

Wanganui District Council

Building a better community with the people of the Wanganui District



Fill in all relevant details. Attach two (2) copies of all documents

- APPLICATION FOR PROJECT INFORMATION MEMORANDUM (Sec 30, Bldg. Act 1991)
- APPLICATION FOR BUILDING CONSENT (Sec 30, Bldg. Act 1991)
- APPLICATION FOR BUILDING CONSENT AS PER P.I.M. No. _____

<p style="text-align: center;">OWNER</p> <p style="text-align: right;">33166</p> <p>Name: <u>Mrs Mrs C. Keely a Devon</u></p> <p>Mailing Address: <u>2A Tulloch Homes</u></p> <p>Ph: _____</p>	<p style="text-align: center;">PROJECT</p> <p>New or Relocated Building <input checked="" type="checkbox"/></p> <p>Alteration/Addition <input type="checkbox"/></p> <p>Demolition <input type="checkbox"/></p> <p>Description of Project and Use: <u>Erect Two Domestic Dwelling Units</u></p> <p>Intended Life: Indefinite, but not less than 50 years <input type="checkbox"/> or specified as _____ years</p> <p>Value: \$ <u>159,000</u> (Incl. G.S.T)</p>
<p style="text-align: center;">CONTACT PERSON</p> <p style="text-align: right;">54153</p> <p><u>Devon Homes</u></p> <p><u>Peter Threlk</u></p> <p>Phone: <u>3952393</u> Fax: <u>same</u></p>	<p style="text-align: center;">NEW RESIDENTIAL DWELLINGS OR NEW COMMERCIAL ONLY</p> <p>Floor Area: <u>228.65</u> ^{① unit} M² <u>220.30</u> ^{② unit}</p>
<p style="text-align: center;">PROJECT LOCATION</p> <p>Street Address/Rural No: <u>Lot 15</u></p> <p><u>11A + 11B Gum Tree Rise Rotokaua</u></p> <p><u>11211A</u></p>	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>Property Number: <u>19552</u></p> <p>Valuation Roll Number: <u>1318032115</u></p> <p>Lot(s): <u>15</u> DP: <u>62219</u> Section: _____</p> <p>Block: _____ Survey District: _____</p>
<p style="text-align: center;">KEY PERSONNEL</p> <p>Builder(s): <u>Devon Homes</u> ²⁴</p> <p><u>165A Great North Rd</u></p> <p>Registered Drainlayer: <u>T. TREVOR BAILEY</u></p> <p><u>#7749 RD</u></p> <p>Registered Plumber: <u>G James 96</u></p> <p><u>#12178 CP</u></p> <p>Registered Gasfitter: _____</p> <p>Building Certifier: <u>Devon Homes</u></p>	<p style="text-align: center;">FEES APPLICABLE</p> <p>BUILDING CONSENT \$ _____</p> <p>P.I.M \$ _____</p> <p>DEVELOPMENT LEVY \$ _____</p> <p>NON NOTIFIED APP. FEE \$ <u>30.00</u></p> <p>PREPAID CROSSING \$ _____</p> <p>PREPAID SEWER CONNECTION \$ _____</p> <p>PREPAID WATER CONNECTION \$ _____</p> <p>STORMWATER CONNECTION \$ _____</p> <p>DRAINAGE LEVY \$ _____</p> <p>BUILDING RESEARCH (exempt GST) \$ _____</p> <p><u>BIA LEVY</u> \$ _____</p> <p>TOTAL FEES (Incl. G.S.T) \$ _____</p>
<p>Signed by or for and on behalf of the applicant:</p> <p>Signature: <u>B. Rouley</u></p> <p>owner, builder, designer, agent (circle appropriate one)</p> <p>Date: <u>16-5-94</u></p>	

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.

PART B: PROJECT DETAILS

(Complete Part B only if you have not applied separately for a Project Information Memorandum.)

