

6 July 2004

I M Bloore
Hammonds Solicitors
PO Box 16
Legal House
Hokianga Road
Dargaville

COPY

Dear Mr Bloore

Building Consent C17: 86 Frieberg Road, Ruawai

Mark Vincent is away from the office today so has asked me to respond to your letter dated 5 July. In view of the considerable time that has elapsed between the last recorded inspection of this property which was on 3 March 1993, Council does not feel able to issue a code compliance certificate at this time.

An alternative approach could be for the owners to obtain a producer statement from a suitably qualified person under S43 of the building Act, as amended by Sub section 8, that Council could then hold on file and which may satisfy the prospective purchasers.

This letter has been forwarded by fax to your office.

Yours faithfully



Malcolm Perry
Kaipara District Council

Hammonds

Barristers - Solicitors

Partners
I.M. Bloore LL.B
D.B. Dennis LL.B

Legal Executive
R.J. Warne

Your ref Valn No 0124005301

Our ref Mr Bloore/8134

5 July, 2004

The General Manager
Kaipara District Council
Hokianga Road
DARGAVILLE

Attention: Mr Mark Vincent/ Mr Jim Vallance

re: **BUILDING CONSENT C 17: 86 A FREYBERG ROAD, RUAWAI:**
OUR CLIENT R C McINTOSH

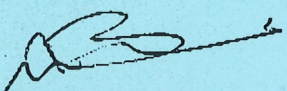
We refer to our telephone discussions with Mr Vallance and enclose a copy of our correspondence with the council's Kaiwaka office. We are disappointed in the council's response by letter of the 2nd July 2004. The subject is a building consent under the Building Act 1991 and accordingly a code compliance certificate should have been issued as a matter of course pursuant to section 43 of the Act, following the visit of Mr Greaves to the property. It would appear that Mr Greaves had not seen our letter of request before inspecting the property.

We ask that this matter be given your urgent attention as our client's sale transaction is now in jeopardy. The agreement was due to settle on the 2nd July. Our client is in default therefore, and the purchaser has notified that he will not settle without a code compliance certificate being issued. We need to be able to provide the certificate immediately to avoid cancellation of the agreement.

Please forward a code compliance certificate to this office accordingly.

Yours faithfully

HAMMONDS


I. M. BLOORE

IMB:AM
Encl.

Richard
→ What is Council's liability?
→ Contact BIA.
- what implications are.

Legal House Hokianga Rd Dargaville P.O. Box 16 DX AA 23502

Telephone (09) 439 7099 Fax (09) 439 6464

Email: hammonds.law@xtra.co.nz

Attend Maungaturoto Tuesday a.m. Attend Ruawai Tuesday p.m.

05/07/2004 08:58 64-9-4396464

HAMMONDS

PAGE 02/06

Hammonds

Barristers - Solicitors

Partners
I.M. Bloore LL.B.
D.B. Dennis LL.B.

Legal Executive
R.J. Warne

COPY

Your ref

Our ref

Mr Bloore/8134

29 June, 2004

CONFIRMATION
OF FAX

Kaipara District Council
Kaiwaka Service Centre
KAIWAKA

Fax: (09) 431 2023

re: **VALUATION NO 0124005301: 86 A FREYBERG ROAD, RUAWAI:**
OUR CLIENT R C McINTOSH

Further to our telephone discussions we confirm that your building inspector will visit the above property tomorrow morning to arrange a code compliance certificate in completion of the building consent issued on the 3rd February 1993 for a dwelling with car port at the above property. We enclose a copy of the recently issued Land Information Memorandum regarding the property on which we have encircled the reference to the building consent that has been issued.

We advise that the tenant occupying the property is Kylie Farrell. We understand that the tenant will be at the property to enable your building inspector to obtain access. Should there be any difficulty in this regard we have been advised that the tenant's mother "Tania" lives nearby and can be contacted on phone no 439 2792 to ensure access.

We would be obliged if you could fax to us a copy of the code compliance certificate once it is issued. Our client has an unconditional agreement for sale of the property due to settle this Friday the 2nd July 2004.

We very much appreciate your prompt attention in this matter.

