be so mounted that-

- a. it cannot open inwards towards the immediate pool area
- b. it is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided
- c. when lifted up or pulled down the gate or door does not release the latching device, come off its hinges, or provide a ground clearance greater than 100mm

### 9. Operation of gates and doors

- I. Every gate or door shall be fitted with a latching device.
  - II. Where the latching device is accessible from the outside of the fence only by reaching over the fence, gate, or door or through a hole in the fence, gate, or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.
  - III. Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.
10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

### 11. Doors in walls of buildings (relates to special exemptions ONLY)

Where any building forms part of a fence and the pool is not contained within the building, any sliding or bi-fold door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the territorial authority is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, regulation, or bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.

## **Reg Pritchard**

---

**From:** Theo <tko@orcon.net.nz>  
**Sent:** Friday, 29 May 2015 1:40 p.m.  
**To:** Reg Pritchard  
**Cc:** Imtiaz Kagalwala  
**Subject:** Pool inspection SWIM-2001-13241  
**Attachments:** Inspection.jpg; Before.jpg; After.jpg

Hi

Further to your inspection, attached are pictures of the inspection form (Inspection), the identified non-compliance issue (Before) and the issue resolution (After) If you wish to contact me, please email or phone (09) 5507780 Kind regards Theo

--  
I'm not paranoid, but that doesn't mean they're not out to get me

# Swimming and spa pool fencing inspection checklist

**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



Address of property: 87 Kauri Point Road, LAINGHOLM  
 Owner/Occupier name: Kaleb Roeger Phone no: 09 550 7780  
 Inspector's name: REG PRITCHARD Phone no: 09 484 7237  
 Pool type: ☒ Swimming pool ☐ Spa pool ☐ Other: SWIMMING POOL  
 Reason for inspection: ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Prim. inspection ☐ Sec. inspection  
 Date of inspection: 14/5/2015 BC # SWIM-2001-9717

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors close and latch automatically from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	10. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	7. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	11. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring fences, barriers, ledges, trees, sheds, etc) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate open away from pool area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
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Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: LOI INSPECTION DONE  
ITEM NO 2 + NO 13 DOES NOT COMPLY WITH FOSPA  
PHOTOGRAPH CAN BE EMAILED FOR COMPLIANCE

Result of inspection: (refer to schedule overleaf for more information)

☐ PASS ☒ FAIL (please rectify faults immediately) ☐ REFER TO NOTICE ATTACHED

WORK TO BE DONE:

ITEM 12

① THE BOTTOM HORIZONTAL RAIL WITH CHICKEN WIRE BENEATH THE DECK NEEDS TO BE REMOVED OR COVERED ALL THE WAY UP LEVEL WITH THE DECK TO ELIMINATE CLIMBING POINT.  
 NOTE: IF YOU CHOOSE THE COVERING OPTION, THE 4X2 THAT EXTENDS PAST THE NEED TO BE CUT OFF FLUSH WITH THE DECK POST

② ITEM 13

THE GATE LATCHING DEVICE ON THE DECK NEEDS TO BE ADJUSTED SO IT DOESN'T JAM IN OPERATION.  
 OCCURRENCE RECTIFIED PROBLEM WHILE ON SITE

NOTE: ALL WORK MUST BE DONE BY 4/6/2015

## The Fencing of Swimming Pools Act 1987

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  - 5A. Notwithstanding clause 5, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if-
    - a. the distance between any 2 of them at any point is at least 900mm; and
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- a. it cannot open inwards towards the immediate pool area
- b. it is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided
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- III. Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.

10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

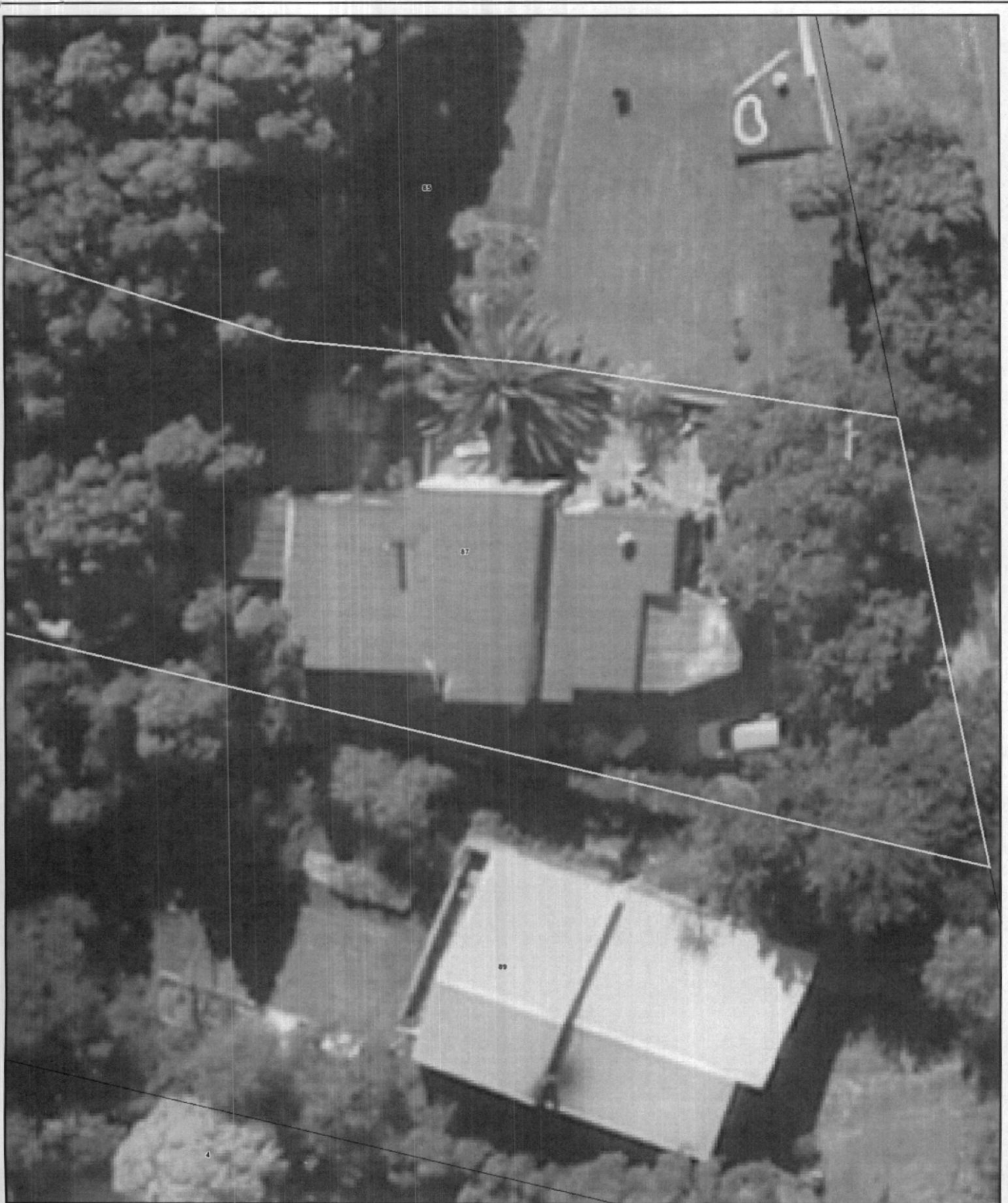
### 11. Doors in walls of buildings (relates to special exemptions ONLY)

Where any building forms part of a fence and the pool is not contained within the building, any sliding or bi-fold door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the territorial authority is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, regulation, or bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.









9/04/2015

## 87 Kauri Point Road LAINGHOLM

LOI Inspection

Cadastral Information from  
Land Information New Zealand  
Digital Cadastral Database DCDB  
Crown Copyright Reserved.



Scale = 1:222 @ A4

Services shown on public amenity land are not public drains unless used as through drains. While Council endeavours to provide accurate spatial data no guarantee as to the completeness and accuracy of the data shown on this plan can be given. All information, including levels and locations, are not of survey grade accuracy and should be verified on site. For enquiries about the information shown please phone the call centre (09) 839 0400.

28 September 2012

S J Walker-Moffat and I S Kagalwala  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS:** 87 Kauri Point Road, Laingholm  
LOT 3 DP 436878  
**SWP:** SWIM-2001-9717 Swimming Pool

I am writing to advise you that after an inspection of your Swimming pool on 27 September 2012 the Swimming pool fencing was confirmed as being in accordance with the Fencing of Swimming Pools Act 1987.

Council will re-inspect the property's pool fencing in approximately three (3) years in order to ensure that it still meets the requirements of the Act.

Should you intend to carry out any work on the pool fence, or any other work on the pool which may affect the pool fencing prior to the next inspection, please ensure that you notify Council of any such proposal.

Please find enclosed your re-inspection invoice for \$160.00.

Yours faithfully



**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**

**Ph 4407496**  
**Mob 021 863 327**

**TAX INVOICE**  
**GST Registration Number**  
**104-736-998**

S J Walker-Moffat  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

Date: 28-Sep-2012  
Customer No: 328038  
Invoice No: 1137758

Licence Location: 87 Kauri Point Road, Laingholm

Licence: SWIM-2001-9717

Fee Code	Transaction Description	Amount
INS	Inspection Fee	160.00

*All amounts include GST unless otherwise stated*

Invoice Total 160.00

Auckland Council, Private Bag 92300, Auckland 1142  
Ph 09 301 0101 Fax 09 301 0100 Web aucklandcouncil.govt.nz

**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



Remittance Advice :  
(Please Detach and Return with Payment)

Invoice Date: 28 September 2012

Licence: DLC

Invoice Number: 1137758

Debtor Number: 328038

Name: S J Walker-Moffat

Payment Reference: 252444

Licence: SWIM-2001-9717

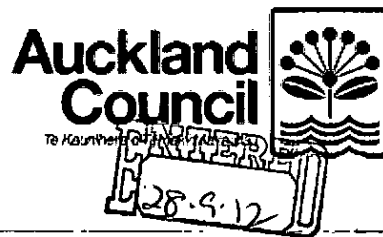
Invoice Total: 160.00

# Swimming/Spa Pool Fencing Inspection Form

RECEIVED

8 SEP 2010

AUCKLAND COUNCIL



Date Inspected: 27.9.12

Inspectors Name: ☐ Reg Pritchard ☒ Neville Exler

Site Address: 87 Kauri Pt Rd

Licence Number:

Inspection Type: ☐ Primary ☒ Secondary

	Yes	No
Occupants Home <i>Tenant</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Left Calling Card	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fee Paid	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fee Required		
Registration Fee	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Re-Inspection Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Category of Pool

☒ Swimming Pool

☐ Above Ground

☒ Above Ground In Deck

☐ Indoor Pool

☐ In Ground Pool

☐ In Ground In Deck

☐ Unknown

☐ Spa Pool OR ☐ Secondary Pool/Spa

☐ Above Ground

☐ Above Ground In Deck

☐ Above Ground On Deck

☐ Unknown

☐ In Ground

☐ In Ground In Deck

☐ Indoor Spa

## Outcome of Inspection

### Compliant

☒ Meets the required standard

☐ Has been partially drained (below 400mm) or emptied

☐ Swimming/Spa pool has been removed

### Non Compliant

☐ Does not meet the required standard

☐ Inspector was unable to gain access to the immediate swimming pool area

☐ Process to be placed on hold and reviewed at a later date

Review date:

☐ Requires immediate enforcement

☐ Unable to gain access the ISWPA

☐ Updated non compliance letter required (for re-inspection only)

Date of planned re-inspection:

## Non Compliance Conditions

### FENCE

<b>F01</b>	Provide a fence to the ISWPA so as to prevent direct access from	<input type="checkbox"/>
<b>F02</b>	Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.	<input type="checkbox"/>
<b>F03</b>	Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.	<input type="checkbox"/>
<b>F04</b>	Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.	<input type="checkbox"/>
<b>F05</b>	Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.	<input type="checkbox"/>

### GATES

<b>G01</b>	Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and swing away from the ISWPA.	<input type="checkbox"/>
<b>G02</b>	A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located outside the gate.	<input type="checkbox"/>
<b>G03</b>	Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.	<input type="checkbox"/>

### DOORS

<b>D01</b>	Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.	<input type="checkbox"/>
<b>D02</b>	Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.	<input type="checkbox"/>

### WINDOWS

<b>W01</b>	Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.	<input type="checkbox"/>
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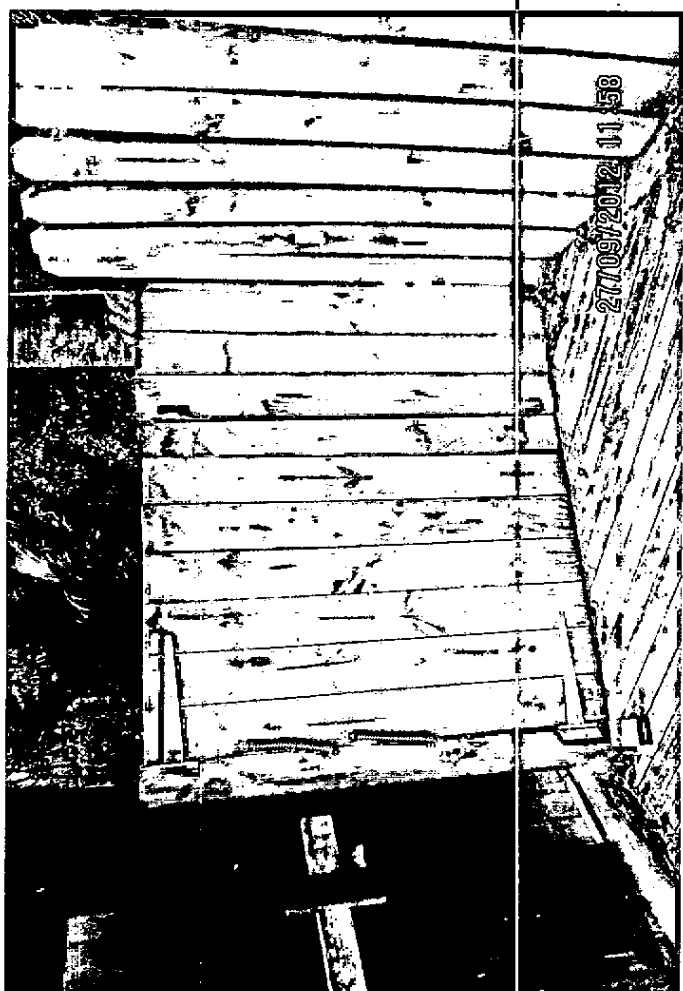
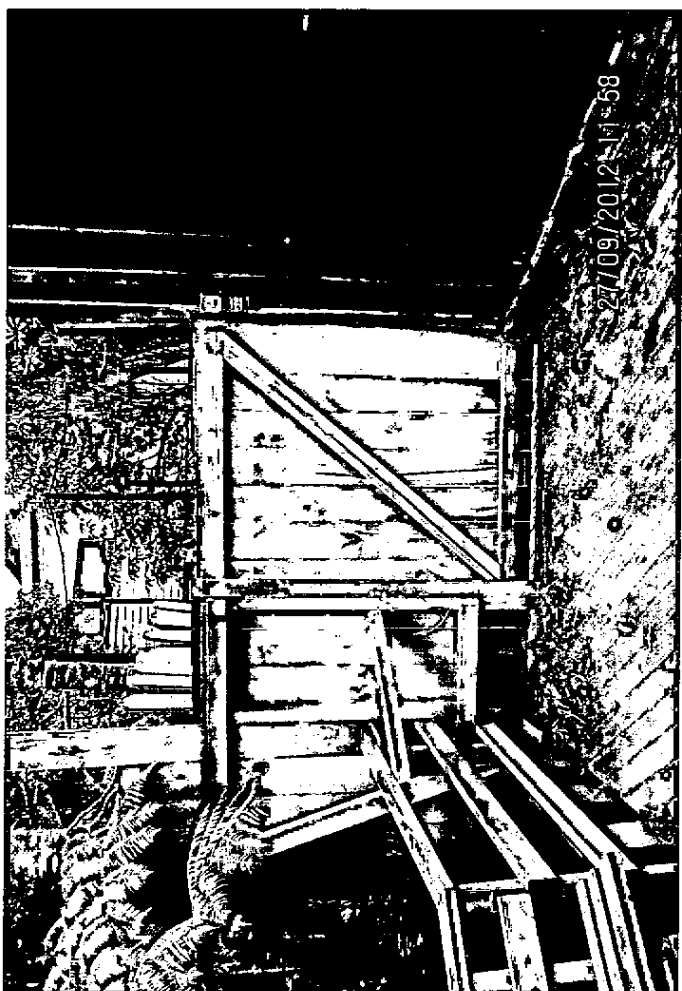
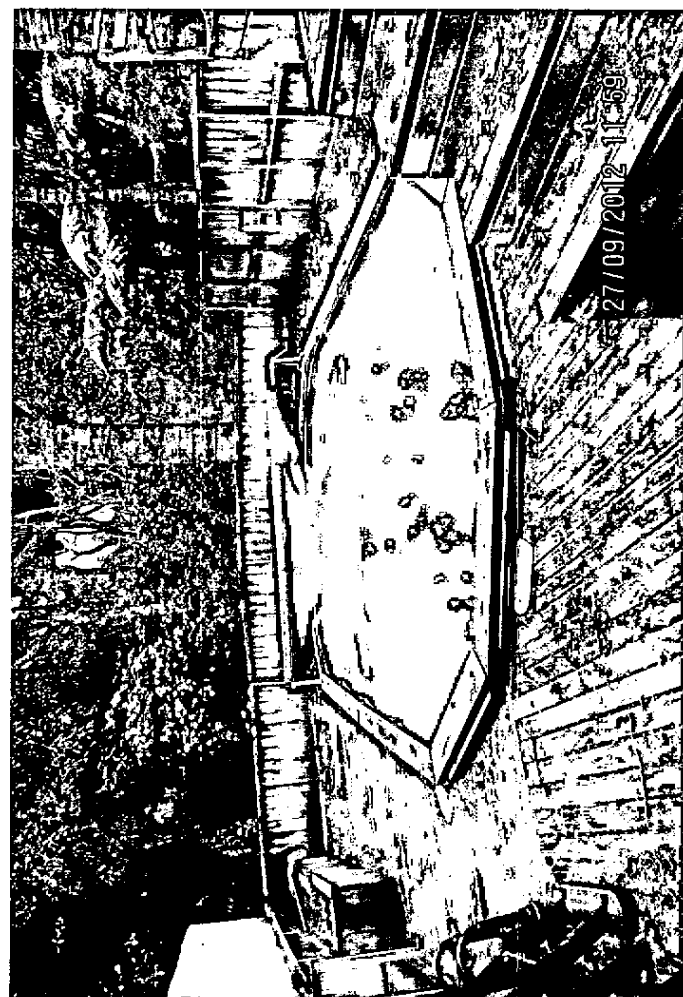
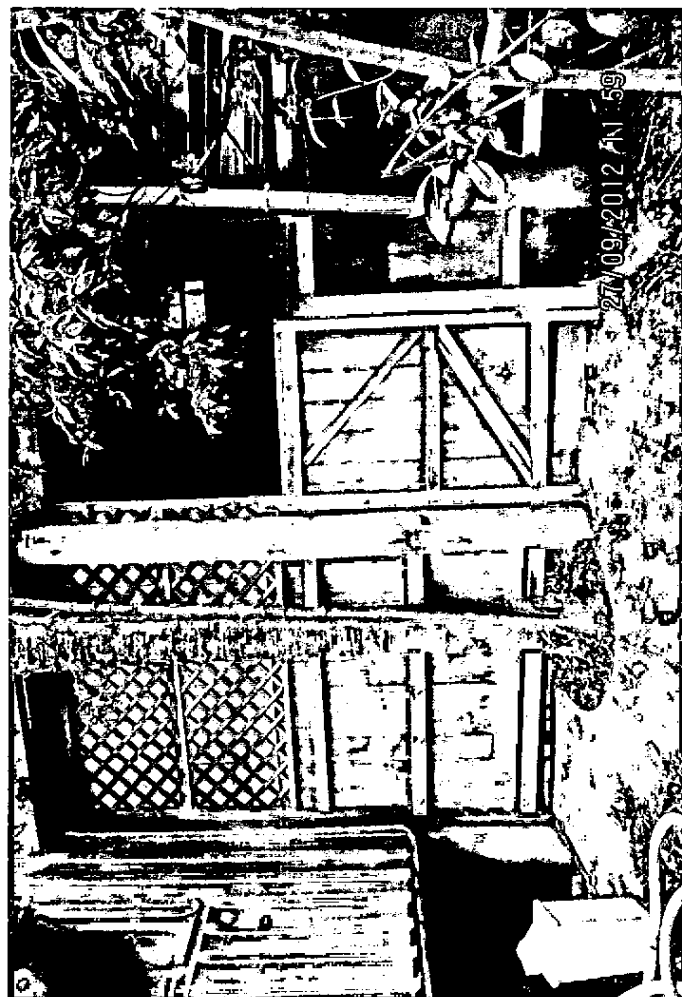
### MISCELLANEOUS

