

# **SURVEY & PLANNING SOLUTIONS (2010) LTD**

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LAND SURVEYORS - RESOURCE PLANNERS

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Ref: 23956

30 November 2023

Far North District Council

Private Bag 752

Kaikohe

**Attention: Resource Consents Team Leaders**

To Whom It May Concern,

**Re: Proposed Subdivision (Update of Cross Lease / Flats Plan) at 91 Te Haumi Drive, Paihia / Flat 1 DP 106369, Flat 2 DP 108486 & Lot 174 DP 85845, for Suzanne Ludbrook**

Suzanne Ludbrook proposes to update and correct the lease areas for the buildings constructed on Lot 174 DP 85845 in order to correct deficiencies in the existing cross lease plans and to rationalise the two existing composite cross lease titles to reflect the current layout and use of the buildings, exclusive and common areas.

## **1. Background**

The subject land consists of two Cross Lease Records of Title, with the cross lease subdivision having been previously approved, along with a flats plan and a second stage flats plans, being:

- DP 106369, showing Plan of Flat on Lot 174 DP 85845 deposited in 1985, and
- DP 108486, showing Plan of Flats on Lot 174 DP 85845, deposited in 1985.

Since that time, previous owners and the applicant have completed building work and other alterations, most notably the closing of an area around the pole foundations to form a new room and construction of an adjacent deck. In addition, it is apparent that some of the boundaries of the lease areas did not accurately reflect what was built.

It has also become apparent that common areas are required for activities such as accessing utilities (for example a water pump), accessing private outdoor areas, moving large objects such as furniture, and for emergency fire exit.

It is now necessary to update and correct the lease areas to provide common access as required, and to rationalise the lease areas to reflect the current use and occupation of the buildings, in order to allow each title to be sold or owned separately.

## 2. Proposal

The applicant proposes to update the two leasehold titles to reflect the measured building outlines and a more practical lease boundary alignment. These are generally based on the following Council approvals:

- **BP 6888 (FNDC Property File Reference BP3034102):** Issued 8 March 1985 – “New Residence & Garage & Flat”. See **Appendix 1**.
- **COA-2023-26/0:** Issued 17 May 2023 - “One room under the house (Pole foundations) has been closed in by a previous owner. No plumbing only electrical. There is a sauna in the room.” See **Appendix 2**.

The updated leasehold titles will also add common areas to legalise access over outdoor pathways, stairs and verandah / deck areas to each leasehold title to coordinate with the way in which the two leasehold areas, their utilities, and their private outdoor areas are currently used.

The updated Cross Lease Plans are attached in **Appendix 3**. These comprise the following four plans:

- Areas 1 and 2 on Lot 174 DP 85845 (Level 1 – Upper)
- Areas 1 and 2 on Lot 174 DP 85845 (Level 2 – Road)
- Areas 1 and 2 on Lot 174 DP 85845 (Level 3 – Lower)
- Areas 1 and 2 on Lot 174 DP 85845 (Cross Sections V – V’, W – W’, X – X’ and Y – Y’)

On these plans, Area 1 is the smaller residential unit (the “flat” as noted on BP 6888), while Area 2 is the larger residential unit. Common areas are shown along various accessways, stairs, and decks.

A summary of each plan is provided below.

### Areas 1 and 2 on Lot 174 DP 85845 (Level 1 – Upper)

This plan shows the upper level of Lease Area 2, and common area which relates to lower level decks, as well as Land Covenant Areas A and B which are the exclusive use areas to be associated with each Record of Title (Area A will be exclusive to Lease Area 1, Area B will be exclusive to Lease Area 2). This plan can be compared to the DP 108486 “First Floor Plan” Diagram.

### Areas 1 and 2 on Lot 174 DP 85845 (Level 2 – Road)

This plan shows the road level Lease Areas 1 and 2, plus Land Covenant Areas A, B, C and D (A, C and D are exclusive to Lease Area 1, and B is exclusive to Lease Area 2). Common Area which relates to lower level decks is shown.

This plan can be compared DP 108486, where it can be seen that Pt Flat 2 now extends west to include the deck area on that level. The Land Covenant area B has been reduced in that it now no longer includes the eastern strip of land on the northern side of the property, with this area now included as part of Land Covenant A. There have also been corrections to the lease areas along the western boundary and northern area of Area 2, including to rectify the inclusion of the existing deck.

### Areas 1 and 2 on Lot 174 DP 85845 (Level 3 – Lower)

This plan shows the basement area of Area 1, the lower area of Area 2 (including the building work approved under COA-2023-26/0), the common area and Land Covenant Areas A and D (exclusive to the Lease Area 1) and B (exclusive to the Lease Area 2).

This plan can be compared to DP 106369, which shows that Area 1 remains the same as Pt Flat 1 (Basement Plan diagram), and Area 2 has been added to incorporate the sauna room and adjacent deck. The Land Covenant (exclusive use) areas have also been adjusted and common areas added as previously summarised.



Areas 1 and 2 on Lot 174 DP 85845 (Cross Sections V – V', W – W', X – X' and Y – Y')

The plans on this sheet represent two vertical and two horizontal cross sections showing the internal arrangement of the buildings in two dimensions.

The boundaries of the lease areas are the external faces of exterior walls or structures, unless shown otherwise (for example, where the boundary is positioned at the centre of a concrete block wall, as at the lower and road level plans).

Subdivision consent is required to enable the plans to be deposited.

A Certificate of Acceptance of the closed in foundations (sauna) was issued via COA-2023-26/0 - see **Appendix 2** – and this is therefore assumed to comply with Section 116A of the Building Act 2004. We were unable to locate a Code of Compliance Certificate for the original building work for the “new residence, flat and garage”. As such, a Report was commissioned in order to ascertain compliance with Section 116A of the Building Act 2004. The resultant Compliance Report by Spooner Architectural, which attaches a Fire Engineering Design Report by Chester Consultants, is provided in **Appendix 4**. This confirms that all of the existing buildings / units will comply, as nearly as reasonably practicable, with Section 116A (a) requirements with respect to means of escape from fire, access and facilities for persons with disabilities, and protection of other property, and will continue to comply with the other Building Code provisions, at least to the same extent, immediately before the application for a subdivision was made, as required under section 116A (b). This Compliance Report will support the issue of a certificate pursuant to Section 224(f) of the Resource Management Act 1991, enabling the survey plan showing the new lease areas to deposit.

### **3. Site Description**

The sites are legally described as Lot 174 DP 85845 and Flat 1 DP 106369 (held in Record of Title NA 59B/637) and Flat 2 DP 108468 (held in Record of Title NA60C/932) – see **Appendix 5**.

The properties are located at 91 Te Haumi Drive in Paihia within an established residential area. The land generally slopes to the east. The sites have access off Te Haumi Drive, and are developed for residential use as a dwelling and a flat over three levels as shown in the updated lease area plans.

Site Photographs are presented in **Appendix 6**.

### **4. District Plan Assessment**

#### **4.1 Operative Far North District Plan**

The sites are zoned Residential in the Operative District Plan. There are no recorded Resource Features in the Resource Maps. An overall discretionary activity status has been assessed.

Relevant definitions of the Operative District Plan are as follows:

Boundary

*(b) in relation to cross-lease titles, the boundary of any restrictive covenant area within which any building, accessory buildings and land is exclusively restricted to the users of those buildings and land.*

## Site

(ii) land subdivided under the cross lease or company lease systems (other than strata titles), "site" shall be defined as an area of land containing:

- any building, accessory buildings, plus any land exclusively restricted to the users of those buildings; or
- a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes.

The current proposal updates and corrects the restrictive covenant areas and lease areas, within which the buildings, decks and exclusive use areas are located. The common areas shown do not meet the definition of boundary as listed above. Compared with the existing flats plans shown on DP 106369 and DP 108486, the new 'boundaries' (in terms of the District Plan definition) are considered to be the following:

### Level 1 (Upper)

- The corrected/updated Lease Area 2 which includes the Level 2 decks and correct building areas;
- the adjusted boundary of Land Covenant Areas A and B in relation to the new Common Areas; and
- the new boundary between Land Covenant Areas A and B in the northern ~1/3<sup>rd</sup> of the property.

### Level 2 (Road)

- The corrected Lease Area 2 boundary which includes the Level 1 deck and has been corrected along the western face of the building;
- the adjusted boundary of Land Covenant Areas A, B, C and D in relation to the new Common Areas; and
- the new boundary between Land Covenant Areas A and B in the northern ~1/3<sup>rd</sup> of the property.

### Level 3 (Lower)

- The boundary of new Lease Area 2,
- the adjusted boundary of Land Covenant Areas A, B and D in relation to the new Common Areas; and
- the new boundary between Land Covenant Areas A and B in the northern ~1/3<sup>rd</sup> of the property.

An assessment of compliance with the relevant Operative District Plan rules is provided below.

#### **7.6.5.1.2 RESIDENTIAL INTENSITY**

(a) Each residential unit for a single household shall have available to it a minimum net site area of:

*Sewered sites: 600m<sup>2</sup>*

*This minimum net site area may be for the exclusive use of the residential unit, or as part of land held elsewhere on the property, provided that a ratio of one residential unit per minimum net site area (as stated above) is not exceeded.*

*Except that this rule shall not limit the use of an existing site for a single residential unit for a single household, provided that all other standards for permitted activities are complied with.*

There is no increase in the approved residential intensity for the sites, being two residential units over Lot 174 DP 85845. No new residential units are proposed.

### **7.6.5.1.3 SCALE OF ACTIVITIES**

*The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed:*

*2 persons per 600m<sup>2</sup> (sewered)*

The buildings are occupied by household members – no infringement will occur.

### **7.6.5.1.4 BUILDING HEIGHT**

*The maximum height of any building shall be 8m.*

Complies - no new buildings are proposed.

### **7.6.5.1.5 SUNLIGHT**

*No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in Chapter 3 - Definitions), except that:*

*(a) a building may exceed this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided that the maximum height of any building where it exceeds the standard is 2.7m (refer to Recession Plane Diagram B within the definition of Recession Plane in Chapter 3 – Definitions); and*

*(b) where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way.*

The realigned lease and covenant boundaries will alter the relationship between buildings and boundaries, and the following assessment of each level establishes that the permitted activity sunlight standard will not be achieved along all proposed boundaries.

#### Level 1 (Upper)

- The corrected Lease Area 2 which includes the Level 1 decks and correct building areas. This will infringe the permitted and restricted discretionary activity sunlight standard in relation to Land Covenant A (discretionary activity – Rule 7.6.5.4)

#### Level 2 (Road)

- The corrected Lease Area 2 boundary which includes the Level 2 deck - this will infringe the permitted and restricted discretionary activity sunlight standard in relation to Land Covenant A (discretionary activity – Rule 7.6.5.4).

#### Level 3 (Lower)

- The boundary of new Lease Area 2: this will infringe the permitted and restricted discretionary activity sunlight standard in relation to Land Covenant A (discretionary activity – Rule 7.6.5.4)

### **7.6.5.1.6 STORMWATER MANAGEMENT**

*The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 50%.*

The definition of 'site' for a cross lease site can be considered either "any building, accessory buildings, plus any land exclusively restricted to the users of those buildings" or "a remaining share or shares in the fee simple creating a vacant part of the whole for future cross lease or company lease purposes". The second definition is not applicable.

No new impermeable surfaces are proposed. In terms of the definition of ‘impermeable surface’, the timber slatted decks can be excluded where these are not covered by roof areas.

On the overall 800m<sup>2</sup> fee simple estate (Lot 174 DP 85845), impermeable surfaces do not exceed 50% (approximately 351m<sup>2</sup> or 44%).

Given that the existing buildings and lease areas are over three levels, with Areas 1 and 2 overlapping in areas, it is not possible to attribute the impermeable surface coverage to each ‘site’ as per the first definition of the Operative District Plan relating to a cross lease site. We note that the **Proposed** District Plan includes an additional clause in the definition of ‘Site’, being:

*“despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system is the whole of the land subject to the unit development or cross lease”.*

We have used the Lower Level (Level 3) plan to define the site area for each cross lease site and attributed the common area on this level equally between the two sites. The table below shows approximate site area and impermeable surface coverage area for each cross lease site and demonstrates compliance with the permitted activity standard.

	Site Area (Level 3) – including ½ Common Area	Impermeable Coverage (Level 3) – including ½ Common Impermeable Coverage	Impermeable Surface Coverage (Level 3) - %
Area 1	324m <sup>2</sup>	128m <sup>2</sup>	39.5%
Area 2	476m <sup>2</sup>	223m <sup>2</sup>	46.8%

#### **7.6.5.1.7 SET BACK FROM BOUNDARIES**

(a) The minimum building setback from road boundaries shall be 3m,

(b) The minimum set-back from any boundary other than a road boundary, ... shall be 1.2m except that no set-back is required for a maximum total length of 10m along any one such boundary.

(c) Not less than 50% of that part of the site between the road boundary and a parallel line 2m there from (i.e. a 2m wide planting strip along the road boundary) shall be landscaped, ...

There will be no change in terms of the building relationship to the road boundary, and (a) and (c) are not relevant. In terms of (b), the relationship of the existing buildings to new boundaries is assessed below.

#### Level 1 (Upper)

- The corrected Lease Area 2 which includes the Level 1 decks and correct building areas (less than 1.2m from new covenant area A (restricted discretionary activity under Rule 7.6.5.3.7)).

#### Level 2 (Road)

- The corrected Lease Area 2 boundary which includes the Level 2 deck (less than 1.2m from new covenant area A (restricted discretionary activity under Rule 7.6.5.3.7) and has been corrected along the western face of the building (no change - more than 1.2m from the boundary with Lot 175 DP 85845).

#### Level 3 (Lower)

- The boundary of new Lease Area 2: Will be less than 1.2m from new covenant area A (restricted discretionary activity under Rule 7.6.5.3.7).

#### **7.6.5.1.17 BUILDING COVERAGE**

*Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 45% of the gross site area.*

No new buildings or alteration / additions to any existing buildings are proposed.

#### **13.6.1 – 13.6.12 SUBDIVISION – GENERAL RULES**

No change as a result of the proposal.

#### **13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES ...**

*Boundary Adjustments Performance Standards*

*Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:*

*(a) there is no change in the number and location of any access to the lots involved; and*

*(b) there is no increase in the number of certificates of title; and*

*(c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones ...; except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and*

*(d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and*

*(e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and*

*(f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.*

*Applications under this rule will not be notified but where these conditions cannot be met the application will be considered under the relevant zone rules set out in Rules 13.7.2 to 13.7.10.*

No specific activity status or rules relate to the update or amendment of cross lease titles; therefore we have considered the proposal to be a boundary adjustment.

Each composite cross lease Record of Title retains an undivided share in all of the underlying fee simple estate as tenants in common, i.e., an undivided ½ share in Lot 174 DP 85845 (800m<sup>2</sup>). There is no change to the subdivision density arising from the proposal in terms of the Rules set out in 13.7.2 of the Operative District Plan. Clauses (a), (b), (c), (d) and (f) are considered to be met, however new sunlight and setback rule infringements will arise, meaning that clause (e) is not met.

#### **15.1.6A.2.1 TRAFFIC INTENSITY**

No new activities are establishing or changing. There will be no increase in traffic intensity.

#### **15.6.1B.1.1 ON-SITE CAR PARKING SPACES**

No new activities are establishing, the nature of the activity is not changing and the buildings are not being increased to increase the number of persons provided for on the site. No infringement will arise.

#### **15.1.6C.1.1 – 15.1.6C.1.7 ACCESS**

No changes to the existing access provisions will result from the proposal.

## **4.2 Proposed Far North District Plan**

The subject sites are zoned General Residential in the Far North Proposed District Plan. Relevant rules are assessed below. An overall discretionary activity status has been assessed.

### ***SUB-R1 Boundary Adjustments***

#### **CON-1**

*The boundary adjustment complies with standards:*

*SUB-1 Minimum allotment sizes for controlled activities, except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased;*

*SUB-S2 Requirements for building platforms for each allotment;*

*SUB-S3 Water supply;*

*SUB-S4 Stormwater management;*

*SUB-S5 Wastewater disposal;*

*SUB-S6 Telecommunications and power supply; and*

*SUB-S7 Easements for any purpose;*

#### **CON-2**

*the boundary adjustment does not alter:*

*the ability of existing activities to continue to be permitted under the rules and standards in this District Plan;*

*the degree of non compliance with zone or district wide standards;*

*the number and location of any access; and*

*the number of certificates of title.*

#### **CON-3**

*1. The boundary adjustment complies with standard:*

*SUB -S8 Esplanades*

The updated cross lease will comply with CON 1 (no new allotments are proposed, existing water, stormwater management in place, existing wastewater and utility connections in place, easements not proposed). The area of each cross lease site will be less than 600m<sup>2</sup>, and new setback and sunlight rule infringements will arise in terms of CON-2. There are no implications in terms of CON-3. The application therefore is assessed as being a discretionary activity.

### ***GRZ-R2 Impermeable Surface Coverage***

*The impermeable surface coverage of any site is no more than 50%.*

*Note: Where a development is utilising more than one site, including for multi-unit development or retirement villages, the percentage coverage must be calculated over the gross site area of all affected sites.***RZ-R2 Impermeable Surface Coverage**

Provided that the two titles can be considered as a ‘multi-unit development’ – i.e., “a group of two or more residential units contained within one contiguous building”, the percentage coverage of gross site area will not exceed 50%.

### ***GRZ-S2 Height in Relation to Boundary***

*The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:*

*55 degrees at 2m above ground level at the northern boundary of the site;*

*45 degrees at 2m above ground level at the eastern and western boundaries of the site;*

*35 degrees at 2m above ground level at the southern boundary of the site.*

*Except where the site boundary adjoins a lawfully established accessway or access lot serving a rear site, the measurement shall be taken from the furthest boundary of the accessway or access lot.*

As with the Operative District Plan, parts of the existing building will not comply in relation to new ‘boundaries’ – restricted discretionary activity status.

### **GRZ-S3 Setback ...**

*The building or structure, or extension or alteration to an existing building or structure must be set back at least 1.2m from all site boundaries, except that the setback must be at least 3m measured from a road boundary.*

*This standard does not apply to:*

*Fences or walls no more than 2m in height above ground level.*

*uncovered decks no more than 0.5m above ground level*

As with the Operative District Plan, parts of the existing building will not comply in relation to new 'boundaries' – restricted discretionary activity status.

### **GRZ-S6 Outdoor living space**

*Each residential unit must have an exclusive outdoor living space:*

*of at least 50m<sup>2</sup> at ground level with a minimum dimension of 5m; or*

*at least 8m<sup>2</sup> (with a minimum dimension of 2m) where the residential unit is not on the ground floor.*

*The outdoor living space must:*

*be directly accessibly from a habitable room in the residential unit;*

*be free of buildings, storage, parking spaces and manoeuvring areas;*

*be oriented to the north, east or west side (or a combination) of the residential unit.*

Each residential unit retains this outdoor living space.

## **5. Assessment of Effects**

### **5.1 Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects**

The proposal to update and correct the flats plans on the subject land will not change the physical building layout on the site or increase the residential intensity of the sites. There will be no change in terms of the relationship between the existing building and the external boundaries of the underlying fee simple title. Therefore, there will be no change to the built or natural environment and no adverse effects outside of the property boundaries.

### **5.2 Any physical effect on the locality, including any landscape and visual effects**

As noted, there will be no change to the built or natural environment arising from the proposal, and no adverse physical effects are anticipated, including on landscape, visual or amenity values. In particular, it is noted that the setback and height in relation to boundary infringements arising from the relocation of cross lease boundaries all relate to the existing buildings and their relationship to the cross lease area boundaries. This is an existing situation, which will not generate any noticeable adverse effects outside of the application site area.

### **5.3 Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity**

No land disturbance is required, and no adverse effects will arise in terms of ecological or natural resources.

### **5.4 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations**

The sites have an established residential use in an existing residential environment. They are not part of an outstanding landscape, protected natural area, and do not have any particular or special value in that respect. There are no recorded archaeological, heritage or cultural resources on the site, and no land disturbance is proposed. As such, the proposal avoids adverse effects on the listed resources.

## **5.5 Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants.**

No new stormwater, wastewater or other discharges are required. No new land use activities will result.

The Compliance Report addresses s116A Building Act 2004 requirements including protection of other property (including from surface water). This confirms that “all of the existing buildings / units will comply, as nearly as reasonably practicable, with Section 116A (a) requirements with respect to ... protection of other property, and will continue to comply with the other Building Code provisions, at least to the same extent, immediately before the application for a subdivision was made, as required under section 116A (b)”. It is therefore considered that the proposal does not generate adverse effects in terms of surface water.

On the overall area of the underlying Record of Title, impermeable surfaces remain within the permitted activity standard, with no changes to the overall extent of impermeable surfaces proposed.

## **5.6 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.**

The proposal relates to established residential land uses. The Compliance Report addresses s116A Building Act 2004 requirements in terms of means of escape from fire, protection of other property (including from surface water), and access and facilities for people with disabilities. This confirms that “all of the existing buildings / units will comply, as nearly as reasonably practicable, with Section 116A (a) requirements with respect to means of escape from fire, access and facilities for persons with disabilities, and protection of other property, and will continue to comply with the other Building Code provisions, at least to the same extent, immediately before the application for a subdivision was made, as required under section 116A (b)”. It is therefore considered that the proposal does not generate adverse effects in terms of those matters.

## **5.7 Traffic, Vehicle Access and Parking**

There will be no change to the established residential land use activities, and no additional traffic will be generated.

In terms of vehicle access and car parking, both flats retain direct frontage to Te Haumi Drive, and the physical parking provisions are unchanged from the present situation. This includes the existing double garage at the road level within Area 2, and a paved parking space outside the courtyard area at the road level within Land Covenant A. Note that this will be slightly reduced in length through the addition of the common area south of Land Covenant C, however the existing situation already means that a vehicle parked in this space will encroach beyond the property/road boundary, but not in such a way that affects the footpath. Overall, it is considered that there will be no material change in terms of parking or access as a result of the proposal, and adverse effects are therefore avoided.

## **5.8 Utility Services**

With regards to the arrangement of existing service connections at the front (southern side) of the property, the proposed rearrangement of the Cross Lease Areas does not have any impact. Refer to Figures 1 and 2 below. In particular, the existing exclusive use areas remain unchanged in this area, with the exception that a new common area will be added over a pathway. As such, the proposal does not have any adverse impact in terms of existing service connections (water, sanitary sewer, stormwater, power and telecommunications) from Te Haumi Drive.