The project involves the following matters (tick each applicable box, if any, and attach relevant information in duplicate)

- (1) Location in relation to legal boundaries, and external dimensions of new, relocated, or altered buildings.
- (2) New provisions to be made for vehicular access, including parking, ie: new crossing.
- (3) Provisions to be made in building over or adjacent to any road or public place, ie: hoardings, signs.
- (4) Precautions to be taken where building work is to take place over existing drains or sewers or in close proximity to wells or water mains.
- (5) New connections to public utilities, ie: new drainage or water connections.
- (6) Provisions to be made for any demolition work, ie: the protection of the public, suppression of dust, disposal of debris, disconnection from public utilities and suppression of noise.
- (7) Any cultural heritage significance of the building or building site, including whether it is on a marae.

PART C: BUILDING DETAILS

(Complete Part C in all cases.)

This application is accompanied by (tick each applicable box, attach relevant documents in duplicate):

- The drawings, specifications, and other documents according to which the building is proposed to be constructed to comply with the provisions of the building code, with supporting documents, if any, including:
 - (21) Building certificates, ie: truss design certificates
 - (22) Producer statements, ie: design, design review, construction, construction review.
 - (23) References to accreditation certificates issued by the Building Industry Authority.
 - (24) References to determinations issued by the Building Industry Authority.
- (25) Proposed procedures, if any, for inspection during construction.
- (26) Wanganui District Council Inspections
- (27) Other (specify): _____

for office use only

DEPT.	CHECKS				INSPECTIONS			ADTNL. CHGS		P.W.R.	APPROVED		
	INITIALS	DATE	INITIALS	DATE	TOTAL	NO.	TIME	TOTAL	TYPE	AMOUNT	NO.	INITIALS	DATE
PLANNING					5								
BUILDING					45	12	500						
DRAINAGE ENGINEER					30	7	20	140					
WATER ENGINEER					30								
STRUCTURAL ENGINEER													
PLUMBING & DRAINAGE					60	10	30	300					
DISTRICT CONTROLLER													
TRAFFIC ENGINEER													
HEALTH													
DANGEROUS GOODS													
Total check time (minutes)					205	Total (min)		465	Total \$		670	77x-00	

Approved for issue of PIM/Building Consent

District Building Controller: _____

Date: 12 JUL 1994

building permit No.
file:

NON-NOTIFIED LAND USE CONSENT
FOR A NON-COMPLYING/DISCRETIONARY ACTIVITY

Mr & Mrs G. Keelty and Devon Homes.
11A & B Gum Tree Rise.

Pursuant to Sections 94(2), 104 and 105(1)(b) of the Resource Management Act 1991 the Wanganui District Council grants to Mr & Mrs Keelty & Devon Homes Resource Consent as listed in the schedule hereto and in accordance with the plans attached on the property described as 11A & 11B Gum Tree Rise.

SCHEDULE

REQUIREMENT

Rule: 3.2.2 A) 1.

CONSENT

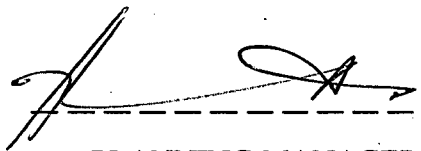
To exceed permitted density
on site by 2 persons.

~~SUBJECT TO THE FOLLOWING CONDITIONS:~~

CONSENT IS GRANTED ON THE GROUNDS THAT:

The excessive density by 2 persons is fit
2 units on the site and therefore any adverse
effect is likely to be minimal and does
not compromise the overall integrity of the
District Plan

APPROVED ON THE 23/5/94



PLANNING MANAGER

BUILDING PERMIT CHECK LIST

Property reference	11 A & B. Quantree Rise		
Type of Building	2 units with garages		
Net Site Area	736 m ²	Zoning	RA. Reserves ✓

REQUIREMENTS	REQUIRED	PROVIDED	O.K.
1. Coverage	35% = 258 m ² .	280 m ² - 389	✓
2. Density	1/80 m ² - 9	11	X
3. Height	10 ~		✓
4. Front Yard (including Beautification)	9m x 9m		✓
5. Side Yards	} See calculations on plan 3. R.C. given for non-compliance with boundary requirements adjoining Public walkway		
6. Rear Yards			
7. Outdoor Living Space			✓
8. Storage Area			✓
9. Service Area			✓
10. Car Spaces			✓
11. Vehicular Access			✓
12. Loading Bays / Crossings / Distance from Intersection			✓
13. Trees / Historic Places			1
14. Proposed Road / Service Lane			1
15. Road Widening & BLR			1
16. Easements / Site Dimensions			1
17. Floor Area Ratio			1
18. View Protection Plane			1
19. Sunlight Protection Plane			1
20. Services	Underground P/T cables		✓