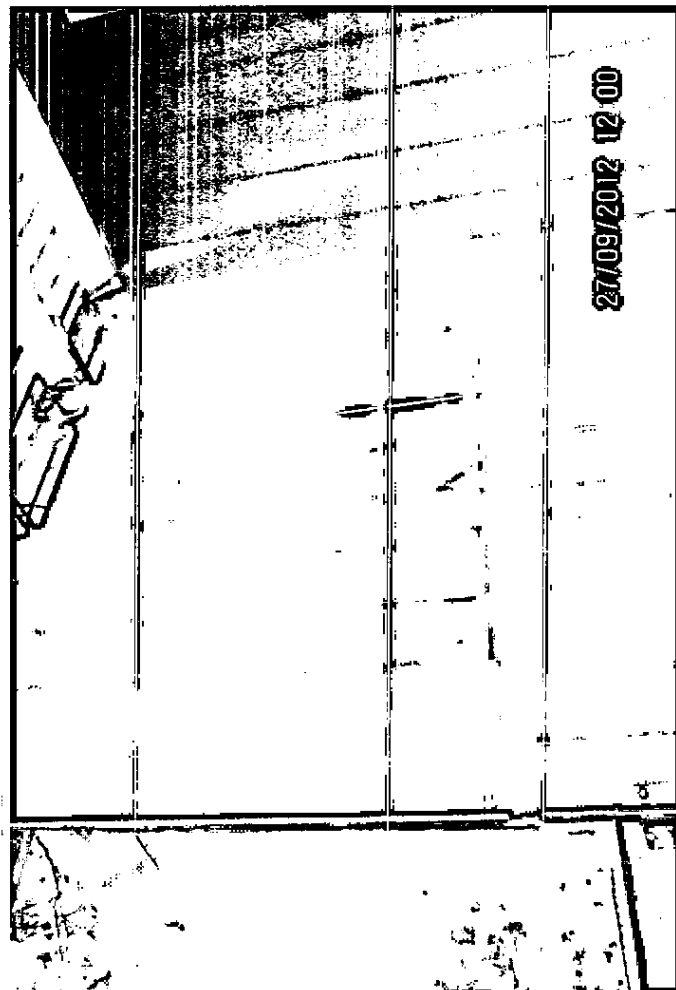
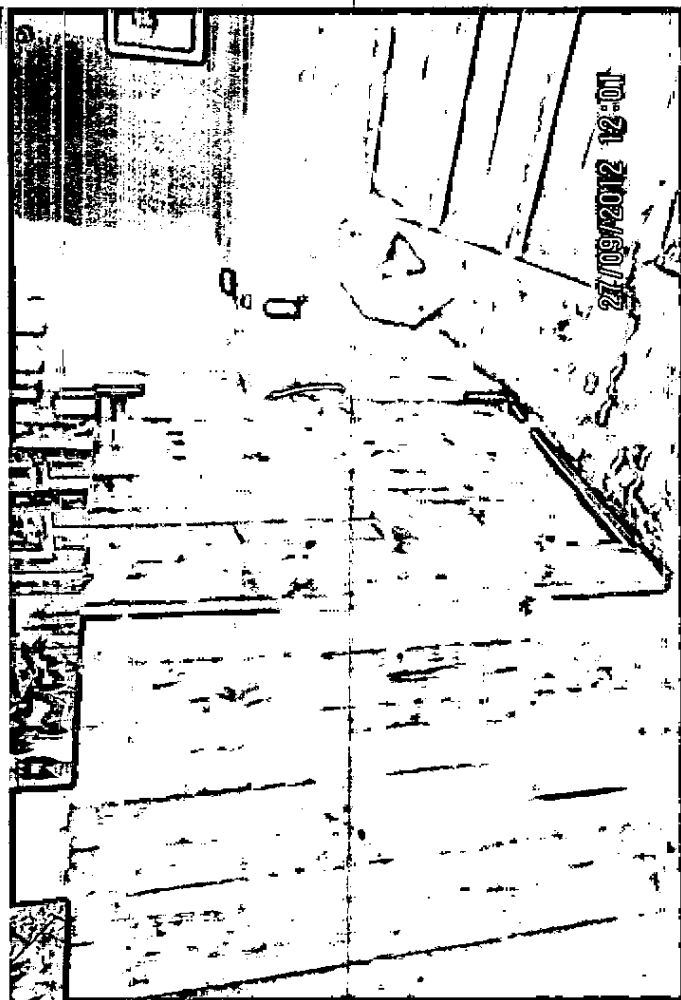
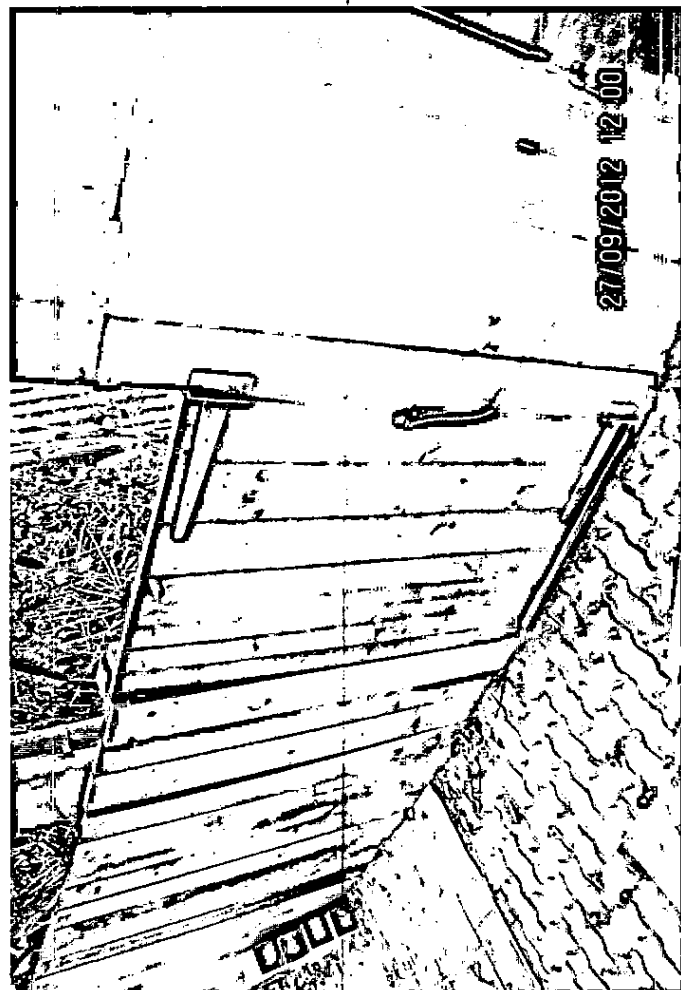
<b>M01</b>	Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.	<input type="checkbox"/>
<b>M01a</b>	Isolate the landscaped area from the immediate Swimming/Spa pool area.	<input type="checkbox"/>
<b>M02</b>	You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.	<input type="checkbox"/>
<b>M03</b>	The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).	<input type="checkbox"/>
<b>M04</b>	The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.	<input type="checkbox"/>
<b>M05</b>	The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.	<input type="checkbox"/>
<b>M06</b>	Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.	<input type="checkbox"/>
<b>R01</b>	Registration of the Swimming/Spa pool is required (\$69.00).	<input type="checkbox"/>

## DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING

### SITE NOTES







14 August 2012

The Occupier  
87 Kauri Point Road  
Laingholm  
AUCKLAND 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS:** 87 Kauri Point Road, Laingholm  
**LOT 3 DP 436878**  
**SWP:** SWIM-2001-9717

A Council pool fence inspector has recently inspected your premises for compliance and has found that the following items of work are still outstanding.

1. Ensure that the Swimming pool gates are self closing and self latching from a stationary measured distance of 150mm.
2. Ensure that any other fences or handrails etc., which abut the Swimming pool fencing, are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming pool fencing, i.e., would themselves comply with the Act, i.e height of fence on landing to the back door.
3. Repair paling in fence by carport.

It is important to realise that The Act requires continuous compliance and that you must take action immediately to achieve compliance.

Immediate compliance can be achieved by reducing the water level of the pool to a depth of 400mm or less. Please note that with some pools there may be a risk to the structure of the pool if it is emptied therefore, please check with the pool manufacturer, supplier and installer or engineer before embarking on such a course of action.

Please contact Council's Swimming Pool Inspector at Waitakere Central on phone number 839 0400 to discuss these matters urgently. Alternatively to arrange a further inspection of your swimming/spa pool please return the enclosed form and fee.

Yours faithfully



**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**

**Ph 4407496**  
**Mob 021 863 327**

CC:S J Walker-Moffat and I S Kagalwala  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

14 August 2012

S J Walker-Moffat and I S Kagalwala  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS:** 87 Kauri Point Road, Laingholm  
**LOT 3 DP 436878**  
**SWP:** SWIM-2001-9717

A Council pool fence inspector has recently inspected your premises for compliance and has found that the following items of work are still outstanding.

1. Both the Swimming pool gates are still not self closing and self latching from a stationary measured distance of 150mm.
2. Ensure that any other fences or handrails etc., which abut the Swimming pool fencing, are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming pool fencing, i.e., would themselves comply with the Act, i.e height of fence on landing to the back door.
3. Repair paling in fence by carport.

It is important to realise that The Act requires continuous compliance and that you must take action immediately to achieve compliance.

Immediate compliance can be achieved by reducing the water level of the pool to a depth of 400mm or less. Please note that with some pools there may be a risk to the structure of the pool if it is emptied therefore, please check with the pool manufacturer, supplier and installer or engineer before embarking on such a course of action.

Please contact Council's Swimming Pool Inspector at Waitakere Central on phone number 839 0400 to discuss these matters urgently. Alternatively to arrange a further inspection of your swimming/spa pool please return the enclosed form and fee.

Please find enclosed your re-inspection invoice for \$160.00.

Yours faithfully



**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**  
**Ph 4407496 Mob 021 863 327**



**Registration or Re-inspection of Swimming Pool or Spa Pool for Compliance of Pool  
Fencing Pursuant to the Fencing of Swimming Pools ACT 1987.**

**Send to:**

Auckland Council  
Western Building Control  
Compliance and Enforcement  
Private Bag 92300  
Auckland 1142

**For more information:**

Auckland Council  
Waitakere Central  
6 Henderson Valley Road  
Henderson  
WAITAKERE 0612  
Telephone: (09) 839-0400  
Facsimile: (09) 836-8001

SWP Number: SWIM-2001-9717 /

Building Consent Number:

I/We request the pool/spa at the address given below be: (Tick ☒ appropriate box)

A. Registered

B. Inspected

Applicant / Owners Full Names (s):

S J Walker-Moffat and I S Kagalwala

Contact Phone Number

Site address:

87 Kauri Point Road, Laingholm

Address for Correspondence:

Dog on site

YES

NO

☐ Swimming Pool

☐ Spa Pool

☐ In ground

☐ Above ground

☐ In deck

☐ On deck

☐ Other (state where):

The following arrangements have been made for the security of the pool.

Registration fee payable:

Inspection / re-inspection fee payable:

Receipt number: \_\_\_\_\_

Date paid: \_\_\_\_\_

**TAX INVOICE**  
**GST Registration Number**  
**104-736-998**

S J Walker-Moffat  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

Date: 13-Aug-2012  
Customer No: 328038  
Invoice No: 1134325

Licence Location: 87 Kauri Point Road, Laingholm

Licence: SWIM-2001-9717

Fee Code	Transaction Description	Amount
INS	Inspection Fee	160.00

*All amounts include GST unless otherwise stated*

Invoice Total 160.00

Auckland Council, Private Bag 92300, Auckland 1142  
Ph 09 301 0101 Fax 09 301 0100 Web aucklandcouncil.govt.nz

**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



Remittance Advice :  
(Please Detach and Return with Payment)

Invoice Date: 13 August 2012  
Invoice Number: 1134325  
Name: S J Walker-Moffat  
Licence: SWIM-2001-9717

Licence: DLC  
Debtor Number: 328038  
Payment Reference: 252444  
Invoice Total: 160.00



# Swimming/Spa Pool Fencing Inspection Form

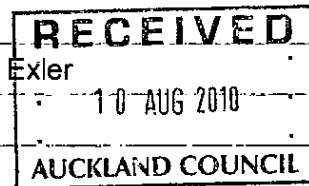


Date Inspected: 2.8.12

Inspectors Name: ☐ Reg Pritchard ☒ Neville Exler

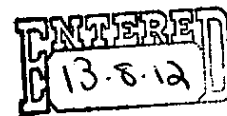
Site Address: 82 Kauri Pt Rd

Licence Number:



Inspection Type: ☐ Primary ☒ Secondary

	Yes	No
Occupants Home Tenant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Left Calling Card	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fee Paid	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fee Required		
Registration Fee	<input type="checkbox"/>	<input type="checkbox"/>
Re-Inspection Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Category of Pool

☒ Swimming Pool

☐ Above Ground

☐ In Ground Pool

☒ Above Ground In Deck

☐ In Ground In Deck

☐ Indoor Pool

☐ Unknown

☐ Spa Pool OR ☐ Secondary Pool/Spa

☐ Above Ground

☐ In Ground

☐ Above Ground In Deck

☐ In Ground In Deck

☐ Above Ground On Deck

☐ Indoor Spa

☐ Unknown

## Outcome of Inspection

### Compliant

☐ Meets the required standard

☐ Has been partially drained (below 400mm) or emptied

☐ Swimming/Spa pool has been removed

### Non Compliant

☒ Does not meet the required standard

☐ Inspector was unable to gain access to the immediate swimming pool area

☐ Process to be placed on hold and reviewed at a later date

Review date:

☐ Requires immediate enforcement

☐ Unable to gain access the ISWPA

☒ Updated non compliance letter required (for re-inspection only)

Date of planned re-inspection:

## Non Compliance Conditions

### FENCE

- |     |   |                          |
|-----|---|--------------------------|
| F01 | Provide a fence to the ISWPA so as to prevent direct access from  | <input type="checkbox"/> |
| F02 | Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.  | <input type="checkbox"/> |
| F03 | Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.  | <input type="checkbox"/> |
| F04 | Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object. | <input type="checkbox"/> |
| F05 | Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.   | <input type="checkbox"/> |

### GATES

- |     |  |                                     |
|-----|--|-------------------------------------|
| G01 | Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and swing away from the ISWPA.  | <input checked="" type="checkbox"/> |
| G02 | A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located outside the gate. | <input type="checkbox"/>            |
| G03 | Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.  | <input type="checkbox"/>            |

### DOORS

- |     |  |                          |
|-----|--|--------------------------|
| D01 | Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other. | <input type="checkbox"/> |
| D02 | Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.   | <input type="checkbox"/> |

### WINDOWS

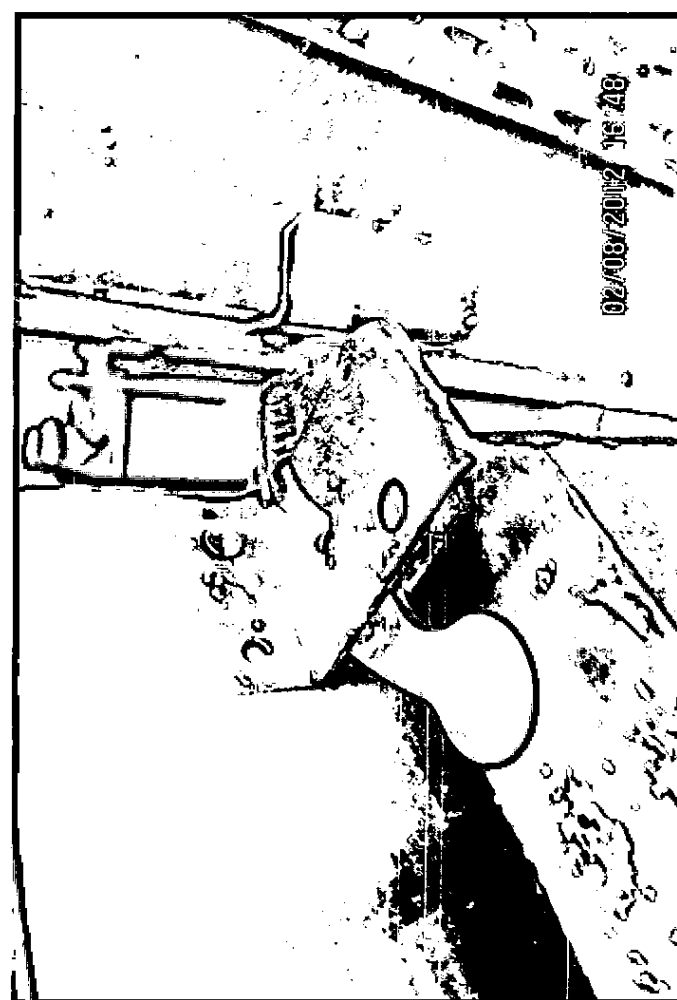
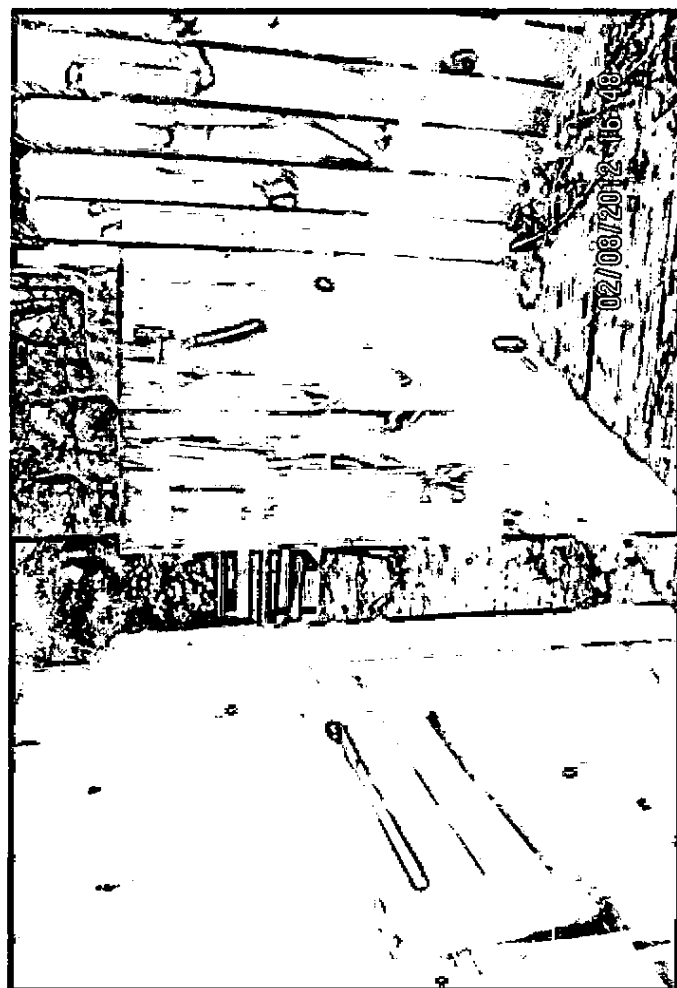
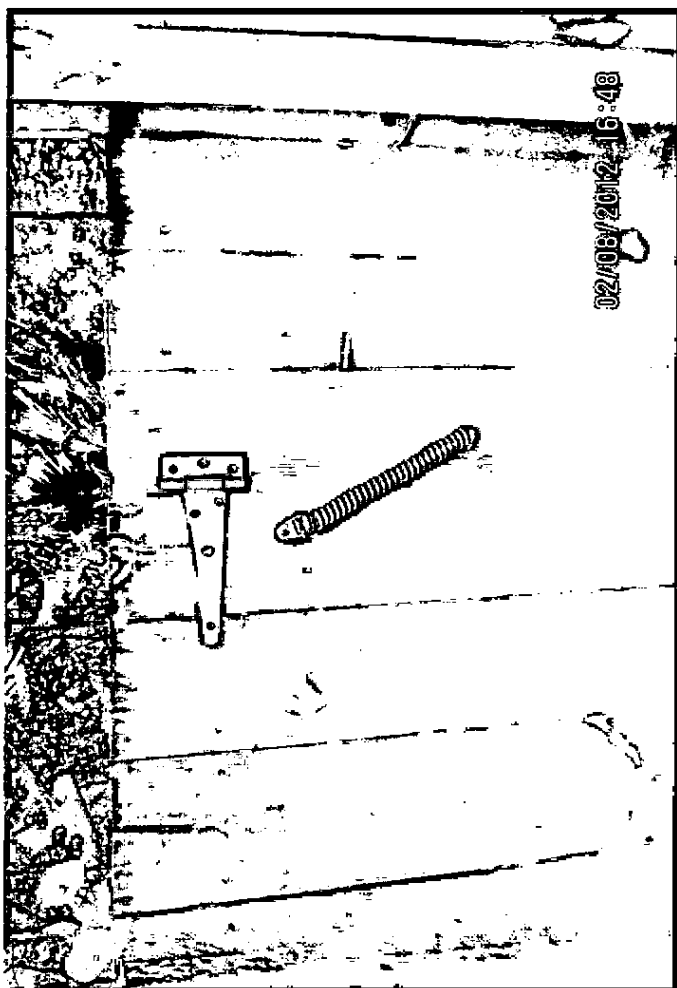
- |     |   |                          |
|-----|---|--------------------------|
| W01 | Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm. | <input type="checkbox"/> |
|-----|---|--------------------------|