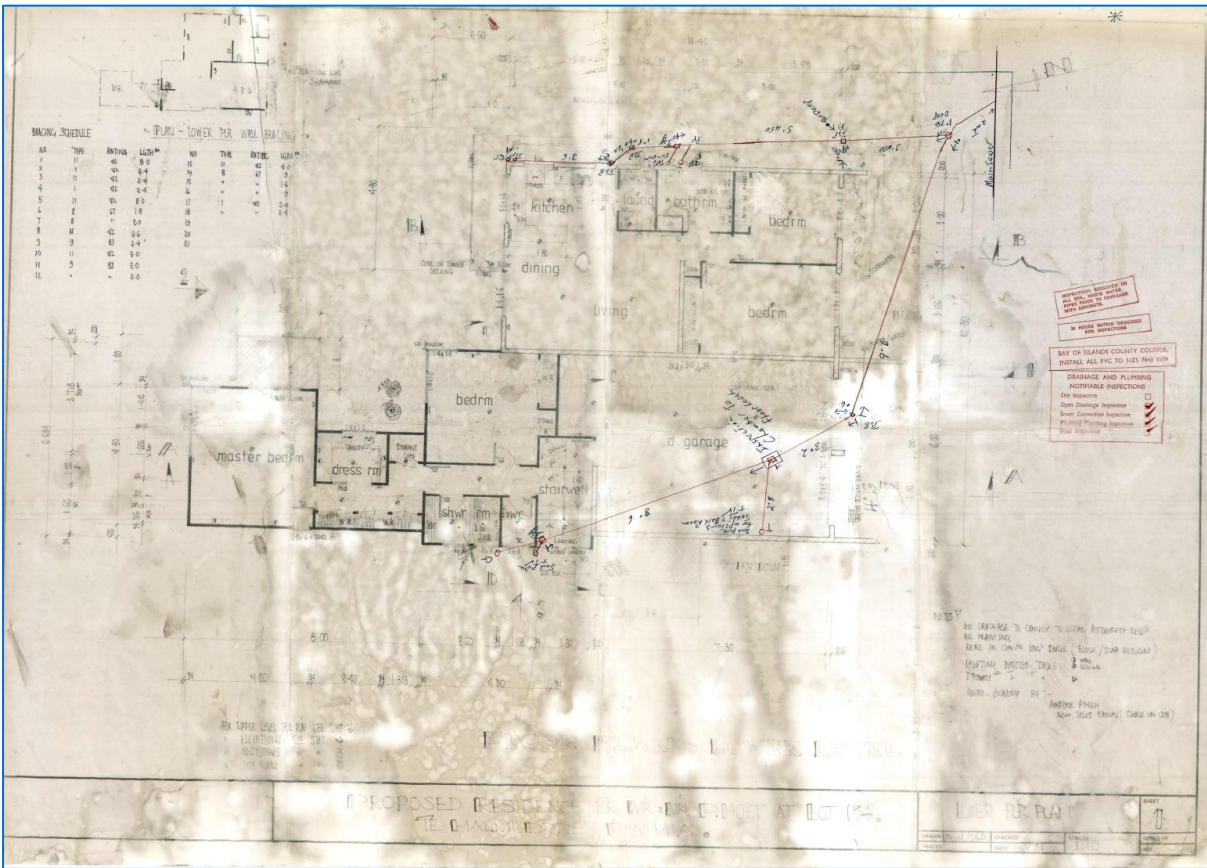


Figure 1: Sanitary Sewer As Built Plan

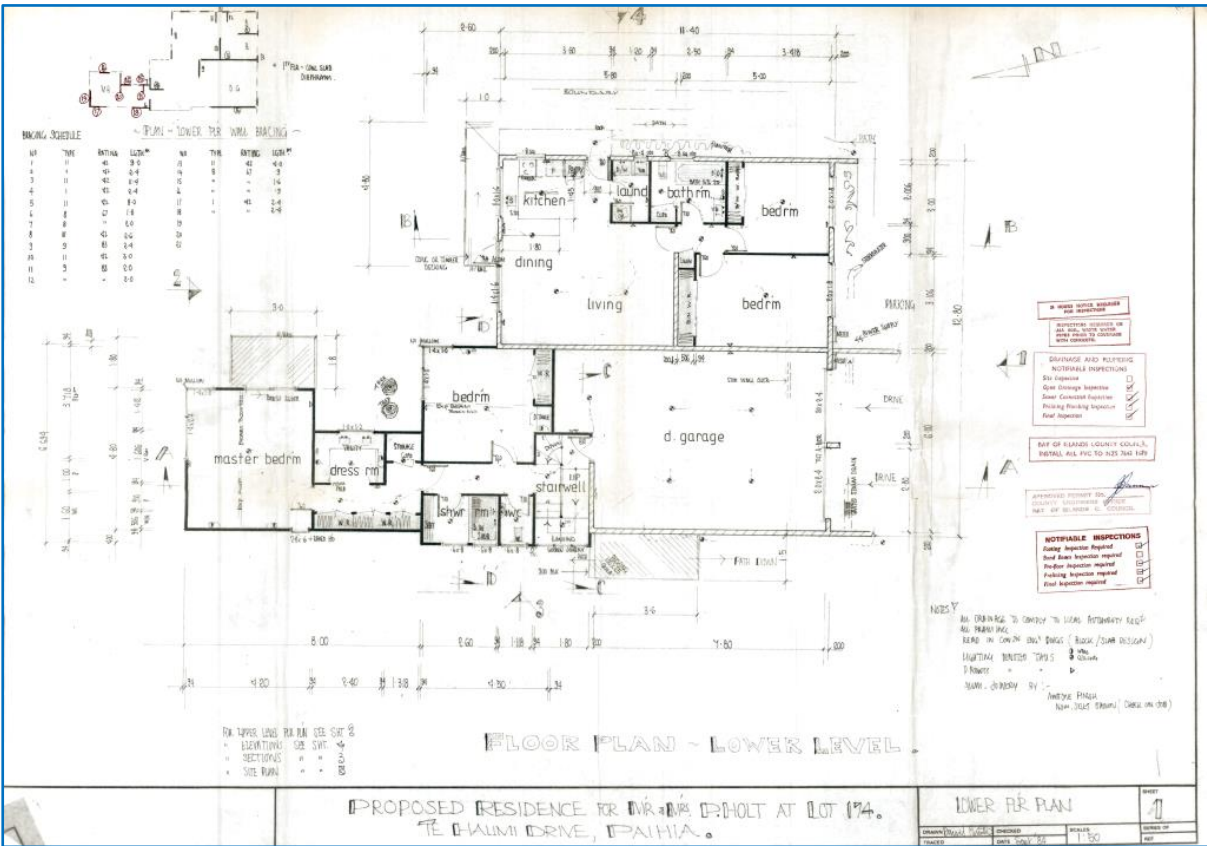


Figure 2: Approved Building Permit Plan showing Access, Power and Stormwater Provisions

## **6. Statutory Assessment**

### **6.1 Objectives and Policies**

The building has been completed in general accordance with the previously referenced building consents. The overall density of cross lease subdivision and residential intensity is not increasing. Rule infringement in terms of the relationship of new boundaries and existing buildings does not change the spatial layout of built development on the site and therefore does not generate new adverse effects. Therefore, the proposal is compatible with relevant Operative District Plan Residential Zone objectives 7.6.3.1 and 7.6.3.2, and policies 7.6.4.4, 7.6.4.7, 7.6.4.8 and 7.6.4.10; as well as Subdivision Chapter objectives 13.3.1 and 13.3.2 and policy 13.4.1. Likewise, relevant Proposed District Plan General Residential Zone objective GRZ-O1 and policy GRZ-P8 and Subdivision objective SUB-O1 and policy SUB-P1.

The proposal has no implications in terms of the Regional Policy Statement for Northland, as it has no implications in terms of regional resource management issues or integrated management of natural and physical resources.

### **6.2 National Environmental Standards**

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

The subject land is not currently, and is not expected to have historically, been used for an activity on the Hazardous Activities and Industries List. The site is not recorded on Northland Regional Council's Selected Land Use Register. As such, the proposed activity is not covered by the above regulations.

#### **6.2.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020**

The activity requires no physical work and has no implications in terms of the above regulations.

### **6.3 National Policy Statements**

No relevant national policy statements have been identified.

### **6.4 Part 2 Resource Management Act 1991**

The proposal results in no changes to natural or physical resources. It is considered to achieve the purpose of the Resource Management Act 1991 and be consistent with the principles set out under Sections 6 – 8 of the Act.

## **7. Consultation & Notification Assessment**

The applicant owns both of the sites involved in this application.

As the proposal relates to an established layout of existing built development, and does not result in any adverse environmental effects to adjoining property owners or the wider neighbourhood, it is considered that public notification is not required, and that there is no person who would be an affected person, such that limited notification is also not a requirement.

The proposal fulfills the statutory requirements to be treated as non-notified.

## **Conclusion**

It is requested that this application be processed as non-notified and approved under delegated authority. No conditions are necessary. Please get in touch as soon as possible if you have any queries.

Yours faithfully,  
Williams & King



Natalie Watson  
Resource Planner

## **Appendices**

**Appendix 1: Building Permit BP 6888**

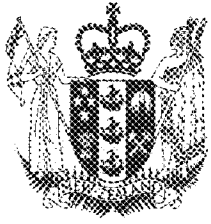
**Appendix 2: COA-2023-26/0**

**Appendix 3: Updated Cross Lease Plans (Four Sheets)**

**Appendix 4: Section 116A Building Act 2004 Compliance Report**

**Appendix 5: Records of Title**

**Appendix 6: Site Photographs**



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
CROSS LEASE  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA59B/637**  
**Land Registration District** **North Auckland**  
**Date Issued** 09 August 1985

**Prior References**

NA42D/1111

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**Estate** Fee Simple - 1/2 share  
**Area** 800 square metres more or less  
**Legal Description** Lot 174 Deposited Plan 85845

**Registered Owners**

Suzanne Joy Ludbrook

---

<b>Estate</b>	Leasehold	<b>Instrument</b>	L B446303.1
		<b>Term</b>	999 years commencing on the 11.6.1985

**Legal Description** Flat 1 Deposited Plan 106369

**Registered Owners**

Suzanne Joy Ludbrook

**Interests**

Subject to Section 8 Mining Act 1971 (Affects Fee Simple) (affects part)

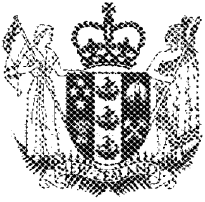
Subject to Section 168A Coal Mines Act 1925 (Affects Fee Simple) (affects part)

Land Covenant in Lease B446303.1 - 9.8.1985 (Affects Fee Simple)

B446303.1 Lease of Flat 1 DP 106369 Term 999 years commencing on the 11.6.1985 Composite CT NA59B/637 issued - 9.8.1985 (Affects Fee Simple)

B476306.1 Lease of Flat 2 Plan 108486 Term 999 years commencing on the 20.9.1985 Composite CT NA60C/932 issued - 1.11.1985 at 2.34 pm (Affects Fee Simple)

Land Covenant in Lease B476306.1 - 1.11.1985 at 2.34 pm (Affects Fee Simple)



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
CROSS LEASE  
Search Copy**



*R. W. Muir*  
Registrar-General  
of Land

**Identifier** **NA60C/932**  
**Land Registration District** **North Auckland**  
**Date Issued** 01 November 1985

**Prior References**

NA42D/1111                      NA59B/637

**Estate**                      Fee Simple - 1/2 share  
**Area**                        800 square metres more or less  
**Legal Description**      Lot 174 Deposited Plan 85845

**Registered Owners**

Suzanne Joy Ludbrook

<b>Estate</b>	Leasehold	<b>Instrument</b>	L B476306.1
		<b>Term</b>	999 years commencing on the 20.9.1985

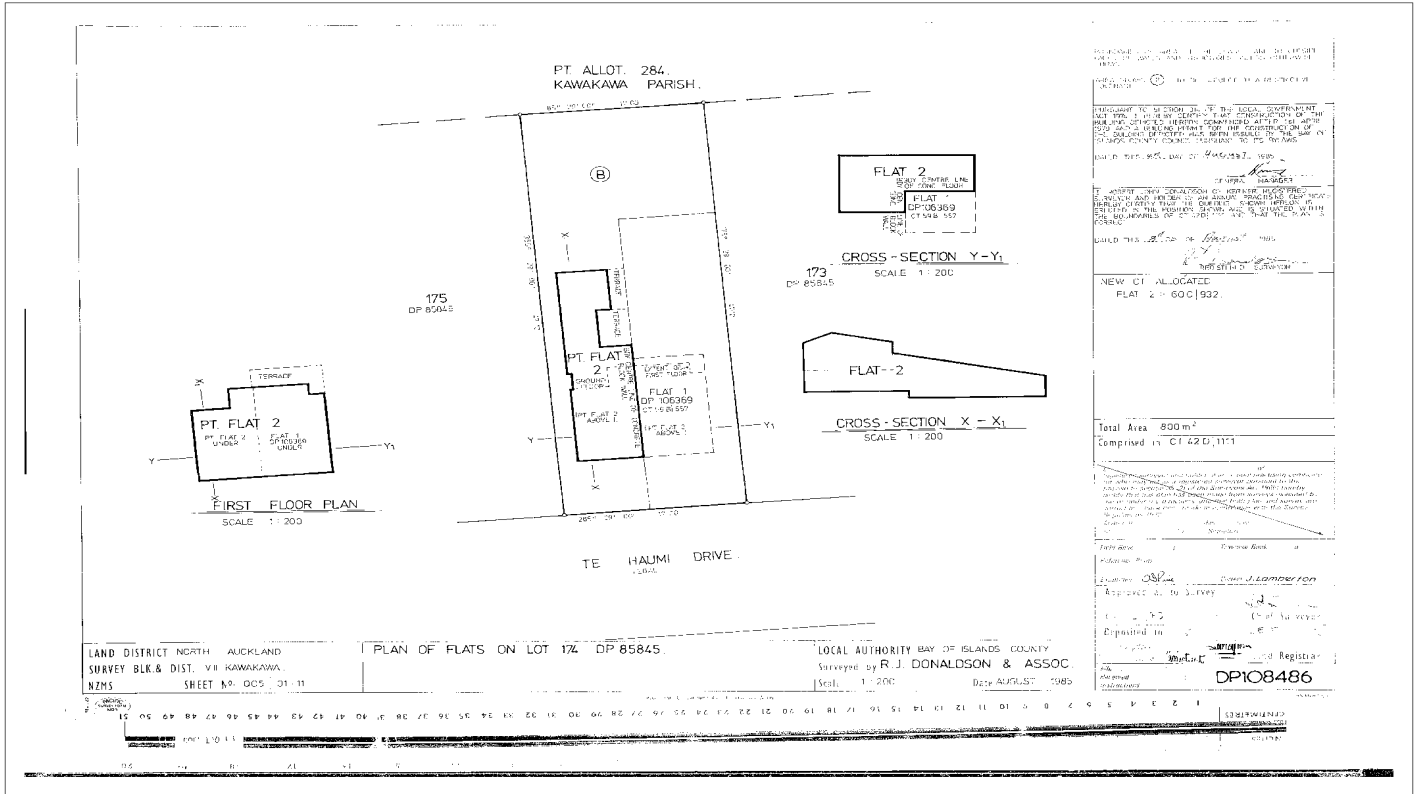
**Legal Description**      Flat 2 Deposited Plan 108486

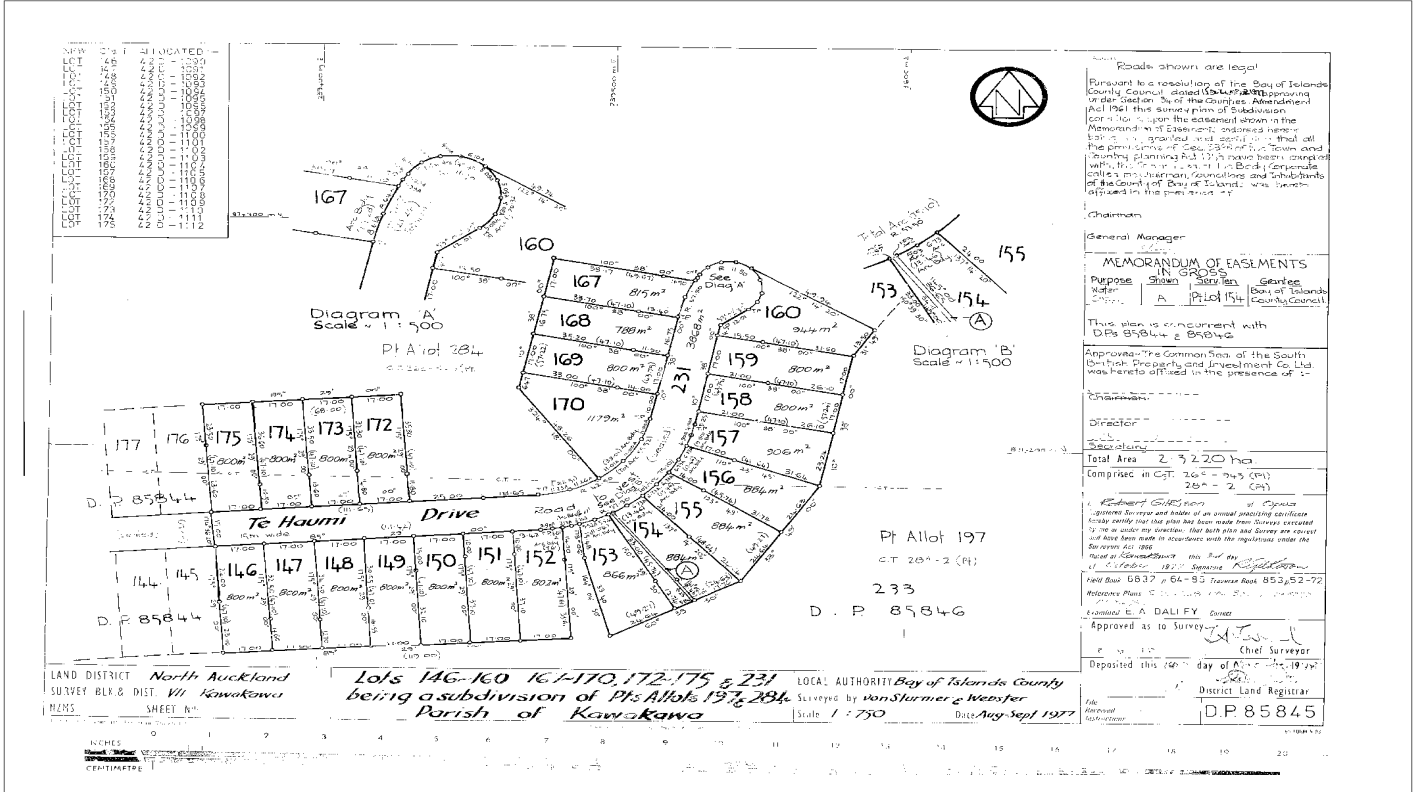
**Registered Owners**

Suzanne Joy Ludbrook

**Interests**

Subject to Section 8 Mining Act 1971 (Affects part) (Affects Fee Simple)  
Subject to Section 168A Coal Mines Act 1925 (Affects part) (Affects Fee Simple)  
B446303.1 Lease of Flat 1 Plan 106369 Composite CT NA59B/637 issued (Affects Fee Simple)  
Land Covenant in Lease B446303.1 (Affects Fee Simple)  
B476306.1 Lease of Flat 2 DP 108486 Term 999 years commencing on the 20.9.1985 Composite CT NA60C/932 issued - 1.11.1985 (Affects Fee Simple)  
Land Covenant in Lease B476306.1 - 1.11.1985 (Affects Fee Simple)





Roads shown are legal

Pursuant to a resolution of the Bay of Islands County Council dated 14th July 1977 approving under Section 34 of the Counties Amendment Act 1961 the Survey plan of Subdivision for Lots 146-177, the easements shown in the Memorandum of Easements, together here-with, is granted and certified that all the provisions of the 1977 Town and Country Planning Act 1977 have been complied with. The Survey Plan of the Bay of Islands Council's Chairman, Councillors and Subscribers of the Council of Bay of Islands, was approved in the presence of

Chairman

General Manager

**MEMORANDUM OF EASEMENTS IN GROSS**  
 Purpose Shown Easements Granted  
 Matter A Pths Allot 154 Bay of Islands County Council

This plan is in accordance with D.P. 85844 & 85844

Approved: The Chairman of the South District Property and Investment Co. Ltd. was hereto affixed in the presence of

Chairman

Director

Total Area 2 3220 ha  
 Comprised in CPT: 26 = 245 (ha)  
 28 = 2 (ha)

*(Readers of D.P. 85844 should refer to the Survey Plan and Maps of an annual planning certificate to be issued by the Survey Office under my direction. That both plans and Survey are correct and have been made in accordance with the regulations under the Survey Act 1966.)*

PH Allot 197  
 D.P. 85844

Approved as to Survey

Chief Surveyor

Deposited this 26th day of August 1977

District Land Registrar

D.P. 85844

LOT 234 DP 87473

85°29'00" 17.00

175°9'00" 47.10

175°9'00" 47.10

85°29'00" 17.00



(B)

(A)

X

Y

W

W'

LOT 175  
DP 85845

LOT 173  
DP 85845  
COMMON  
AREA BELOW

AREA 2 BELOW

COMMON

deck

AREA 2

V'

V

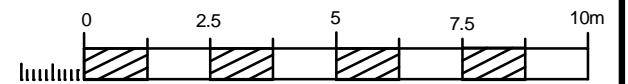
deck

TE HAUMI DRIVE

LEVEL 1 UPPER)

Notes:

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- 2, Unless otherwise shown, covenant boundaries are not visibly defined.
- 3, Areas marked A, B C and D are subject to a Land Covenant
- 4, External boundaries adopted from DP 85845



LAND DISTRICT  
NORTH AUCKLAND

SHEET TITLE:

AREAS 1 AND 2  
ON LOT 174 DP 85845

Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
1:150

SHEET No  
1/2

File: 23956



**Williams & King**

Registered Land Surveyors, Planners &  
Land Development Consultants

27 Hobson Ave  
PO Box 937, Kerikeri  
Tel: 09-407 6030  
Email: kerikeri@saps.co.nz

**DP 599077**



LOT 234 DP 87473

85°29'00" 17.00

175°9'00" 47.10

175°9'00" 47.10

85°29'00" 17.00

LOT 175  
DP 85845

LOT 173  
DP 85845

COMMON  
AREA BELOW

AREA 2

AREA 1

BDY CENTER OF CONCRETE BLOCK WALL

deck

AREA 2 BELOW

deck

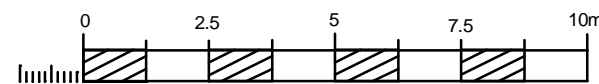
garage

LEVEL 2 (ROAD)

TE HAUMI DRIVE

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LAND DISTRICT  
NORTH AUCKLAND

SHEET TITLE:

AREAS 1 AND 2  
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Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
1:150

SHEET No  
1/1

File: 23956

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Email: kerikeri@saps.co.nz

**DP 599077**

LOT 234 DP 87473

85°29'00" 17.00



(B)

(A)

175°9'00" 47.10

175°9'00" 47.10

W

W'

LOT 175  
DP 85845

LOT 173  
DP 85845

LANDING

AREA 2

deck

stairs

deck  
COMMON

stairs

BDY CENTER OF  
CONCRETE BLOCK WALL

AREA 1  
basement

stairs

(D)

V

V'

X

Y

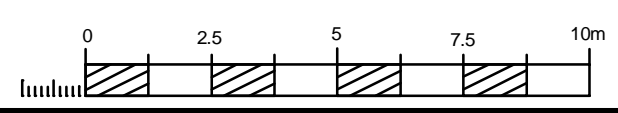
85°29'00" 17.00

TE HAUMI DRIVE

Notes:

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LEVEL 3 (LOWER)



LAND DISTRICT  
NORTH AUCKLAND

SHEET TITLE:

**AREAS 1 AND 2  
ON LOT 174 DP 85845**

Territorial Authority: FAR NORTH DISTRICT  
 Survey by : Kurt Watson  
 Date : September 2023