Yours faithfully

HAMMONDS

pp. A. Bloore
I. M. BLOORE

IMB:AM
Encl.

Legal House Hokianga Rd Dargaville P.O. Box 16 DX AA 23502

Telephone (09) 439 7099 Fax (09) 439 6464

Email: hammonds.law@xtra.co.nz

Attend Maungaturoto Tuesday a.m. Attend Ruawai Tuesday p.m.

05/07/2004 08:58 64-9-4396464

HAMMONDS

PAGE 03/06

From: KAIPARA DISTRICT COUNCIL

64 9 4312023

02/07/2004 15:06 #215 P.001

KAIPARA DISTRICT COUNCIL

2 July 2004

Hammonds Solicitors
PO Box 16
Dargaville

ATTENTION: Dan Howden

Dear D Howden



KAIPARA
DISTRICT
COUNCIL

42 Hakianga Road,
Private Bag 1001,
Dargaville, Northland,
New Zealand
t 09 439 7059
f 09 439 3756
c council@kaipara.govt.nz
www.kaipara.govt.nz

R C McIntosh - Lot 14 - DP 34458 - 86A Freyberg Road - Ruawai - Valuation Number
0124005301

Council records of Inspections on Building Permit C17 are insufficient or not recorded. We therefore advise that the permit cannot be finalised.

An inspection carried out by Council's Building and Plumbing and Drainage on 30 June 2004 has established that the work appears to have been completed in accordance with good building practice.

A copy of this letter will be held as a permanent record in Council's file.

Yours faithfully

Richard Greaves

Kaipara District Council

05/07/2004 08:58 64-9-4396464
JUN-28-2004 17:09 FROM-JONES HOWDEN

HAMMONDS

PAGE 04/06

+64-7-8885278

T-382 P.002/004 F-500

From:

ATT: Don Howden

24/06/2004 15:44 #960 P.001/009



Kaipara District Council

KAIPARA DISTRICT COUNCIL

LAND INFORMATION MEMORANDUM

Application

M J & S A LANSDOWN	No.	L040244
344B ONE TREE HILL POINT ROAD	Application date	10/06/04
R D 1	Issue date	23/06/04
RUAKAKA	Phone	09 432 8239
	Fax	09 432 8239

Please Note: This LIM report contains information for the entire legal description below

Property

Valuation No.	0124005301
Location	65A FREYBERG ROAD; RUAWAI
Legal Description	LOT 14 DP 34458 BLK XV TOKATOKA SD
Owner	McIntosh Rex Clarence :
Area (hectares)	0.0910

Rates

Government Valuation	
Land	\$ 8,000
Capital Value	\$ 77,000
Improvements	\$ 69,000
Current Rates Year 2003 to 2004	
Annual Rates	\$ 425.05
Current Instalment	\$ 70.80
Current Year - Outstanding Rates	\$ 38.16
Arrears for Previous Years	\$ 0.00
Next Instalment Due	00

Note: Rates are charged in six equal instalments for the period commencing 1 July and ending 30 June each year.

Outstanding Requisitions

No outstanding requisitions located.

Planning/Resource Management

Zoning: RESIDENTIAL

Full details of the zone requirements are found in the current District Plan. Relevant zone ordinance is attached.

No other planning information located.

Building

14/06/95	BUILDING CONSENT 950156 : DOMESTIC GARAGE : Code Compliance Certificate issued 22/11/95
3/02/93	BUILDING CONSENT C 17 : K L BAMFORTH C BUCHANAN DWELLING WITH GARPORT CONSENT ISSUED

Sewer and Water

Sewer Not available

House

05/07/2004 08:58 64-9-4396464

HAMMONDS

PAGE 05/06

JUN-28-2004 17:09 FROM: JONES HOWDEN

+64-7-8885278

T-382 P.003/004 F-500

From:

24/06/2004 15:45 #960 P.002/003

Land and Information Memorandum L040244

2

Stormwater No information located.

Water Water is metered..

Raupo Drainage Township

05018 McIntosh Rex Clarence ; 1 - 2 Chilton Pl Howick : Auckland

Outstanding Balance \$ 9.20-

Previous Financial Year Billing \$ 337.03

Previous Financial Year Consumption 141

Previous year figures have been included as an indication of a full year's billing. Water is billed every six months.