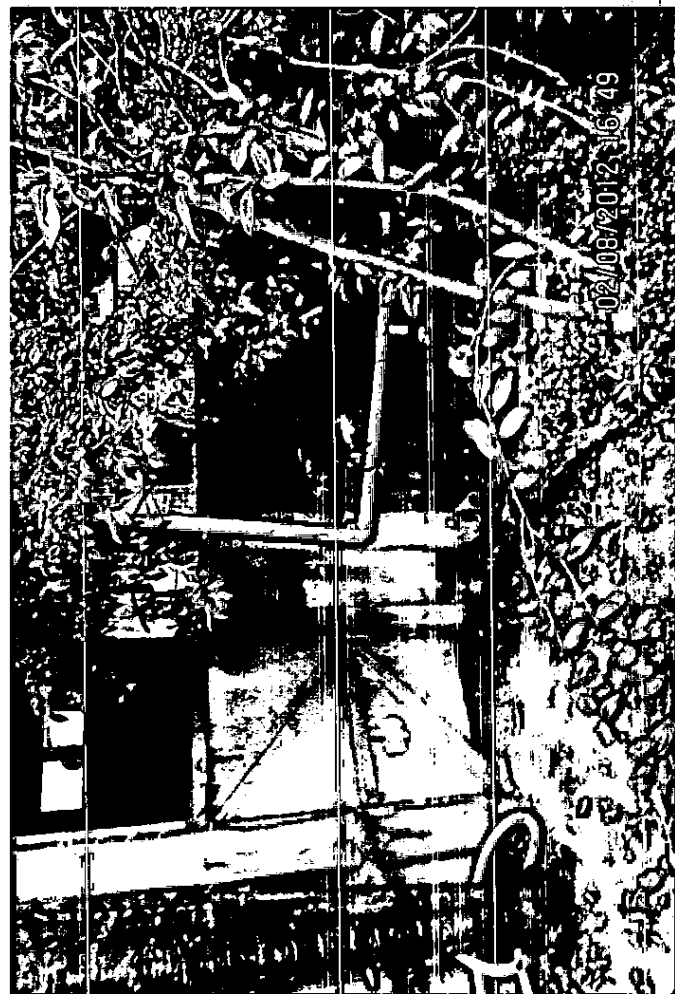
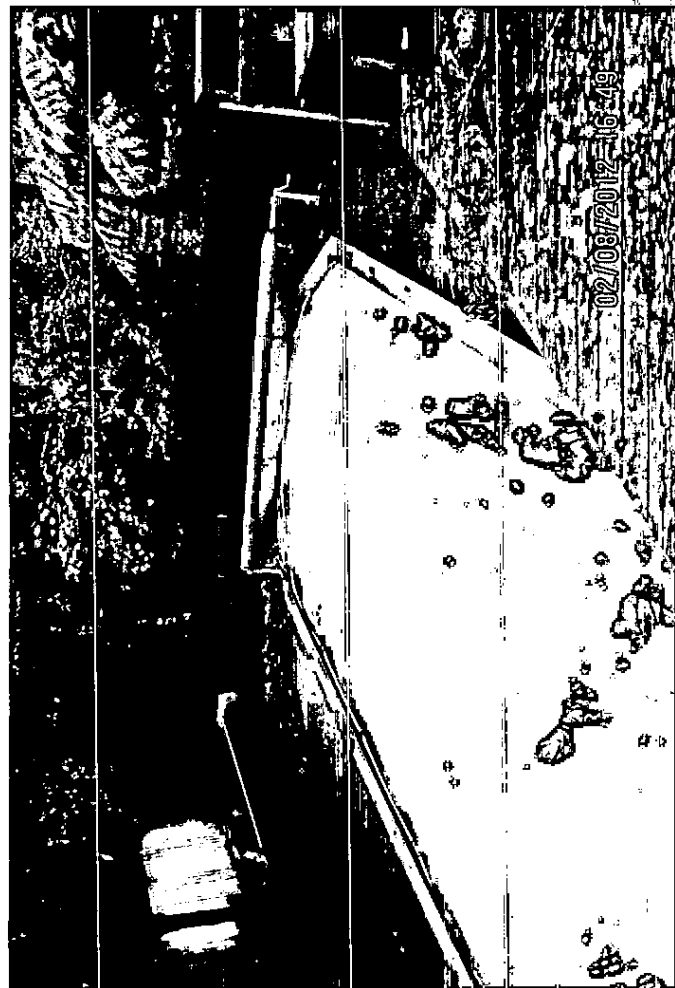
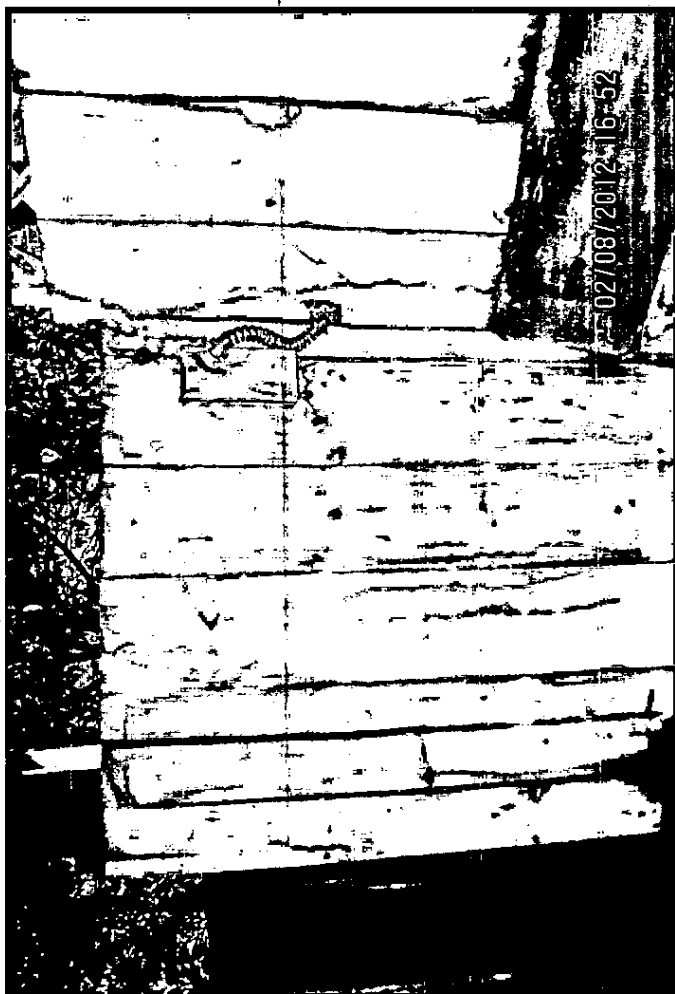
### MISCELLANEOUS

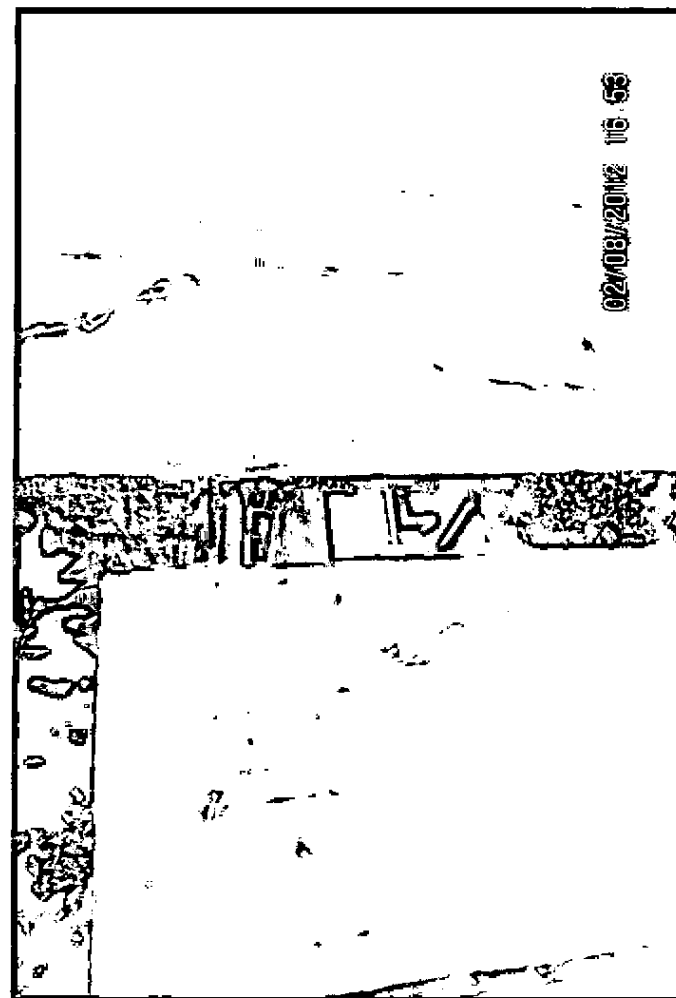
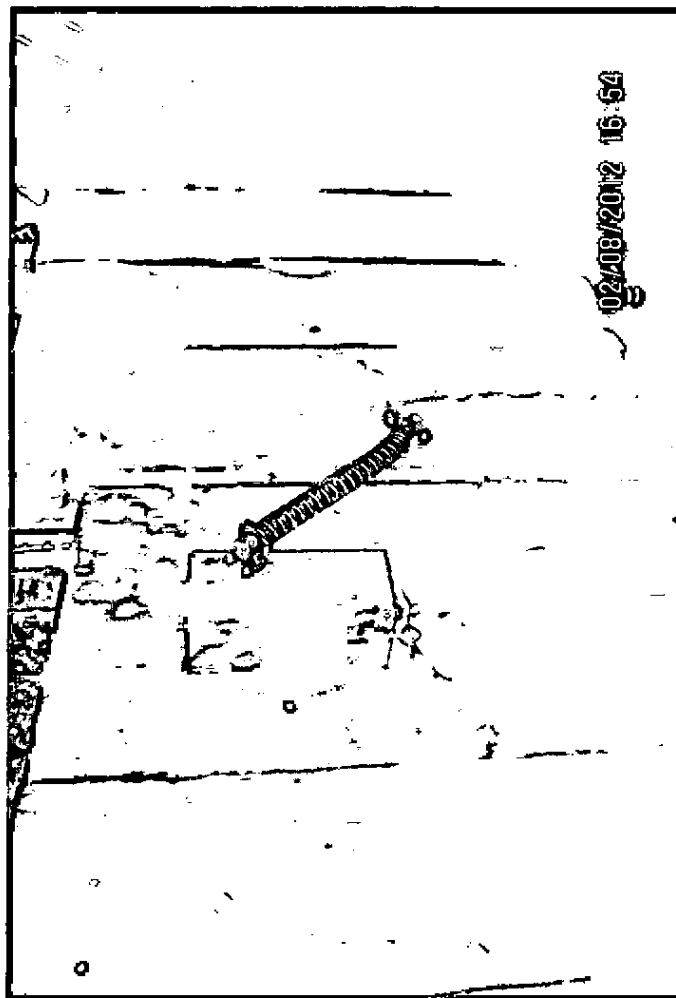
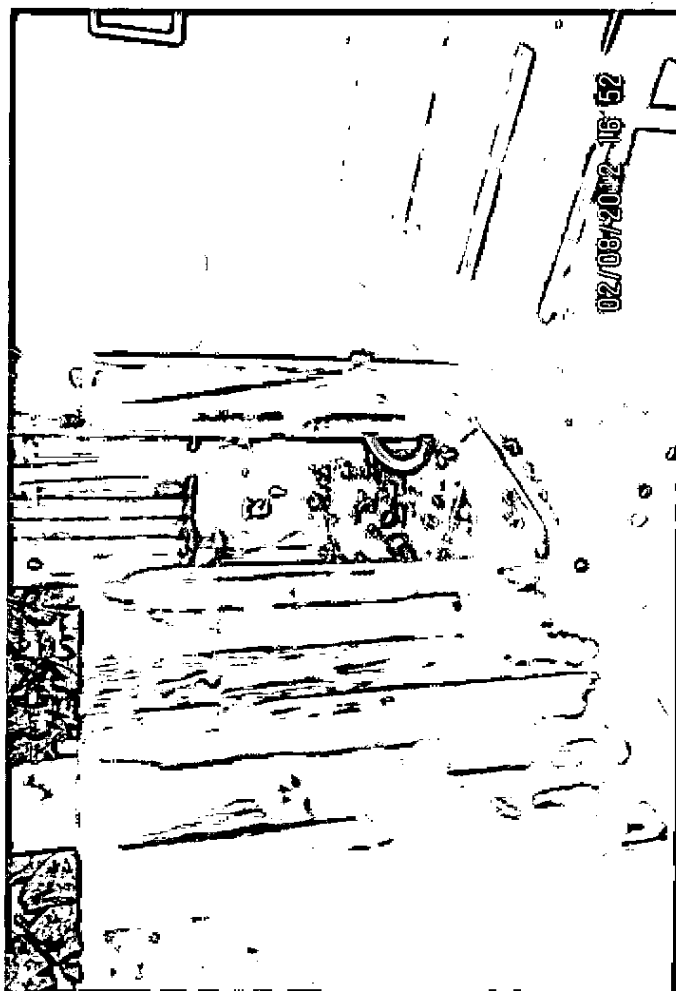
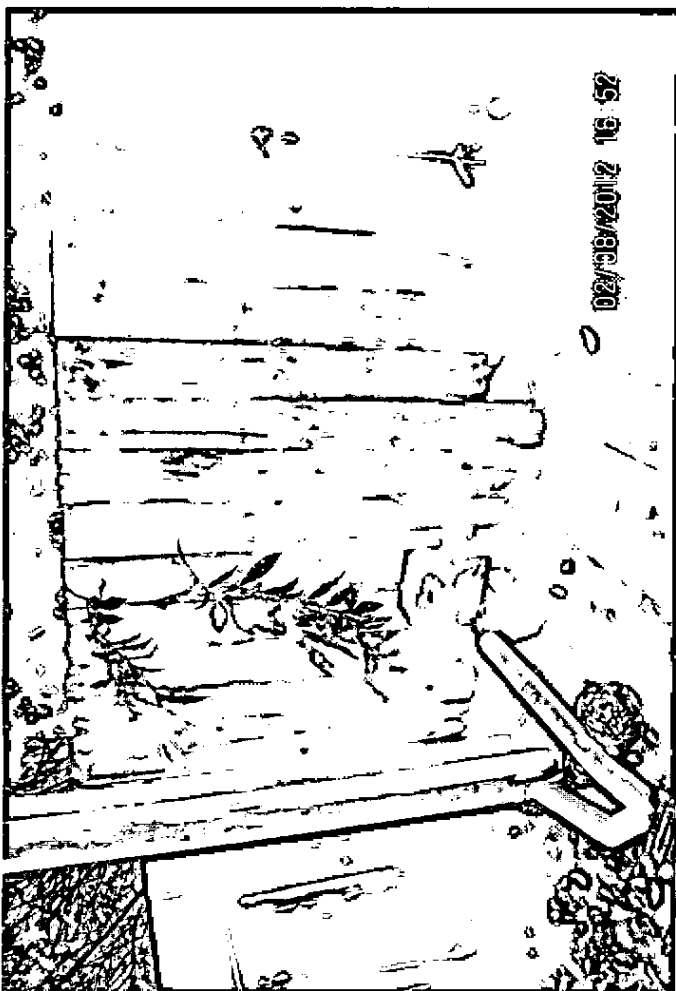
- |      |   |                                     |
|------|---|-------------------------------------|
|      | <i>Repair paling in fence by carport.</i>   | <input checked="" type="checkbox"/> |
| M01  | Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.   | <input type="checkbox"/>            |
| M01a | Isolate the landscaped area from the immediate Swimming/Spa pool area.  | <input type="checkbox"/>            |
| M02  | You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.   | <input type="checkbox"/>            |
| M03  | The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).   | <input type="checkbox"/>            |
| M04  | The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.  | <input type="checkbox"/>            |
| M05  | The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.  | <input type="checkbox"/>            |
| M06  | Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act. <i>height of hand on landing</i> | <input checked="" type="checkbox"/> |
| R01  | Registration of the Swimming/Spa pool is required (\$69.00).  | <input type="checkbox"/>            |

## DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING

### SITE NOTES







Barfoot & Thompson New Lynn  
8273081  
Terry Jones, Tenant. Manageress  
Annie  
Lisa

**SWIMMING/SPA POOL PRIOR TO ENFORCEMENT INSPECTION FORM**

SWIM-2001-9717 17.7.12 Swimming Pool Kay from Barfoot & Thompson  
said work done.

Date Re-inspection: 22.5.12  
Enforcement Meeting Due:  
Date Last Inspected: 10-Apr-2012  
Inspectors Name: Neville Exler  
Site Address: 87 Kauri Point Road, Laingholm  
Owner's Name: S J Walker-Moffat and I S Kagalwala  
Phone Number:  
Occupants Home Tenant ☒ Y ☐ N Left Card ☒ Y ☐ N  
Fee Required (Tick Box): ☒ Y ☐ N

**Swimming/Spa Pool Results(Tick Appropriate Box)**

Swimming Pool ☒

Spa Pool ☐

Do not send ENF letter before ENF meeting

All items outstanding

SWPENF1 – With Invoice

SWPENF2 – No Invoice

28 DAC – Unable to Gain Access

Complying (SWPCOM5)

Empty (SWPEMPT4)

Removed (SWPREM3)

Some Progress Made

SW10 LTR (SWPIN10)

ENTERED  
22.5.12

INSPECTION NOTES: Tenant told me the owners are overseas  
Barfoot & Thompson New Lynn are the agents but the letters  
were returned from the Agents. I then rang them 23.5.12 and  
emailed the letter Annie of Barfoot/newlynn.rental@barfoot.  
CO. NZ

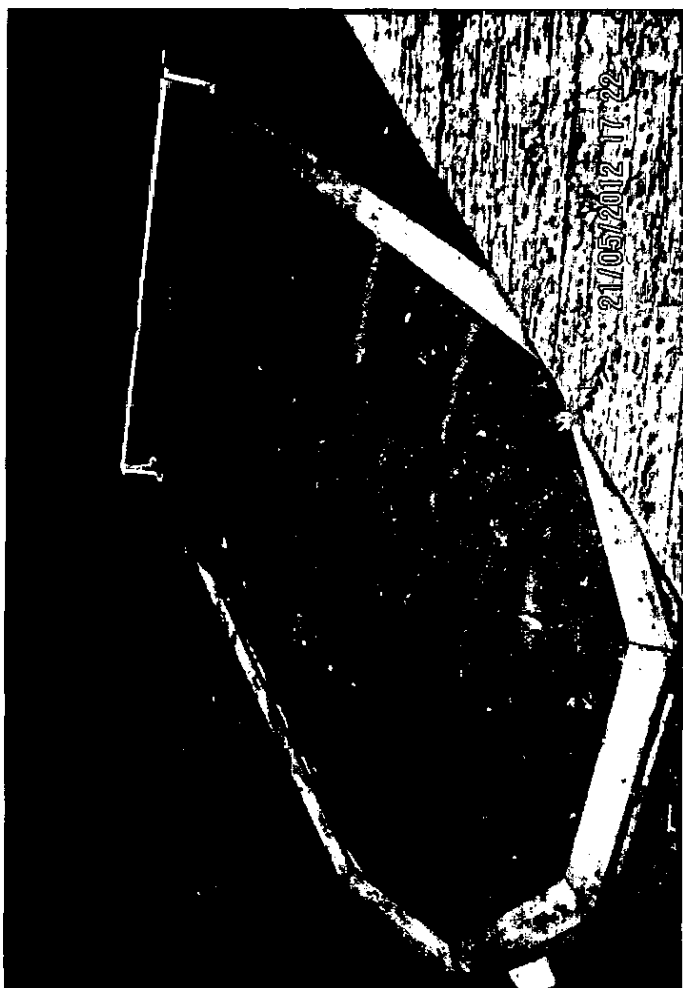
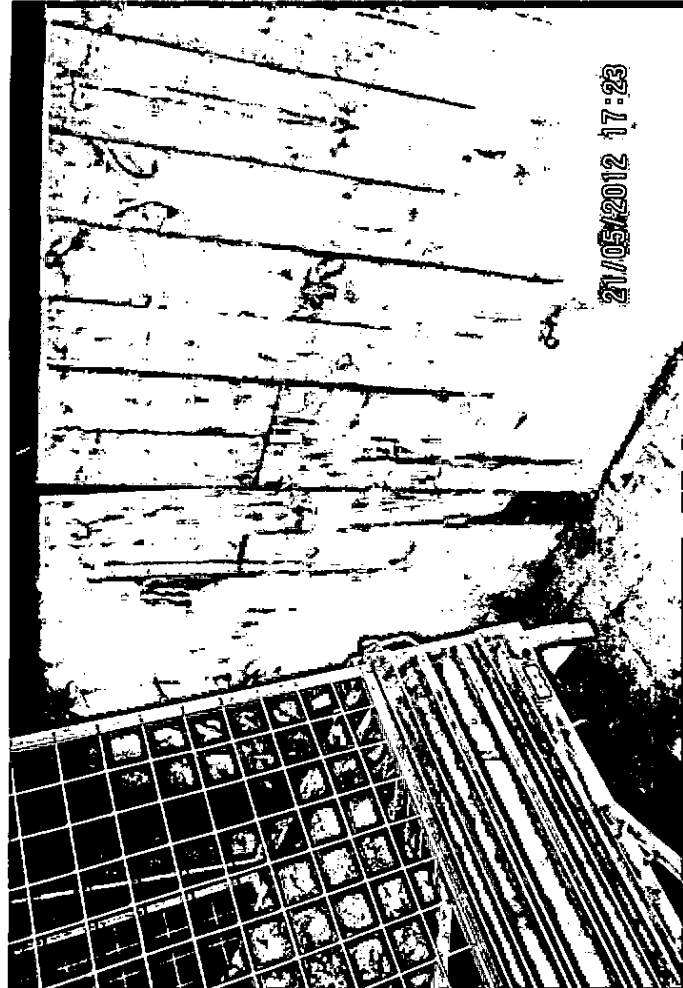
ENFORCEMENT NOTES:

Recommend Prosecution

Signed: \_\_\_\_\_ Wolfgang Nethe – Operational Compliance Team Manager

Date: \_\_\_\_\_





87 Kauri Point Rd still non complying

11 May 2012

The Occupier  
87 Kauri Point Road  
Laingholm  
AUCKLAND 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS:** 87 Kauri Point Road, Laingholm  
**LOT 3 DP 436878**  
**SWP:** SWIM-2001-9717

Further to our previous correspondence, the Council has received no notification that the work required at this property to achieve compliance with the Fencing of Swimming Pools Act 1987, has been carried out.