SCALE @ A3  
1:150

SHEET No  
1/3

File: 23956

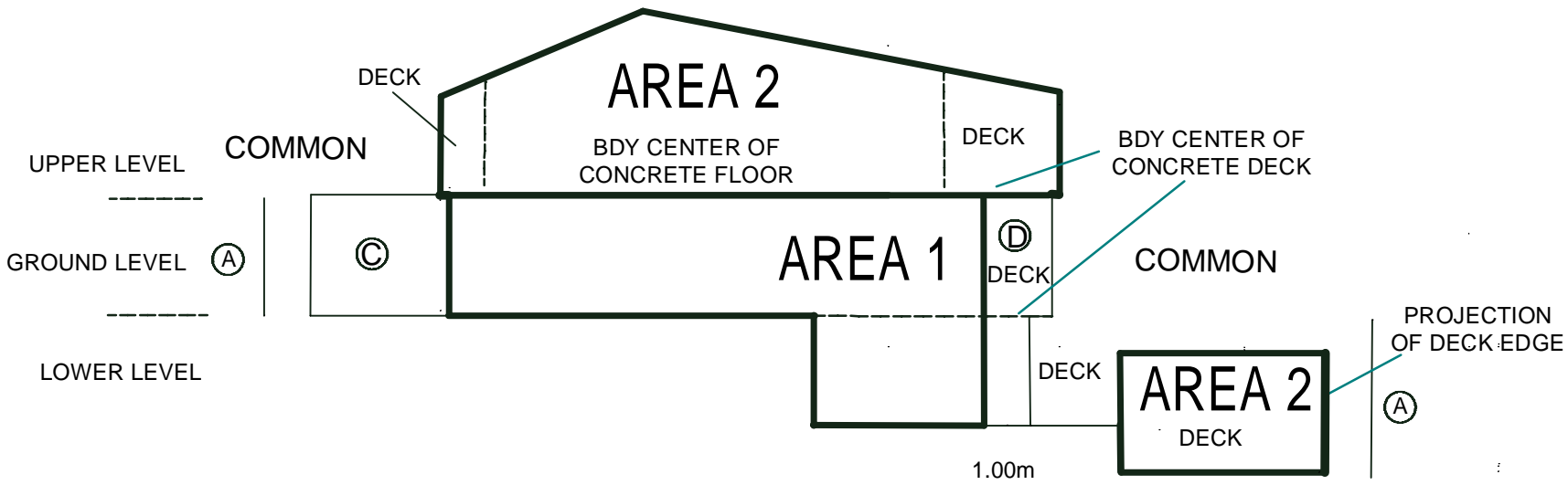
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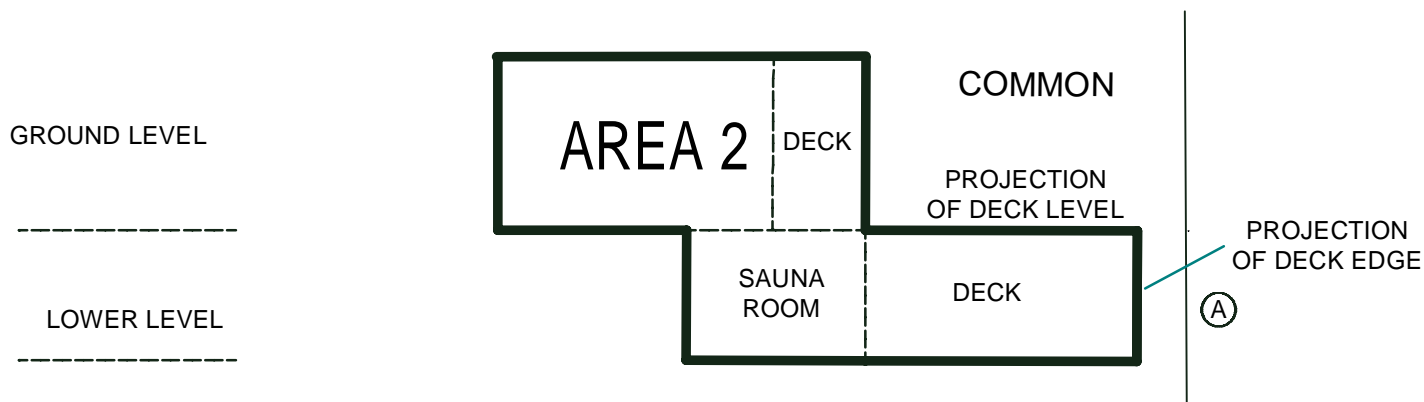
**DP 599077**



CROSS SECTION X - X'



CROSS SECTION Y - Y'



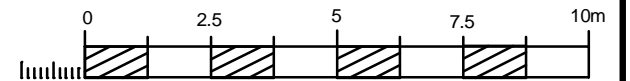
CROSS SECTION W - W'



CROSS SECTION V - V'

Notes:

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LAND DISTRICT  
 NORTH AUCKLAND

SHEET TITLE:

AREAS 1 AND 2  
 ON LOT 174 DP 85845

Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
 1:150

SHEET No  
 1/4

File: 23956

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DP 599077

## Compliance Statement under section 116A Building Act 2004

**Building owner:** Suzanne Joy Ludbrook

**Property address:** 1/91 & 2/91 Te Haumi Drive Paihia

**Approved building consent SR (if any) relevant to the subdivision:** Original building constructed in 1985 under Building Consent number 6888. FNDC Property File reference: BP3034102

**The building's lawfully established use is:** 2 x dwellings (SH) on a cross lease title.

Paul Spooner has assessed building/units identified as "Area 1" and Area 2" on Plans titled "Areas 1 and 2 on Lot 174 DP 85845" numbered 1/1, 1/2, 1/3, 1/4 with respect to:

- means of escape from fire
- access and facilities for people with disabilities
- protection of other property.

I am satisfied, on reasonable grounds, that all, (as specified in the [compliance report](#)) of the existing building/units at this address will comply, as nearly as reasonably practicable, with section 116A (a) requirements) with respect to *means of escape from fire, access and facilities for persons with disabilities, and protection of other property*, and will continue to comply with the other Building Code provisions, at least to the same extent, immediately before the application for a subdivision was made, as required under section 116A (b).



Paul Spooner

Date: 24 November 2023

---

Qualification  
NZCD (Arch)

Professional membership:

ADNZ

LBP 110796

# Compliance report

This report addresses the provisions of Section 116A of the Building Act 2004 in respect of Code Compliance requirements: Subdivision.

## **Means of escape from fire and fire protection:**

Refer Chester Consultants Fire Engineering Design report attached, dated 10 November 2023, which concludes that compliance exists as near as is reasonably practical with the provisions of NZBC clauses C1 – C6 where applicable.

## **Access and facilities for people with disabilities:**

Each unit comprises a single residential household unit.

As such, Section 47A (since changed to Section 118) of the Building Act does not apply to this building, as outlined under the Limits on Application noted in Schedule 1 of the Building Code.

## **Protection of other property:**

- **E1 Surface Water**

E1 outlines the following relevant provisions:

### ***Objective***

E1.1

*The objective of this provision is to:*

*(a) safeguard people from injury or illness, and other property from damage, caused by surface water,*

### ***Functional requirement***

E1.2

*Buildings and sitework shall be constructed in a way that protects people and other property from the adverse effects of surface water.*

### ***Performance***

### E1.3.1

*Except as otherwise required under the [Natural and Built Environment Act 2023](#) for the protection of other property, surface water, resulting from an event having a 10% probability of occurring annually and which is collected or concentrated by buildings or sitework, shall be disposed of in a way that avoids the likelihood of damage or nuisance to other property.*

#### ASSESSMENT:

The existing building has a functioning stormwater system that is connected to a network utility drain.

Existing building features such as gutters and roof surfaces are in a maintained and serviceable condition. To the knowledge of the author features for the management of surface water have existed since 1985 without problems. On this basis it is submitted that the provisions of E1 are being met. No changes are required to existing E1 provisions to complete the subdivision, so the subdivided property is expected to continue to perform to the same extent as it currently does.

- **E3 Internal Moisture**

E3 outlines the following relevant provisions:

#### ***Objective***

##### *E3.1*

*The objective of this provision is to—  
protect household units and other property from damage caused by free water from another household unit in the same building.*

#### ***Functional requirement***

*E3.2 Buildings must be constructed to avoid the likelihood of—  
free water overflow penetrating to an adjoining household unit*

#### ***Performance***

*E3.3.2 Free water from accidental overflow from sanitary fixtures or sanitary appliances must be disposed of in a way that avoids loss of amenity or damage to household units or other property*

#### ASSESSMENT:

The following observations have been made:

- The existing building has multiple floors levels and presents one situation where a sanitary fixture (kitchen sink) is located on a storey above the adjoining unit.
- All other sanitary fixtures are either located below the adjoining unit or to one side.
- Horizontal separation between units consists of concrete / concrete masonry inter-tenancy walls. Vertical separation consists of insitu concrete suspended floors.

- Floors in rooms containing sanitary fixtures have been recently renovated and finished with Korlok flooring, which is an impervious sheet vinyl commonly used in high rise apartment or commercial applications.
- Plumbing fixtures are fitted with overflow drains.

On the basis of the above mitigating features, it is assessed that the risk of damage or loss of amenity to adjoining property is low and that E3 is complied with as near as is reasonably practical.

### **Conclusion / Summary:**

The building after subdivision will comply as near as is reasonably practical with building code measures outlined in Section 116A of the Building Act and to the same or not lesser extent than it did before the application.

The above assessment should allow a Section 589 certificate to be issued by the Territorial Authority.



Paul Spooner

Date: 24 November 2023

---

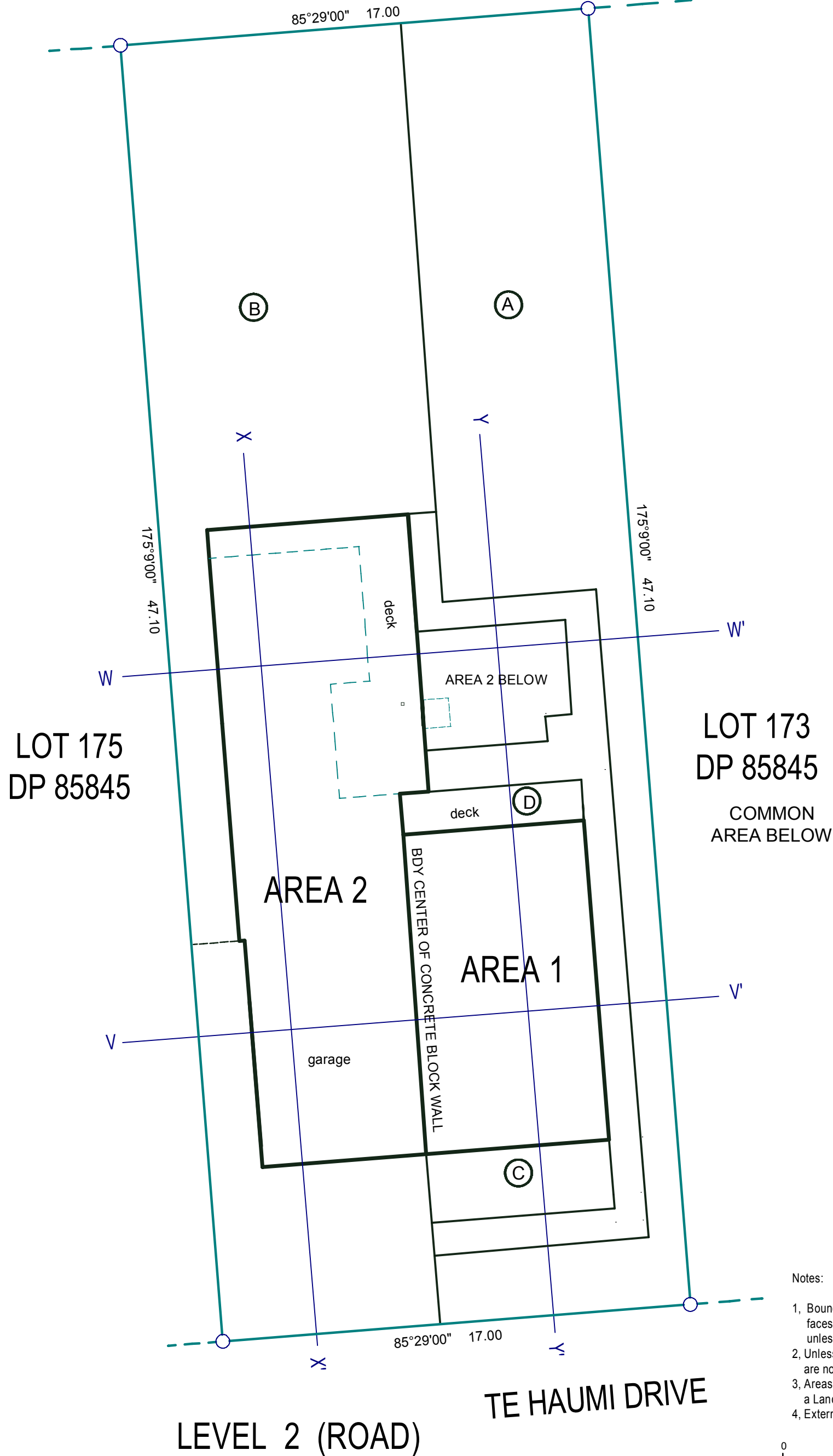
Qualification  
NZCD (Arch)

Professional membership:

ADNZ

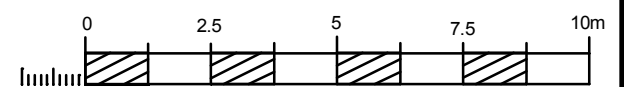
LBP 110796

LOT 234 DP 87473



Notes:

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LEVEL 2 (ROAD)

TE HAUMI DRIVE

LAND DISTRICT  
NORTH AUCKLAND

SHEET TITLE:

**AREAS 1 AND 2  
ON LOT 174 DP 85845**

Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
1:150

SHEET No  
1/1

File: 23956

**Williams & King**

Registered Land Surveyors, Planners &  
Land Development Consultants



27 Hobson Ave  
PO Box 937, Kerikeri  
Tel: 09-407 6030  
Email: kerikeri@saps.co.nz

**DP 599077**



LOT 234 DP 87473

85°29'00" 17.00

175°9'00" 47.10

175°9'00" 47.10

85°29'00" 17.00



(B)

(A)

X

Y

W

W'

LOT 175  
DP 85845

LOT 173  
DP 85845  
COMMON  
AREA BELOW

AREA 2 BELOW

COMMON

deck

AREA 2

V'

V

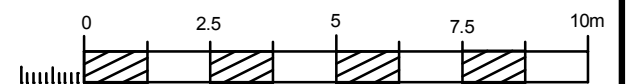
deck

TE HAUMI DRIVE

LEVEL 1 UPPER)

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Date : September 2023

SCALE @ A3  
1:150

SHEET No  
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File: 23956



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**DP 599077**

LOT 234 DP 87473

85°29'00" 17.00



(B)

(A)

175°9'00" 47.10

175°9'00" 47.10

W

W'

LOT 175  
DP 85845

LOT 173  
DP 85845

LANDING

AREA 2

deck

stairs

deck

COMMON

stairs

AREA 1

basement

BDY CENTER OF  
CONCRETE BLOCK WALL

stairs

(D)

V

V'

X

Y

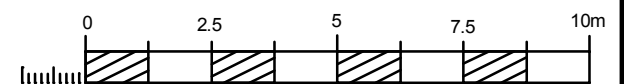
85°29'00" 17.00

TE HAUMI DRIVE

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LEVEL 3 (LOWER)



LAND DISTRICT  
NORTH AUCKLAND

SHEET TITLE:

AREAS 1 AND 2  
ON LOT 174 DP 85845

Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
1:150

SHEET No  
1/3

File: 23956

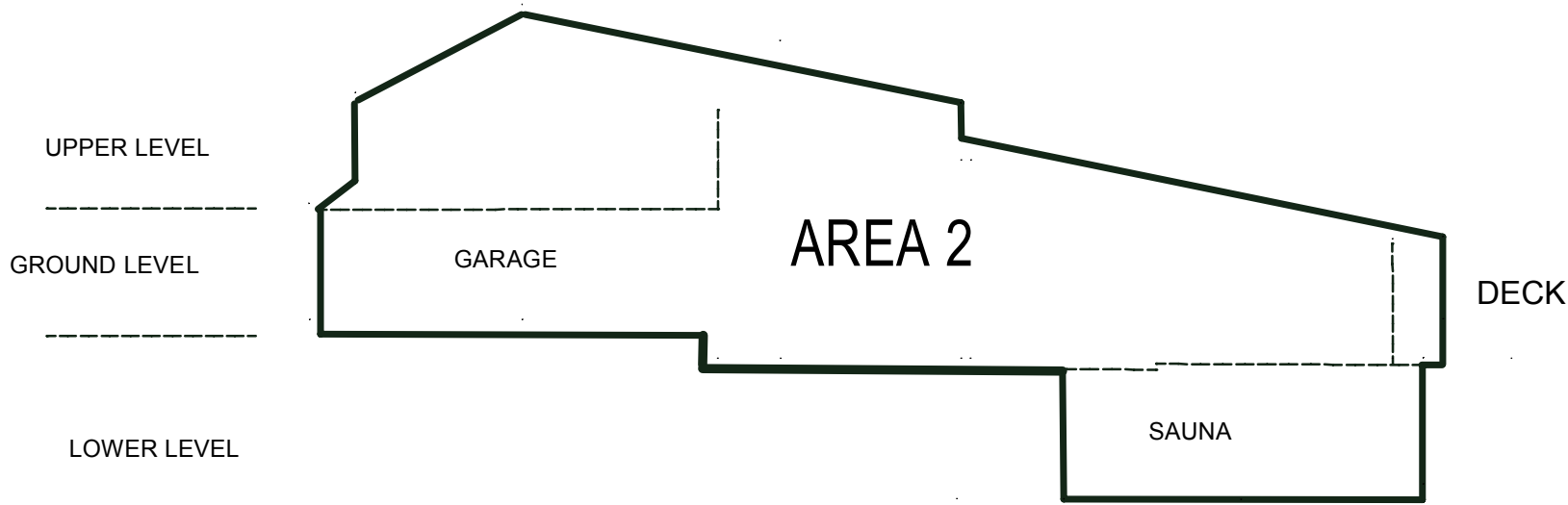
**Williams & King**

Registered Land Surveyors, Planners &  
Land Development Consultants

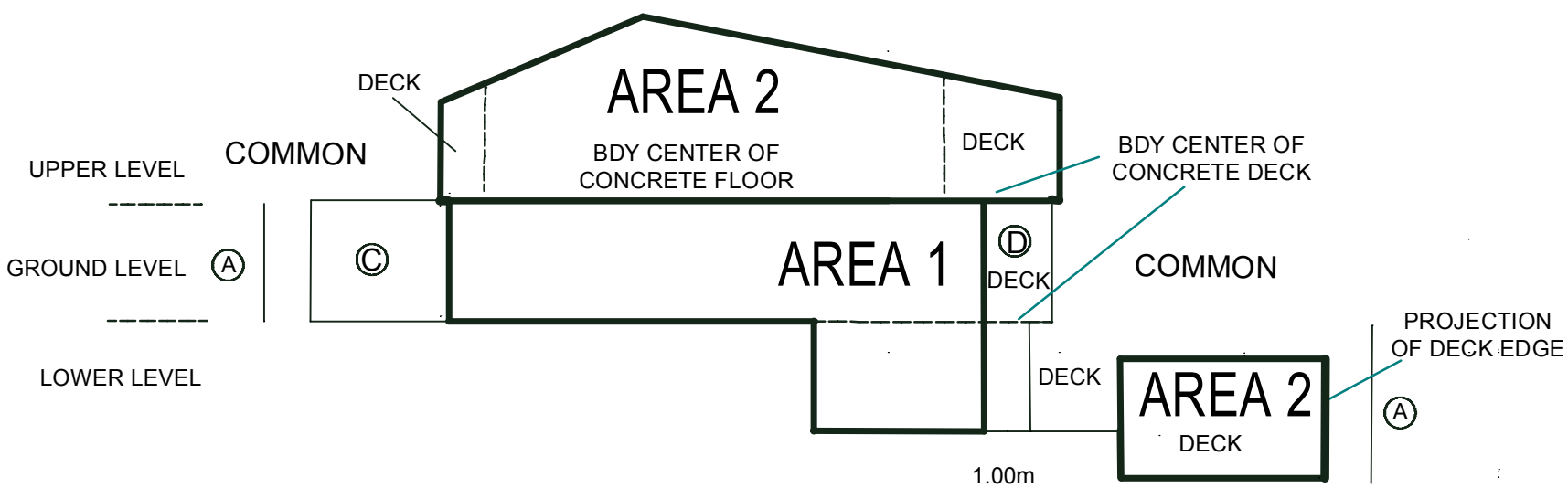


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PO Box 937, Kerikeri  
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Email: kerikeri@saps.co.nz

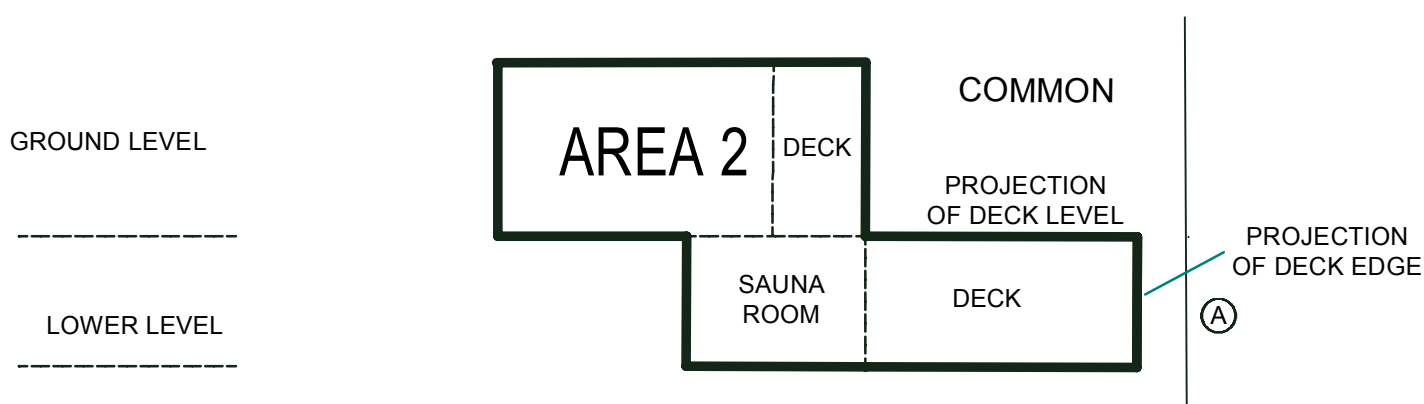
**DP 599077**



CROSS SECTION X - X'



CROSS SECTION Y - Y'



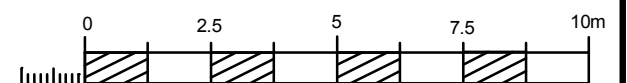
CROSS SECTION W - W'



CROSS SECTION V - V'

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 NORTH AUCKLAND

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Territorial Authority: FAR NORTH DISTRICT

Survey by : Kurt Watson

Date : September 2023

SCALE @ A3  
 1:150

SHEET No  
 1/4

File: 23956

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DP 599077



# Fire Engineering Design Report

 91 Te Haumi Drive, Paihia  
Units 1 & 2 cross lease title update

**Job No.:** 15501

**Rev:** 0

**Date:** 10 November 2023

**Prepared For:**

Suzanne Ludbrook  
91 Te Haumi Drive  
Paihia  
Northland 0200  
New Zealand

**CHESTER**

## Revision History

Revision No	Description/comments	Prepared By	Date
0	For Building Consent	A. Sam	10 November 2023

## Document Control

Action	Name	Signed	Date
Prepared by	A. Sam Fire Engineer	[REDACTED]	10 November 2023
Reviewed by	R. Chin Senior Fire Engineer	[REDACTED]	10 November 2023

## Distribution

Business/company	Attention	Role
Suzanne Ludbrook		Client



## Table of Contents

Revision History .....	1
Document Control .....	1
Distribution .....	1
Table of Contents .....	2
1 Introduction.....	3
1.1 Site Description & Proposed Works.....	3
1.2 Legislation & Regulatory Framework.....	3
1.3 Compliance and Guidance Documents .....	4
1.4 Design Parameters.....	4
1.5 Dissemination .....	4
2 Firecells & Fire Safety Systems.....	5
2.1 Risk Group & fire resistance ratings.....	5
2.2 Fire Safety Systems .....	5
3 Means of Escape .....	6
3.1 Escape Routes .....	6
3.2 Travel Distances .....	6
4 Internal Fire Spread.....	6
4.1 Fire Separations.....	6
4.2 Internal Surface Finishes.....	7
4.3 Foamed Plastics and Combustible Insulating Materials .....	7
5 External Fire Spread.....	7
5.1 Property Rating.....	7
5.2 Decks.....	8
5.3 Structural & Post-fire stability.....	8
6 Fire Service Access .....	8
6.1 Vehicular Access .....	8
6.2 Hand-operated Fire Fighting Equipment (HOFFE) .....	8
7 Prevention of Fire Occurring .....	8
7.1 Solid, Gas, and Oil-fuelled Appliances .....	8
7.2 Open Fires, Chimneys, and Flues.....	8
7.3 Electrical Fire Safety .....	9
7.4 Downlights .....	9
8 Summary of Main Points.....	10
9 Exclusions .....	11
9.1 Hazardous Substances .....	11
9.2 Business and Property Interests.....	11
10 Limitations .....	11
11 Appendices .....	12

## Table of Figures

Figure 1:South Elevation (facing Te Haumi Drive).....	3
Figure 2: North Elevation .....	3
Figure 3: Internal FRR location - Level 1 Floor Plan.....	6
Figure 4: Floor FRR Separation Location - Section.....	6
Figure 5: relevant boundary separations (Unit 2 - Level 2).....	7
Figure 6:Relevant Boundary Separation (Level 1- Units 1 & 2).....	7

## List of Tables

Table 1:Relevant supporting drawings .....	3
Table 2: Compliance/guidance documents .....	4
Table 3: Assessment of travel distances .....	6



# 1 Introduction

Chester Consultants Ltd has been engaged by Suzanne Ludbrook to provide a Fire Engineering Design with respect to the cross-lease title update of units 1 and 2 located at 91 Te Haumi Drive.