Year to Date Billing \$ 288.72

Year to Date Consumption 112

Copy of drainage plan attached. No other information located.

Land and Building Classifications

No information located.

Refer to District Plan for other classifications in the immediate vicinity.

Compliance with Swimming Pool Bylaw

No pool registered to this property.

Land Transport Requirements

No information located.

Special Land Features

No information located.

Licences/Environmental Health

No information located.

Network Utility Operators

Information related to the availability of supply, authorisations etc (eg, electricity or gas) can be obtained from the relevant Network Utility Operator.

Other Information

No title search has been done on this property.

Notes

1. Final inspections on buildings were not mandatory prior to 1 January 1993. Should an evaluation of the building be required an independent qualified person should be consulted. In the interests of safety, an inspection of any fireplace within the dwelling may be requested of Council at any time, after paying the appropriate fee.
2. Every care has been taken to ensure that the information supplied by the Council on this form is accurate. The Council relies on information available to it, and will not be held responsible for incomplete or inaccurate information provided, or for any errors or omissions made in good faith.

05/07/2004 08:58 64-9-4396464

HAMMONDS

PAGE 06/06

JUN-28-2004 17:10

FROM-JONES HOWDEN

+84-7-8885278

T-382 P.004/004 F-500

From:

24/06/2004 15:45 #960 F.003/003

Land Information Memorandum L040244

3

1. Please note that the property was neither inspected nor visited in the course of the preparation of this Land Information Memorandum.
2. Other information may be held by other authorities, for example the Northland Regional Council or the Historic Places Trust.
3. This Land Information Memorandum is a disclosure of information (which may be historical) held by the Council at the time of application and is subject to change.
4. Any enquiry not accompanied by a fee will be invoiced separately. (All prices are GST inclusive.)

Name:

W. J. Jones

M. J. Jones

Date: 24/06/04

6 July 2004

I M Bloore
Hammonds Solicitors
PO Box 16
Legal House
Hokianga Road
Dargaville

Dear Mr Bloore

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Malcolm Perry
Kaipara District Council

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Legal Executive
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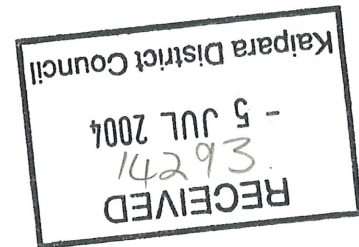
Malcolm

Your ref Valn No 0124005301

Our ref Mr Bloore/8134

5 July, 2004

The General Manager
Kaipara District Council
Hokianga Road
DARGAVILLE



Attention: Mr Mark Vincent/ Mr Jim Vallance

re: **BUILDING CONSENT C 17: 86 A FREYBERG ROAD, RUAWAI:**
OUR CLIENT R C McINTOSH

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I. M. BLOORE
IMB:AM
Encl.

Legal House Hokianga Rd Dargaville P.O. Box 16 DX AA 23502

Telephone (09) 439 7099 Fax (09) 439 6464

Email: hammonds.law@extra.co.nz

Attend Maungaturoto Tuesday a.m. Attend Ruawai Tuesday p.m.

KAIPARA DISTRICT COUNCIL

2 July 2004

Hammonds Solicitors

PO Box 16

Dargaville

ATTENTION: Dan Howden

Dear D Howden

**R C McIntosh - Lot 14 - DP 34458 - 86A Freyberg Road - Ruawai - Valuation Number
0124005301**

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A copy of this letter will be held as a permanent record in Council's file.