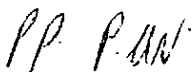
If you have not already undertaken the required work then I urge you to take immediate action to bring your pool fence up to a compliant standard.

Should you have any queries in relation to this matter please contact me urgently.

Yours faithfully

**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**

**Ph 4407496**  
**Mob 021 863 327**



Cc: S J Walker-Moffat and I S Kagalwala  
C/- Barfoot & Thompson  
PO Box 15015  
New Lynn  
AUCKLAND 0640

12 April 2012

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
AUCKLAND 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS:** 87 Kauri Point Road, Laingholm  
LOT 3 DP 436878  
**SWP:** SWIM-2001-9717 Swimming Pool

In keeping with Council's regular pool fencing inspection programme a recent inspection of the property has been carried out and has revealed that the pool fence does not currently comply with the requirements of the Fencing of Swimming Pools Act (The Act). Consequently you are required to bring the pool fencing up to the legal requirement by carrying out the work described on the attached page. Please feel free to contact me to discuss these requirements if you need any further information.

Unfortunately the Act does not grant a pool owner any time at all to comply, continuous compliance being the requirement. Therefore I urge you to take immediate action to bring the pool fence up to standard.

Immediate compliance can be achieved by reducing the water level in the pool to a depth of 400mm or less. However with some pools there may be a risk to the structure of the pool if it is emptied. Consequently please check with the pool manufacturer, supplier and installer or engineer before embarking on this course of action.

It is important to realise that you must carry out all the items of work necessary to achieve the proper fencing of the pool in the manner defined by the Act before the pool is available for any further use. As previously mentioned details are provided on the attached page.

Upon completing the required works, please request Council to re-inspect the pool by returning the enclosed form and inspection fee of \$160.00.

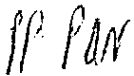
For your further information, the relevant section of the Fencing of Swimming Pools Act is as follows:

**8            *Obligations of owner and persons in control of pool***

- (1) Every owner of a pool to which this Act applies shall ensure that, except as provided in any exemption granted under section 6 of this Act, the pool, or some or all of the immediate pool area including all of the pool, is fenced by a fence that complies with the requirements of the [building code in force under the Building Act 2004 in respect of swimming pools subject to this Act] at all times when this Act applies in respect of the pool.*
- (2) Every owner of a pool to which this Act applies shall comply or ensure that there is compliance with every condition imposed under section 6(2) of this Act.*
- (3) Every person who has possession of this property on which any pool to which this Act applies is situated shall ensure that the pool is not filled or partly filled with water at any time when the person knows or could reasonably be expected to know that any obligation imposed by this section on that or any other person is not complied with.*
- (4) The fact that a person complies with any obligation imposed by this section shall not excuse that person from any other duty imposed by law.*

Should you have any queries in relation to this matter please feel free to contact me.

Yours faithfully



**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**

**Ph 4407496**  
**Mob 021 863 327**

12 April 2012

87 Kauri Point Road, Laingholm  
**SWP SWIM-2001-9717** Swimming Pool

**Work Required.**

1. Repair the broken palings.
2. Ensure that the Swimming pool gates are self closing and self latching from a stationary measured distance of 150mm.
3. Provide all lower windows (below 1.2m) which open into the immediate Swimming pool area with permanent stays which restrict the window opening to a maximum of 100mm.

**“Should you require any further advice or information with regards to the items of work prescribed, please do not hesitate to contact the writer at your earliest convenience.”**

**Registration or Re-inspection of Swimming Pool or Spa Pool for Compliance of Pool Fencing  
Pursuant to the Fencing of Swimming Pools ACT 1987.**

**Send to:**

Team Leader Compliance & Enforcement  
Auckland Council  
Private Bag 92300  
Auckland 1142

Attention: Western Building Control

**For more information:**

Auckland Council  
6 Henderson Valley Road  
Henderson  
WAITAKERE 0612  
Telephone: (09) 301-0101  
Facsimile: (09) 301-0100

SWP Number: SWIM-2001-9717      Swimming Pool  
Building Consent Number: \_\_\_\_\_

**I/We request the pool/spa at the address given below be: (Tick ☒ appropriate box)**

A. Registered

B. Inspected

Applicant / Owners Full Names (s):

S J Walker-Moffat and I S Kagalwala

Contact Phone Number

Site address:

87 Kauri Point Road, Laingholm

Address for Correspondence: \_\_\_\_\_

Dog on site

YES

NO

☐ Swimming Pool

☐ Spa Pool

☐ In ground

☐ Above ground

☐ In deck

☐ On deck

☐ Other (state where): \_\_\_\_\_

The following arrangements have been made for the security of the pool.

Registration fee payable: \_\_\_\_\_

Inspection / re-inspection fee payable: \_\_\_\_\_

Receipt number: \_\_\_\_\_

Date paid: \_\_\_\_\_

# Swimming/Spa Pool Fencing Inspection Form

RECEIVED

11 APR 2012

Auckland  
Council

Te Kauhanga o Tāmaki Makaurau



Date Inspected:

10.4.12

AUCKLAND COUNCIL

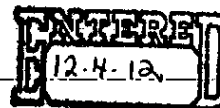
Inspectors Name:

☐

Reg Pritchard

☒

Neville Exler



Site Address:

87 Kauri Pt Rd

Licence Number:

Inspection Type:

☒

Primary

☐

Secondary

	Yes	No
Occupants Home	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Left Calling Card	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fee Paid	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fee Required		
Registration Fee	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Re-Inspection Fee	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Category of Pool

☒ Swimming Pool

☐ Above Ground

☒ Above Ground In Deck

☐ Indoor Pool

☐ In Ground Pool

☐ In Ground In Deck

☐ Unknown

☐ Spa Pool

OR

☐ Secondary Pool/Spa

☐ Above Ground

☐ Above Ground In Deck

☐ Above Ground On Deck

☐ Unknown

☐ In Ground

☐ In Ground In Deck

☐ Indoor Spa

## Outcome of Inspection

### Compliant

☐ Meets the required standard

☐ Has been partially drained (below 400mm) or emptied

☐ Swimming/Spa pool has been removed

### Non Compliant

☒ Does not meet the required standard

☐ Inspector was unable to gain access to the immediate swimming pool area

☐ Process to be placed on hold and reviewed at a later date

Review date:

☐ Requires immediate enforcement

☐ Unable to gain access the ISWPA

☐ Updated non compliance letter required (for re-inspection only)

Date of planned re-inspection:

## Non Compliance Conditions

### FENCE

*Repair the broken palings* ✓

F01 Provide a fence to the ISWPA so as to prevent direct access from

☐

F02 Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.

☐

F03 Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.

☐

F04 Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.

☐

F05 Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.

☐

### GATES

G01 Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and swing away from the ISWPA.

☒

G02 A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located outside the gate.

☐

G03 Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.

☐

### DOORS

D01 Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.

☐

D02 Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.

☐

### WINDOWS

W01 Provide all lower windows (below 1.2m) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.

☒

### MISCELLANEOUS

M01 Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.

☐

M01a Isolate the landscaped area from the immediate Swimming/Spa pool area.

☐

M02 You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.

☐

M03 The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).

☐

M04 The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.

☐

M05 The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.

☐

M06 Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.

☐

R01 Registration of the Swimming/Spa pool is required (\$69.00).

☐

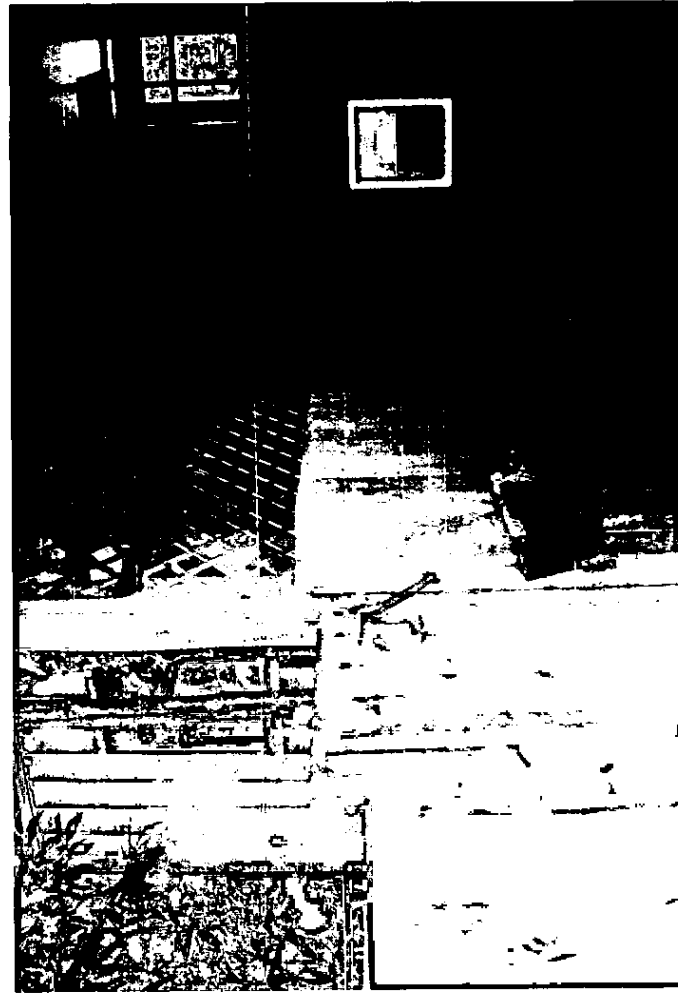
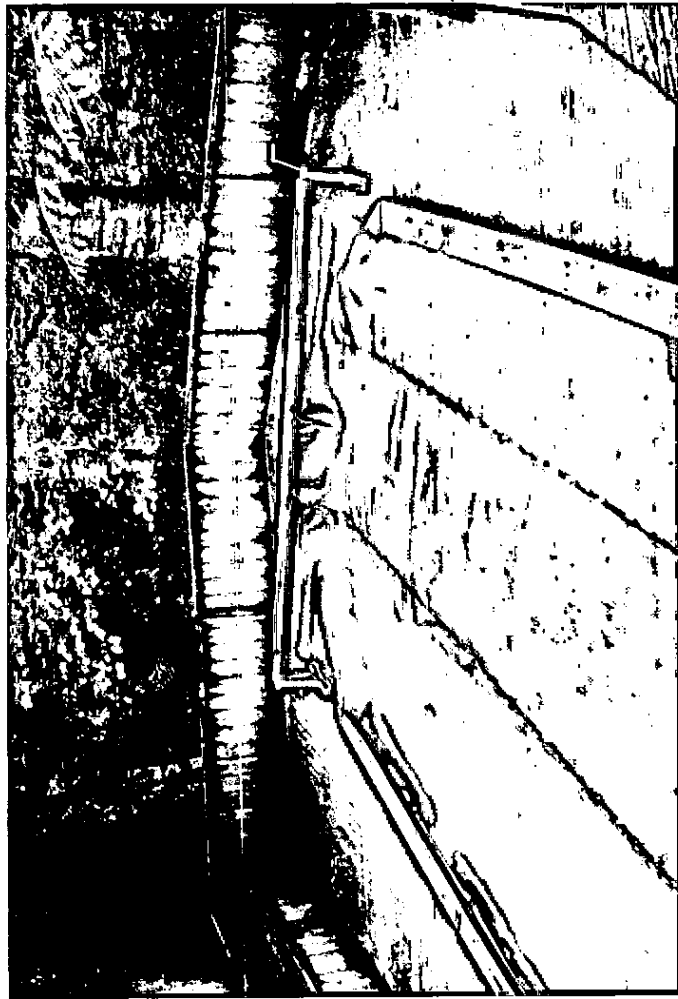
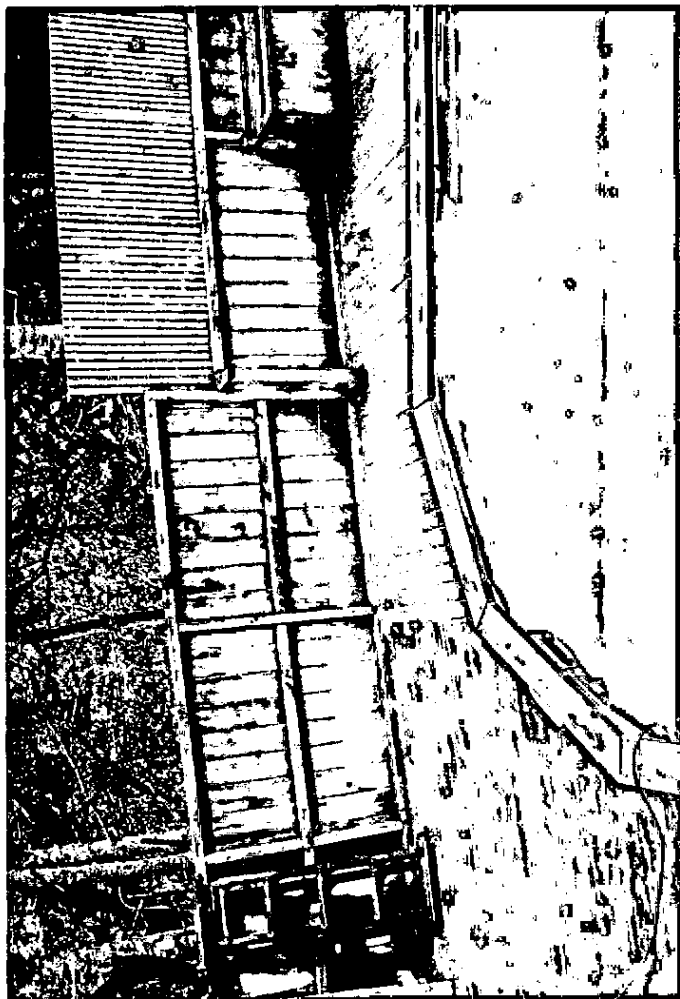


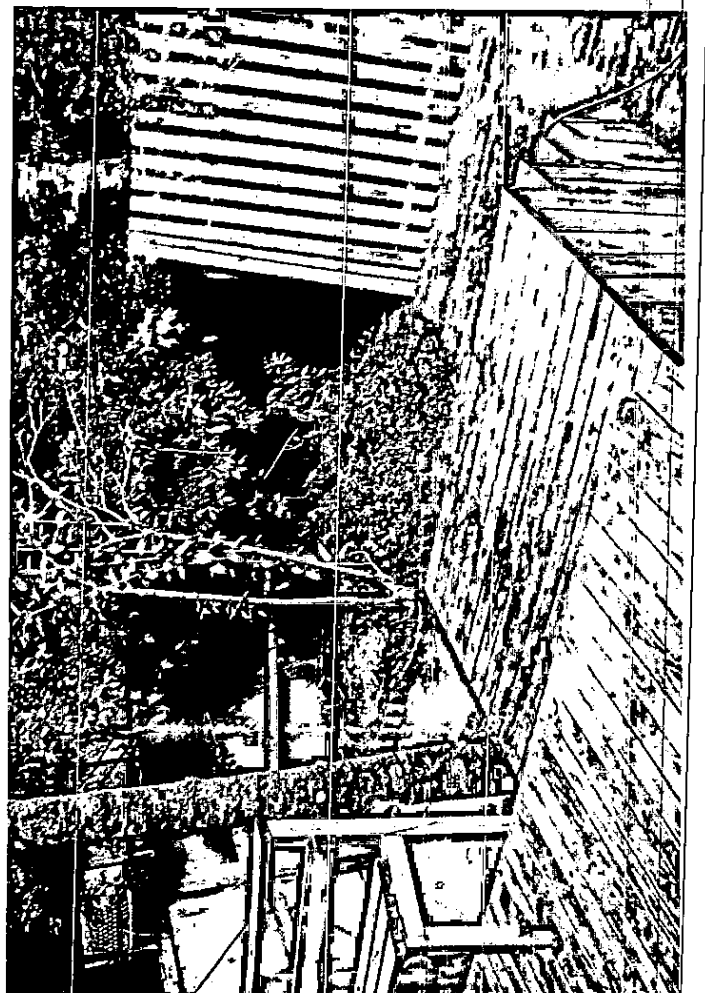
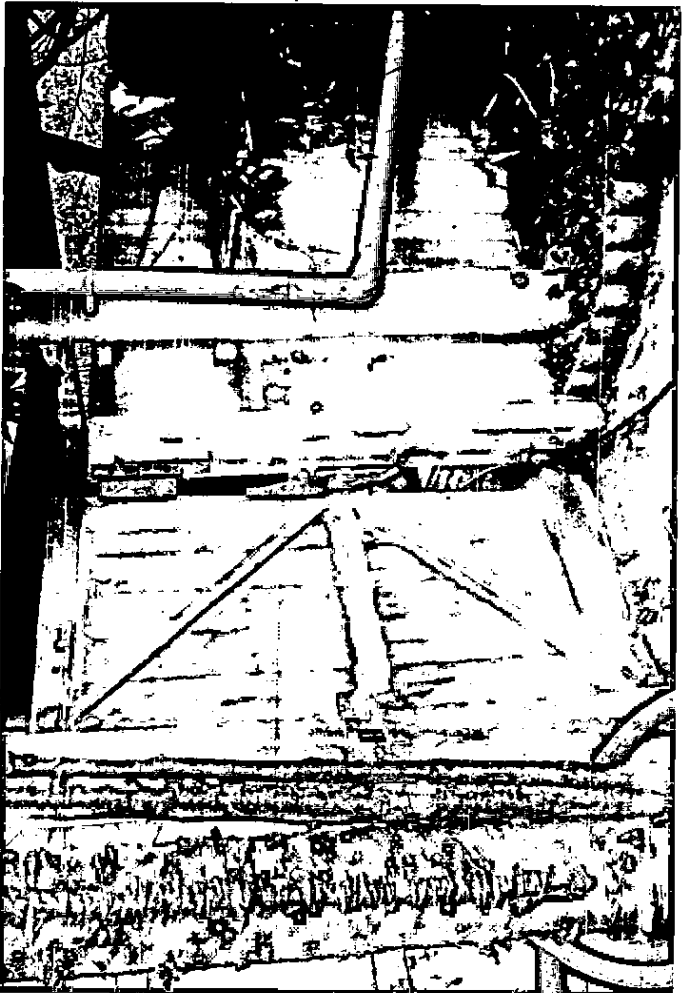
**DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING**

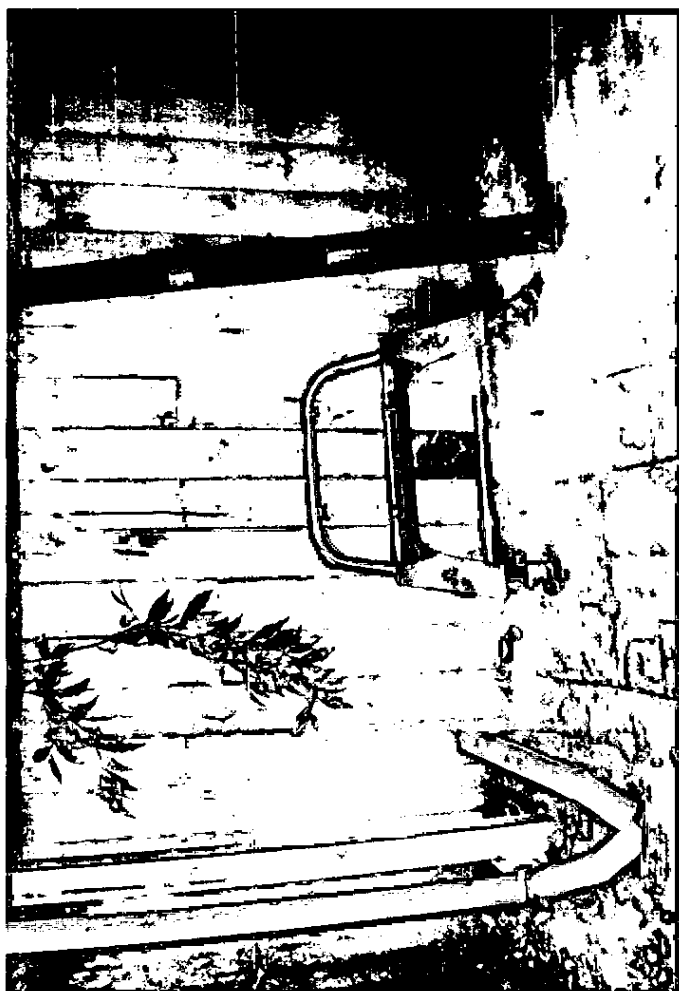


**SITE NOTES**









# Swimming/Spa Pool Fencing Inspection Form

**Auckland Council**  
Te Kaitiaki o Tāmaki Makaurau



Date Inspected: 2.8.12

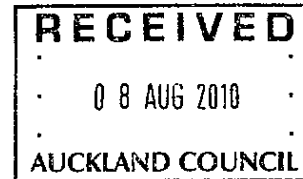
Inspectors Name: ☐ Reg Pritchard ☒ Neville Exler

Site Address: 87 Kauri Point Rd.