This report has been prepared solely for the benefit of this specific project, and local Building Consent Authority (BCA). Chester Consultants Ltd accepts no liability whatsoever for inaccuracies in third party information used as part of this report. The reliance by other parties on the information or opinions contained in the report shall, without our prior review and agreement in writing, be at such parties' sole risk.

The fire engineering design is to be read in conjunction with the fire engineering markups in Appendix A and is based on a non – invasive site investigation carried out Chester Consultants on the date of 06.11.2023 along with the drawings by Williams & King (ref# 23956) and drawings obtained from the property file current to the project at the time of this document's production.

Table 1: Relevant supporting drawings

Chester ref.	Document Title	Original dwg ref.	Rev	Date
FSD1 01	FRR & Egress – Basement Plan	35409/1	-	29.10.1984
FSD1 02	FRR & Egress – Level 1 Plan	-	-	Sept 1984
FSD1 03	FRR & Egress – Level 2 Plan	-	-	Sept 1984
FSD2 01	FRR – Sections	-	-	Sept 1984

Should alterations be made which impact upon the development not otherwise authorised by this report then the design, comments, and/or recommendations contained within this report may no longer be valid. If changes are required or are to be made, the property owner should immediately notify Chester Consultants Ltd to enable the impact to be assessed and if required, the design and or recommendations shall be amended accordingly and as necessary.

## 1.1 Site Description & Proposed Works

The property located at 91 Te Haumi Drive currently comprises an existing residential building with a cross-lease title. The site is surrounded by adjacent properties on all sides, except for the south elevation, which faces Te Haumi Drive (public road). The building consists of three levels: the basement, level 1, and level 2, and it encompasses two units: Unit 1 and Unit 2. Due to the sloping nature of the site, only the level 1 and level 2 are visible from the south elevation, while all three elevations are visible from the north elevation, as shown in Figures 1 and 2. Unit 1 spans between the basement and level 1, whereas Unit 2 spans all three levels. The two units are separated by fire-rated non-load bearing partitions, and each unit has its own independent exit. The proposed work is limited to updating the cross-lease title, and this assessment is carried out under Section 116 of the Building Act 2004



Figure 1: South Elevation (facing Te Haumi Drive)

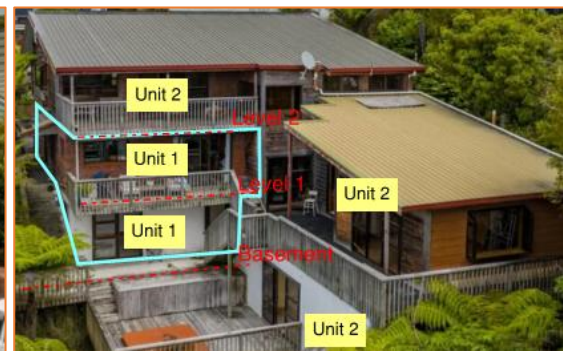


Figure 2: North Elevation

The report reviews fire safety protection requirements to meet the NZ Building Code and is intended as a support document for building consent purposes.

## 1.2 Legislation & Regulatory Framework

This report provides an assessment of required fire protection only and does not assess structural performance, weatherproofing, sanitary facilities, accessibility, or any other aspects of code compliance.



### 1.2.1 Section 116A Code compliance requirements: Subdivision

A territorial authority must not issue a certificate under section 224(f) of the Resource Management Act 1991 for the purpose of giving effect to a subdivision affecting a building or part of a building unless satisfied, on reasonable grounds, that the building—

- a) Will comply, as nearly as is reasonably practicable with every provision of the building code that relates to the following matters:
  - i) means of escape from fire:
  - ii) access and facilities for persons with disabilities (if a requirement under S.118):
  - iii) protection of other property, and
- b) Will,—
  - i) if it complied with the other provisions of the building code immediately before the application for a subdivision was made, continue to comply with those provisions; or;
  - ii) if it did not comply with the other provisions of the building code immediately before the application for a subdivision was made, continue to comply at least to the same extent as it did then comply.”

## 1.3 Compliance and Guidance Documents

The following assessment utilises and/or makes reference to the following documents

Table 2: Compliance/guidance documents

Document No.	Document Title	Date
C/AS1	Acceptable Solution for Buildings with Sleeping (residential) and Outbuildings (Risk Group SH) [Amndt 5]	05 November 2020
F7/AS1	Warning Systems	10 April 2012

## 1.4 Design Parameters

The report is intended for building consent purposes and covers only minimum fire protection requirements of clauses C1-C6 of the New Zealand Building Code to the extent detailed and specifically referenced in the report.

The report outlines the performance requirements and extent of fire protection and precaution systems to be installed but does not include detailed design of the fire alarm, or other systems and features to meet these requirements which are typically designed by other engineering or specialist designers.

The proposed works have been assessed in accordance with the Guidance Document “Requesting Information about Means of Escape from Existing Buildings” by MBIE. As per the Building score sheet, a score of 19 was achieved requiring a GAP assessment. However, a full assessment has been provided. Refer Appendix B for the MBIE scoresheet.

## 1.5 Dissemination

The fire engineering design (along with any requirements stated within this report) influences many aspects of the overall building design. As a result of these potential impacts, it is required that this report is distributed to all relevant parties/designers/stakeholders for their information and/or any appropriate incorporation of these requirements into their designs as necessary.

The responsibility for the distribution, coordination, and confirmation of the inclusion of these requirements amongst other parties' designs, drawings, specifications, and all other relevant documentation, is to be carried by the architect/project manager.





## 2 Firecells & Fire Safety Systems

### 2.1 Risk Group & fire resistance ratings

The units will contain a single risk group of SH with each unit being a separate firecell housing a single household family. There are no specific requirements for the size of firecells. Fire protection requirements are determined by the use and not by population, bed numbers or the number of bedrooms.

The life and property ratings applicable to the units are.

- SH Residential household Life rating 30 minutes Property rating 30 minutes

The population in each household is low and not critical for life safety purposes.

### 2.2 Fire Safety Systems

The required fire alarm systems for the units are based on the risk group, and travel distances. The fire alarm systems to be installed within the firecells as per Table 3.2 of C/AS1 are Type 1 smoke alarms.

During the site visit it was sighted that both units are already equipped with Type 1 alarms, and they are to be maintained. If deficiencies are found in the existing smoke alarms, they should be replaced with new detectors in accordance with the following requirements.

#### 2.2.1 Type 1 Smoke Alarms

Each household unit is to be provided with Type 1 domestic smoke alarms complying with F7/AS1:2012. The smoke alarms shall be listed or approved as complying with at least one of AS 3786, ISO 12239 or BS EN14604. The alarms shall be either hard wired or battery powered. Interconnection of smoke alarms is not required but may be considered if audibility is an issue. The smoke alarms require a hush facility with a minimum duration of 60 seconds and test facility located on the smoke alarm readily accessible to the occupants.

Smoke alarms shall be located on or near ceiling level but not within 200 mm of a wall. In spaces with sloping ceilings the alarms to be located between 200 mm and 500 mm of the ceiling apex.

Minimum coverage for smoke alarms;

- At least one smoke alarm on each level.
- On sleeping levels the smoke alarms shall be located either;
  - In every sleeping space/bedroom, or
  - Within 3.0 m of every sleeping space door. In this case the smoke alarms must be audible to sleeping occupants on the other side of the closed doors.
- In all cases the sound pressure to comply with NZS 4514.

Smoke alarms should not be located in the kitchen or in close proximity to cooking equipment, in bathrooms, laundries, wet areas, garages or spaces where airborne moisture or contaminants are likely to cause 'false' alarms. Minimum indicative locations are shown on the report plans. Additional alarms in each room are recommended but not essential for minimum compliance.



### 3 Means of Escape

#### 3.1 Escape Routes

Both household units are permitted a single means of escape provided the dead-end travel distances comply.

Unit 1 has two final exits, one located in the basement, and the other located on level 1. Unit 2 also has two exits, one in the basement and the other on level 2. The basement levels of each unit are separated from the remainder of the respective units are accessed externally via stairs through the common deck area. All exits discharge occupants directly outside, where they are considered safe from the effects of fire and smoke and can subsequently move towards Te Haumi Drive. Escape routes are expected to comply with D1 (by others)

#### 3.2 Travel Distances

The escape path distances and relative allowable distances, based on the provisions of the fire safety systems installed as specified in Section 2 of this report, are;

Table 3: Assessment of travel distances

Location	Risk Group	Allowable Travel Distance		Actual Travel Distance	
		Dead End (m)	Total Open (m)	Dead End (m)	Total Open (m)
Unit 1 Basement	SH	25	60	17	17 <sup>(1)</sup>
Unit 1 Bedroom	SH	25	60	14	14 <sup>(1)</sup>
Unit 2 Master Bedroom	SH	25	60	24.3	24.3 <sup>(1)</sup>

<sup>(1)</sup> Single direction of escape acts as total open path

Refer to Appendix A for assessed egress lengths.

### 4 Internal Fire Spread

#### 4.1 Fire Separations

Unit 1 and Unit 2 form two separate firecells and are to be fire separated no less than 30/30/30 FRR. The intertenancy walls on level 1 and basement are block walls and are expected to provide the required 30min FRR (two-way). Level 1 intertenancy wall is indicated by the red FRR line in Figure 3. The floor separation between the units is constructed of reinforced concrete and is also expected to provide the required 30 min FRR, as shown in Figure 4. The section of the wall clouded in red in Figure 3 is located on the boundary and is required to have a fire rating. However, upon the site visit, we were unable to ascertain if this section of the wall is fire rated. Additionally, there are no details regarding this wall in the property file.

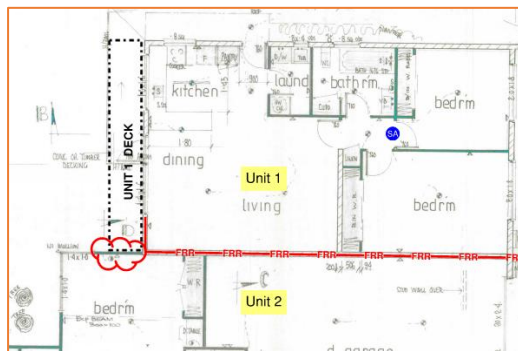


Figure 3: Internal FRR location - Level 1 Floor Plan

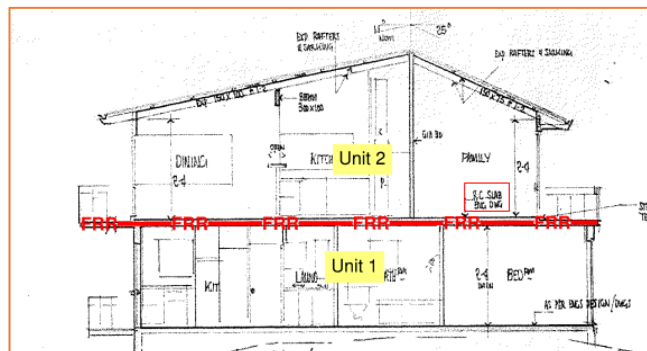


Figure 4: Floor FRR Separation Location - Section

However, we believe this wall in this current state complies ANARP (as nearly as reasonably practicable) for the following reasons:

- The wall is existing, and no work is proposed within the building as only the cross-lease title is updated for the units.
- Upgrading the wall would incur costs and disruptions to the lives of the occupants, which would outweigh the benefits when no additional risk is added to the firecells.



- This wall separates the deck area of Unit 1 from the bedroom of Unit 2. Since the deck is open to the atmosphere and has adequate ventilation on the deck side, it is unlikely that any potential fire in this area would cause fire or smoke build-up.

## 4.2 Internal Surface Finishes

There are no internal surface finish requirements for household units with the exception of foamed plastics and combustible insulating materials which are to comply with Section 4.4 if present.

## 4.3 Foamed Plastics and Combustible Insulating Materials

If part of a wall or ceiling system contains foamed plastics or combustible insulating materials, the complete system shall achieve a group number of not more than 3. Additionally, the foamed plastics shall meet the criteria of flame propagation as set out by AS 1366 Parts 1-4 for the material being used.

We understand that none currently exist within the building.

# 5 External Fire Spread

## 5.1 Property Rating

The property rating is 30 minutes and applies to walls of the building where fire rating is required to protect other property (i.e. external walls close to the relevant boundary).

The exterior walls of units located one above another require fire rating when located within 5m of a relevant boundary as per the current C/AS1 requirement. Walls located greater than 1m from the relevant boundary may contain unlimited area of unprotected doors/windows and may be one-way fire rated (from inside). Relevant boundary for fire separation purposes includes the lot boundaries but may be considered the far side of any public road /public open space. Note that walls located within 1m of a relevant boundary is to be fire rated (two-way) with no unprotected openings.

The external walls of units 1 and 2 facing the northern and southern elevations exceed 5m from the relevant boundary, requiring no fire rating. However, the external walls of units 1 and 2 on the east and west elevations are within 5m of the relevant boundary, as shown in Figures 5 and 6. During the site visit and based on the limited information available from the property file, we were unable to ascertain if these walls are fire rated.

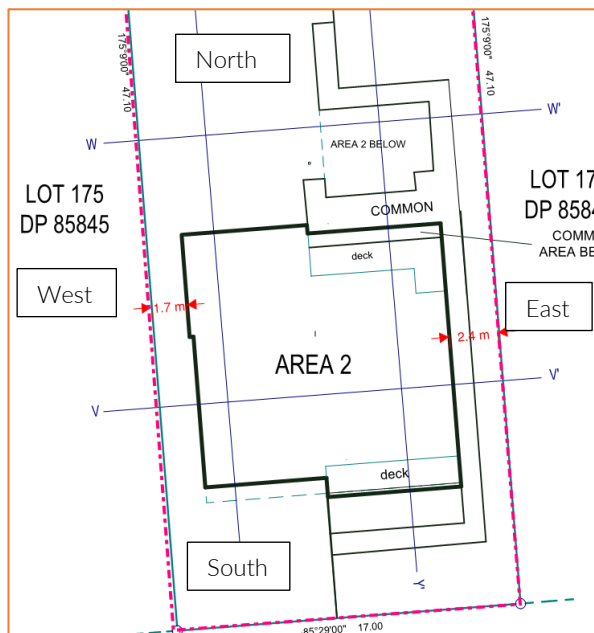


Figure 5: relevant boundary separations (Unit 2 - Level 2)

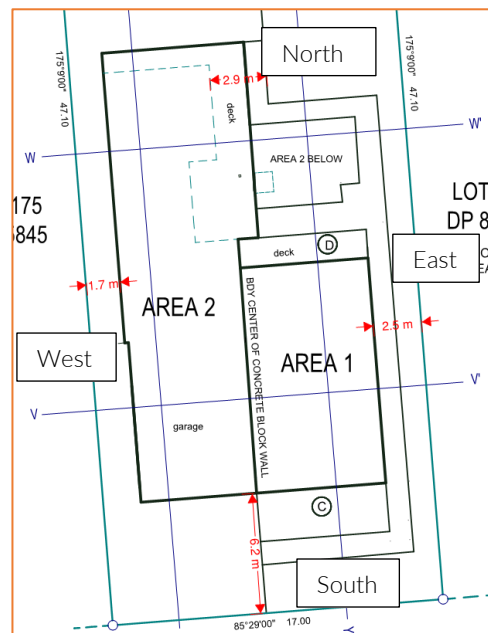


Figure 6: Relevant Boundary Separation (Level 1 - Units 1 & 2)

However, we believe these walls comply ANARP in its current state considering the fact that they remain unaltered as part of the work, and the cost incurred in fire rating these walls would result in significant costs and disruptions to



the lives of the occupants which would outweigh the benefits, especially when no additional risk is introduced within each unit. We note that the building has been operating in its current state for over a decade. We believe it would be more reasonable to consider modifying these walls (if required) if any significant works are proposed for these units.

We note that the external walls on the basement level of both units, facing the relevant boundaries, are located in excess of 1m and are constructed with concrete. During the site visit, no damage was observed on these walls, and we believe they comply due to concrete construction, which is expected to provide the required 30 min FRR.

## 5.2 Decks

Unit 2 has decks on level 2 (north and south elevation) that extend beyond the unit 1 frontage on level 1. The undersides of the decks are to be fire rated to limit the fire spread between units.

We note that the undersides of the decks are currently constructed with concrete and is expected to provide the required 30min FRR as per the above requirement.

## 5.3 Structural & Post-fire stability

Structural framing members connected to building elements with a fire resistance rating (FRR) shall be rated to no less than the elements to which they are supporting, or alternatively their connections and supports shall be designed so that their collapse during fire will not consequentially cause collapse of the fire rated elements.

Any elements that are required to be fire rated in order to meet the post-fire structural stability requirements of AS/NZS 1170 are to be specified and verified as necessary by a Chartered Professional Structural Engineer. With no works proposed to the building, the aforementioned requirements shall comply ANARP for the existing fire rated elements.

# 6 Fire Service Access

## 6.1 Vehicular Access

The proposed works make no changes to the existing level of FENZ access. Existing FENZ access continues to comply to the same extent as previously.

## 6.2 Hand-operated Fire Fighting Equipment (HOFFE)

For compliance with the NZ Building Code, there is no requirement to provide hose reels or extinguishers. However, may be required by FENZ in order to comply with the Evacuation Regulations. Otherwise, occupants should evacuate the building immediately and call emergency services.

# 7 Prevention of Fire Occurring

## 7.1 Solid, Gas, and Oil-fuelled Appliances

Where proposed, the design, construction and/or installation of solid, gas, or oil fuelled appliances shall be as per the relevant standards, Building Code Acceptable Solutions and modifications given in Part 7 of C/AS2:

- Solid fuel appliances: AS/NZS 2918
- Gas-burning appliances: NZBC G11, AS/NZS 5601.1
- Oil-fired appliances: AS 1691

Ventilation requirements shall comply with the minimum requirements as set out in NZBC G4.

we understand that none of the above have been proposed as part of the assessment.

## 7.2 Open Fires, Chimneys, and Flues

Where proposed, the design, construction and/or installation of open fires shall be in accordance with C/AS2 cl7.5. and the supplier or manufacturer's specifications and details.



If proposed, gas-burning appliances used for cooking and/or heating of water, these appliances shall be installed in accordance with AS/NZS 5601.1 Sections 6.7-6.9 and Appendix H for the installation/construction of the flue.

we understand that none of the above have been proposed as part of the assessment.

### 7.3 Electrical Fire Safety

Electrical installations are to be installed in accordance with NZBC G9.

### 7.4 Downlights

Recessed luminaires shall be IC-F, IC, CA-80, or CA-135 as specified in AS/NZS 60598.2.2. Full compliance can only be achieved if the installation of the luminaire is in accordance with AS/NZS 60598.2.2.

Recessed luminaires shall be installed with clearances from building elements (including insulation) of 100 mm.



## 8 Summary of Main Points

- The report assesses the Units 1 & 2 cross lease title update under NZBC Clauses C1-C6 and in accordance with C/AS1 Acceptable solutions and Section 116 of the Building Act 2004.
- During the site visit it was sighted that both units are already equipped with Type 1 alarms, and they are to be maintained. If deficiencies are found in the existing smoke alarms, they should be replaced with new detectors in accordance with the requirements specified in Section 2.2.1 of the report.
- Provide and maintain escape routes (clear and unobstructed at all times) as indicated on fire plans.
- Travel distances comply as indicated on fire plans.
- No limitations apply to internal surface finishes within the household units except foamed plastics which are to be avoided.
- The existing block intertenancy wall separating units 1 and 2 is expected to provide a FRR of no less than 30/30/30 FRR (Two-way). The floor separations between the units are of reinforced concrete construction also expected to provide the required 30min FRR.
- The section of the wall separating Unit 1 deck and Unit 2 bedroom to comply ANARP for the reasons specified in Section 4.1 of the report.
- The undersides of the Unit 2 decks located on level 2 that extend beyond unit 1 on level 1 are currently constructed with concrete and are expected to provide the required 30-minute FRR.
- No continuous voids or cavities to extend between households. Firestop roof spaces, any eaves, cladding cavities and close all cavities between household units.
- All existing aspects where no proposed works are taking place, are expected to comply to the same extent as previously.
- Fire service access to be available from the public road.
- The exterior walls of household units located one above another require fire rating when located within 5m of a relevant boundary as per the current C/AS1 requirement. Walls located greater than 1m from the relevant boundary may contain unlimited area of unprotected doors/windows and may be one -way fire rated (from inside). Walls located within 1m of a relevant boundary is to be fire rated (two-way) with no unprotected openings. The external walls of units 1 and 2 facing the northern and southern elevations exceed 5m from the relevant boundary, requiring no fire rating. External walls of units 1 and 2 on the east and west elevations are within 5m of the relevant boundary and they comply ANARP for the reasons specified in Section 5.1 of the report.
- Primary and secondary structural elements supporting fire rated elements are to be fire rated to at least the same extent as the element that they are supporting and is to be addressed by the structural engineer. This requirement to comply ANARP for the existing fire rated elements.

Provided the requirements of the report are observed we consider the property would meet fire protection requirements of the acceptable solution/NZBC to an as nearly as reasonably practicable (ANARP) extent.



## 9 Exclusions

### 9.1 Hazardous Substances

The report does not include or allow for storage or handling of hazardous substances. Any proposal to store or handle hazardous substances above the minimum prescribed amounts would require further consideration under both the Building Code and Health and Safety at Work (Hazardous Substances) Regulations 2017 and associated regulations. It is recommended that an EPA test certifier be engaged to confirm any additional requirements relating to fire safety.

### 9.2 Business and Property Interests

The Building Act 2004 and NZ Building Code address only life safety, protection of other property, and the operations of firefighting. The building code and this report do not address or provide protection to the building itself or any contents which may be damaged or subject to loss in event of fire. Compliance with the building code and fire report does not negate the need for insurances or other protection to safeguard the owners or occupier's investment, contents or property interests.

## 10 Limitations

- This assessment contains the professional opinion of Chester Consultants as to the matters set out herein, in light of the information available to it during the preparation, using its professional judgement and acting in accordance with the standard of care and skill normally exercised by professional engineers providing similar services in similar circumstances. No other express or implied warranty is made as to the professional advice contained in this report.
- We have prepared this report in accordance with the brief as provided and our terms of engagement. The information contained in this report has been prepared by Chester Consultants at the request of Suzanne Ludbrook and is exclusively for its client use and reliance. It is not possible to make a proper assessment of this assessment without a clear understanding of the terms of engagement under which it has been prepared, including the scope of the instructions and directions given to and the assumptions made by Chester Consultants Ltd. The assessment will not address issues which would need to be considered for another party if that party's particular circumstances, requirements and experience were known and, further, may make assumptions about matters of which a third party is not aware. No responsibility or liability to any third party is accepted for any loss or damage whatsoever arising out of the use of or reliance on this assessment by any third party.
- The assessment is also based on information that has been provided to Chester Consultants Ltd from other sources or by other parties. The assessment has been prepared strictly on the basis that the information that has been provided is accurate, completed, and adequate. To the extent that any information is inaccurate, incomplete or inadequate, Chester Consultants Ltd takes no responsibility and disclaims all liability whatsoever for any loss or damage that results from any conclusions based on information that has been provided to Chester Consultants Ltd.