Yours faithfully



Richard Greaves

Kaipara District Council



Established by the Kaipara District Council Act 1989

**KAIPARA
DISTRICT**

Te Kaitiaki o Kaipara

42 Hokianga Road,
Private Bag 1001,
Dargaville, Northland,
New Zealand

p: 09 439 7089

f: 09 439 6756

e: council@kaipara.govt.nz

www.kaipara.govt.nz

0124005301

Hammond McIntosh 02042004

RG:rms

Ex ref:

24/06/2004 15:44 #960 P.001/003



KAIPARA DISTRICT COUNCIL

LAND INFORMATION MEMORANDUM

Application

M J & S A LANSDOWN	No.	L040244
344B ONE TREE HILL POINT ROAD	Application date	10/06/04
R D 1	Issue date	23/06/04
RUAKAKA	Phone	09 432 8239
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Arrears for Previous Years	\$ 0.00
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Note: Rates are charged in six equal instalments for the period commencing 1 July and ending 30 June each year.

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Sewer and Water

Sewer Not available

From:

24/06/2004 15:45 #960 P.002/003

and Information Memorandum L040244

2

stormwater No information located.

Water Water is metered.

Raupo Drainage Township

305018 McIntosh Rex Clarence : 1 - 2 Chilton Pl Howick : Auckland

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Previous Financial Year Consumption 141

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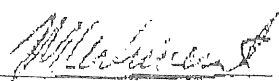
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Land Information Memorandum L040244

3

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Name:

Date: 24/06/04

Dargaville Office: Private bag 1001 DARGAVILLE Phone 0-9-439-7059 Fax 0-9-439-6756	KAIPARA DISTRICT COUNCIL PROJECT INFORMATION MEMORANDUM NO : <u>17</u>	Paparua Office: P.O.Box 1 PAPAROA Phone 0-9-431-7019 Fax 0-9-431-7017
--	---	---

APPLICANT	PROJECT
Name: <u>K L BAMFORTH</u> Mailing Address: <u>Armstrong Rd</u> <u>Ruawai</u> Contact: <u>Colin Buchanan</u> <u>RD2 Kairua</u> Phone: <u>09 431 4194</u>	New or relocated building ☒ Alteration ☐ Intended use(s) [In detail]: <u>Dwelling</u> Intended life: Indefinite but not less than ☒ 50 years Specified as _____ years Demolition ☐
COUNCIL CHARGES * The Council's total charges payable on the uplifting of this project memorandum, in accordance with the attached details, are; \$: _____ Receipt No: _____ <i>Note: where actual and reasonable costs exceed the charge on application, additional charges will be made.</i>	PROJECT LOCATION Street address [If any]: <u>Freyberg Rd</u> <u>Ruawai</u> Valuation Reference: <u>1240/53/1</u> Legal description: <u>Lot 14 DP 34458 Bk XV</u> <u>Totipotaka SD</u>

- This project information memorandum is:**
- ☐ Confirmation that the proposed building work may be undertaken subject to the provisions of the Building Act 1991 and any requirements of the building consent
- Not yet applied for ☐
 No : _____ Attached ☐
- ☐ Notification that any other authorisations must be obtained before a building consent will be issued.
- ☐ Notification that the proposed building work may not be undertaken because a necessary authorisation has been refused.
- This project information memorandum includes:**
- ☐ Information identifying relevant special features of the land concerned.
- ☐ Information about the land or buildings concerned notified to the Council by any statutory organisation having the power to classify land or buildings.
- ☐ Details of relevant utility systems. (Council is not acting as agents for Electrical or Gas Utility Operators)
- ☐ Details of authorisations which have been granted.
- ☐ Details of authorisations which must be obtained before a building consent will be issued.
- ☐ Details of authorisations which have been refused.

Signed for and on behalf of the Kaipara District Council

Name: _____ Date: _____

Position: _____

PROJECT INFORMATION MEMORANDUM

Planning Check-list

- (A) Proposed Project complies with District Plan Zoning ?

Intended Use The land is zoned residential. Because there is no reticulated sewerage only one house is allowed as of right per site. This proposal therefore complies.

- (B) The bulk and location of the proposed project complies with the restrictions of the District Plan ?

Site Coverage OK
Daylight Restrictions OK
Volcanic Sightlines NA
Road Widening NA.

- (C) Special planning restrictions known to affect the site which ^{have an} impact on the proposed project ?

Protected Tree Restrictions NIL
Historic Site Restrictions NIL

- (D) Proposed vehicle access acceptable ?

Gradient N.A. - state Highway
Width
Length

- (E) Resource Consent Required ?

Nature of required consent

No.