See letter 30 March

Design Approval Required Yes / No Date: _____

Dispensations Required in respect of No's: _____

Dispensation Approved / Declined Reason: _____

REGULATORY COMMITTEE

9 JUNE 1994

LATE ITEM

Non-Notified Resource Consent Application - Bernard Reuters - Gumtree Rise

This matter was not included on the agenda as non-compliance was not apparent prior to distribution of the agenda. The matter cannot be deferred until the next meeting as the building consent and resource consent to subdivision need to proceed within the prescribed time.

RECOMMENDATION

THAT the item - Non-notified Resource Consent Application - Bernard Reuters - Gumtree Rise, be added to the agenda.

Non-Notified Resource Consent Application - Bernard Reuters - Gumtree Rise

Mr Usman Ali, Development Planner, reports as follows:

Application

To erect two attached dwellings which will encroach into the 9 metre x 9 metre triangle as a result of a subdivision of the two units.

Background

Mr Bernard Reuters applied to Council to erect two units on a single title. The building consent was processed and plans were approved accordingly. A resource consent was granted for excessive coverage by 22 square metres.

In dealing with two units, it was found that the excessive coverage was unlikely to have any adverse effects on the adjoining properties (written consents were obtained from all adjoining property owners), and that the integrity of the District Plan was not compromised.

The plan complies with all other planning requirements.

The Subdivision Proposal

The erection of two or more units on any one site is permitted by the Wanganui District Resource Management Plan - Part One (formerly the Wanganui City District Planning Scheme). Prior to the Resource Management Act 1991, these units could be sub-divided through cross lease/unit title.

The Resource Management Act 1991, now regards all such "divisions" as **subdivisions**.

In respect of this application by Mr Reuters, the drawing of a line on a plan between the two units to create two titles constitutes an encroachment into the 9m x 9m triangle.

As two independent but **attached** units on a single title, the buildings do not breach the 9m x 9m triangle.

Analysis

1. The District Plan

As previously mentioned, the encroachment only prevails if the two units are subdivided.

In terms of the District Plan, the purpose of the triangles is outlined in Policy 1007.

"The provision of these triangles is intended to preserve street views and sight-lines to adjoining properties as well as ensure reasonable visibility to vehicles moving off individual sites. These triangles will generally maintain and improve the appearance of residential areas, particularly as no buildings will be allowed to be erected on them. Traditional minimum front yards have lead to a lack of variety in the positioning of houses in relation to the street frontage."

As this will be a subdivision occurring in 1994, Policy 1014 also applies. This states:

"For all sections subdivided after 30 August 1979, the erection of any building thereon will generally require full compliance with the relevant ordinances.

Reason:

No minimum subdivision lot size is specified and the ordinances are intended to specifically control the scale and form of development.

Therefore, dispensations will only be granted in exceptional circumstances."

A key exceptional circumstances used in granting dispensation from the Plan is topography.

Obviously, if two independent titles encompassed this site, then a building would be designed either to require a basement garage or to allow use of the road level to access the garage by virtue of an encroachment into the 9m x 9m triangle.

Considering the northern orientation of this site in totality, the land area fronting the road has the least practical use for private or domestic open space, courtyard or social purposes.

In terms of streetscape, a garage is an acceptable structure and, it is argued, under normal circumstances and given the site's **lineal** or **elongated** shape, topographical constraints can be considered as being "exceptional circumstances" without compromising the integrity of the Plan.

The Resource Management Act 1991

The emphasis of this legislation is on **effects**.

The encroachment of the two garages into the 9m x 9m triangle, as a result of a subdivision (a **line** on a plan or an **imaginary line** on the ground), will have no adverse effects on the environment as defined in the Act.

The word line is emphasised for a specific reason.

These two units can be built in the form submitted as of right without having any **physical** effect on the streetscape, or the other occupants of the street, or the Rotokawau subdivision as a whole.