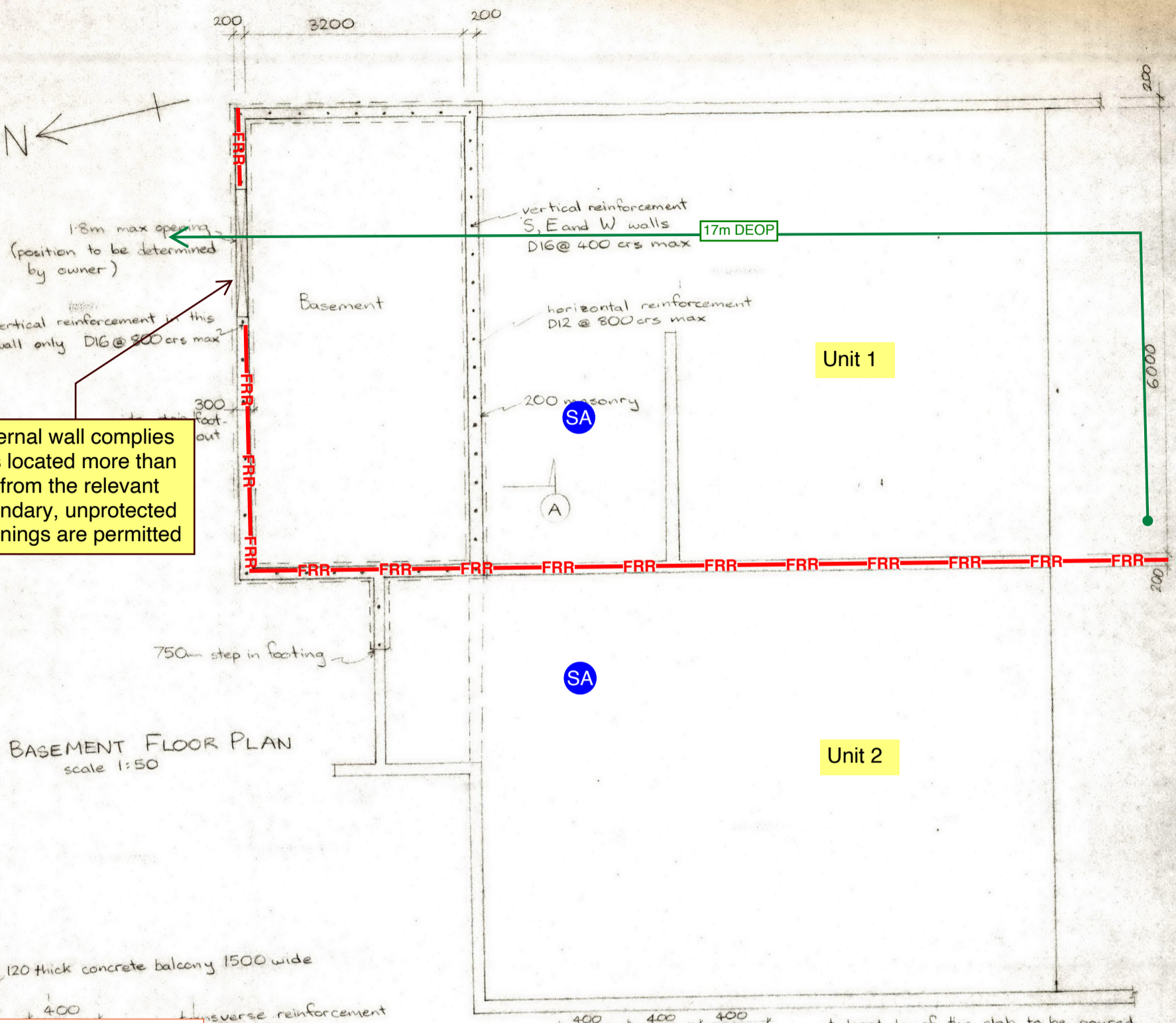


## 11 Appendices

### Appendix A – Fire Engineering Markups







BASEMENT FLOOR PLAN  
scale 1:50

<b>CHESTER</b>	
PROJECT No.	DATE
15501	27.10.2023
DWG TITLE	DWG No.
FRR & Egress Basement Plan	FSD1 01
DRAWN	Rev.
A. Sam	00

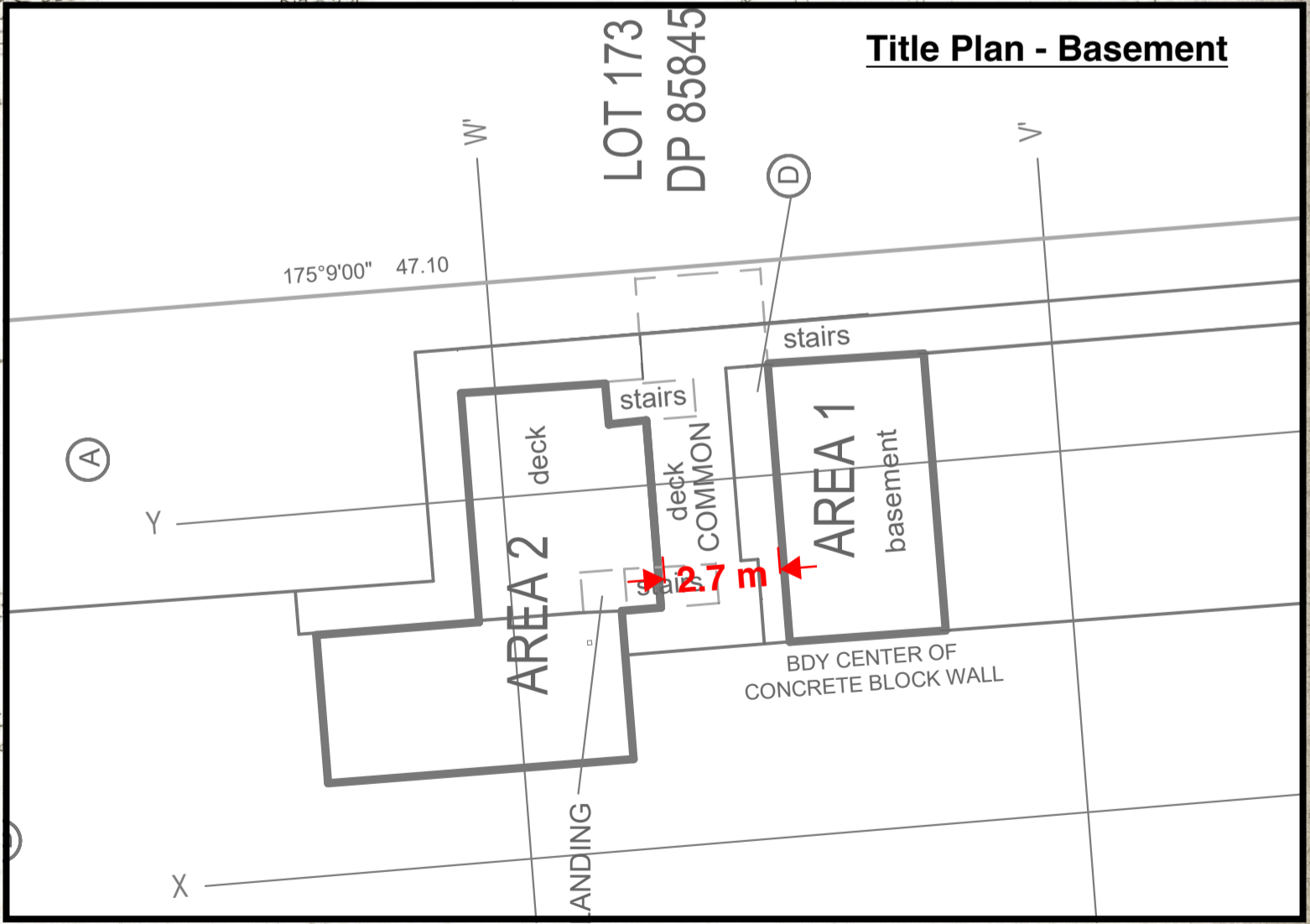
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 3. Wherever a discrepancy in the contract documents is found and unless directed otherwise by the Principal / Engineer, the contractor shall adopt, at their own cost the greater quantum, class of finish grade, or specification where applicable;  
 4. The drawings should not be relied upon for detailed construction of the fire safety features. These will be covered in other trades, i.e. Passive fire ratings covered in architectural documentation, emergency lighting and signage covered in electrical engineers documentation;  
 5. Drawing backgrounds are taken from architectural documentation. No information from these backgrounds should be relied upon for construction - refer to original architectural drawings.

TO BE PRINTED IN COLOUR

LEGEND	
	Existing Concrete Wall (expected to provide 30min FRR)
	Dead End Open Path
	Type 1 Smoke Alarm (Indicative)

NOTES

1. all cells filled
2. minimum concrete strength
3. to be read in conjunction
4. horizontal reinforcement to tie into adjacent walls with 300 lap
5. minimum splice lengths for D16-400mm, for other bars 300mm
6. masonry walls to be propped before backfilling



Title Plan - Basement

TYPICAL FREE STANDING RETAINING WALL  
scale 1:20

FOOTING AND RETAINING WALL DETAILS OF PROPOSED RESIDENCE FOR MR AND MRS P. HOLT ON LOT 174 TE HAUMI DRIVE, PAIHIA.

**FRASER THOMAS PARTNERS**  
 INCORPORATING FRASER THOMAS LTD AND FRASER THOMAS ARCHITECTS LTD  
 Consulting Engineers, Registered Surveyors, Architects & Town Planners  
 152 KOLMAR ROAD PAPATOETOE AUCKLAND  
 Copyright of this drawing is vested in Fraser, Thomas, Gunman, Shaw & Partners

DATE 29-10-84  
 SCALE 1:50 1:20  
 35409/1



**BRACING SCHEDULE**

No	TYPE	RATING	LGTH <sup>M</sup>	No	TYPE	RATING	LGTH <sup>M</sup>
1	11	42	9.0	13	11	42	4.0
2	1	42	2.4	14	8	67	.9
3	11	42	11.4	15	"	"	1.6
4	1	42	2.4	16	"	"	.9
5	11	42	8.0	17	1	42	2.4
6	8	67	1.8	18	"	"	2.4
7	8	"	2.0	19	"	"	"
8	11	42	2.6	20	"	"	"
9	9	83	2.4	21	"	"	"
10	11	42	3.0				
11	9	83	2.0				
12	"	"	2.0				

PLAN ~ LOWER FLR WALL BRACING

Clouded section of the wall currently not fire rated as located on the boundary. However wall to comply ANARP

14m DEOP

24.3m DEOP

15.6

Refer FSD1 03 for continuation of travel distance

- 24 HOURS NOTICE REQUIRED FOR INSPECTIONS
- INSPECTIONS REQUIRED ON ALL SOIL, WASTE WATER PIPES PRIOR TO COVERAGE WITH CONCRETE.
- DRAINAGE AND PLUMBING NOTIFIABLE INSPECTIONS
  - Site Inspection
  - Open Drainage Inspection

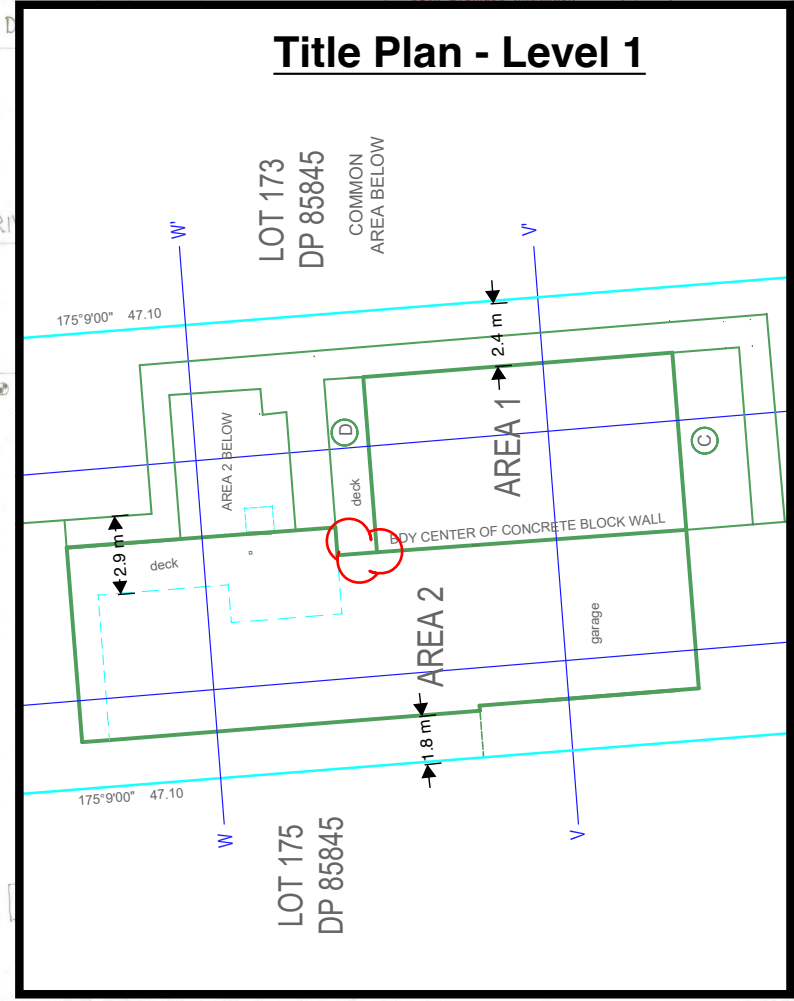
<b>CHESTER</b>	BUILDING CONSENT NOT FOR CONSTRUCTION
PROJECT No.	DATE
15501	27.10.2023
DWG TITLE	DWG No.
FRR & Egress Level 1 Plan	FSD1 02
DRAWN	Rev.
A. Sam	00

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 4. The drawings should not be relied upon for detailed construction of the fire safety features. These will be covered in other trades, i.e. Passive fire ratings covered in architectural documentation, emergency lighting and signage covered in electrical engineers documentation;  
 5. Drawing backgrounds are taken from architectural documentation. No information from these backgrounds should be relied upon for construction - refer to original architectural drawings.

- LEGEND**
- FRR - Existing Concrete Wall (expected to provide 30min FRR)
  - Dead End Open Path
  - SA Type 1 Smoke Alarm (Indicative)

FOR UPPER LEVEL PUR PLAN SEE SHT 2  
 " ELEVATIONS SEE SHT. 4  
 " SECTIONS " " 2  
 " SITE PLAN " " 2

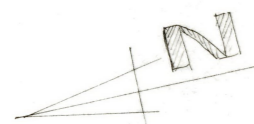
**FLOOR PLAN ~ LOWER LEVEL**



PROPOSED RESIDENCE FOR MR & MRS P. HOLT AT LOT 174.  
 TE HALMI DRIVE, PAIHIA.

DRAWN <i>David Smith</i>		CHECKED	SCALES	SHEET
TRACED		DATE <i>Sept '24</i>	1:50	1
SERIES OF			REF.	





**CHESTER** BUILDING CONSENT NOT FOR CONSTRUCTION

PROJECT No.	DATE
15501	27.10.2023
DWG TITLE	DWG No.
FRR & Egress Level 2 Plan	FSD1 03
DRAWN	Rev.
A. Sam	00

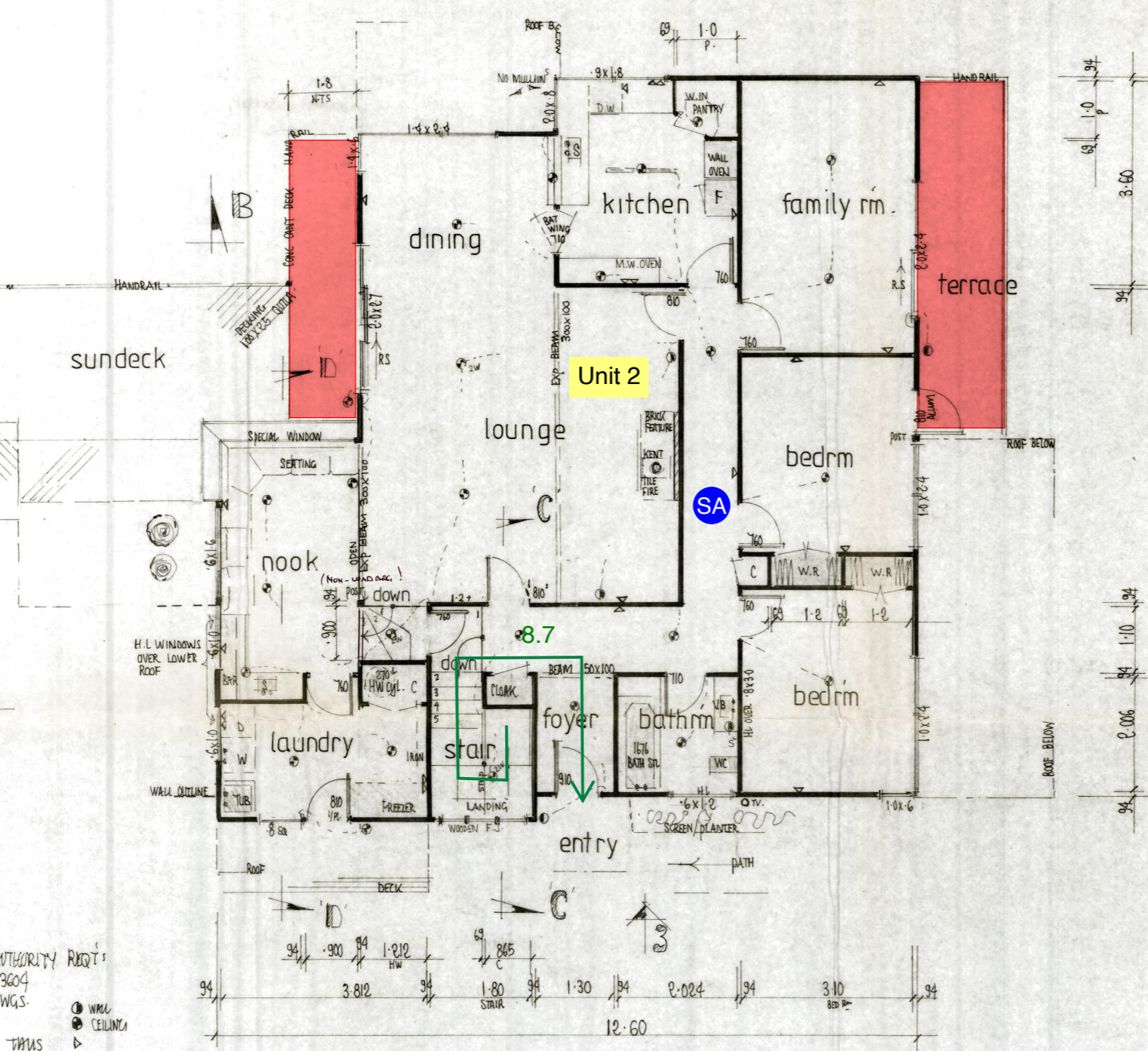
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 5. Drawing backgrounds are taken from architectural documentation. No information from these backgrounds should be relied upon for construction - refer to original architectural drawings.

**LEGEND**

- Deck Underside FRR (concrete construction expected to provide 30min FRR)
- Dead End Open Path
- Type 1 Smoke Alarm (Indicative)

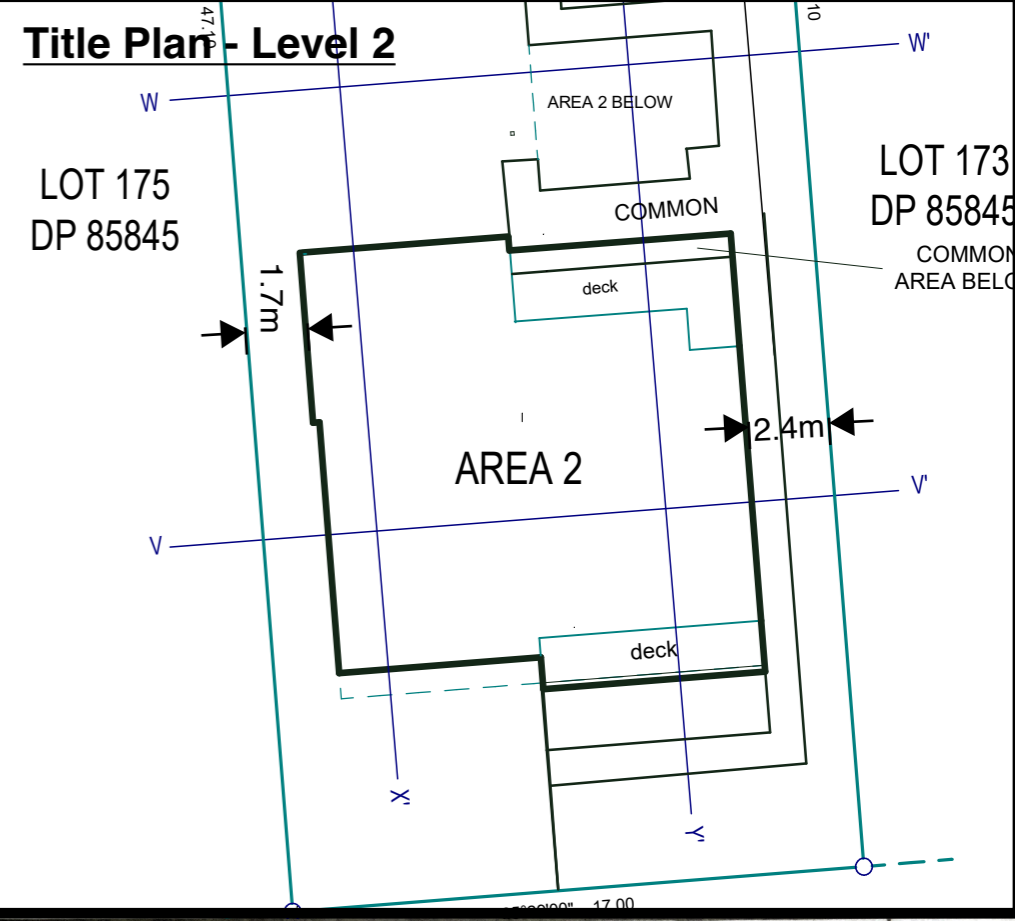
Authority Req: CS 3604 DWGS. MS ED THUS

ANTHSTONE FINISH) NOM SIZES SHOWN CHECK ON JOB.