PROJECT INFORMATION MEMORANDUM

Engineering Check-list

- (A) The site is known to have soil conditions which will have impact on the proposed project ?

Fill
Erosion
Slippage
Poor Bearing Capacity

- (B) Site is known to be prone to flooding or lies within an overland flow path ?

Not known - red floor level policy.

- (C) Proposed methods for building over or near service pipes acceptable ?

- (D) Proposed connection to services acceptable ?

Stormwater Disposal ✓ *Will require enhanced on site disposal*
Foulwater Disposal ✓ *system to Council design*
Water Connection ✓

- (E) Proposed location of vehicle access acceptable ?

Location
Traffic implications

SHW12.

- (F) Restrictions which may be imposed owing to potential impact on traffic ?

Signs

[Signature] 28/1/93

K A I P A R A D I S T R I C T C O U N C I L

C O R P O R A T E S E R V I C E S D E P A R T M E N T

M E M O R A N D U M

TO : Kathie Carter

FROM : Bill Mickell

DATE : 25-1-93

SUBJECT : P114. Mrs KL Bamford-~~TL~~

MESSAGE : For P114 no. and circulate to T.P.
and Eng

Eng 27/1/93

29/1/93.

Plang 27/1/93. Retuned 27/1/93

Check 3/2/93

J. M. M.

RECEIVED

25 JAN 1993

KAIPARA DISTRICT

KAIPARA DISTRICT COUNCIL
APPLICATION FOR PROJECT INFORMATION
MEMORANDUM

Dargaville Office:
Private bag 1001
DARGAVILLE
Phone 0-9-439-7059
Fax 0-9-439-6756

Paparoa Office:
P.O.Box 1
PAPAROA
Phone 0-9-431-7019
Fax 0-9-431-7017

(Tick ☒ each applicable box and attach relevant documents in duplicate)

APPLICANT*NAME Colin BuchananOwner - K L BantonthMAILING ADDRESS RD 2 KaiwakaMolesworth RDManganui

CONTACT (If acting on behalf of applicant print name
and status in relation to applicant)

PHONE 09 431 4194

FAX _____

* Under Section 30 of the Building Act 1991, the applicant must be the owner of the land on which building work is contemplated or a person who or which has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, while the agreement remains in force.

PROJECTNew or relocated building New Dwelling ☐Internal alteration (approx. value) \$ _____ ☐External addition (area) M² _____ ☐

Intended use(s) (in detail)

Intended life:

Indefinite but not less than 50 years _____ ☐If less than 50 years specify _____ years _____ ☐**PROJECT LOCATION**STREET ADDRESS (if any) Freyburg RDRuawai124/53/1.

LEGAL DESCRIPTION (As shown on certificate of title or rates notice, if any)

LOT 14 DP 34458

(For example: Lot.....DP.....; or Section.....
SO.....Survey or Registration District; or
Maori block number and name or combination of those.
If none apply, give whatever information is necessary to identify the location)

RECEIPT No 108313 COST _____

PIM No _____

DATE PIM LODGED 25-1-93

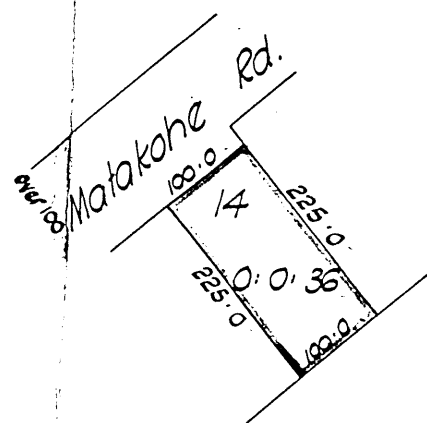
DATE PIM APPROVED _____

DATE PIM ISSUED _____

124/53/1

XV Tokatoka S.D.

910 m²



Scale: 2 chains = 1 inch



R. A. Wright
District Land Registrar.
Assistant

Agreement as to fencing contained in Transfer
427581

R. A. Wright A.L.R.

Transfer 710522 to Nigel Oliver Lucas of Russell,
medical practitioner - produced 1.11.1963 at 9.260'o

R. A. Wright A.L.R.

Mortgage 549630 to The Northern Co-operative
Terminating Building Society - produced 1.11.1963
at 9.280'o

D. J. Wright 293726.1

R. A. Wright

A.L.R.