It is, therefore, not possible to argue that a line on a plan can create any adverse effects in terms of the Resource Management Act 1991.

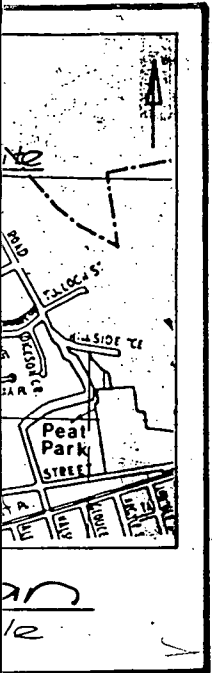
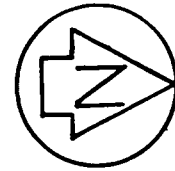
However, in order to be treated as a non-notified application, the written consent of each of the title owners needs to be obtained as they are affected property owners.

RECOMMENDATION

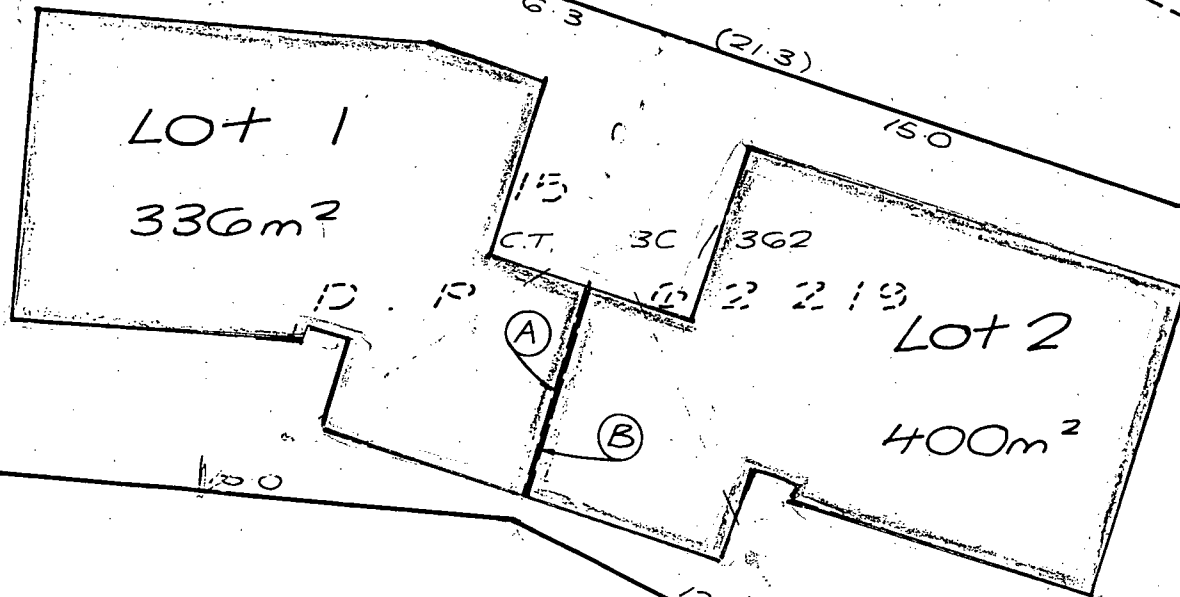
THAT consent be granted to Bernard Reuters to erect two attached dwellings which will encroach into the 9m x 9m triangle by virtue of a subdivision, on the following grounds.

1. In terms of the Resource Management Act 1991 the encroachment will have no detrimental physical or social effects on the ~~encroachment~~ *environment*.
2. The written consents of the affected parties have been granted.
3. In terms of the District Plan the lineal nature of the site and the ensuing topographical constraints are best utilised by the building design and layout as presented.