Licence Number:

Inspection Type: ☐ Primary ☒ Secondary

	Yes	No
Occupants Home <i>Tenant</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Left Calling Card	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fee Paid	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fee Required		
Registration Fee	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Re-Inspection Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Category of Pool

☒ Swimming Pool

☐ Above Ground

☒ Above Ground In Deck

☐ Indoor Pool

☐ In Ground Pool

☐ In Ground In Deck

☐ Unknown

☐ Spa Pool OR ☐ Secondary Pool/Spa

☐ Above Ground

☐ Above Ground In Deck

☐ Above Ground On Deck

☐ Unknown

☐ In Ground

☐ In Ground In Deck

☐ Indoor Spa

## Outcome of Inspection

### Compliant

☐ Meets the required standard

☐ Has been partially drained (below 400mm) or emptied

☐ Swimming/Spa pool has been removed

### Non Compliant

☒ Does not meet the required standard

☐ Inspector was unable to gain access to the immediate swimming pool area

☐ Process to be placed on hold and reviewed at a later date

Review date:

☐ Requires immediate enforcement

☐ Unable to gain access the ISWPA

☒ Updated non compliance letter required (for re-inspection only)

Date of planned re-inspection:

## Non Compliance Conditions

### FENCE

<b>F01</b>	Provide a fence to the ISWPA so as to prevent direct access from	<input type="checkbox"/>
<b>F02</b>	Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.	<input type="checkbox"/>
<b>F03</b>	Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.	<input type="checkbox"/>
<b>F04</b>	Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.	<input type="checkbox"/>
<b>F05</b>	Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.	<input type="checkbox"/>

### GATES

<b>G01</b>	Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and <del>swing away from the ISWPA.</del>	<input checked="" type="checkbox"/>
<b>G02</b>	A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located outside the gate.	<input type="checkbox"/>
<b>G03</b>	Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.	<input type="checkbox"/>

### DOORS

<b>D01</b>	Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.	<input type="checkbox"/>
<b>D02</b>	Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.	<input type="checkbox"/>

### WINDOWS

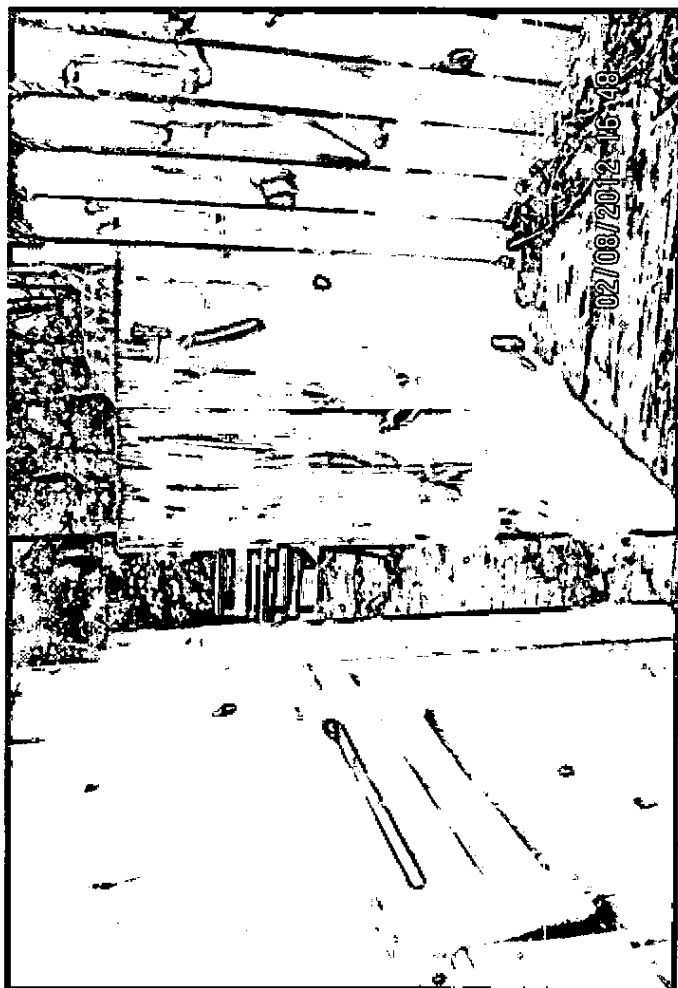
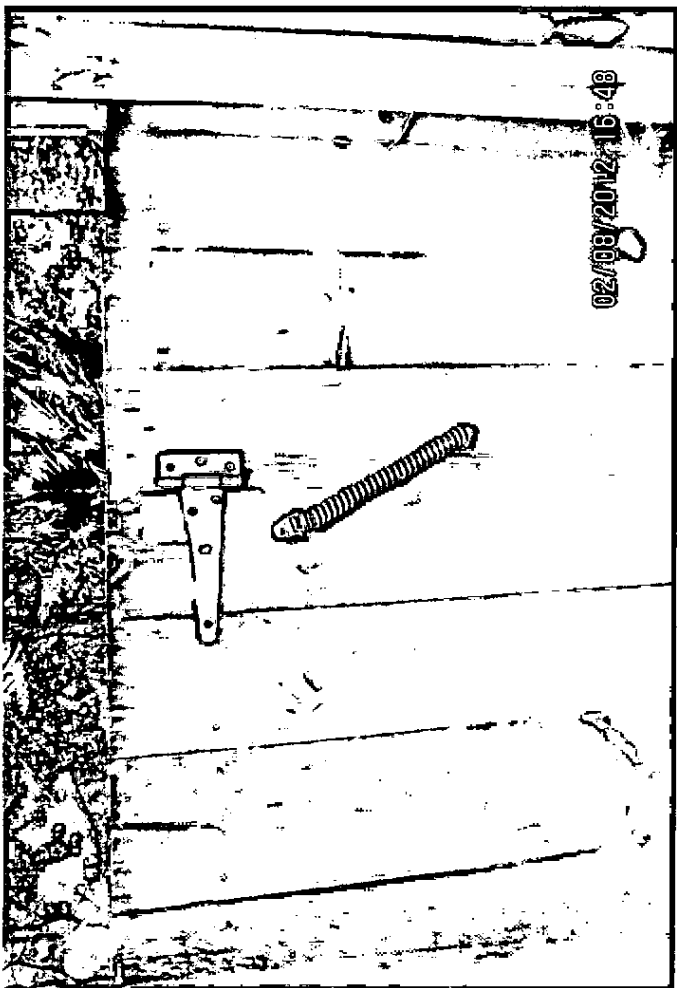
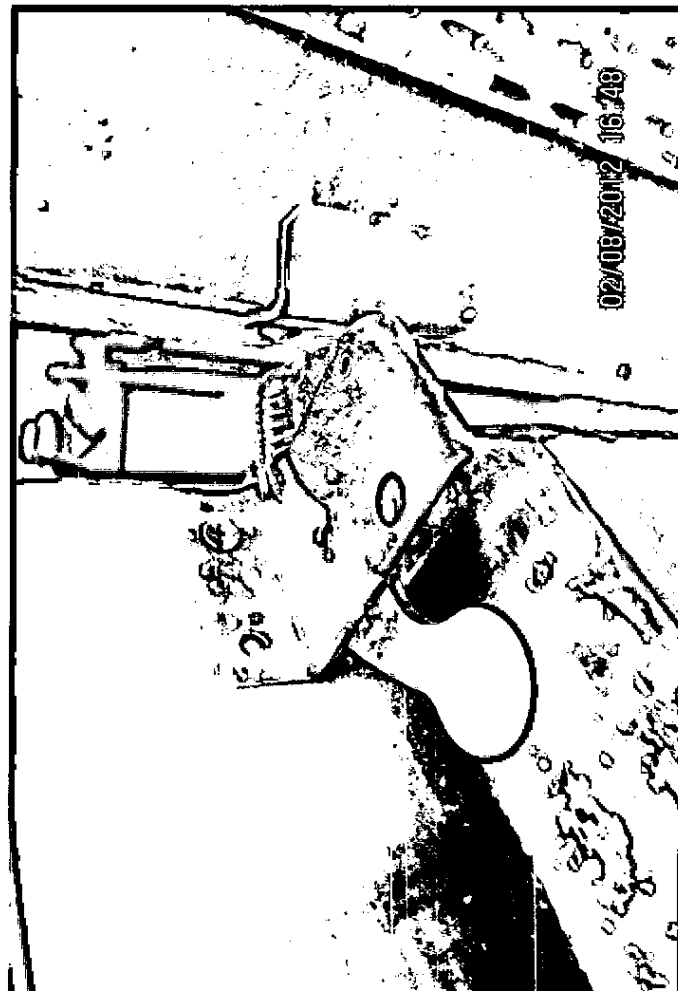
<b>W01</b>	Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.	<input type="checkbox"/>
------------	---	--------------------------

### MISCELLANEOUS

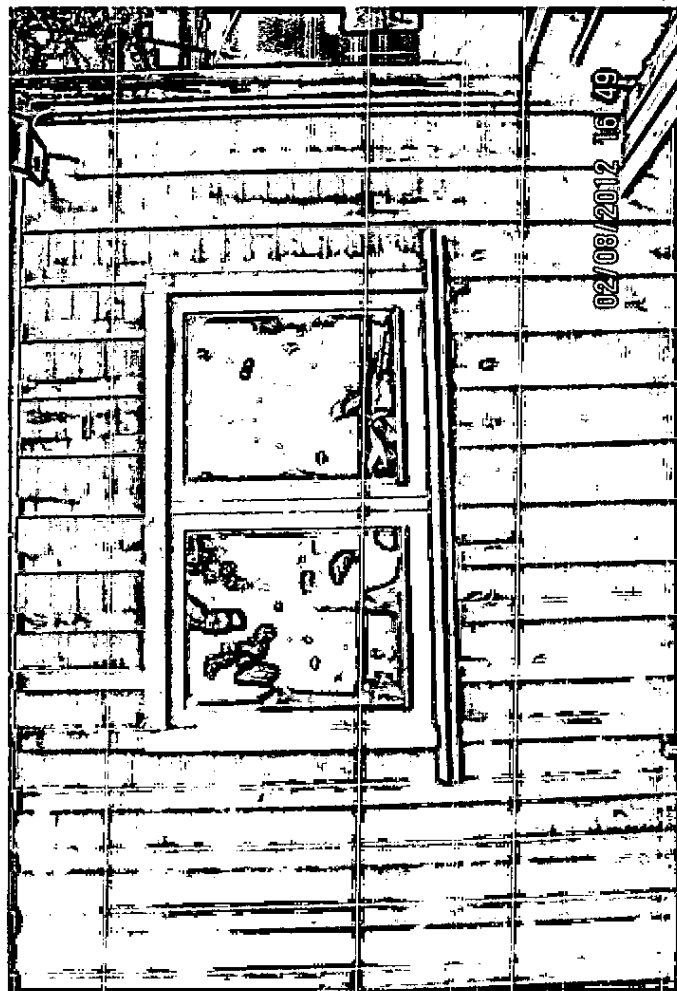
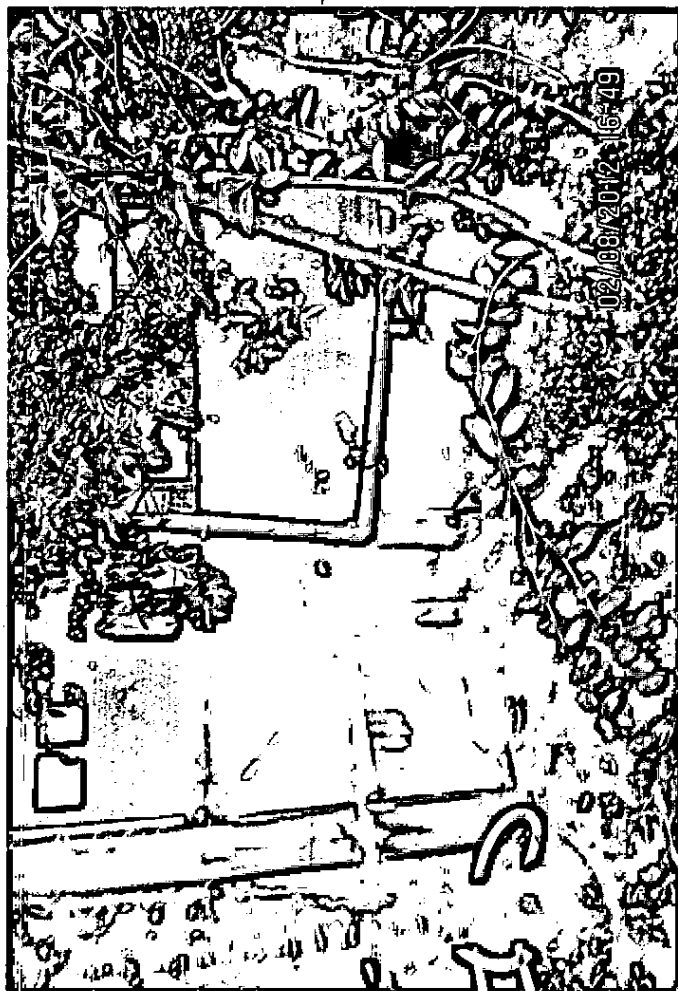
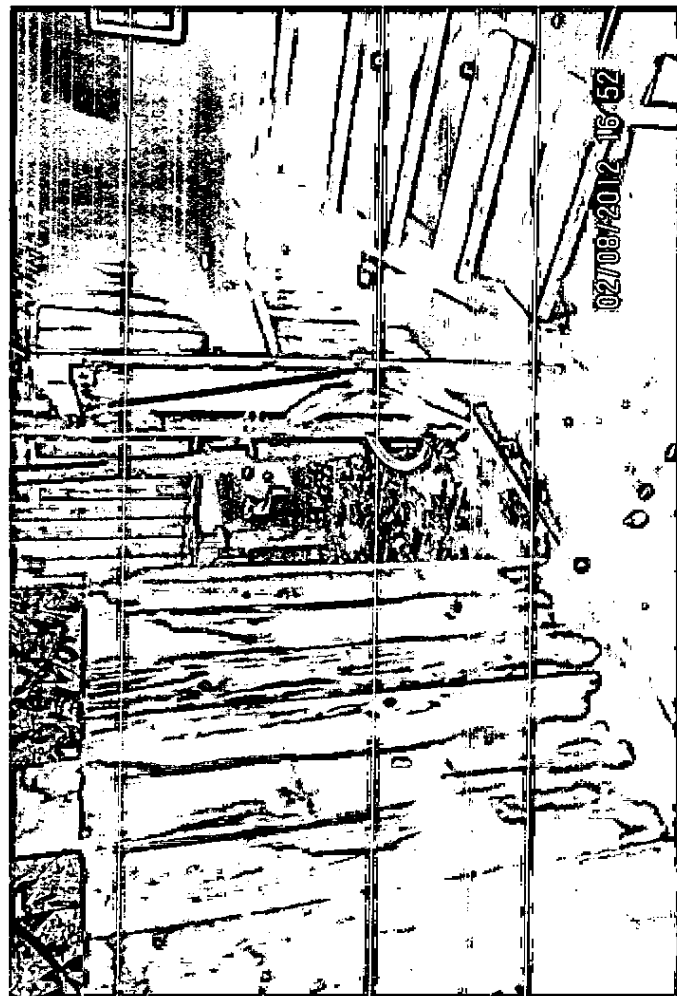
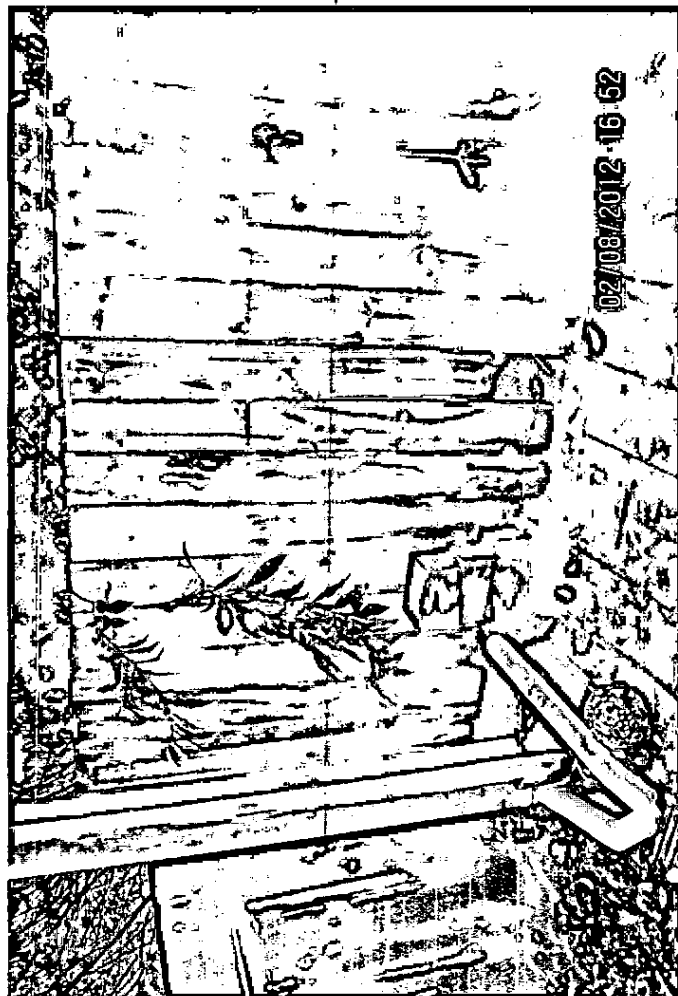
<b>M01</b>	Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.	<input type="checkbox"/>
<b>M01a</b>	Isolate the landscaped area from the immediate Swimming/Spa pool area.	<input type="checkbox"/>
<b>M02</b>	You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.	<input type="checkbox"/>
<b>M03</b>	The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).	<input type="checkbox"/>
<b>M04</b>	The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.	<input type="checkbox"/>
<b>M05</b>	The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.	<input type="checkbox"/>
<b>M06</b>	Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.	<input type="checkbox"/>
<b>R01</b>	Registration of the Swimming/Spa pool is required (\$69.00).	<input type="checkbox"/>

## DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING

### SITE NOTES







Ref: Neville Exler  
(Field Services) rjb

25 June 2009

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
WAITAKERE 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS:**

**87 Kauri Point Road, LAINGHOLM  
LOT 357 DP 17523**

**SWP:**

**SWIM-2001-9717** (Swimming pool)

A recent inspection of the above property has confirmed that there is a Swimming pool on your property and at the time of the inspection your pool was partially drained / empty.

Consequently your pool falls into the category of section 5 (b) of the Fencing of Swimming Pools Act 1987 and is exempt from the fencing requirements as long as the water is less than 400mm deep.

Should your pool be refilled to a level greater than 400mm then the pool will need to be fenced, in accordance with the requirements of the Fencing of Swimming Pools Act and Council notified.

In the interests of child safety Council will inspect your pool periodically to check its status.

Yours faithfully



**NEVILLE EXLER**  
**BUILDING ENFORCEMENT OFFICER**  
**FIELD SERVICES**



Waitakere City Council  
Te Taiao o Waitakere

Waitakere Central  
6 Henderson Valley Rd  
Henderson 0612  
Waitakere

Waitakere City Council  
Private Bag 93109  
Henderson 0650  
Waitakere

Telephone  
09 839 0400

# TAX INVOICE

GST Registration Number

52-211-247

S J Walker-Moffat  
87 Kauri Point Road  
Laingholm  
WAITAKERE 0604

Date: 25-Jun-2009  
Customer No: 328038  
Invoice No: 422528

Licence Location: 87 Kauri Point Road, LAINGHOLM

Licence: SWIM-2001-9717

Fee Code	Transaction Description	Amount
INS	Inspection Fee	155.00

This account includes a total GST content of 17.22

Invoice Total 155.00

Remittance Advice

(Please Detach and Return with Payment)



Waitakere City Council  
Te Taiao o Waitakere

Waitakere Central  
6 Henderson Valley Rd  
Henderson 0612  
Waitakere

Waitakere City Council  
Private Bag 93109  
Henderson 0650  
Waitakere

Telephone  
09 839 0400

Invoice Date: 25 June 2009

Licence: DLC

Invoice Number: 422528

Debtor Number: 328038

Name: S J Walker-Moffat

Payment Reference: 252444

Licence: SWIM-2001-9717

Invoice Total: 155.00



87 KAURI POINT RD, LITNEHOLM.

Waitakere City Council  
Te Taiāo o Waitakere

SWIM-2001-9717

**SWIMMING/SPA POOL PRIOR TO ENFORCEMENT INSPECTION FORM**

(Green Colour Page)

Enforcement Meeting Due: 03 JUN 2009

Date last Inspected: 22/06/2009

Date Re-Inspection: 25/06/09 Andrew Holmes

Fee Required (Tick Box): ☒ \$155.00 DED. 25/6/09.