**FLOOR PLAN UPPER LEVEL**

FOR SECTIONS SEE SHT 3  
 FOR ELEVATIONS " " 4  
 FOR SITE PLAN " " 5  
 FOR LOWER LEVEL F. PLAN SEE SHT 11  
 FOR L. LEVEL SLAB, SUB FLR SEE SHT 6  
 " UPPER " " " " " 7



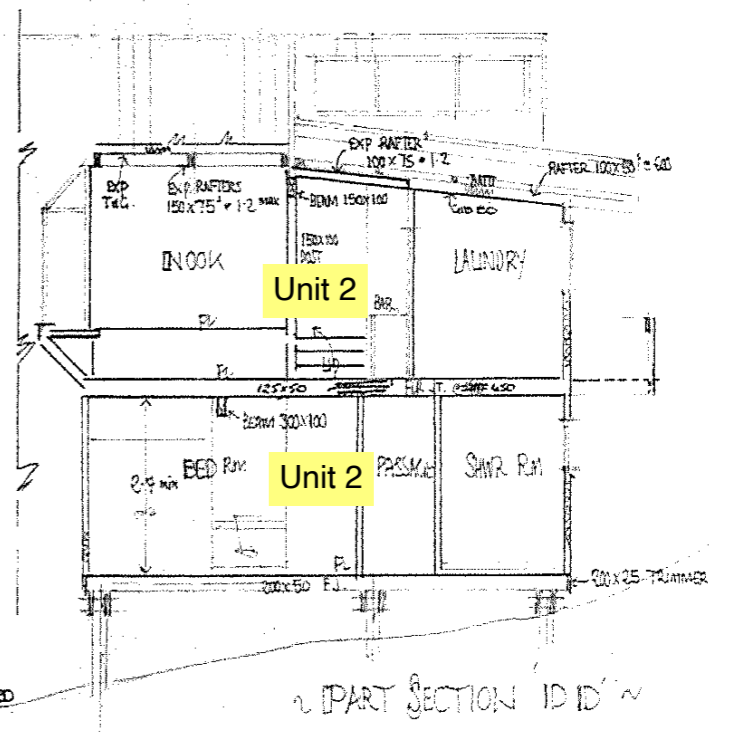
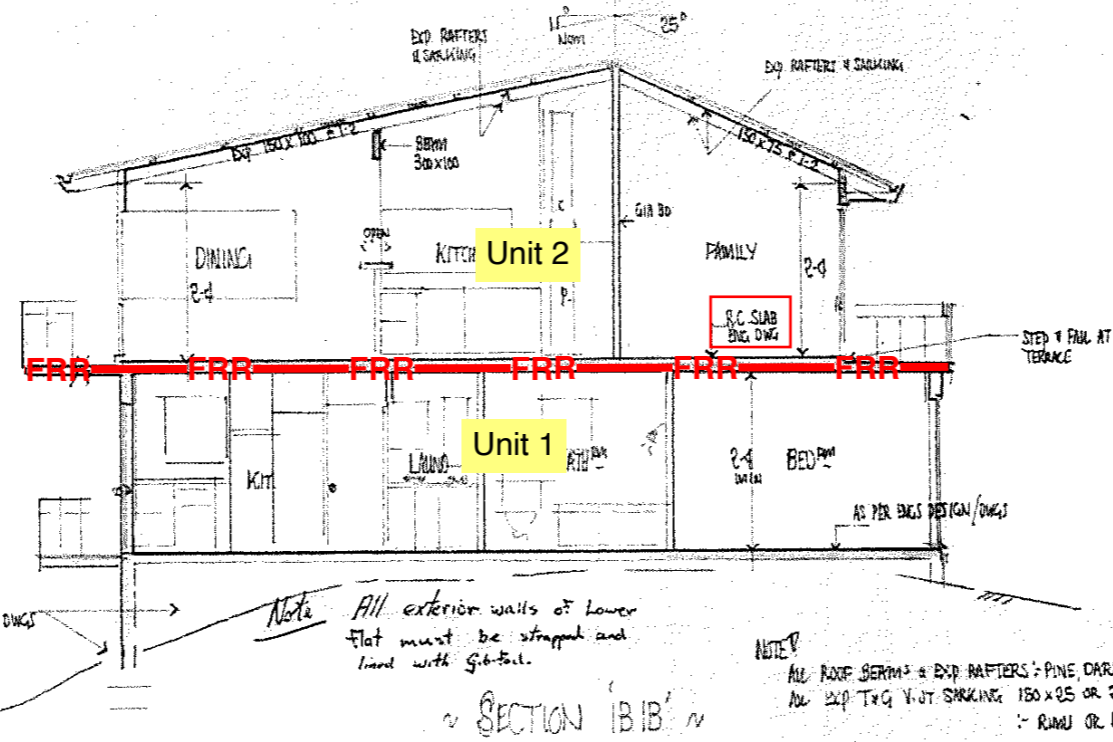
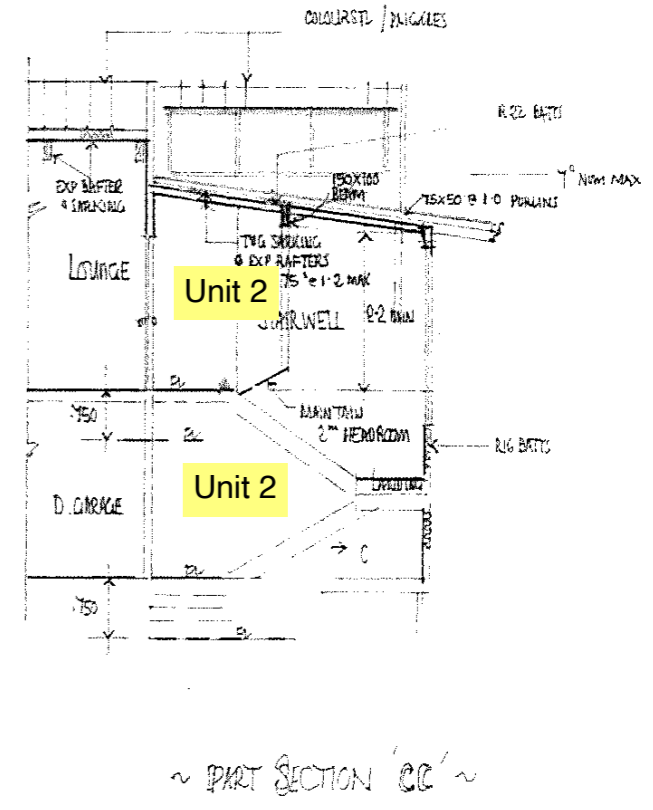
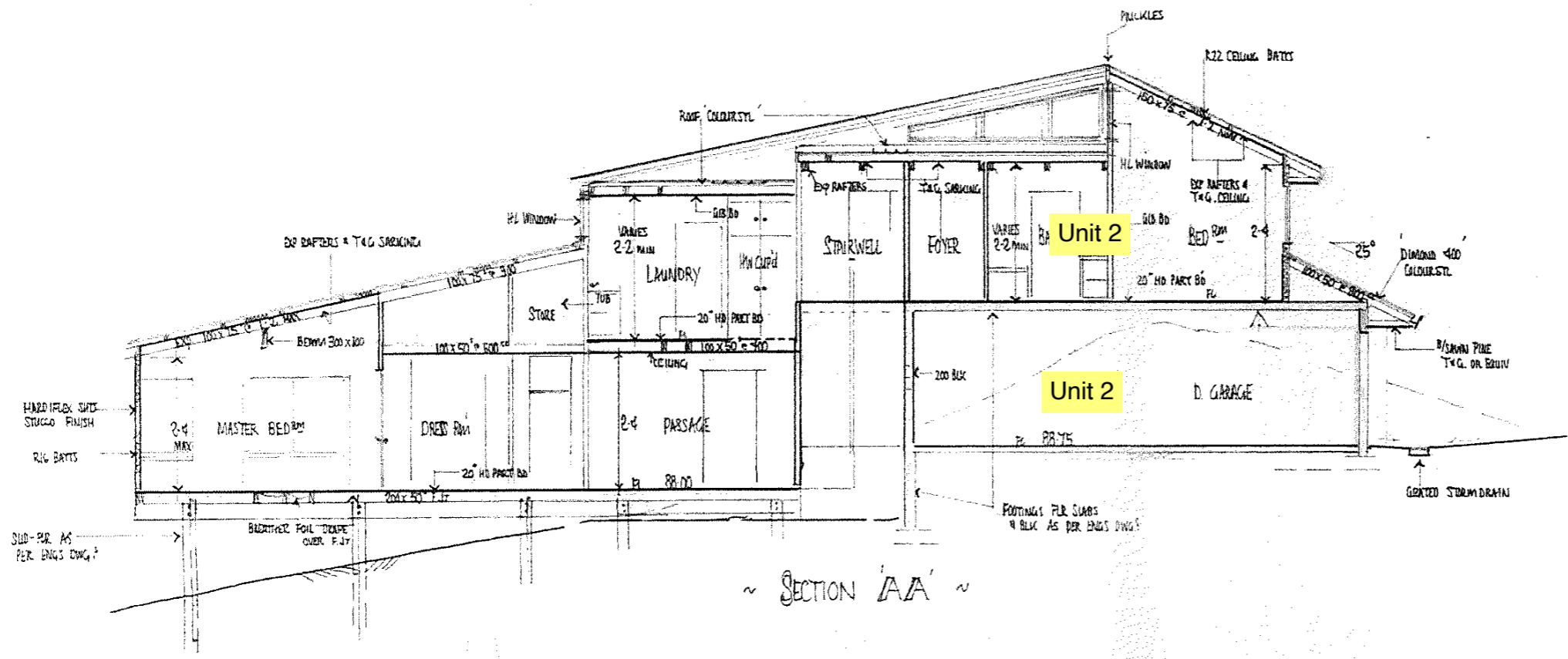
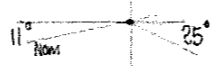
**BRACING SCHEDULE:**

**PLAN UPPER LEVEL WALL BRACING**

PROPOSED RESIDENCE FOR MR & MRS P. HOLT AT LOT 174, TE HAUMI DRIVE, PAHIA.

DRAWN <i>David Smith</i>		CHECKED	SCALES	SHEET
TRACED		DATE Sept 24	1:50	2
SERIES OF			REF.	





<b>CHESTER</b>	BUILDING CONSENT NOT FOR CONSTRUCTION
PROJECT No.	DATE
15501	27.10.2023
DWG TITLE	DWG No.
FRR Sections	FSD2 01
DRAWN	Rev.
A. Sam	00

A person using Chester drawings and other data accepts the risk of:  
 1. Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy version;  
 2. Using the drawing or other data for any purpose not agreed to in writing by Chester Consultants;  
 3. Wherever a discrepancy in the contract documents is found and unless directed otherwise by the Principal / Engineer, the contractor shall adopt, at their own cost the greater quantum, class of finish grade, or specification where applicable;  
 4. The drawings should not be relied upon for detailed construction of the fire safety features. These will be covered in other trades, i.e. Passive fire ratings covered in architectural documentation, emergency lighting and signage covered in electrical engineers documentation;  
 5. Drawing backgrounds are taken from architectural documentation. No information from these backgrounds should be relied upon for construction - refer to original architectural drawings.

**TO BE PRINTED IN COLOUR**

**LEGEND**

**FRR** Floor FRR (concrete construction expected to provide 30min FRR)

PROPOSED RESIDENCE FOR MR & MRS P HOLT AT LOT 074  
 TE-HAUMI DRIVE, PAIHIA

SECTIONS			SHEET
			3
DRAWN	CHECKED	SCALE	SERIES OF
TRACED	DATE	1:50	REP

## Appendix B – Building Score Sheet & GAP Analysis

Key Factors		Points	Score
Likelihood of existing building complying	<b>Building age</b>		
	Approved from June 2001 onwards	0	
	Approved between 1 January 1993 and 31 May 2001	1	3
	Approved on or before 31 December 1992	3	
	<b>Information held on the building by the BCA or TA</b>		
	For buildings approved from 1 June 2001: no consents made	0	
	Full building assessment on file dated 1 June 2001 or later	2	
	Full building assessment on file dated on or before 31 May 2001	4	8
One or more partial building assessments on file	6		
No assessment on file for building additions or alterations	8		
Unable to determine history of building	8		
Extent of proposed work	<b>Extent of the proposed building work</b>		
	Minor	0	
	Moderate	3	0
	Significant	6	
Potential consequences of not complying	<b>Building Importance Level</b>		
	Level 1	0	
	Level 2	4	4
	Level 3	8	
	Level 4 & 5	12	
	Additional points for building level 1, 2, or 3 with sleeping facilities	4	4
<b>TOTAL SCORE</b>			<b>19</b>

Score	Recommended Information	
0-11	<p>List of fire safety features</p> <p>Statement of changes</p>	<p>This could be a simple list of the building's existing fire safety features and a statement of what will change as a result of the building work. Additionally, there could be a comparison with the features and systems specified in the latest design documentation.</p> <p>The building owner should not typically be required to include a gap assessment against any current Acceptable Solutions C/AS1 – C/AS7 or to use the Verification Method C/VM2 to assess his/her building unless this is considered necessary given the individual circumstances of the building.</p>
12-19	<p>Gap assessment using the appropriate Acceptable Solution from C/AS1 – C/AS7</p>	<p>It is reasonable to request a gap assessment of the existing building's means of escape from fire unless the individual circumstances of the building suggest otherwise.</p> <p>The gap assessment should:</p> <ul style="list-style-type: none"> <li>• use the appropriate Acceptable Solution from C/AS1 – C/AS7</li> <li>• highlight where the existing building fully complies with the Acceptable Solution</li> <li>• highlight where there are gaps between the building's fire systems and features and the requirements of the Acceptable Solution</li> <li>• for each gap, assess whether ANARP is achieved and give options to improve the compliance in this respect</li> <li>• cover the entire building.</li> </ul> <p>A gap assessment using an Acceptable Solution can be undertaken for complex, existing buildings even if they have features that do not comply with the Acceptable Solution. For example, a building may have more than one intermediate floor or one floor that is larger than permitted in the Acceptable Solution. In this case, the gap assessment should highlight where the existing building complies with the appropriate Acceptable Solution and where there is any gap.</p>
20+	<p>Full assessment using:</p> <ul style="list-style-type: none"> <li>• an appropriate Acceptable Solution from C/AS1 – C/AS7, or</li> <li>• relevant parts of the Verification Method and other Acceptable Solutions</li> </ul>	<p>It may be appropriate to request a full assessment of the existing building's mean of escape from fire unless the individual circumstances of the building suggest otherwise.</p> <p>If the building design, system and features fall entirely within the scope of one of the Acceptable Solutions C/AS1 – C/AS7, this can be used to identify and quantify any gaps between the features and systems required to comply with Building Code requirements for means of escape from fire and those existing in the building.</p> <p>If the building falls outside the scope of these Acceptable Solutions for means of escape from fire, regardless of the extent of the non-compliance, the assessment should be made against the Building Code clauses C3.4 and C4 using the process described in the Verification Method C/VM2. The Acceptable Solutions D1/AS1, F6/AS1, F7/AS1 and F8/AS1 should be used to develop the analysis for D1, F6, F7 and F8 components of means of escape.</p>





# BUILDING PERMIT

(Office Copy)

# AUTHORITY

BAY OF ISLANDS COUNTY COUNCIL

Stats. No. **C 034102**

No. **6888**

Receipt No. **1716**

Date Permit Issued **8 / 3 / 85**

**OWNER**

Name P. HOLT

Mailing Address P O BOX 351  
PAIHIA

**BUILDER**

Name P. HOLT

Mailing Address P O BOX 351  
PAIHIA

### PROPERTY ON WHICH BUILDING IS TO BE ERECTED/DEMOLISHED

**SITE**

Street No. \_\_\_\_\_

Street Name TE HAUMI DRIVE

Town/District TE HAUMI

Riding WAITANGI WARD

**LEGAL DESCRIPTION**

Valuation Roll No. ~~561/188~~ 460/556

Lot 176 D.P. 85845

Section \_\_\_\_\_ Block VIII

Survey District KAWAKAWA

### DESCRIPTION OF PROPOSED WORK AND MAIN PURPOSE OF USE

NEW RESIDENCE & GARAGE, & FLAT

FLOOR AREA		DWELLING UNITS	
Whole Sq. Metres	<u>334</u>	Number Erected	_____

ESTIMATED VALUES			
Building		<u>152 000</u>	<u>00</u>
Plumbing		<u>8 000</u>	<u>00</u>
Drainage			
<b>TOTAL</b>		<b><u>160 000</u></b>	<b><u>00</u></b>

**NATURE OF PERMIT (TICK BOX)**

NEW BUILDING  
- exclude domestic garages and domestic outbuildings

FOUNDATIONS ONLY

ALTERED, REPAIRED, EXTENDED  
- include conversions and resited buildings

NEW CONSTRUCTION OTHER THAN BUILDINGS - include demolitions

DOMESTIC GARAGES AND DOMESTIC OUTBUILDINGS

### FEES APPLICABLE

Building Permit	\$ <u>352 00</u>	Water Connection	\$ <u>25 00</u>	Receipt No. <u>1716</u>
Street Damage Deposit	\$ <u>200 00</u>	Vehicle Crossing Levy	\$ _____	Date of Payment <u>8 / 3 / 85</u>
Building Research Levy	\$ <u>160 00</u>	M.S. Plumbing	\$ <u>70 00</u>	Authorised Office _____
Plumbing	\$ <u>120 00</u>	Earthwks Pmt	\$ _____	
Drainage	\$ <u>60 00</u>	<b>TOTAL:</b>	\$ <u>987 00</u>	
Sewer Connection	\$ _____			

Special Conditions: (In addition to those noted on reverse): \_\_\_\_\_

- R. TOPLIS TO INSPECT FOOTINGS & CONFIRM THE SUITABILITY OF FOUNDATIONS AS PROPOSED.
- RETAIN EXCAVATIONS NEAR SIDE BOUNDARIES.



### NOTICE TO APPLICANT

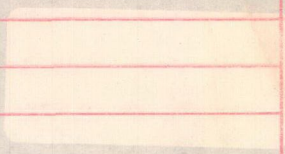
PERMISSION IS HEREBY GRANTED YOU to carry out the works as proposed in accordance with the drawings and other documents submitted, and with any conditions defined; such work to be subject to inspection at any time during progress and to be carried out in strict conformity with the requirements of the Council By-Laws.

**IMPORTANT** YOU ARE FULLY RESPONSIBLE for any damage done to any works such as telephone cables, power cables, water mains, gas mains, sewers, pipes, footpaths, roads or other services.



Remarks:

Large red-lined area for handwritten remarks, currently blank.



Form section with fields for 'Date of Issue', 'Date of Expiry', and 'Issued by'.

Form section with a table for 'Particulars' and 'Amount'.

Form section with a list of checkboxes for 'Inspected by' and 'Remarks'.

Form section with a single line for 'Total' or 'Grand Total'.

Form section with fields for 'Name of the Officer' and 'Signature'.

Form section with fields for 'Date' and 'Place'.

Form section with fields for 'Name of the Officer' and 'Signature'.

Form section with fields for 'Date' and 'Place'.













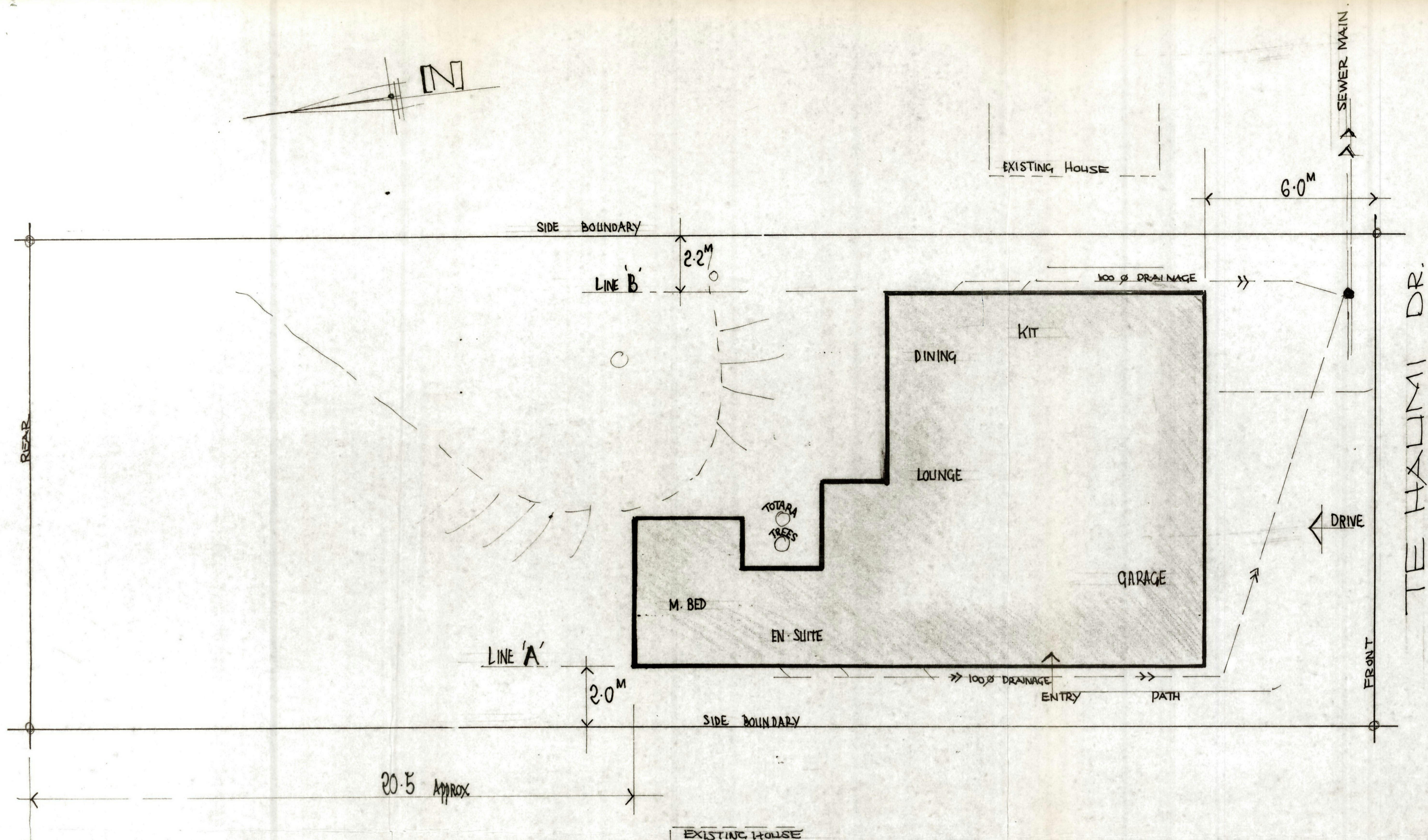
'AS BUILT'  
DRAWING

19/1/84

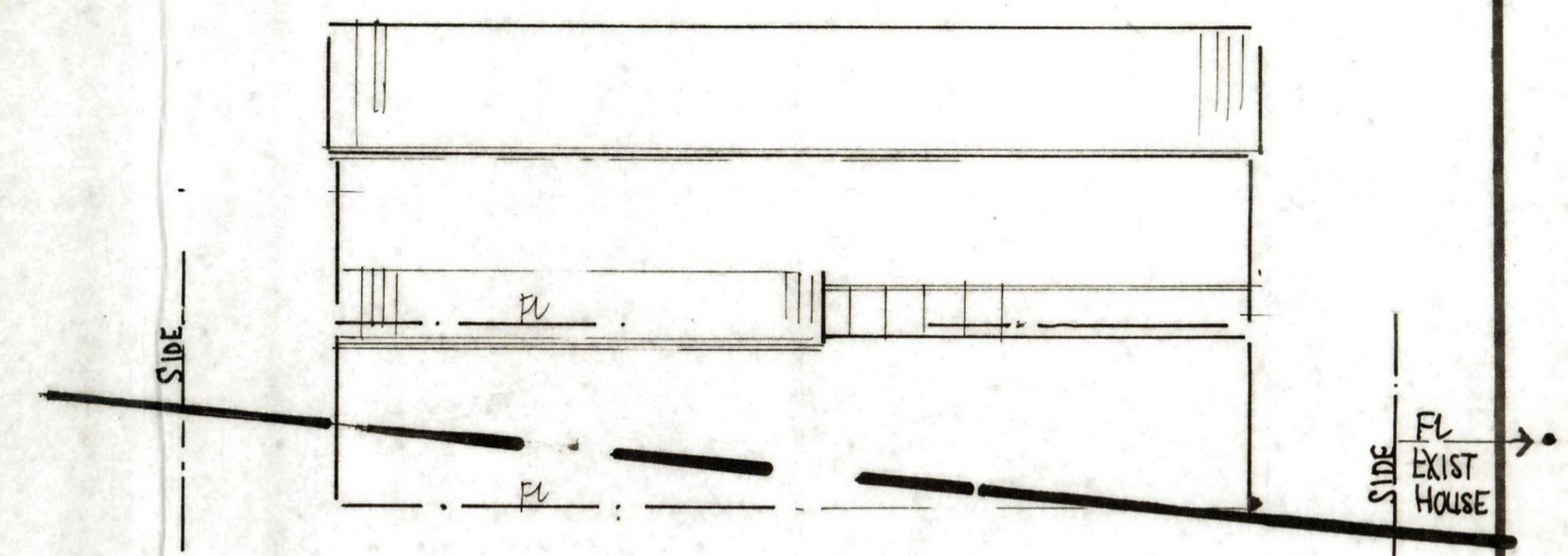
P. Holt - TE HAMM DRIVE  
LOT 174.