① ALLOWED AS OF RIGHT



42
(accessway)
D.P. 62219



Location: Lot 15 D.P. 62219
Size: 33C/362
Owners: G & M Keelty
City: Wanganui, District Council
Identical A

GUM TREE
RISE

Local Road

16
D.P. 62219

Proposed

Wanganui District Council

Building a better community with the people of the Wanganui District



19

30 March 1994

Our Reference:

UA:JJ

4/100/1C

If calling contact:

Mr Ali

Mr Gordon Keelty
2A Tulloch Street
St Johns Hill
WANGANUI

ENTERED

Dear Mr Keelty

PROPOSED DEVELOPMENT - 11 GUMTREE RISE - ROTOKAWAU

I refer to your letter of 24 March 1994 and your application for a resource consent to exceed site coverage by a total of 22m² in excess of the allowable coverage of 35% or 257.6m².

Pursuant to a delegation granted to the Planning Manager in terms of Section 34 of the Resource Management Act 1991, consent is hereby granted in terms of Section 105 of the said Act to Gordon Keelty to erect a dwelling at 11 Gumtree Rise which exceeds the site coverage by a maximum of 22 square metres, contrary to Rule 3.2.2(A)2 of the Wanganui District Resource Management Plan - Part 1, subject to the following conditions:

1. Compliance with all other Rules in the District Plan pertaining to the erection of dwelling units.
2. A building consent to be obtained from Council prior to any work on the site in relation to the erection of the dwelling unit.

Grounds for Consent:

1. The excessive coverage, being coverage by all buildings and storage space including eaves, balconies and verandahs in excess of 1.5m in width but excluding uncovered swimming pools, will not unduly compromise the spirit and intention of the Rule of the District Plan.
2. The excessive coverage at ground level will have a lesser effect in terms of the amenities of the neighbourhood than if the coverage of 22m² was transferred to the upper level.

.../2

3. The consent of two immediately adjoining property owners most likely to be affected by the proposal have submitted their consent to the proposal.

The applicant has a right to appeal against Council's decision, pursuant to Section 120 of the Resource Management Act 1991. These rights must be exercised in writing to the Planning Tribunal within 15 working days from the receipt of this decision. Procedure for appeal is contained in Section 121 of the Act.

If you wish to discuss the hearing, or matters pertaining to the hearing, the Planning Manager or his staff will be glad to assist you.

Yours faithfully



PR
K W Ross
PLANNING MANAGER



A Business Unit of the Wanganui District Council

Guyton Street, PO Box 637, Wanganui, New Zealand, Phone (06) 345 8529, Fax (06) 345 5515

SC399
CFA:VA

Manager - Jim Ennis BE, MIPENZ, Reg.Eng.

COPY

4 April 1995

Mr G Johnstone
11A Gumtree Rise
WANGANUI

Dear Sir

VEHICLE ACCESS 11A GUMTREE RISE

I am in receipt of a sketch plan showing a further proposed alteration of the footpath to facilitate vehicle access to the above property.

As you will be aware, Council's concern over the provision of practical vehicle access to this property was raised with the builder prior to the concrete floor being poured. (The approved Building Consent plans indicated the garage floor level would be 200mm below road level. It has been constructed at least 600mm below road level).

The builder chose to proceed with construction and had a very general discussion with Council's Operations Staff about forming the vehicle access. At that stage no details were finalised.

It was not until mid-November that the issue began to be resolved. Several discussions were held between the parties concerned and in an effort to assist, Council approved the relocation of the footpath, (originally offset 1 metre behind the kerb and channel) adjacent to the kerb and channel. Alternative solutions were suggested to the builder to improve vehicle access at this time. In approving the footpath relocation, Council made it quite clear to the builder and property owner that Council would not be responsible for any damage etc. caused by stormwater overflowing the kerb and channel and footpath onto the property.

Following relocation of the footpath the gradients were checked with Council's standard profile gauge and both parties advised that gradients were bordering the maximum recommended for practical vehicle usage.

It would appear that your current problem has resulted from the installation of the interlocking paving and precast cut-off drain, both determined by the inappropriate garage floor level.


In summary, I reiterate that the problem with vehicle access has been brought about by the chosen garage floor level.

Council has assisted as much as is possible and any further alteration to the footpath is seen as jeopardising pedestrian safety.

The solution lies in the raising of the garage floor level and the relaying of the interlocking paving, and precast cut-off drain, to suit and match this raised level.

Alteration to the footpath as shown on your sketch is not approved, and must not be undertaken.

Yours faithfully



W S SLIMIN
SENIOR ENGINEER