Inspectors Name: NEVILLE KELLER

Site Address: 87 KAURI POINT RD, LITNEHOLM.

Occupants Home

☐ Y ☒ N

Left Card

☐ Y ☒ N

Owner Name: WALTER MOFFAT SR + KATHARINA IS.

Phone: 32803815 Swimming/Spa Pool Results (Tick Appropriate Box)

Signature of Inspector

Swimming Pool ☒

Spa Pool ☐

Do not send ENF letter before ENF meeting

All Items outstanding

(SWPENF1 - with Invoice)

(SWPENF2 - NO Invoice) SENT 26/5/2009

Complying (SWPCOM5)

Empty (SWPEMPT4)

Removed (SWPREM3)

Some Progress Made

SW10 LTR (SWPIN10)

25/6/09

COMPLETED

25/6/09

25/6/09

3:10

19

3:23

22

**INSPECTION NOTES:**

**ENFORCEMENT NOTES:**

25/6/2009 9.55

~~Gate jammed - could not be opened for testing~~  
Gate needs attention - does not self close - does not self lock.  
Swimming pool empty. Andrew

**Recommend Prosecution**

Signed: Wolfgang Nethe - Operational Compliance Team Manager

Date:



Waitakere City Council  
Te Taiaro o Waitakere

Waitakere City Council  
Waitakere Central  
6 Henderson Valley Road  
Henderson 0612

Private Bag 93109  
Henderson 0650  
Waitakere

Telephone  
09 836 8000

24Hr Call Centre  
09 839 0400

Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: info@waitakere.govt.nz

Website: www.waitakere.govt.nz

Ref: Neville Exler  
(Field Services) rjb

26 May 2009

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
WAITAKERE 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS:**

**87 Kauri Point Road, LAINGHOLM  
LOT 357 DP 17523**

**SWP:**

**SWIM-2001-9717** (Swimming pool)

Further to our previous correspondence, the Council has received no notification that the work required at this property to achieve compliance with the Fencing of Swimming Pools Act 1987, has been carried out.

If you have not already undertaken the required work then I urge you to take immediate action to bring your pool fence up to a compliant standard.

Should you have any queries in relation to this matter please contact me urgently.

Yours faithfully

**Neville Exler**  
**BUILDING ENFORCEMENT OFFICER**  
**FIELD SERVICES**

Ref: Neville Exler  
(Field Services) rjb

24 April 2009

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
WAITAKERE 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS:** 87 Kauri Point Road, LAINGHOLM  
LOT 357 DP 17523

**SWP:** SWIM-2001-9717 (Swimming pool)

In keeping with Council's regular pool fencing inspection programme a recent inspection of the property has been carried out and has revealed that the pool fence does not currently comply with the requirements of the Fencing of Swimming Pools Act (The Act). Consequently you are required to bring the pool fencing up to the legal requirement by carrying out the work described on the attached page. Please feel free to contact me to discuss these requirements if you need any further information.

Unfortunately the Act does not grant a pool owner any time at all to comply, continuous compliance being the requirement. Therefore I urge you to take immediate action to bring the pool fence up to standard.

Immediate compliance can be achieved by reducing the water level in the pool to a depth of 400mm or less. However with some pools there may be a risk to the structure of the pool if it is emptied. Consequently please check with the pool manufacturer, supplier and installer or engineer before embarking on this course of action.

It is important to realise that you must carry out all the items of work necessary to achieve the proper fencing of the pool in the manner defined by the Act before the pool is available for any further use. As previously mentioned details are provided on the attached page.

Upon completing the required works, please request Council to re-inspect the pool by returning the enclosed form and inspection fee of \$155.00. This charge is in line with our Regulatory Fees and Charges (2008/2009) and is effective to 30<sup>th</sup> June 2009. Should your re-inspection be carried out after this date, please contact our Call Centre for updated re-inspection fees. (It is Council's policy that the pool owner must carry the cost of re-inspecting non-complying swimming/spa pools.)

For your further information, the relevant section of the Fencing of Swimming Pools Act is as follows:

**8            *Obligations of owner and persons in control of pool***

- (1) Every owner of a pool to which this Act applies shall ensure that, except as provided in any exemption granted under section 6 of this Act, the pool, or some or all of the immediate pool area including all of the pool, is fenced by a fence that complies with the requirements of the [building code in force under the Building Act 2004 in respect of swimming pools subject to this Act] at all times when this Act applies in respect of the pool.*
- (2) Every owner of a pool to which this Act applies shall comply or ensure that there is compliance with every condition imposed under section 6(2) of this Act.*
- (3) Every person who has possession of this property on which any pool to which this Act applies is situated shall ensure that the pool is not filled or partly filled with water at any time when the person knows or could reasonably be expected to know that any obligation imposed by this section on that or any other person is not complied with.*
- (4) The fact that a person complies with any obligation imposed by this section shall not excuse that person from any other duty imposed by law.*

Should you have any queries in relation to this matter please feel free to contact me.

Yours faithfully



**Neville Exler**  
**BUILDING ENFORCEMENT OFFICER**  
**FIELD SERVICES**

24 April 2009

87 Kauri Point Road, LAINGHOLM  
**SWPSWIM-2001-9717** (Swimming pool)

**Work Required.**

1. Ensure that the Swimming pool gates are self closing and self latching from a stationary measured distance of 150mm.

**“Should you require any further advice or information with regards to the items of work prescribed, please do not hesitate to contact the writer at your earliest convenience.”**





**Waitakere City Council**

*Te Tatao o Waitakere*

**Registration or Re-inspection of Swimming Pool or Spa Pool for Compliance of Pool Fencing  
Pursuant to the Fencing of Swimming Pools ACT 1987.**

**Send to:**

The Operational Compliance Manager  
Waitakere City Council  
Private Bag 93109  
Henderson  
WAITAKERE 0650

Attention: Field Services

**For more information:**

Waitakere City Council  
Waitakere Central  
6 Henderson Valley Road  
Henderson  
WAITAKERE 0612  
Telephone: (09) 839-0400  
Facsimile: (09) 836-8001

SWP Number: SWIM-2001-9717 (Swimming pool)  
Building Consent Number:

**I/We request the pool/spa at the address given below be: (Tick ☒ appropriate box)**

A. Registered

B. Inspected

Applicant / Owners Full Names (s):

S J Walker-Moffat and I S Kagalwala

Contact Phone Number

Site address:

87 Kauri Point Road, LAINGHOLM

Address for Correspondence:

Dog on site

YES

NO

☐ Swimming Pool

☐ Spa Pool

☐ In ground

☐ Above ground

☐ In deck

☐ On deck

☐ Other (state where):

The following arrangements have been made for the security of the pool.

Registration fee payable:

Inspection / re-inspection fee payable:

Receipt number: \_\_\_\_\_

Date paid \_\_\_\_\_



Waitakere City Council  
Te Taiao o Waitakere

RECEIVED

24 APR 2003

**SWIMMING/SPA POOL INSPECTION FORM**

SWIM-2001-9717

**Date Inspected:** 07-May-2004 *22.4.09*  
**Inspectors Name:** Jason Sheehan *Complying pool*  
**Site Address:** 87 Kauri Point Road, LAINGHOLM *N. Exler*

**DETAILS**

Occupants Home	YES	<input checked="" type="radio"/> NO	Left Calling Card	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Swimming <del>or Spa</del>	<input checked="" type="radio"/> SWP	<input type="radio"/> SPA	Primary Inspection	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Type of Pool	Fee Paid	YES	<input checked="" type="radio"/> NO		
AG (above ground)					
AGINDK (above ground IN deck)					
AGONDK (above ground ON deck)					
IG (in ground)					
IND(indoor pool)					
ISP(indoor spa)					
SPA					
UNK (unknown)					
Site plan to be sent	YES	<input checked="" type="radio"/> NO	Fee Required Registration Fee Re-Inspection Fee	YES	<input checked="" type="radio"/> NO

**IMMEDIATE COMPLIANCE**

Swimming/Spa pool meets the required standard	SWPCOM5
Swimming/Spa pool has been removed	SWPREM3
Swimming/Spa pool has been partially drained (below 400mm) or emptied	SWPEMPT4
<b>ACCESS TO POOL</b>	
Unable to gain access the ISWPA	SWPACC1
To gain access the ISWPA	SWPACC2

*2001 - Comply ->*

**COMPLETED**

*24/4/09.*

*9:00*

*13*

*9.13*

*10.22*

<b>NON COMPLIANCE</b>	<b>SWPNON8</b>
-----------------------	----------------

	<b>FENCE</b>	
<b>F01</b>	Provide a fence to the ISWPA so as to prevent direct access from	
<b>F02</b>	Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.	
<b>F03</b>	Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.	
<b>F04</b>	Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.	
<b>F05</b>	Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.	
	<b>GATES</b>	
<b>G01</b>	Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and <del>swing away from the ISWPA.</del>	✓
<b>G02</b>	A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located out side the gate.	
<b>G03</b>	Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.	
	<b>DOORS</b>	
<b>D01</b>	Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.	
<b>D02</b>	Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.	
	<b>WINDOWS</b>	
<b>W01</b>	Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.	
	<b>MISCELLANEOUS</b>	
<b>M01</b>	Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.	
<b>M02</b>	You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.	
<b>M03</b>	The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).	
<b>M04</b>	The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.	
<b>M05</b>	The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.	
<b>M06</b>	Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.	
<b>R01</b>	Registration of the Swimming/Spa pool is required (\$69.00).	

<b>DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING</b>
--

<b>SITE NOTES</b>

Refer: Jason Sheehan : Field Services : Ref: JS

Phone No: 839 0400 : 6 Waipareira Ave

17 May 2004

DANIEL SIMPERINGHAM  
GENEVIEVE SIMPERINGHAM  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

*swim - 2001 - 9717 (Swimming)*

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**

**SWP: SWP20010186**

In connection with the above property Waitakere City Council advises that as of 07 May 2004 the swimming pool fencing is in accordance with the Fencing of Swimming Pools Act 1987.

Waitakere City Council is to be notified, should any work be carried out in conjunction with your pool.

Council will review the property's pool fencing requirements in approximately three (3) years to ascertain it meets the requirements in accordance with the Act.

Yours faithfully



Jason Sheehan  
Swimming Pool Advisor  
Operational Compliance  
Field Services

# **SWIMMING/SPA POOL INSPECTION FORM**

DATE INSPECTED: 07 MAY 2004

20010186.

INSPECTORS NAME: Jason Sheehan

PRIMARY ☒ *NO FEE*

RE-INSPECTION ☐ *FEE PAID*

ENFORCEMENT ☐ *USE ENF FORM*

RE-INSPECTION ☐ *FEE REQ*

SITE ADDRESS: 87 Kauri Point Road

SPA: ☐

SWIMMING POOL: ☒

INGROUND: ☒

ABOVE GROUND: ☐

INDECK: ☐

Occupants Home ☒ Y / N

Left calling card Y / N

MEETS THE REQUIRED STANDARD OF THE ACT	<input checked="" type="checkbox"/>	SWP 5
REMOVED		SWP 3
PARTIAL DRAINED/EMPTY		SWP 4
UNABLE TO GAIN ACCESS		SWP 1
PROVIDE A FENCE TO THE IMMEDIATE SWIMMING/SPA POOL AREA SO AS TO PREVENT DIRECT ACCESS FROM	1	
PROVIDE A GATE TO THE IMMEDIATE SPA/SWIMMING POOL FENCE AREA		
ENSURE THE SPA/SWIMMING POOL GATE IS SELF-CLOSING AND SELF-LATCHING FROM 150MM, SWINGING AWAY FROM THE POOL AREA		
PROVIDE THE LOWER WINDOWS WITH LATCHES THAT RESTRICT FROM OPENING NO MORE THAN 100MM.		
ENSURE THE SPA/SWIMMING POOL FENCE IS GREATER THAN OR EQUAL TO A HEIGHT OF 1200MM.		
PROVIDE ALL DOORS THAT GIVE DIRECT ACCESS TO THE SPA/SWIMMING POOL AREA WITH BOLTS GREATER THAN OR EQUAL TO A HEIGHT OF 1500MM.		
REMOVE ALL OTHER APPLIANCES FROM THE IMMEDIATE POOL AREA. I.E. CLOTHELINE, BBQ ETC		
YOU ARE REQUIRED TO CLEAN YOUR SWIMMING/SPA POOL THOROUGHLY TO PREVENT THE BREEDING OF MOSQUITOES.		
REMOVE ALL CLIMBABLE OBJECTS FROM WITHIN 1.2M OF THE OUTSIDE OF THE POOL FENCING I.E. PLANT BOXES, FIREWOOD ETC		

OTHER COMMENTS:

1

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28 August 2001

Private Bag 93109  
Henderson  
Waitakere City

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

*Swimming Pool*

*SWIM - 2001 - 9712*

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**OUR REFERENCE: SWP20010242 LOT 357 DP 17523**

The Fencing of Swimming Pools Act 1987 requires all owners of swimming pools must ensure that pools are fenced in accordance with that Act.

A recent inspection of your property has revealed the spa pool is not fenced in the manner required by the Act. You are required to ensure your spa pool fully complies within the Act. The following work needs to be rectified/repared within 28 days from receipt of this letter to achieve compliance.

1. The spa requires a bolt to the top of the door.

When the works are completed, please fill in the enclosed form and return to Council along with the fee of \$65.00 so that a final inspection can be made to check for compliance.

The Fencing of Swimming Pools Act 1987 provides:

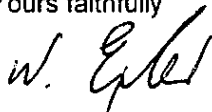
**"8. Obligations of owner and persons in control of pool -**

*(1) Every owner of a pool to which this Act applies shall ensure that, except as provided in any exemption granted under Section 6 of this Act, the pool, or some or all of the immediate pool area including all of the pool, is fenced by a fence that complies with the requirements of the Schedule to this Act at all times when this Act applies in respect of the pool.*

*(3) Every person who has possession of the property on which any pool to which this Act applies is situated shall ensure that the pool is not filled or partly filled with water at any time when the person knows or could reasonably be expected to know that any obligation imposed by this section on that or any other person is not being complied with."*

In the interests of public safety the Council intends to enforce the requirements of the Fencing of Swimming Pools Act 1987. If you require any further advice or information on this matter please contact the undersigned.

Yours faithfully



NEVILLE EXLER  
CUSTOMER FIELD ADVISOR (BUILDING COMPLIANCE)

SWP6

Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)

Private Bag 93109  
Henderson  
Waitakere City

Refer: MARK WEAVER

2 August 2001

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**

**OUR REFERENCE: SWP20010186**

A recent inspection of the above property has revealed a Swimming pool exists, and at the time of the inspection your Swimming pool was partially drained/empty.

Should your pool be refilled to a level greater than 400mm then full compliance to the Fencing of Swimming Pools Act is required, and Council notified.

Council will review the pool fencing periodically to check its status.

Yours faithfully



MARK WEAVER  
CUSTOMER FIELD ADVISOR  
(BUILDING COMPLIANCE)



Waitakere City Council  
Te Taiaro o Waitakere

**SWIMMING/SPA POOL INSPECTION FORM**

DATE INSPECTED:

27/07/01

INSPECTOR'S NAME:

MARK WEAVER

SITE ADDRESS:

87 KAURI POINT Rd.

(TICK APPROPRIATE BOXES THAT ARE APPLICABLE)



SWIMMING POOL:



INGROUND:

☐

*Pool -*  
ABOVE GROUND:

☒

OTHER:

(State Where)

COMPLYING:

☐

REMOVED:

☐

*under 400mm*  
PARTIAL DRAINED / EMPTY:

☒

*Pool*

UNABLE TO GAIN ACCESS:

☐

DOG ON SITE:

☐

NO ONE HOME:

☐

NON-COMPLYING:

☐

OTHER COMMENTS / OUTSTANDING ITEMS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LETTER REFERENCE:

SWP 1 --- ☐

SWP 3 --- ☐

SWP 5 --- ☐

SWP 2 --- ☐

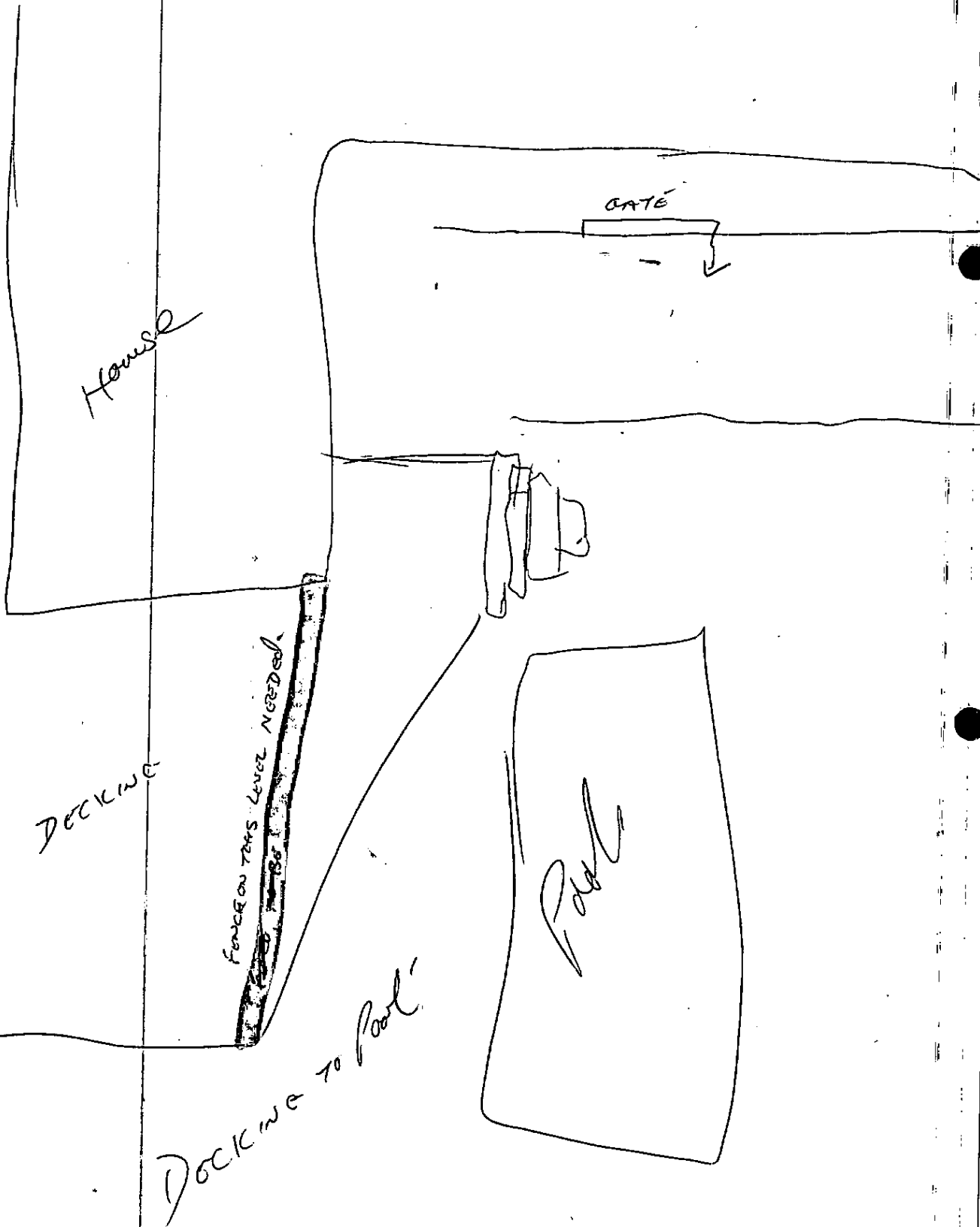
SWP 4 --- ☒

SWP 6 --- ☐

1. Unable to gain access
2. 2<sup>nd</sup> Non Complying
3. Removed
4. Drained/Empty
5. Complying
6. 1<sup>st</sup> Non Complying

# POOL NOW COMPLYING

- (1) GATE TO OPEN AWAY FROM POOL AREA, SELF RETURN + LATCHING -
- (2) POOL AREA TO BE FENCED OFF ON TOP PIECE OF DECKING SPA ROOM TO RAIL



TO: REGULATORY SERVICES  
WAITAKERE CITY COUNCIL  
PRIVATE BAG 93109  
HENDERSON

WAITAKERE CITY COUNCIL

498885

05 JUL 2001

**REGISTRATION OF SWIMMING POOL  
FOR COMPLIANCE OF POOL FENCING PURSUANT TO  
THE FENCING OF SWIMMING POOLS ACT 1987**

OWNERS NAME:	JANE BUNAYE	
SITE ADDRESS OF POOL:	87 Kauri Point Road Langholm	
LEGAL DESCRIPTION:	LOT NO:	DP:
POOL TYPE:	PARA <input checked="" type="checkbox"/> ABOVE <input checked="" type="checkbox"/> INGROUND <input type="checkbox"/> SPA <input type="checkbox"/> GROUND	
CORRESPONDENCE ADDRESS:	As Above	

I/WE request an inspection of the fences around the pool at the above address. The following arrangements have been made for the security of the pool.