212208 Settled under the Joint Family Homes Act
1964 on Nigel Oliver Lucas aboveramed and Joan
Nina Lucas his wife on 8.9.1972 at 12.27 oc.

W. J. Wright A.L.R.

B.089866.1 Transfer to Maurice Charles Anderson of Ruawai
insurance representative and Carol Anne Anderson his wife
- 29.7.1982 at 2.19 o'c

M. A. Wright

A.L.R.

B.089866.2 Mortgage National Mutual Life Association
of Australasia Limited - 29.7.1982 at 2.19 o'c

DISCHARGED
13 DEC 1982

M. A. Wright

A.L.R.

B497502.1 Mortgage to The National Bank of New Zealand
Limited - 16.1.1986 at 2.21

DISCHARGED
10 OCT 1986

J. A. Wright

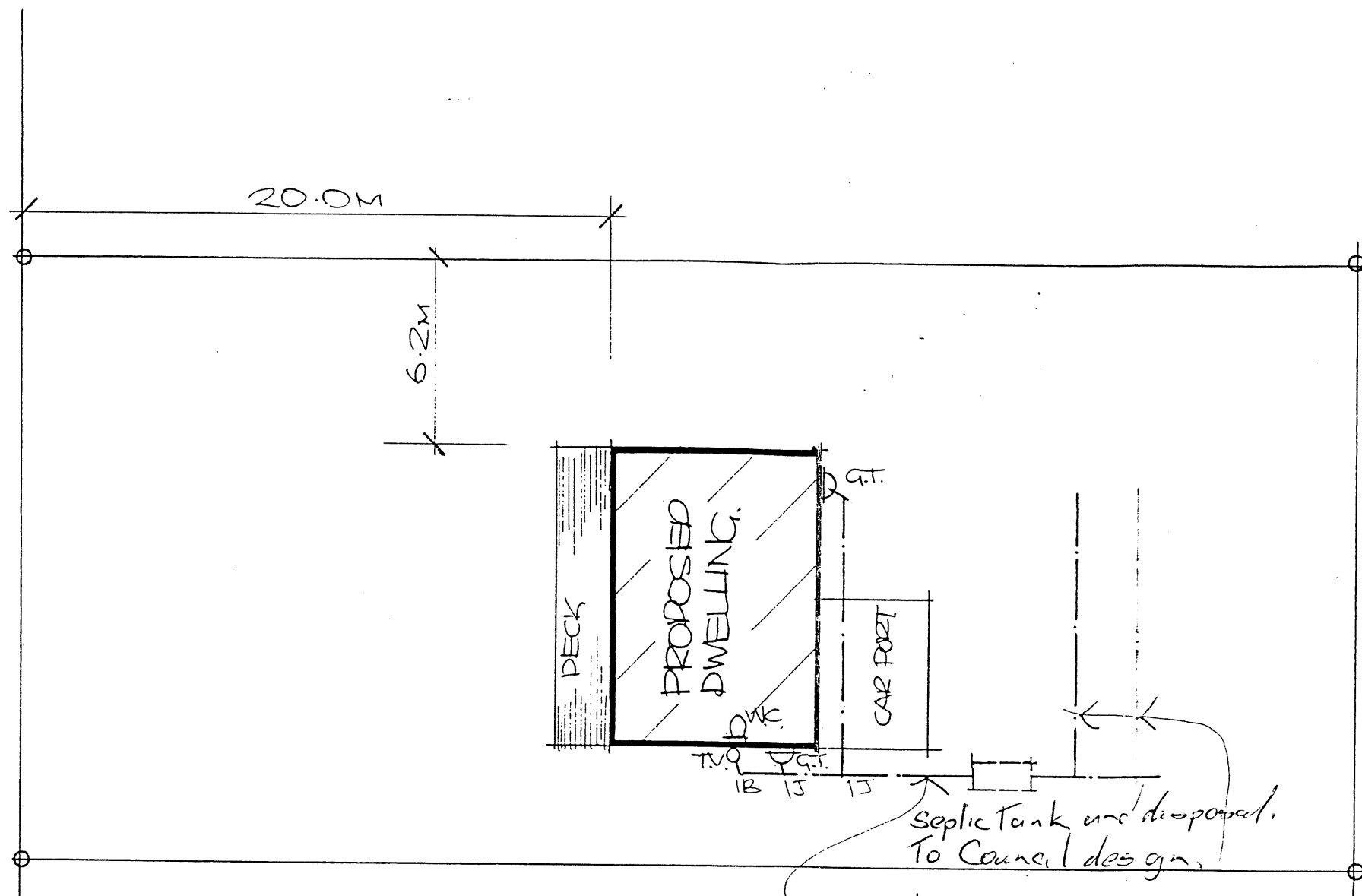
A.L.R.