D/ayer J. Koffe





~ SITE PLAN ~



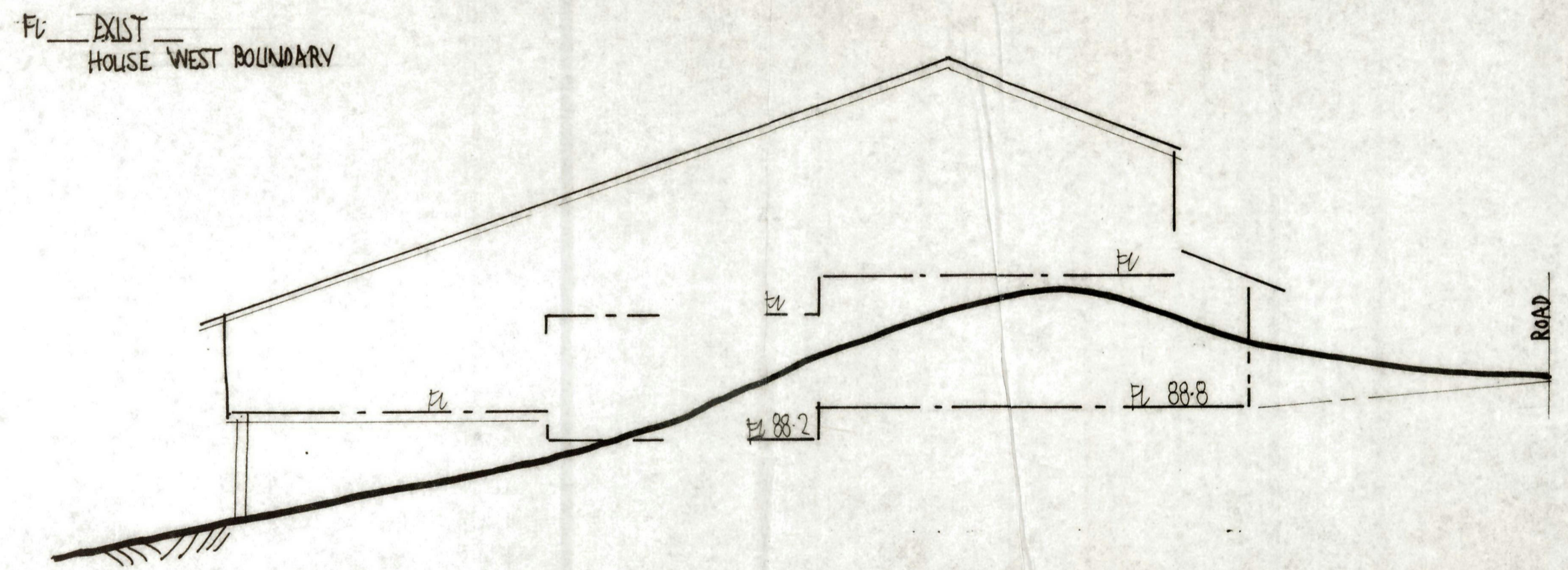
~ SOUTH ELEVATION ~  
ROAD

24 HOURS NOTICE REQUIRED FOR INSPECTIONS

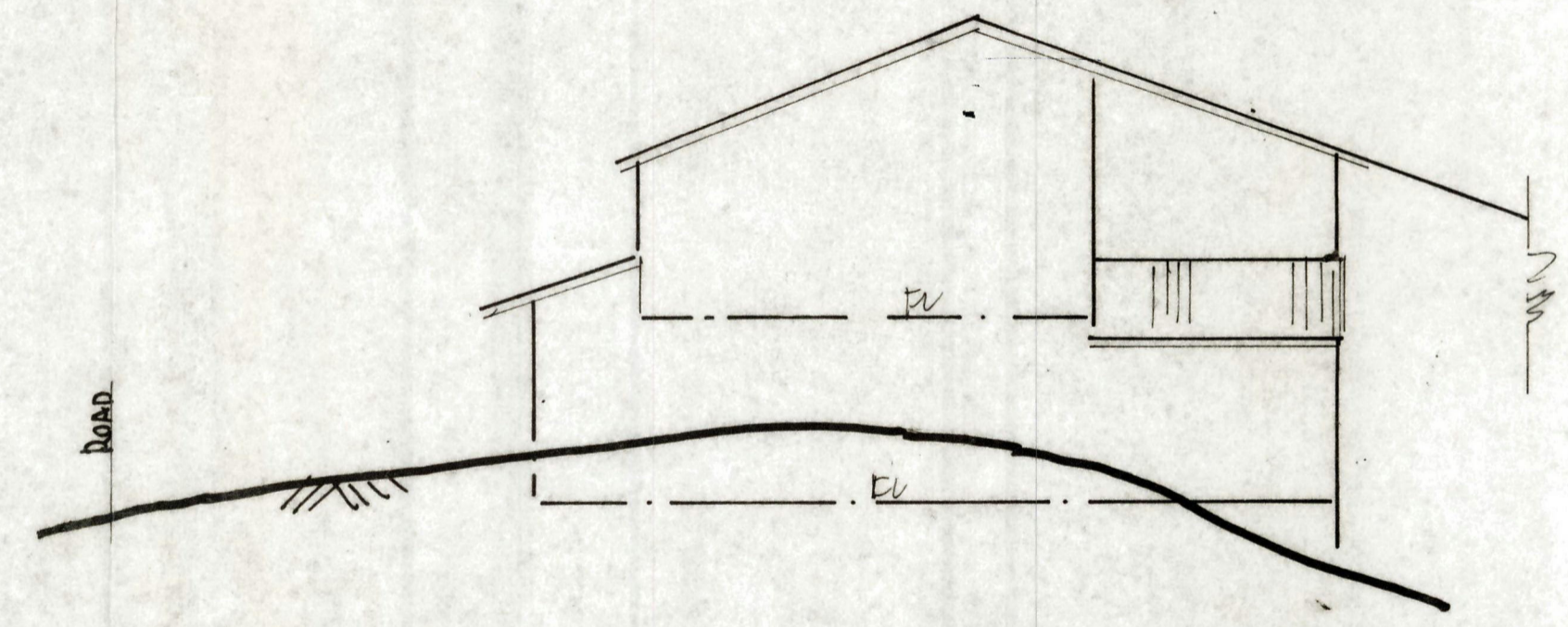
- DRAINAGE AND PLUMBING NOTIFIABLE INSPECTIONS
- Site Inspection
  - Open Drainage Inspection
  - Sewer Connection Inspection
  - Prelining Plumbing Inspection
  - Final Inspection

INSPECTIONS REQUIRED ON ALL SOIL, WASTE WATER PIPES PRIOR TO COVERAGE WITH CONCRETE.

BAY OF ISLANDS COUNTY COUNCIL  
INSTALL ALL PVC TO NZS 7643 1979



~ WEST ELEVATION ~  
LINE 'A'



~ EAST ELEVATION ~  
LINE 'B'

2

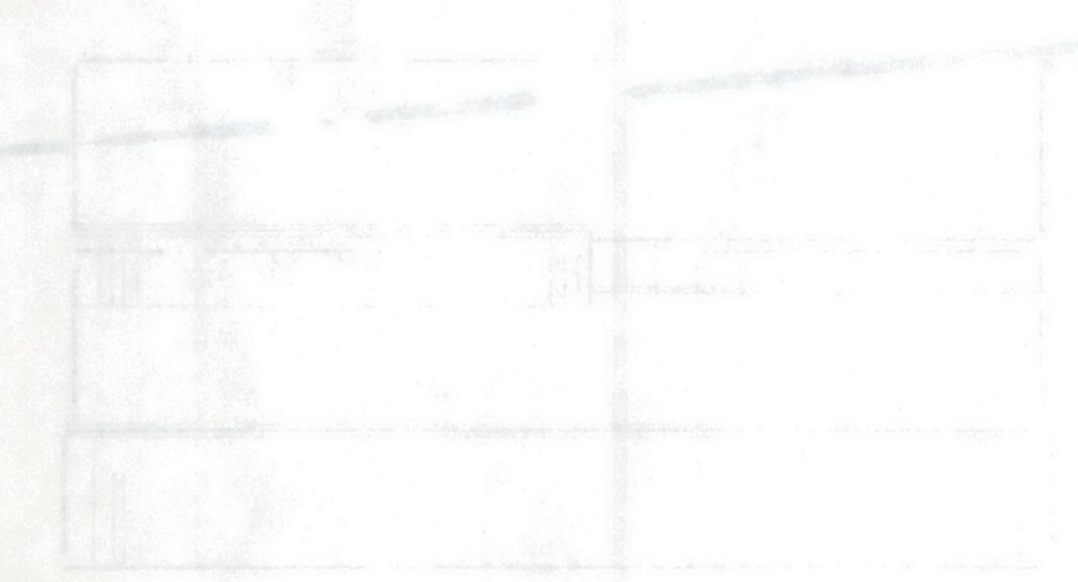
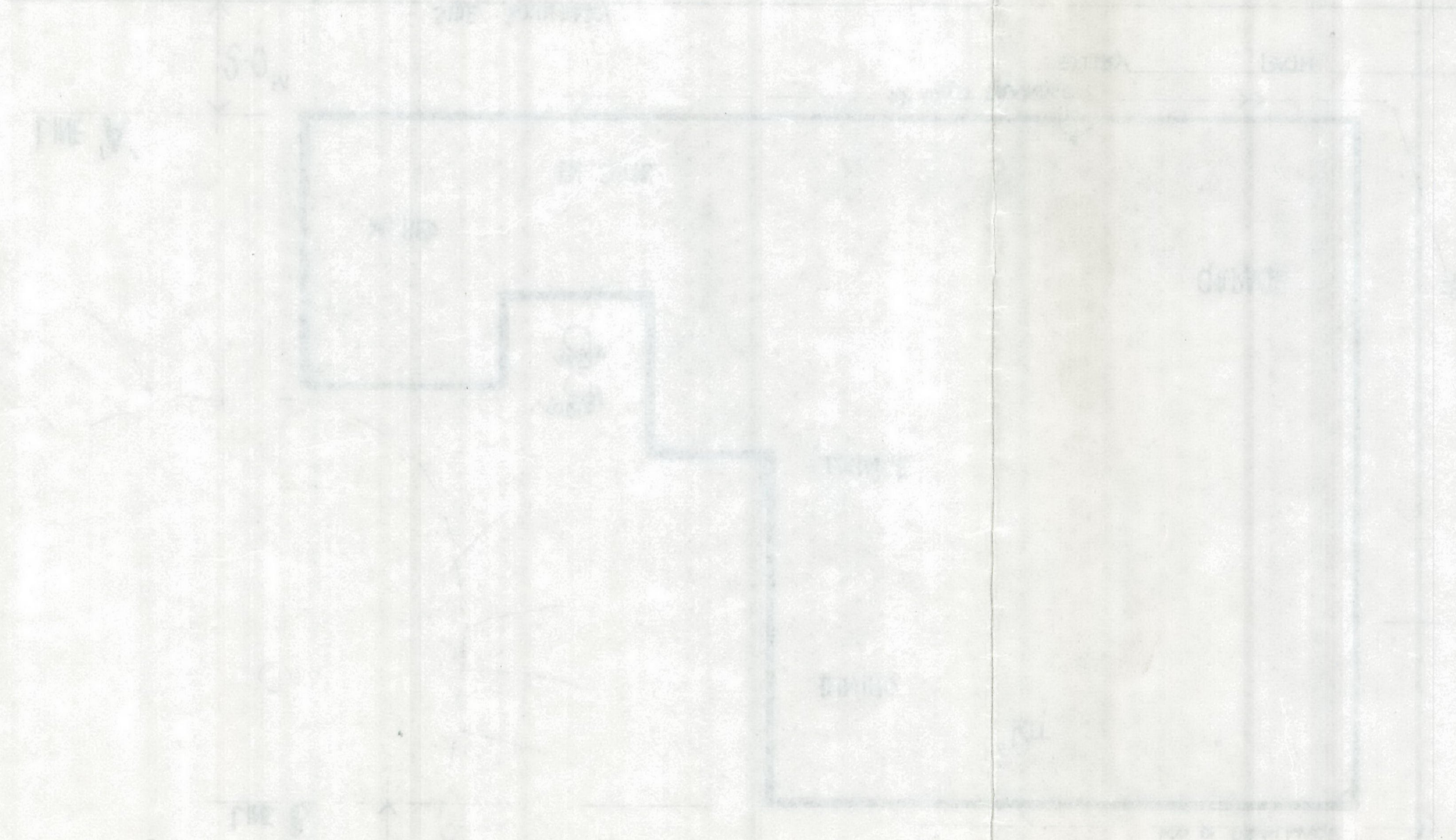
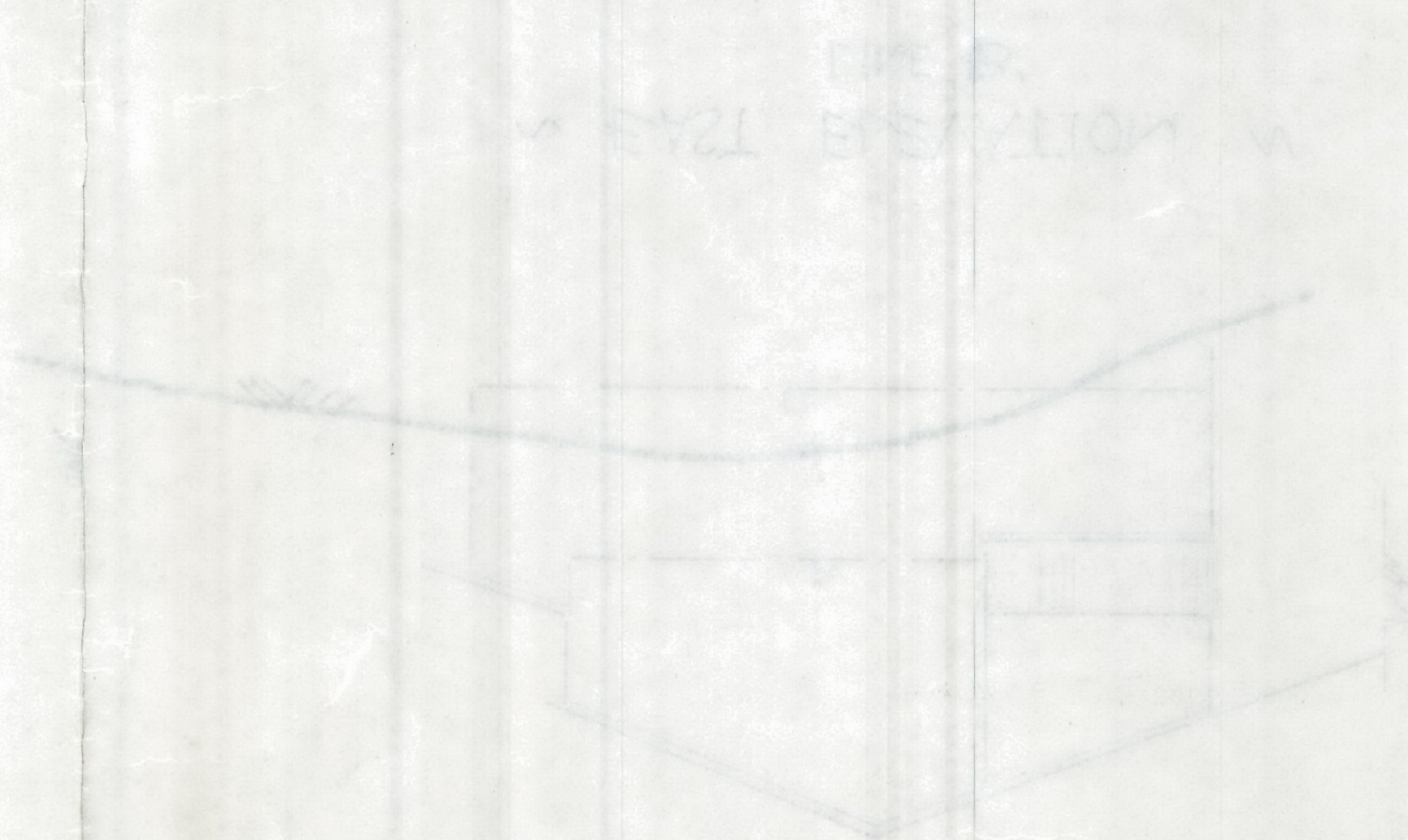
PROPOSED RESIDENCE FOR MRB & MRS. P. HOLT  
AT LOT. 174. TE HAUMI DRIVE, PAHIA.

DRAWN <i>David Smith</i>	CHECKED	SCALES	SHEET
TRACED	DATE <i>Sept 84</i>	1:100	SERIES OF
			REF.



PROPOSED RESIDENCE FOR MR. & MRS. H. H. HOLT

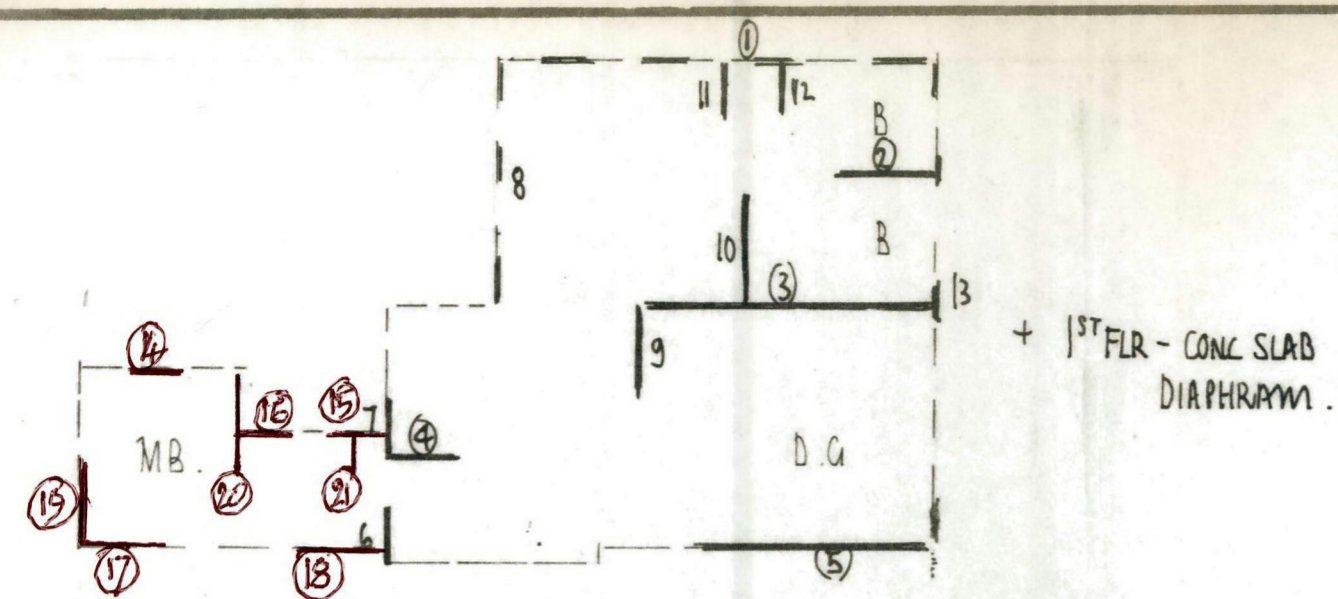
DATE	2/1/21
SCALE	1/4" = 1'-0"



Dispensation Approved  
 \_\_\_\_\_ SIGNATURE  
 \_\_\_\_\_ DATE

Amended Plan  
 see original for signatures

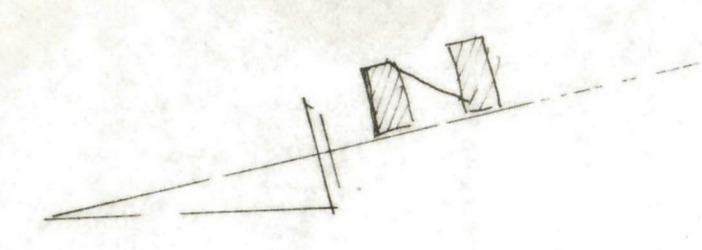
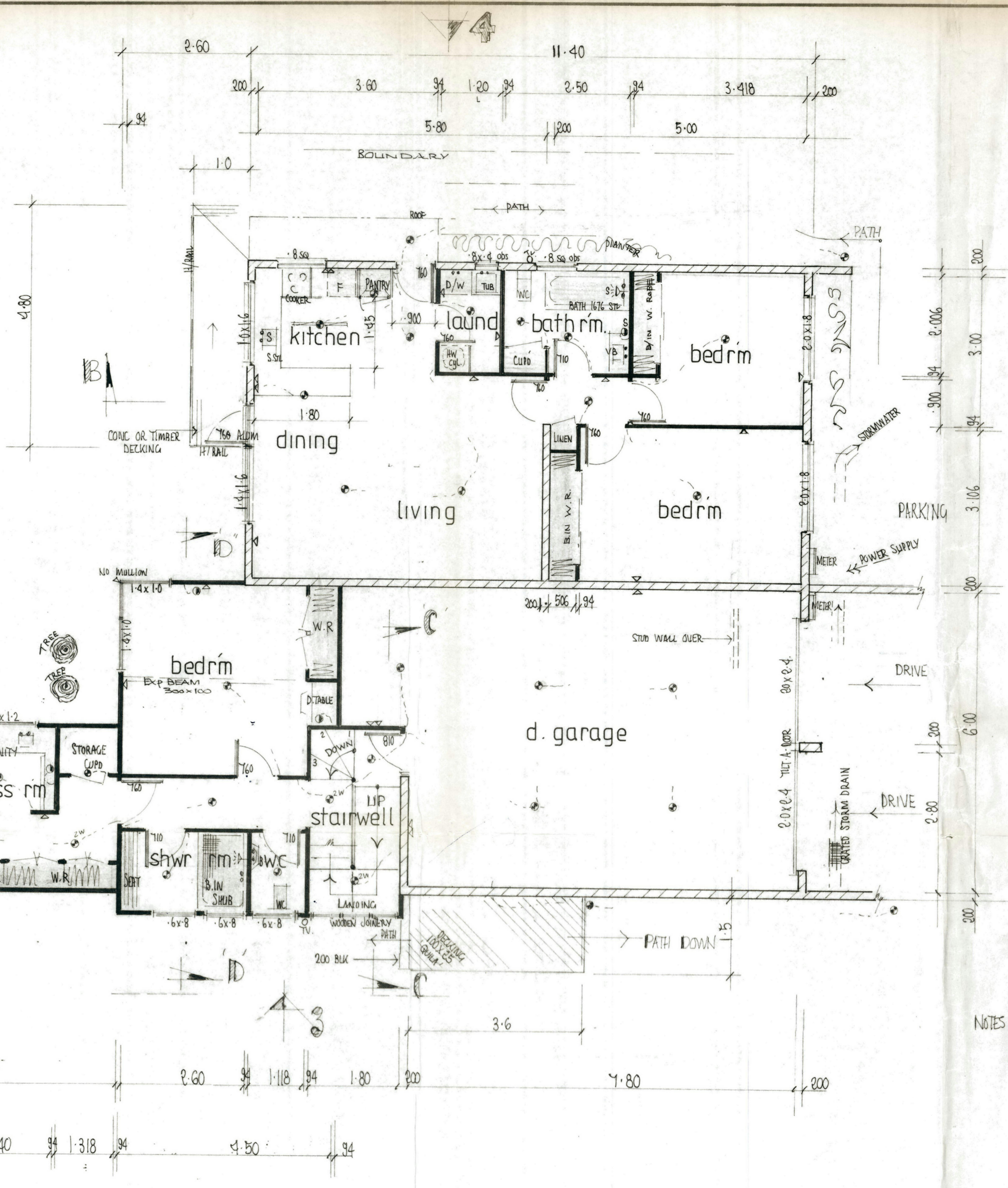
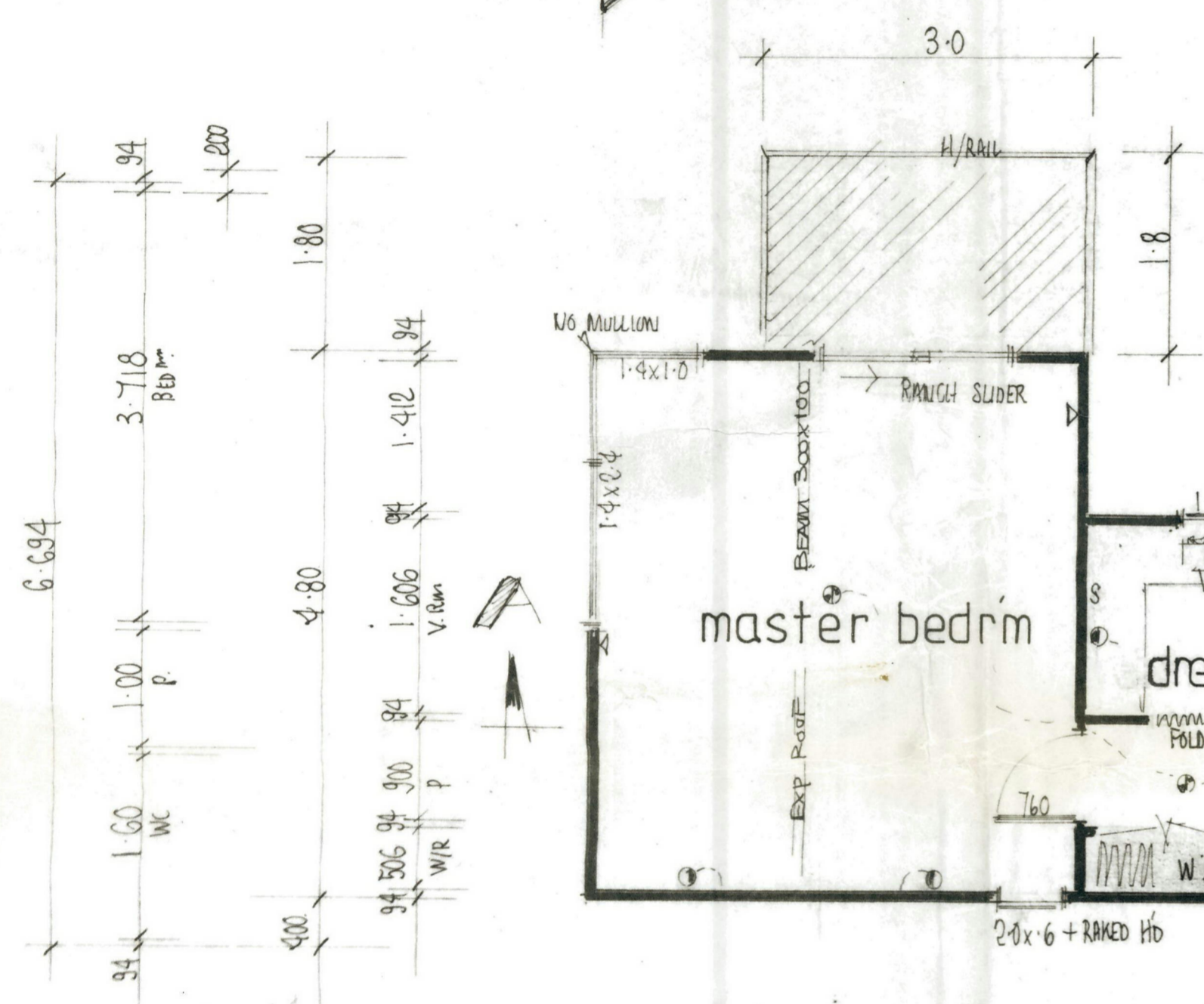




**BRACING SCHEDULE**

No	TYPE	RATING	LGTH M	No	TYPE	RATING	LGTH M
1	11	42	9.0	13	11	42	4.0
2	11	42	2.4	14	8	67	.9
3	11	42	11.4	15	"	"	1.6
4	11	42	2.4	16	"	"	.9
5	11	42	8.0	17	"	42	2.4
6	8	67	1.8	18	"	"	2.4
7	8	"	2.0	19	"	"	"
8	11	42	2.6	20	"	"	"
9	9	83	2.4	21	"	"	"
10	11	42	3.0				
11	9	83	2.0				
12	"	"	2.0				

**PLAN ~ LOWER FLR WALL BRACING**



24 HOURS NOTICE REQUIRED FOR INSPECTIONS

INSPECTIONS REQUIRED ON ALL SOIL, WASTE WATER PIPES PRIOR TO COVERAGE WITH CONCRETE.