Fully fenced section 6' - Pool currently fenced at rear of  
 property - Electronic gates at front of property  
 Pool currently being emptied - not in use  
 Any longer - should be clear within a  
 few days

Signature: \_\_\_\_\_

Date: 30-6-01Phone No: 817 4541025 285 914

Chief Executive	
Corporate Services	
Community Devel.	
Regulatory	
Strategy & Dev.	
Human Resources	
City Infrastructure	
Maori Issues	
Field Services	

FEE PAYABLE: \$65.00  
FEE PAYABLE: \$55.00 (Re-inspections)

A/C B7

CHEQUE FOR  
\$ 65.00  
TO CASHIERS



Waitakere City Council  
Te Tatao o Waitakere

## SWIMMING/SPA POOL INSPECTION FORM

DATE INSPECTED:

24.8.01

INSPECTORS NAME:

N. Exler

SITE ADDRESS:

89 Kauri Point Rd

SWP 20010186

SWP 20010202

(TICK APPROPRIATE BOX/ES THAT ARE APPLICABLE)

SPA: ☐

SWIMMING POOL: ☒

INGROUND: ☐

ABOVE GROUND: ☒

OTHER: Hot tub

(State Where)

in side house

COMPLYING: ☐

REMOVED: ☐

PARTIAL DRAINED / EMPTY: ☒

pool - water sent 2/8 re pool.

UNABLE TO GAIN ACCESS: ☐

DOG ON SITE: ☐

NO ONE HOME: ☐

NON-COMPLYING: ☐

OTHER COMMENTS / OUTSTANDING ITEMS:

spa requires bolt to top of door

LETTER REFERENCE:

SWP 1 ☐

SWP 3 ☐

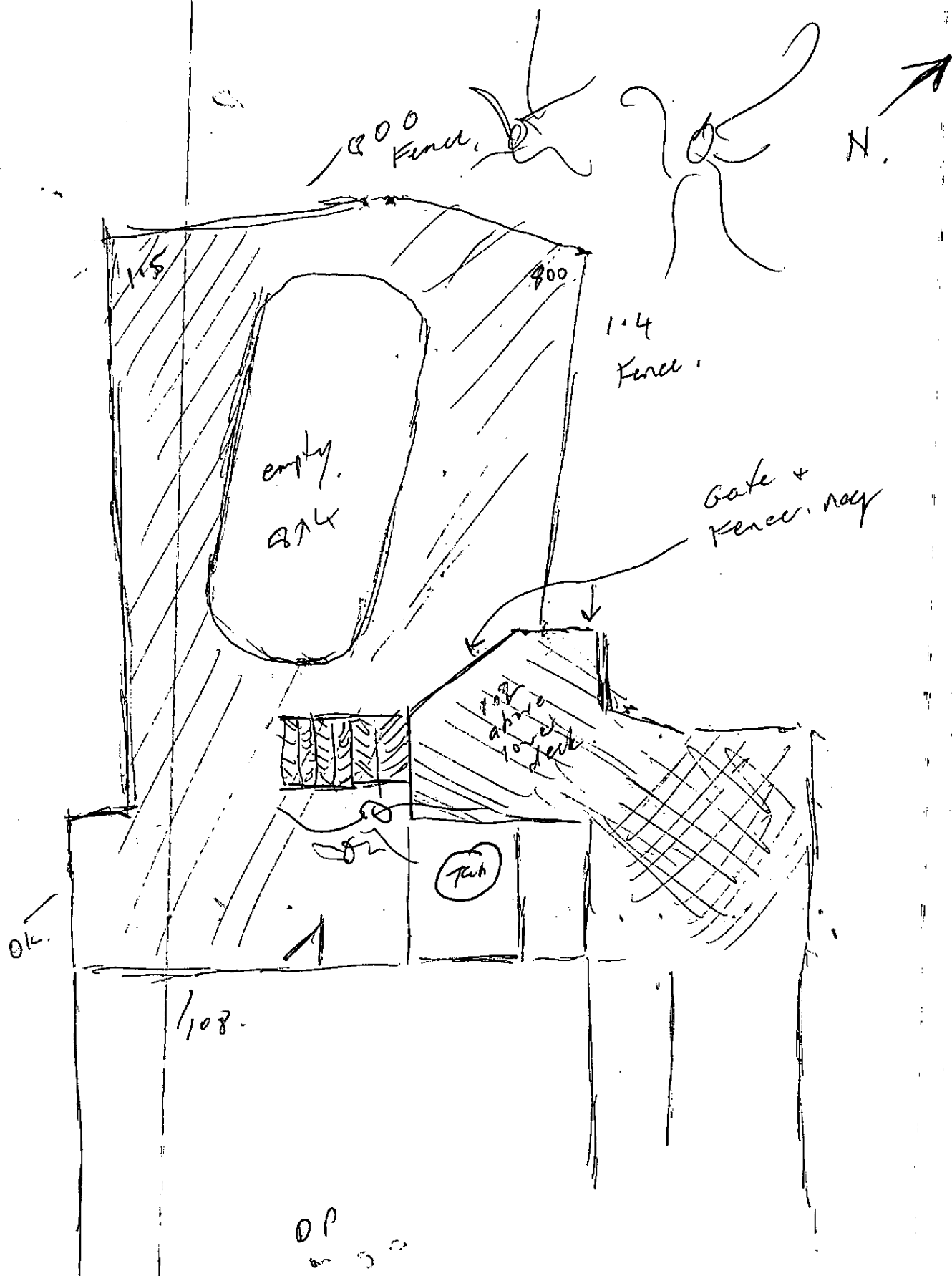
SWP 5 ☐

SWP 2 ☐

SWP 4 ☒

SWP 6 ☐

1. Unable to gain access
2. 2<sup>nd</sup> Non Complying
3. Removed
4. Drained/Empty
5. Complying
6. 1<sup>st</sup> Non Complying



87 Kauri Point Rd.

Refer: Mr Exler: lh (Field Services)  
Extn. 8657 (Civic Centre)

Entered  
80.

LIM Ref: No: 20010764

28 June 2001

J Burrage  
87 Kauri Point Road  
Laingholm .

Dear J Burrage,

**PROPERTY LOCATION – 87 KAURI POINT ROAD, LAINGHOM LOT 357 DP 17523**  
**FENCING OF SWIMMING POOLS ACT 1987**

Council's records indicate that the swimming/spa pool on this property does not comply with the Fencing of Swimming Pools Act 1987, and/or does not appear on Council's register.

In order to meet Compliance with the Act please ensure that the fencing meets the requirement on the enclosed Guidelines. Any outstanding work should be carried out within 28 days of the date of this letter or the pool should be emptied and Council notified.

Should the pool be removed, an inspection is still required.

Please return the enclosed Registration form together with the prescribed fee of \$65.00 to advise Council when this work is complete and ready for inspection.

Should you wish to discuss this matter please contact our Pool Inspector, Mr Neville Exler, Monday to Friday on extension 8657 or (025) 863-327.

Yours faithfully



Trisha Chapman

**LAND INFORMATION CLERK**

# Swimming and spa pool fencing inspection checklist

**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



Address of property: 87 Kauri Point Road Lougholm  
 Owner/Occupier name: Ralebh Rooger Phone no: 09 550 7780  
 Inspector's name: Reg Pritchard Phone no: 09 484 7237  
 Pool type: ☐ Swimming pool ☒ Spa pool ☐ Other: Indoor Spa Exempt  
 Reason for inspection: ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Prim. inspection ☐ Sec. inspection  
 Date of inspection: 14/5/15 BC # 2001-13241 ☒ SWP#

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors close and latch automatically from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	10. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring fences, barriers, ledges, trees, sheds, etc) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate open away from pool area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the gap under the fence or between vertical rails less than 100mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Does the gate self-close and latch from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
5. Is the distance between any 2 of the rails, at any point, at least 900mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: Spa pool inspection done (LOI)  
Indoor spa is exempt - Section 5(e) of FOSPA.

Result of inspection: (refer to schedule overleaf for more information)

☒ PASS Spa Exempt ☐ FAIL (please rectify faults immediately) ☐ REFER TO NOTICE ATTACHED

SITE PLAN

## The Fencing of Swimming Pools Act 1987

The Act requires all pool owners, occupiers or tenants to fence the immediate pool area. This means the land in which the pool is situated on and as much of the surrounding area that is used for activities or purposes related to the use of the pool (this includes spa pools). The fence should be situated to prevent young children moving directly to the pool from the house, other buildings, garden paths and other areas of the property that would normally be available to young children. Refer to schedule below for further information.

**Important note:** If your pool does not comply, the Fencing of Swimming Pools Act 1987 requires the pool to be emptied immediately and remain empty until such time as it does comply.

### 1. Required height of a pool fence

- I. The fence shall extend-
  - a. at least 1.2 metres above the ground on the outside of the fence; and
  - b. at least 1.2 metres above any permanent projection from or object permanently placed on the ground outside and within 1.2 metres of the fence
- II. Notwithstanding sub clause (1), where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting, or mesh has a dimension (other than the circumference or perimeter) greater than 10mm, the fence shall extend at least 1.8 metres above the ground or the projection or object.

### 2. Ground clearance

Any clearance between the bottom of the fence and ground level shall not exceed 100mm.

### 3. Materials

All materials and components shall be of a durable nature and shall be erected so as to inhibit any child under the age of 6 years from climbing over or crawling under the fence from the outside.

4. Except where the fence is horizontally close-boarded or is made of perforated material, netting, or mesh, the spacing between adjacent vertical pales, panels, or other posts shall not exceed 100mm at any point.
5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.
  - 5A. Notwithstanding clause 5, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if-
    - a. the distance between any 2 of them at any point is at least 900mm; and
    - b. there is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.
6. Where any perforated material, netting, or mesh is used, no opening in that material, netting, or mesh shall have any dimension (other than the circumference or perimeter) greater than 50mm.
7. All perforated material, netting, or mesh material shall be firmly attached at both top and bottom to a rail, pipe, or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of 6 years.

### 8. Gates and doors

Every gate or door shall be so constructed as to comply with the relevant requirements of clauses 1 to 7, and shall be so mounted that-

- a. it cannot open inwards towards the immediate pool area
- b. it is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided
- c. when lifted up or pulled down the gate or door does not release the latching device, come off its hinges, or provide a ground clearance greater than 100mm

### 9. Operation of gates and doors

- I. Every gate or door shall be fitted with a latching device.
- II. Where the latching device is accessible from the outside of the fence only by reaching over the fence, gate, or door or through a hole in the fence, gate, or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.
- III. Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.

10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

### 11. Doors in walls of buildings (relates to special exemptions ONLY)

Where any building forms part of a fence and the pool is not contained within the building, any sliding or bi-fold door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the territorial authority is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, regulation, or bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.



# Swimming and spa pool fencing inspection checklist

**Auckland Council**  
Te Kaunihera o Tāmaki Makaurau



Address of property: 87 Kauri Point Road Loughlin

Owner/Occupier name: \_\_\_\_\_

Phone no: \_\_\_\_\_

Inspector's name: Reg Pritchard

Phone no: 09484-723

Pool type: ☐ Swimming pool ☐ Spa pool ☐ Other: \_\_\_\_\_

Reason for inspection: ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Prim. inspection ☐ Sec. inspection

Date of inspection: 21/4/15 BC # \_\_\_\_\_ ☒ SWP# 2001-13241

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors close and latch automatically from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	10. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring fences, barriers, ledges, trees, sheds, etc) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate open away from pool area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the gap under the fence or between vertical rails less than 100mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Does the gate self-close and latch from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
5. Is the distance between any 2 of the rails, at any point, at least 900mm <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: Inspection not done. Ran out of time  
Please rebook. Thankyou

Result of inspection: (refer to schedule overleaf for more information)

☐ PASS

☐ FAIL (please rectify faults immediately)

☐ REFER TO NOTICE ATTACHED

SITE PLAN

## The Fencing of Swimming Pools Act 1987

The Act requires all pool owners, occupiers or tenants to fence the immediate pool area. This means the land in which the pool is situated on and as much of the surrounding area that is used for activities or purposes related to the use of the pool (this includes spa pools). The fence should be situated to prevent young children moving directly to the pool from the house, other buildings, garden paths and other areas of the property that would normally be available to young children. Refer to schedule below for further information.

**Important note:** If your pool does not comply, the Fencing of Swimming Pools Act 1987 requires the pool to be emptied immediately and remain empty until such time as it does comply.

### 1. Required height of a pool fence

- I. The fence shall extend-
  - a. at least 1.2 metres above the ground on the outside of the fence; and
  - b. at least 1.2 metres above any permanent projection from or object permanently placed on the ground outside and within 1.2 metres of the fence
- II. Notwithstanding sub clause (1), where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting, or mesh has a dimension (other than the circumference or perimeter) greater than 10mm, the fence shall extend at least 1.8 metres above the ground or the projection or object.

### 2. Ground clearance

Any clearance between the bottom of the fence and ground level shall not exceed 100mm.

### 3. Materials

All materials and components shall be of a durable nature and shall be erected so as to inhibit any child under the age of 6 years from climbing over or crawling under the fence from the outside.

4. Except where the fence is horizontally close-boarded or is made of perforated material, netting, or mesh, the spacing between adjacent vertical pales, panels, or other posts shall not exceed 100mm at any point.
5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.
  - 5A. Notwithstanding clause 5, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if-
    - a. the distance between any 2 of them at any point is at least 900mm; and
    - b. there is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.
6. Where any perforated material, netting, or mesh is used, no opening in that material, netting, or mesh shall have any dimension (other than the circumference or perimeter) greater than 50mm.
7. All perforated material, netting, or mesh material shall be firmly attached at both top and bottom to a rail, pipe, or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of 6 years.

### 8. Gates and doors

Every gate or door shall be so constructed as to comply with the relevant requirements of clauses 1 to 7, and shall be so mounted that-

- a. it cannot open inwards towards the immediate pool area
- b. it is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided
- c. when lifted up or pulled down the gate or door does not release the latching device, come off its hinges, or provide a ground clearance greater than 100mm

### 9. Operation of gates and doors

- I. Every gate or door shall be fitted with a latching device.
- II. Where the latching device is accessible from the outside of the fence only by reaching over the fence, gate, or door or through a hole in the fence, gate, or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.
- III. Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.

10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

### 11. Doors in walls of buildings (relates to special exemptions ONLY)

Where any building forms part of a fence and the pool is not contained within the building, any sliding or bi-fold door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the territorial authority is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, regulation, or bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.

# Swimming and spa pool fencing inspection checklist



Address of property: 87 Kauri Point Road Laingholm

Owner/Occupier name: \_\_\_\_\_

Phone no: \_\_\_\_\_

Inspector's name: Reg Pritchard

Phone no: 094847237

Pool type: ☐ Swimming pool ☐ Spa pool ☐ Other: \_\_\_\_\_

Reason for inspection: ☒ 3 yearly inspection ☐ Re-inspection ☐ New pool ☐ Site meeting ☐ Prim. inspection ☐ Sec. inspection

Date of inspection: 10/4/15 BC # \_\_\_\_\_ ☒ SWP# 2001-13241

FENCE	DOORS AND WINDOWS	GATES	MISCELLANEOUS
1. Does the fence define the immediate pool area correctly? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6. Do all doors close and latch automatically from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	10. Is the latch fixed on outside of gate a minimum of 1.5m above ground level or any permanent projection? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	14. Are all non-pool associated activities outside of the pool area? (E.g. clothesline, play ground, garden equipment or general storage facilities) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2. Is the fence a minimum of 1.2m high above ground level and any permanent projections? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	7. Do all doors open away from pool? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	11. Is the latch fixed on inside of gate only accessible by reaching over the gate, and set at least 150mm from top (e.g. glass) or shielded where required? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	15. Trellis fencing 1.2m-1.8m. Are trellis openings 10mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Is there a minimum distance of 1.2m between any climbable objects or permanent projections and the pool fence? (e.g. neighbouring fences, barriers, ledges, trees, sheds, etc) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8. Are all lower windows opening into pool area fitted with permanent stays restricting the opening width to 100mm maximum? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12. Does the gate open away from pool area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	16. Trellis fencing 1.8m or greater. Are trellis openings 50mm or less (or fitted with protective cover)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Is the gap under the fence or between vertical rails less than 100mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9. Are all latches, tower bolts and security locks fitted a minimum of 1.5m above floor level? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	13. Does the gate self-close and latch from a stationary opening position of 150mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
5. Is the distance between any 2 of the rails, at any point, at least 900mm? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

Special exemption – If a special exemption was granted for certain elements of the pool fence, have all conditions of the exemption been complied with? (e.g. portable spa above height of 760mm fitted with child proof rigid lockable lid) ☐ Yes ☐ No ☐ N/A

Comments: Inspection not done ran out of time please rebook - thank you.

Result of inspection: (refer to schedule overleaf for more information)

☐ PASS

☐ FAIL (please rectify faults immediately)

☐ REFER TO NOTICE ATTACHED

SITE PLAN

## The Fencing of Swimming Pools Act 1987

The Act requires all pool owners, occupiers or tenants to fence the immediate pool area. This means the land in which the pool is situated on and as much of the surrounding area that is used for activities or purposes related to the use of the pool (this includes spa pools). The fence should be situated to prevent young children moving directly to the pool from the house, other buildings, garden paths and other areas of the property that would normally be available to young children. Refer to schedule below for further information.

**Important note:** If your pool does not comply, the Fencing of Swimming Pools Act 1987 requires the pool to be emptied immediately and remain empty until such time as it does comply.

### 1. Required height of a pool fence

- I. The fence shall extend-
  - a. at least 1.2 metres above the ground on the outside of the fence; and
  - b. at least 1.2 metres above any permanent projection from or object permanently placed on the ground outside and within 1.2 metres of the fence
- II. Notwithstanding sub clause (1), where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting, or mesh has a dimension (other than the circumference or perimeter) greater than 10mm, the fence shall extend at least 1.8 metres above the ground or the projection or object.

### 2. Ground clearance

Any clearance between the bottom of the fence and ground level shall not exceed 100mm.

### 3. Materials

All materials and components shall be of a durable nature and shall be erected so as to inhibit any child under the age of 6 years from climbing over or crawling under the fence from the outside.

4. Except where the fence is horizontally close-boarded or is made of perforated material, netting, or mesh, the spacing between adjacent vertical pales, panels, or other posts shall not exceed 100mm at any point.
5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.
  - 5A. Notwithstanding clause 5, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if-
    - a. the distance between any 2 of them at any point is at least 900mm; and
    - b. there is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.
6. Where any perforated material, netting, or mesh is used, no opening in that material, netting, or mesh shall have any dimension (other than the circumference or perimeter) greater than 50mm.
7. All perforated material, netting, or mesh material shall be firmly attached at both top and bottom to a rail, pipe, or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of 6 years.

### 8. Gates and doors

Every gate or door shall be so constructed as to comply with the relevant requirements of clauses 1 to 7, and shall be so mounted that-

- a. it cannot open inwards towards the immediate pool area
- b. it is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided
- c. when lifted up or pulled down the gate or door does not release the latching device, come off its hinges, or provide a ground clearance greater than 100mm

### 9. Operation of gates and doors

- I. Every gate or door shall be fitted with a latching device.
- II. Where the latching device is accessible from the outside of the fence only by reaching over the fence, gate, or door or through a hole in the fence, gate, or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.
- III. Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.

10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

### 11. Doors in walls of buildings (relates to special exemptions ONLY)

Where any building forms part of a fence and the pool is not contained within the building, any sliding or bi-fold door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the territorial authority is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, regulation, or bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.

12 April 2012

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
AUCKLAND 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**SITE ADDRESS:** 87 Kauri Point Road, Laingholm  
LOT 3 DP 436878  
**SWP:** SWIM-2001-13241      **Converted from GEMS includes Swimming/Spa pools**

I am writing to advise you that after an inspection of your Spa pool on 10 April 2012 the Spa pool fencing was confirmed as being in accordance with the Fencing of Swimming Pools Act 1987.

Council will re-inspect the property's pool fencing in approximately three (3) years in order to ensure that it still meets the requirements of the Act.

Should you intend to carry out any work on the pool fence, or any other work on the pool which may affect the pool fencing prior to the next inspection, please ensure that you notify Council of any such proposal.

Yours faithfully

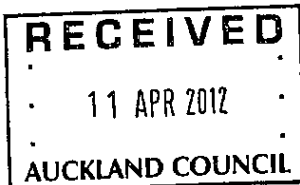


**Neville Exler**  
**Swimming Pool Inspector**  
**Auckland Council**  
**Western Building Control**

**Ph** 4407496  
**Mob** 021 863 327



Waitakere City Council  
Te Tatao o Waitakere



# **SWIMMING/SPA POOL INSPECTION FORM**

SWIM-2001-13241

10.4.12

<b>Date Inspected:</b>	22-Apr-2009, Exempt INDOOR Pool
<b>Inspectors Name:</b>	Neville Exler
<b>Site Address:</b>	87 Kauri Point Road, Mangholm

ENTERED

DETAILS		YES	NO	YES	NO
Occupants Home	YES	NO	Left Calling Card	YES	NO
Swimming or Spa	SWP	SPA	Primary Inspection	YES	NO
Type of Pool			Unable to Gain Access	YES	NO
AG (above ground)					
AGINDK (above ground IN deck)					
AGONDK (above ground ON deck)					
IG (in ground)					
IND(indoor pool)					
ISP(indoor spa)					
SPA					
UNK (unknown)					
Site plan to be sent	YES	NO	Fee Paid	YES	NO
			Fee Required	YES	NO
			Registration Fee		
			Re-Inspection Fee		

IMMEDIATE COMPLIANCE		
Swimming/Spa pool meets the required standard		SWPCOM5
Swimming/Spa pool has been removed		SWPREM3
Swimming/Spa pool has been partially drained (below 400mm) or emptied		SWPEMPT4
ACCESS TO POOL		
Unable to gain access the ISWPA		SWPACC1
To gain access the ISWPA		SWPACC2

<b>NON COMPLIANCE</b>	<b>SWPNON8</b>
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	<b>FENCE</b>	
<b>F01</b>	Provide a fence to the ISWPA so as to prevent direct access from	
<b>F02</b>	Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.	
<b>F03</b>	Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.	
<b>F04</b>	Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.	
<b>F05</b>	Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.	
	<b>GATES</b>	
<b>G01</b>	Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and swing away from the ISWPA.	
<b>G02</b>	A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located out side the gate.	
<b>G03</b>	Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.	