B.591320.2 Transfer to Kay Lynette Bamforth of Ruawai
housewife - 10.10.1986 at 2.33 oc

J. A. Wright

A.L.R.

FREYBURG RD



1000 L SEPTIC TANK

2/25M FIELD DRAINS
2M APART FROM
DISTRIBUTION BOX

SITE PLAN 18200-

BUILDING CONSENTS ISSUED

Local Authority: Kaipara District Council

Consent No: C17

Instructions

Complete this form for each building consent issued and send it to Buildings Survey Section, Department of Statistics, Private Bag, Dunedin, within 7 days of the end of the month in which the building consent was issued.

Purpose

The purpose of this survey is to collect data which will be used to compile statistics for use by government, industry, research organisations and others in the community.

Compulsory requirement

The taking of this survey has been approved by the Minister of Statistics and the return of this form duly filled in is a compulsory requirement under the Statistics Act 1975.

Date issued: 3 / 2 / 93

L.W. Cook
L.W. Cook, Government Statistician

Owner	
Name	<u>KL Banforth</u>
Mailing address	<u>Armstrong Road</u> <u>Ruawai</u>

Builder / Applicant	
Name	<u>Colin Buchanan</u>
Mailing address	<u>RD 2</u> <u>Kaiaua</u>

Site	
Street/Road No.	<u>Lot 14</u>
Street/road name	<u>Freyberg Road</u>
Town or District	<u>Ruawai</u>

Legal description	
Valuation Roll No.	<u>124/53/1</u>
Lot	<u>13</u> D.P. <u>34458</u>
Section	<u>Takatoka SD</u> Block <u>XV</u>

Full description of building

New Dwelling

Size of building	
Floor area	<u>Ground Floor 71.28m²</u>
	<u>First Floor m²</u>
No. of storeys	<u>Two Storey (attic)</u>
No. of dwelling units	<u>1</u>

Nature of consent (tick box)	
1	☒ New building — exclude domestic garages and domestic outbuildings
2	☐ Foundations only
3	☐ Alterations, repairs, extensions, conversions, resiting, installation of heating appliances
4	☐ Other new construction and demolition
5	☐ Domestic garages and domestic outbuildings

Total value of building

Include plumbing & drainage \$ 52,000

Answer the following questions if they apply.
What materials will be used for the:

Floor (tick boxes)	
1	☐ Timber
2	☒ Concrete
3	☐ Wood products
4	☐ Other

Roof (tick boxes)	
1	☒ Steel sheeting
2	☐ Steel tiles
3	☐ Concrete tiles
4	☐ Shingles
5	☐ Aluminium
6	☐ Other

External cladding (tick boxes)	
1	☐ Brick
2	☐ Concrete
3	☐ Concrete block
4	☒ Cement board
5	☐ Plaster
6	☐ Timber
7	☐ Steel
8	☐ Aluminium
9	☐ Other

Framing (tick boxes)	
1	☒ Timber
2	☐ Concrete
3	☐ Steel
4	☐ Aluminium
5	☐ Other

Internal linings (tick boxes)	
1	☒ Plaster board
2	☐ Fibrous plaster
3	☐ Wood products
4	☐ Other

Office use	Type	Sector	Area 1	Area 2	Government contract number	Govt EPC