- DRAINAGE AND PLUMBING NOTIFIABLE INSPECTIONS**
- Site Inspection
  - Open Drainage Inspection
  - Sewer Connection Inspection
  - Prelim Plumbing Inspection
  - Final Inspection

BAY OF ISLANDS COUNTY COUNCIL  
INSTALL ALL FVC TO NZS 7643 1979

APPROVED PERMIT NO. [REDACTED]  
COUNTY ENGINEERS [REDACTED]  
BAY OF ISLANDS C. COUNCIL

- NOTIFIABLE INSPECTIONS**
- Footing Inspection Required
  - Bond Beam Inspection required
  - Pre-floor Inspection required
  - Prelim Inspection required
  - Final Inspection required

**NOTES**

ALL DRAINAGE TO COMPLY TO LOCAL AUTHORITY REQ<sup>t</sup>

ALL FRAMING READ IN CONJN ENGRS DWGS (BLOCK/SLAB DESIGN)

LIGHTING DENOTED TIKUS WALL CEILING

P. POWERS " " DOWN

NUM. JOINTS BY :-

ANOMY FINISH

NOM. SIZES SHOWN (CHECK ON JOB)

FOR UPPER LEVEL PUR PLAN SEE SH 2

" ELEVATIONS SEE SH. 4

" SECTIONS " " 2

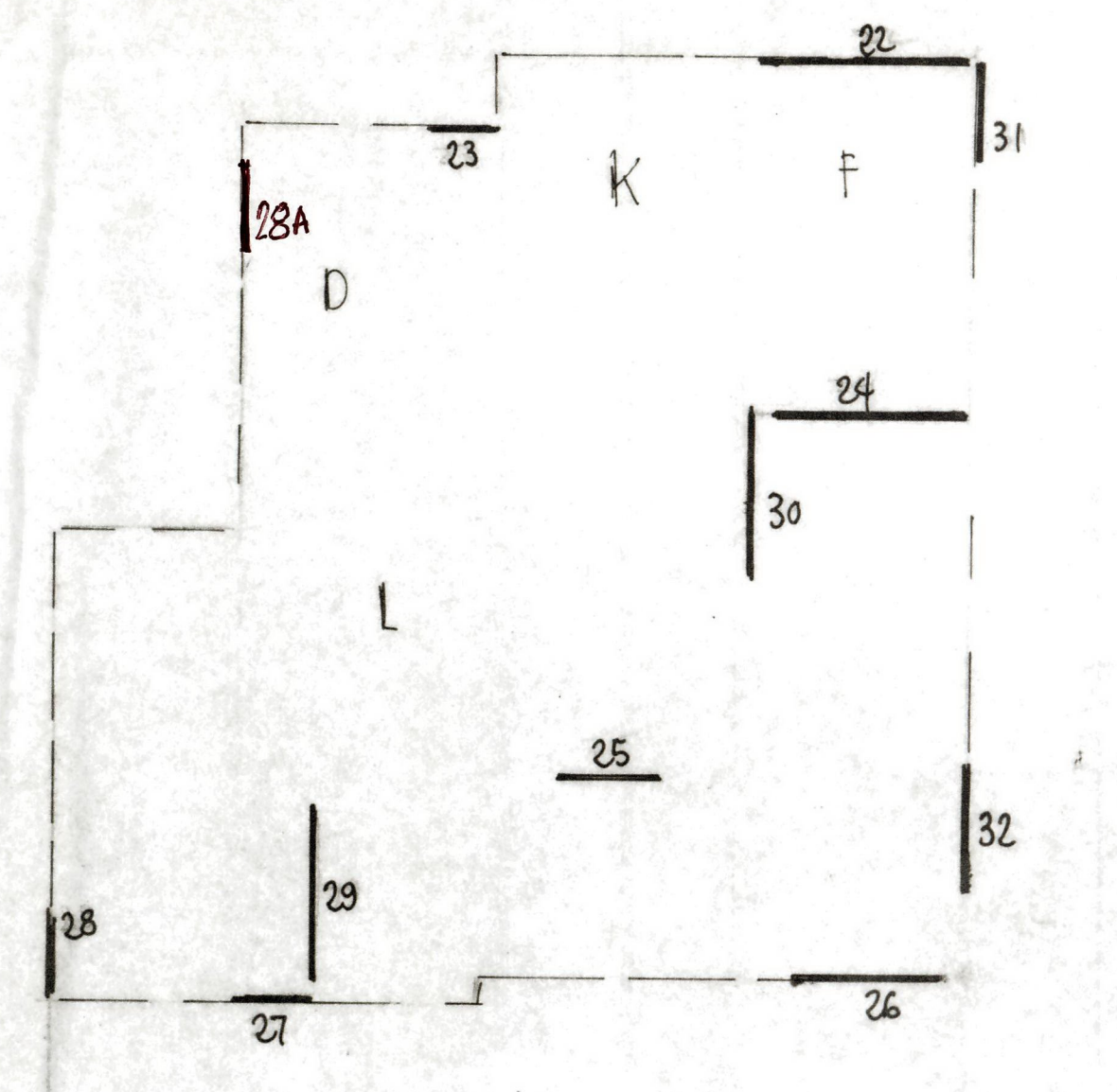
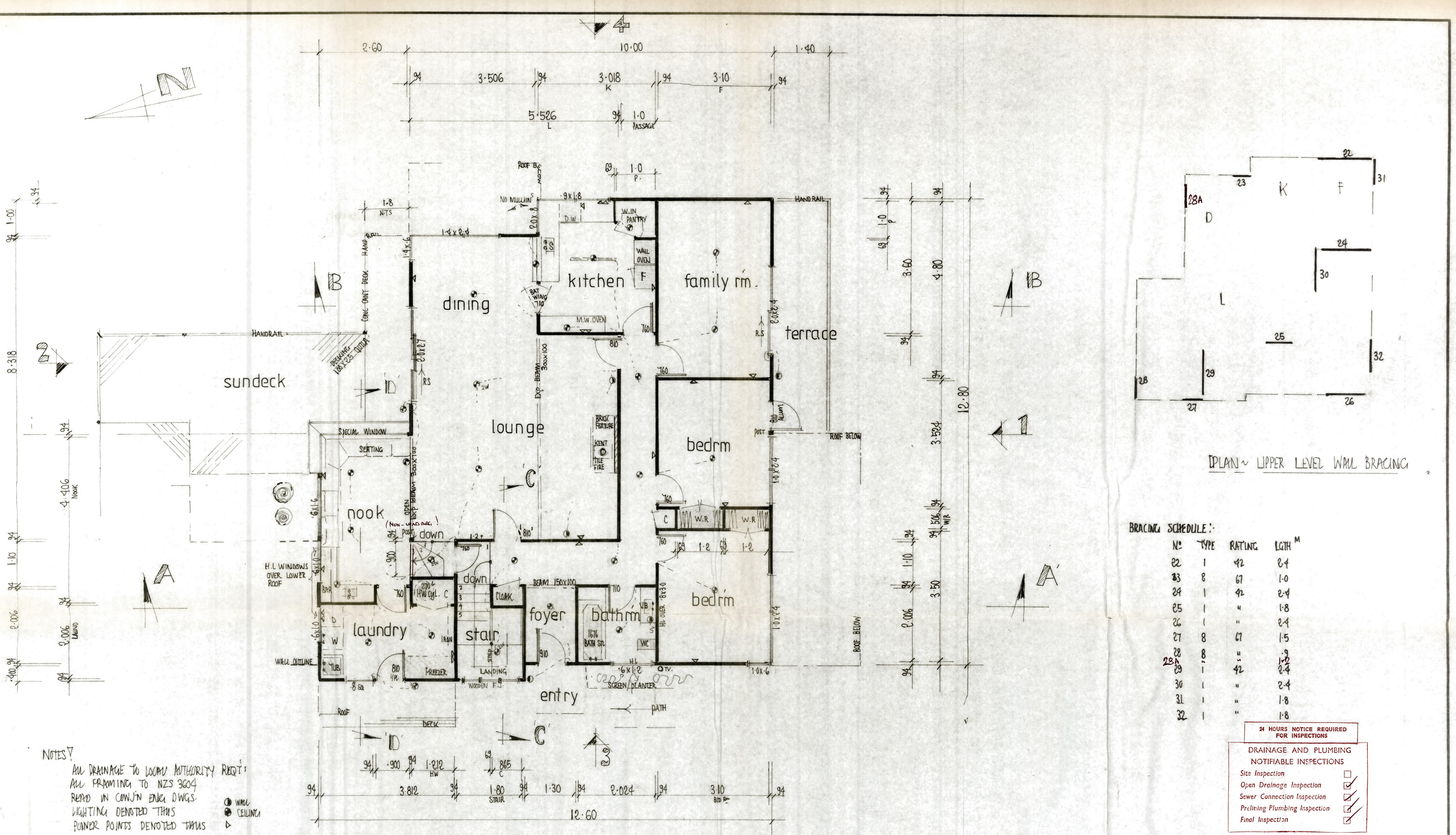
" SITE PLAN " " 2

**FLOOR PLAN ~ LOWER LEVEL**

PROPOSED RESIDENCE FOR MR & MRS. P. HOLT AT LOT 174.  
TE HALMI DRIVE, PAHIA.

DRAWN <i>David Smith</i>		CHECKED	SCALES	SHEET
TRACED		DATE <i>Sept 84</i>	1:50	1
			SERIES OF	REF.





PLAN ~ UPPER LEVEL WALL BRACING

BRACING SCHEDULE:

Nº	TYPE	RATING	LGTH M
22	1	42	2.4
23	8	67	1.0
24	1	42	2.4
25	1	"	1.8
26	1	"	2.4
27	8	67	1.5
28	8	"	1.9
28A	1	42	2.4
29	1	"	1.8
30	1	"	2.4
31	1	"	1.8
32	1	"	1.8

24 HOURS NOTICE REQUIRED FOR INSPECTIONS

DRAINAGE AND PLUMBING NOTIFIABLE INSPECTIONS

- Site Inspection
- Open Drainage Inspection
- Sewer Connection Inspection
- Preliminary Plumbing Inspection
- Final Inspection

INSPECTIONS REQUIRED ON ALL SOIL, WASTE WATER PIPES PRIOR TO COVERAGE WITH CONCRETE.

BAY OF ISLANDS COUNTY COUNCIL  
INSTALL ALL PVC TO NZS 7643 1979

NOTES:  
 ALL DRAINAGE TO LOCAL AUTHORITY REQ'D.  
 ALL FRAMING TO NZS 3604  
 READ IN CONJN ENGR DWGS.  
 LIGHTING DENOTED THUS  
 POINTER POINTS DENOTED THUS  
 KUM JOINERY BY:-  
 (ANOSTONE FINISH)  
 NOM SIZES SHOWN  
 CHECK ON JOB.

FLOOR PLAN ~ UPPER LEVEL

FOR SECTIONS SEE SHT 3  
 FOR ELEVATIONS " " 4  
 FOR SITE PLAN " " 5  
 FOR LOWER LEVEL F. PLAN SEE SHT 11  
 FOR L. LEVEL SLAB, SUB FLR SEE SHT 6  
 " UPPER " " " " " 7

PROPOSED RESIDENCE FOR MR & MRS P. HOLT AT LOT 174,  
 TE HAUMI DRIVE, PAHIA.

UPPER FLR. PLAN

SHEET  
2

DRAWN David Smith	CHECKED	SCALE	SERIES OF
TRACED	DATE Sept 84	1:50	REF.



**CERTIFICATE OF ACCEPTANCE**  
Under Section 99, Building Act 2004

COA-2023-26/0

**OWNER:**

Suzanne Joy Ludbrook

**ADDRESS:**

91 Te Haumi Drive  
Paihia 0200

**CONTACT PERSON:**

**CONTACT DETAILS:**

**Phone Daytime:**  
**Phone After Hours:**  
**Mobile:**  
**Fax:**

**LOCATION OF BUILDING:**

Address:	3351612 2/91 Te Haumi Drive, Paihia 0200	Level Unit No.
Legal Description:	FLAT 2 DP 108486 ON LOT 174 DP 85845 - HAVING 1/2SH IN 800 SQ METRES	Current, lawfully established, use:
Location of Building:		Year first constructed:

**PROJECT DESCRIPTION:**

Description of Work: One room under the house (Pole foundations) has been closed in by a previous owner. No plumbing only electrical. There is a sauna in the room.  
Intended Life:

**ACCEPTANCE OF COMPLIANCE**

The Territorial Authority named below is satisfied, to the best of its knowledge and belief and on reasonable grounds, that, insofar as it can ascertain, the building work described below complies with the building code:

- One room under the house (Pole foundations) has been closed in by a previous owner. No plumbing only electrical. There is a sauna in the room.

The Territorial Authority was only able to inspect the following parts of the building work and this certificate is qualified as follows:

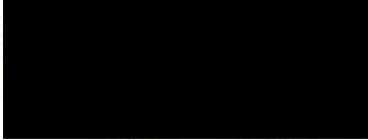
- G9 – Electrical Limited to cert supplied by H.S.Tong I857
- E3 – impervious surface limited to Sauna room
- All other building code clauses excluded.

Nothing in this certificate limits the requirement that a person must not carry out building work except in accordance with a building consent, nor does it relieve any person from the requirement to obtain a building consent for building work.

**ATTACHMENTS**

- Electrical Certificate Stamped
- Approved Stamped Plans
- Certificate of Acceptance

SIGNED FOR AND ON BEHALF OF THE FAR NORTH DISTRICT COUNCIL



---

Name:

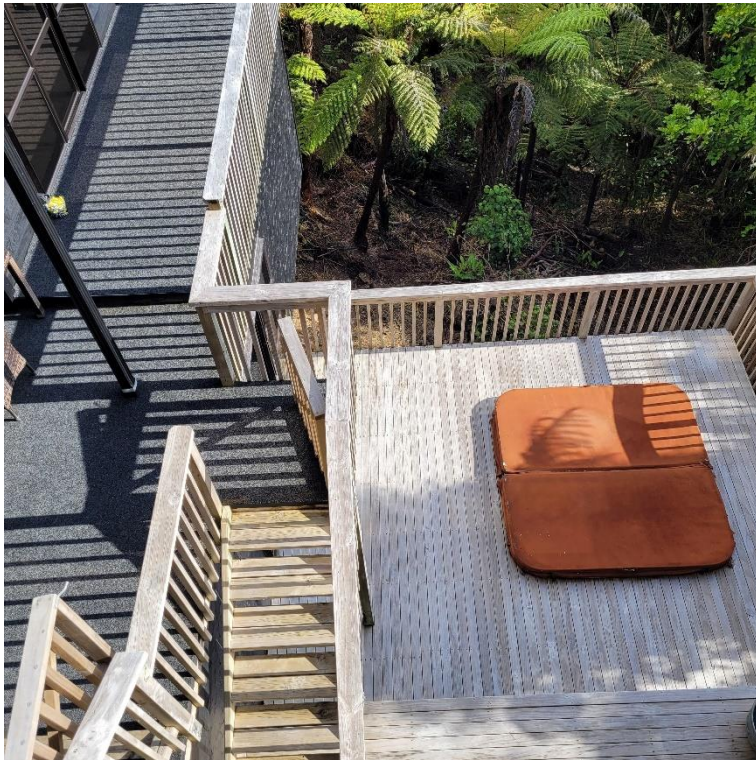
Position: BUILDING OFFICER Date: 17 May 2023



## Appendix 4 – Site Photographs

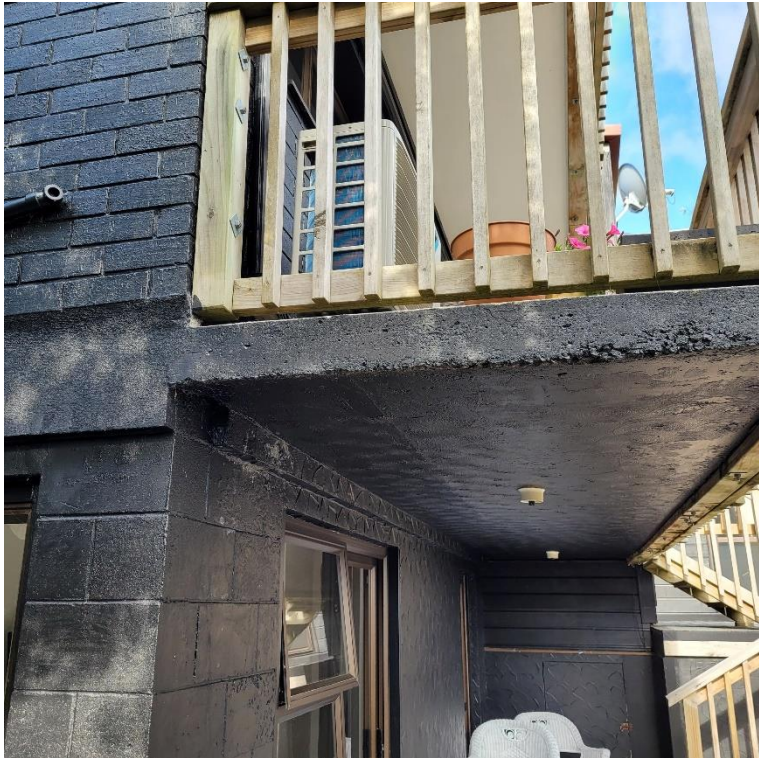


Upper Level (L1) deck of Area 2 (northern elevation)

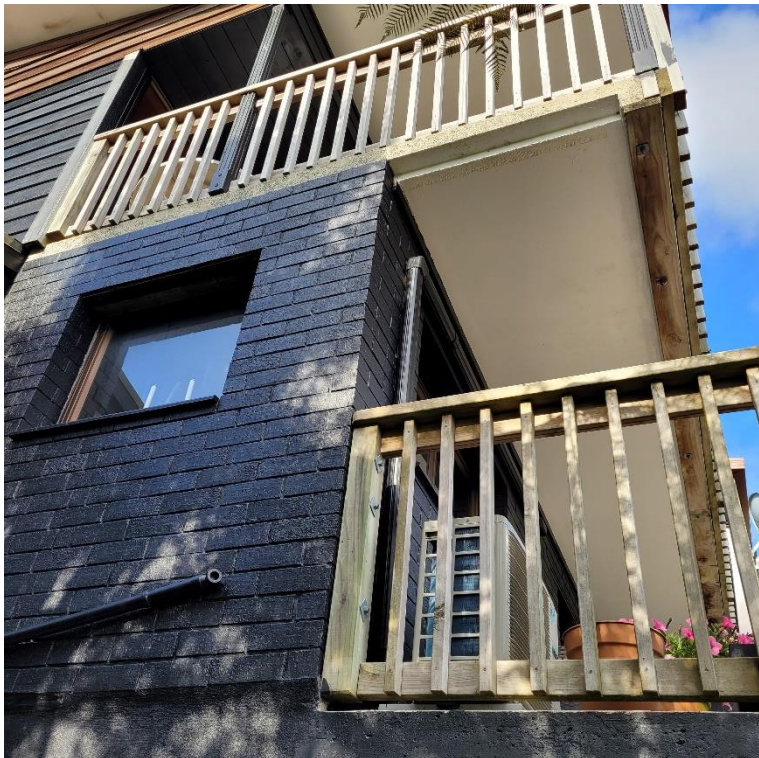


View down to Lower (L3) Deck / stairs of Area 2, also showing part of common area staircase.





Concrete deck between Level 2 and 3.



Decks on Levels 1 and 2.

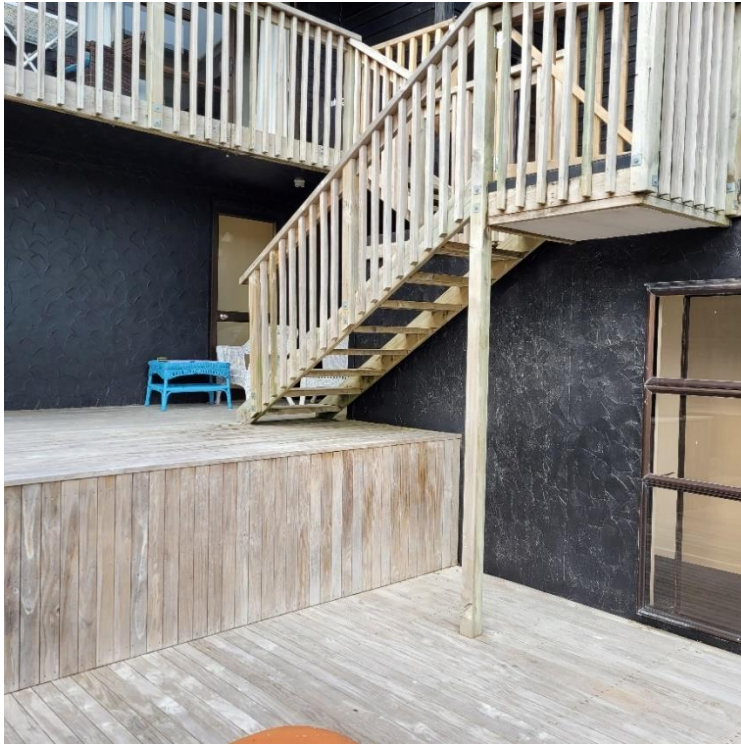


Outer lease area of new Area 2 – including sauna.



Common deck and staircase areas.





Common deck/stairs and Area 2 deck on lower level (L3).



View south along eastern boundary.



Sauna Room – Lower Level (L3)



Edge of Sauna Room and Land Covenant Area B





Common deck on lower level (L3), water pump is accessed from here.