	<b>DOORS</b>	
<b>D01</b>	Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.	
<b>D02</b>	Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.	

	<b>WINDOWS</b>	
<b>W01</b>	Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.	

	<b>MISCELLANEOUS</b>	
<b>M01</b>	Remove all items not associated with the use of the Swimming/Spa pool from within the Swimming/Spa pool are i.e. clothes lines, gardening equipment, general storage etc.	
<b>M01a</b>	Isolate the landscaped area from the Immediate Swimming/Spa pool area	
<b>M02</b>	You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.	
<b>M03</b>	The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).	
<b>M04</b>	The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.	
<b>M05</b>	The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.	
<b>M06</b>	Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.	
<b>R01</b>	Registration of the Swimming/Spa pool is required (\$69.00).	

**DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING**

**SITE NOTES**





20 February 2012

S J Walker-Moffat and I S Kagalwala  
 87 Kauri Point Road  
 Laingholm  
 AUCKLAND 0604

SWIM-2001-13241

Dear Owner/Occupiers

87 Kauri Point Road, Laingholm

## Swimming/Spa Pool Safety Inspection

**A review of your swimming/spa pool is now due. An Auckland Council swimming pool inspector will be checking pool fencing in your area to ensure that your swimming pool/spa pool is fenced to a standard that meets the Fencing of Swimming Pools Act 1987.**

### Why pool fencing is important:

Pool fencing is an effective means of substantially reducing the risk of drowning for small children. Home pools are fun but it is the responsibility of the pool owner/tenant or those in charge of the pool to ensure the pool barriers are complying at all times. The Fencing of Swimming Pools Act 1987 exists to protect young children from the danger of accidental drowning, these have been substantially reduced since the introduction of the 'Act'. **We all need to work together to prevent a tragedy.**

### What you need to do:

- If you wish to be present at this inspection or there is difficulty with accessing your property because of security gates, dogs etc, **please call this office on 4407479 on receipt of this letter** to arrange a convenient time to call.
- **Otherwise, if we have no response from you or it is too difficult to find a suitable time our inspector will inspect the pool in your absence and leave a note. The inspection will be followed up by a letter if the Council finds that your fence is not complying.**
- **Please Note**, there may have been changes to the fencing requirements since our last visit, these may affect your current compliance. Please use the enclosed information brochure to ensure your pool fence meets today's safety standards or ring the above phone number to talk to one of our pool inspectors.
- Carry out any remedial work required **before our visit**, this will save any repeat inspections that may incur an inspection fee (see information over)

### FEE RATES

First inspection **free** of charge if pool fencing complies.

Any further inspections required will be charged at the current advertised rate. This information is available of our website [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

**IMPORTANT:**

If work on your pool area is required, a recheck inspection will take place at approximately the time noted on your inspection form. (Usually 21 days)

Yours faithfully,

pp 

Wolfgang Nethe  
Team Leader Compliance & Enforcement  
Henderson Service Centre  
Auckland Council



Waitakere City Council  
*Te Taiao o Waitakere*

Waitakere City Council  
Waitakere Central  
6 Henderson Valley Road  
Henderson 0612

Private Bag 93109  
Henderson 0650  
Waitakere

Telephone  
09 836 8000

24Hr Call Centre  
09 839 0400

Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)

Website: [www.waitakere.govt.nz](http://www.waitakere.govt.nz)

Ref: Neville Exler  
(Field Services) rjb

24 April 2009

S J Walker-Moffat and I S Kagalwala  
87 Kauri Point Road  
Laingholm  
WAITAKERE 0604

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS:**

**87 Kauri Point Road, LAINGHOLM  
LOT 357 DP 17523  
(INDOOR SPA POOL)  
SWIM-2001-13241**

**EXEMPT  
SWP:**

In the present situation the indoor Spa is exempt as it is covered by Section 5(e) of the Fencing of Swimming Pool Act 1987.

**"5. Exempted pools—**

Nothing in this Act shall apply in respect of

- (e) Any pool that is wholly enclosed within a building that is used principally for a purpose or purposes not related to the use of the pool:"

To remain exempt, (three) conditions need to be satisfied:

1. that the pool be completely enclosed; and
2. that the enclosure forms part of the building; and
3. that the building which it is housed in is not solely restricted to use as pool area – i.e. that it forms part of the living area for which there are a variety of uses.

NOTE: Should any physical changes be made to the pool area that would affect the pool being exempted, please notify Council and request an inspection.

Please contact me on the phone number mentioned above, if you wish to discuss any aspect of this letter.

Yours faithfully

**Neville Exler**  
**BUILDING ENFORCEMENT OFFICER**  
**FIELD SERVICES**



Waitakere City Council  
Te Taiao o Waitakere

RECEIVED

24 APR 2003

(SPA)

**SWIMMING/SPA POOL INSPECTION FORM**

SWIM-2001-13241

Date Inspected:	07-May-2004	22.4.09
Inspectors Name:	Jason Sheehan	Complying spa
Site Address:	87 Kauri Point Road, LAINGHOLM	N. Exler!

2001-13241. (SPA Pool?)

DETAILS				
Occupants Home	YES	<input checked="" type="radio"/> NO	Left Calling Card	<input checked="" type="radio"/> YES <input type="radio"/> NO
Swimming or Spa (SPA)	SWP	<input checked="" type="radio"/> SPA	Primary Inspection	<input checked="" type="radio"/> YES <input type="radio"/> NO
Type of Pool	Fee Paid	YES	NO	
AG (above ground)				
AGINDK (above ground IN deck)				
AGONDK (above ground ON deck)				
IG (in ground)				
IND(indoor pool)				
ISP(indoor spa)				
SPA				
UNK (unknown)				
Site plan to be sent	YES	<input checked="" type="radio"/> NO	Fee Required Registration Fee Re-Inspection Fee	YES <input checked="" type="radio"/> NO

except empty.

IMMEDIATE COMPLIANCE	
Swimming/Spa pool meets the required standard	SWPCOM5
Swimming/Spa pool has been removed	SWPREM3
Swimming/Spa pool has been partially drained (below 400mm) or emptied	SWPEMPT4
ACCESS TO POOL	
Unable to gain access the ISWPA	SWPACC1
To gain access the ISWPA	SWPACC2

COMPLETED

9:10  
11:  
9:21  
24/4/09  
= 18

<b>NON COMPLIANCE</b>	<b>SWPNON8</b>
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	<b>FENCE</b>	
<b>F01</b>	Provide a fence to the ISWPA so as to prevent direct access from	
<b>F02</b>	Ensure that the Swimming/Spa pool fence is a minimum height of 1.2m.	
<b>F03</b>	Ensure that the gap beneath the Swimming/Spa pool fence is not greater than the maximum allowable 100mm.	
<b>F04</b>	Remove any climbable objects (lower than 1.2m) from within 1.2m of the outside of the Swimming/Spa pool fence. If any objects are unable to be removed, the Swimming/Spa pool fence must be raised to a minimum height of 1.2m above, and 1.2m past either side of each object.	
<b>F05</b>	Ensure that there is a minimum gap of 900mm between either the bottom and middle rails, or the top and middle rails of the wooden fencing, or the middle rail must be removed or made otherwise un-climbable.	
	<b>GATES</b>	
<b>G01</b>	Ensure that the Swimming/Spa pool gates are self closing and self latching from a stationary measured distance of 150mm, and swing away from the ISWPA.	
<b>G02</b>	A latching device must be fitted at either 1.2m if located on the inside of the gate, and if accessible only by reaching over the gate (not accessible through the gate), or 1.5m if located out side the gate.	
<b>G03</b>	Ensure that the gap beneath the Swimming/Spa pool gate is not greater than the maximum 100mm.	

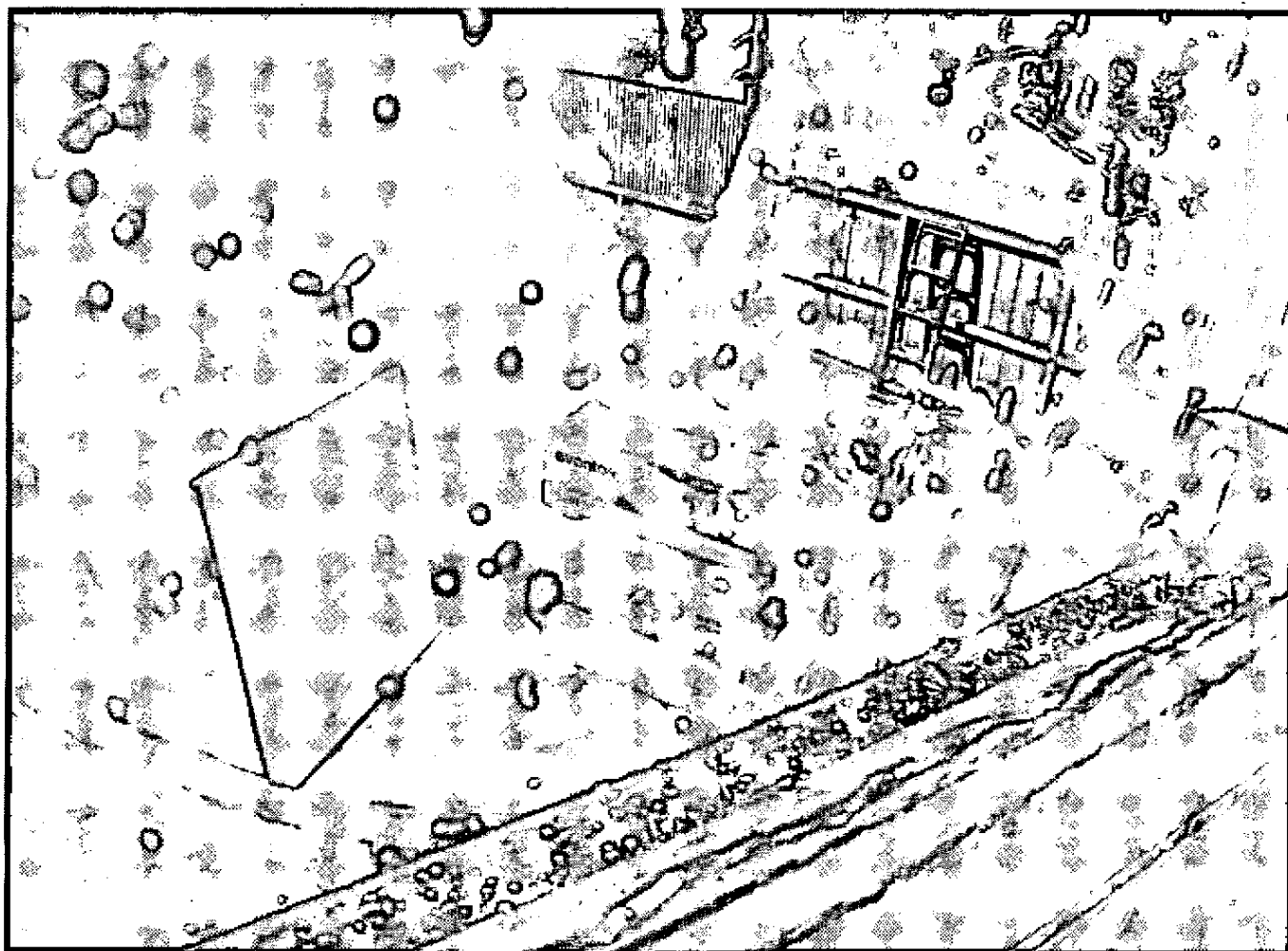
	<b>DOORS</b>	
<b>D01</b>	Ensure that all swinging doors which provide access to the ISWPA are made self closing and self latching from a stationary measured distance of 150mm, and are swinging away from the ISWPA. A latching device must also be fitted to each door at a minimum height of 1.5m. NOTE: sets of doors must operate (latch and close) independently of each other.	
<b>D02</b>	Provide bolts to all sliding or sliding-folding doors which provide access to the ISWPA at a minimum height of 1.5m.	

	<b>WINDOWS</b>	
<b>W01</b>	Provide all lower windows (below 1.2m ) which open into the ISWPA with permanent stays which restrict the window opening to a maximum of 100mm.	

	<b>MISCELLANEOUS</b>	
<b>M01</b>	Remove all items not associated with the use of the Swimming/Spa pool from within the ISWPA i.e. clothes lines, gardening equipment, general storage etc.	
<b>M02</b>	You are required to thoroughly clean the Swimming/Spa pool so as to prevent the breeding of mosquitoes.	
<b>M03</b>	The large gap trellis, greater than the maximum 50mm, is to be replaced or covered with an approved material (shade cloth etc).	
<b>M04</b>	The medium gap trellis, 10mm-50mm, must be raised to the minimum height of 1.8m.	
<b>M05</b>	The lower hanging limbs (below 1.2m) of the trees which are within 1.2m of the Swimming/Spa pool fence are to be trimmed or removed. NOTE: only those which would support the weight of a child 0-6 years.	
<b>M06</b>	Ensure that any other fences or handrails etc which abut the Swimming/Spa pool fencing are a minimum height of 1.2m and are un-climbable for a minimum distance of 1.2m from the point where they abut the Swimming/Spa pool fencing, i.e. would themselves comply with the Act.	
<b>R01</b>	Registration of the Swimming/Spa pool is required (\$69.00).	

### DETAILED SKETCH OF SWIMMING/SPA POOL AND ASSOCIATED FENCING

## SITE NOTES





Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)  
Website: [www.waitakere.govt.nz](http://www.waitakere.govt.nz)

Private Bag 93109  
Henderson  
Waitakere City

Refer: Jason Sheehan : Field Services: Ref JS  
Phone No: 839 0400 : 6 Waipareira Ave

7 May 2004

DANIEL SIMPERINGHAM  
GENEVIEVE SIMPERINGHAM  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

2001-13241-(SPA)

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**


**OUR REFERENCE: SWP20010242**

A recent inspection of the above property has revealed a spa pool exists, and at the time of the inspection your spa pool was partially drained/empty.

Should your pool be refilled to a level greater than 400mm then full compliance to the Fencing of Swimming Pools Act is required, and Council notified.

Council will review the pool fencing periodically to check its status.

Yours faithfully



Jason Sheehan  
Swimming Pool Advisor  
Operational Compliance  
Field Services

SWP4



Waitakere City Council  
*Te Taiao o Waitakere*

Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)

Private Bag 93109  
Henderson  
Waitakere City

Refer: NEVILLE EXLER

17 September 2001

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**

**OUR REFERENCE: SWP20010242**

A recent inspection of the above property has revealed a Spa pool exists, and at the time of the inspection your Spa pool was partially drained/empty.

Should your pool be refilled to a level greater than 400mm then full compliance to the Fencing of Swimming Pools Act is required, and Council notified.

Council will review the pool fencing periodically to check its status:

Yours faithfully

NEVILLE EXLER  
CUSTOMER FIELD ADVISOR  
(BUILDING COMPLIANCE)

SWP4



Waitakere City Council  
Te Taiaro o Waitakere

## SWIMMING/SPA POOL INSPECTION FORM

DATE INSPECTED: 17 9 .01

INSPECTORS NAME: N. Exler

SITE ADDRESS: 87 Kauri Point Rd

(TICK APPROPRIATE BOXES THAT ARE APPLICABLE)

SPA: ☒

SWIMMING POOL: ☐

INGROUND: ☐

ABOVE GROUND: ☒

OTHER: \_\_\_\_\_  
(State Where)

COMPLYING: ☐

REMOVED: ☐

PARTIAL DRAINED / EMPTY: ☒

UNABLE TO GAIN ACCESS: ☐

DOG ON SITE: ☐

NO ONE HOME: ☐

NON-COMPLYING: ☐

OTHER COMMENTS / OUTSTANDING ITEMS:

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LETTER REFERENCE:

SWP 1 --- ☐

SWP 3 --- ☐

SWP 5 --- ☐

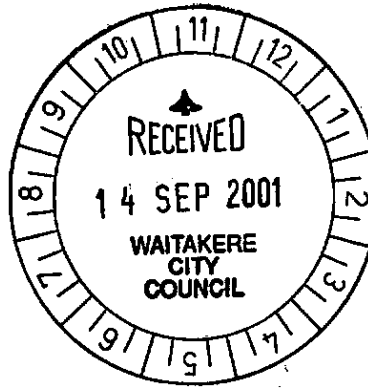
SWP 2 --- ☐

SWP 4 --- ☐

SWP 6 --- ☐

1. Unable to gain access
2. 2<sup>nd</sup> Non Complying
3. Removed
4. Drained/Empty
5. Complying
6. 1<sup>st</sup> Non Complying

14<sup>th</sup> September, 2001



Waitakere City Council  
Private Bag 93109  
HENDERSON

Attention Neville Exler  
Reference: SWP 20010242 Lot 357 DP 17523

Dear Neville

Further to your letter dated 28<sup>th</sup> August, I wish to inform you that the Spa you refer to has been empty and not operational for five to six years and has been used as storage.

Before selling the property I paid a sum of \$65 to have the swimming pool inspected as this had been drained to comply with regulations.

As I no longer own the property at 87 Kauri Point Road any further correspondence will need to be addressed to the new owner.

Yours sincerely

  
Jane Burrage

W. E 17. 9. 01.

Refer: NEVILLE EXLER

17 September 2001

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**

**OUR REFERENCE: SWP20010242**

A recent inspection of the above property has revealed a Spa pool exists, and at the time of the inspection your Spa pool was partially drained/empty.

Should your pool be refilled to a level greater than 400mm then full compliance to the Fencing of Swimming Pools Act is required, and Council notified.

Council will review the pool fencing periodically to check its status.

Yours faithfully



NEVILLE EXLER  
CUSTOMER FIELD ADVISOR  
(BUILDING COMPLIANCE)



Waitakere City Council  
Te Taiaro o Waitakere

Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)

Refer: NEVILLE EXLER

28 August 2001

Private Bag 93109  
Henderson  
Waitakere City

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**OUR REFERENCE: SWP20010242 LOT 357 DP 17523**

The Fencing of Swimming Pools Act 1987 requires all owners of swimming pools must ensure that pools are fenced in accordance with that Act.

A recent inspection of your property has revealed the spa pool is not fenced in the manner required by the Act. You are required to ensure your spa pool fully complies within the Act. The following work needs to be rectified/repared within 28 days from receipt of this letter to achieve compliance.

1. The spa requires a bolt to the top of the door.

When the works are completed, please fill in the enclosed form and return to Council along with the fee of \$65.00 so that a final inspection can be made to check for compliance.

The Fencing of Swimming Pools Act 1987 provides:

"8. *Obligations of owner and persons in control of pool -*

(1) *Every owner of a pool to which this Act applies shall ensure that, except as provided in any exemption granted under Section 6 of this Act, the pool, or some or all of the immediate pool area including all of the pool, is fenced by a fence that complies with the requirements of the Schedule to this Act at all times when this Act applies in respect of the pool.*

(3) *Every person who has possession of the property on which any pool to which this Act applies is situated shall ensure that the pool is not filled or partly filled with water at any time when the person knows or could reasonably be expected to know that any obligation imposed by this section on that or any other person is not being complied with."*

In the interests of public safety the Council intends to enforce the requirements of the Fencing of Swimming Pools Act 1987. If you require any further advice or information on this matter please contact the undersigned.

Yours faithfully

NEVILLE EXLER  
CUSTOMER FIELD ADVISOR (BUILDING COMPLIANCE)

SWP6

Waitakere City Council  
Civic Centre  
6 Waipareira Ave  
Waitakere City

Telephone  
09 836 8000  
Facsimile  
09 836 8001

DX CX 10250 Auckland Mail Centre  
Email: [info@waitakere.govt.nz](mailto:info@waitakere.govt.nz)

Private Bag 93109  
Henderson  
Waitakere City

Refer: MARK WEAVER

2 August 2001

JANE BURRAGE  
87 KAURI POINT RD  
LAINGHOLM  
WAITAKERE CITY 1007

Dear Sir/Madam

**FENCING OF SWIMMING POOLS ACT 1987**

**STREET ADDRESS: 87 KAURI POINT RD, LAINGHOLM, WAITAKERE CITY 1007**

**LOT 357 DP 17523**

**OUR REFERENCE: SWP20010186**

A recent inspection of the above property has revealed a Swimming pool exists, and at the time of the inspection your Swimming pool was partially drained/empty.

Should your pool be refilled to a level greater than 400mm then full compliance to the Fencing of Swimming Pools Act is required, and Council notified.

Council will review the pool fencing periodically to check its status.

Yours faithfully



MARK WEAVER  
CUSTOMER FIELD ADVISOR  
(BUILDING COMPLIANCE)