

Our Ref 05321/528.00 – 214
Your Ref:
Enquiries to: Customer Services



10 June 2020

Shane Sievers
4599 State Highway 29
RD3
Matamata 3473

Dear Shane

**Land Information Memorandum for 4042 State Highway 29 RD 3
Matamata 3473**

Please find the attached Land Information Memorandum as per your request.

The contents of this report are provided in accordance with Section 44A (2) and (3) of the Local Government Official Information and Meetings Act 1987, with the information being drawn from Council records (as at the date we received your application).

We recommend you also obtain a copy of the Certificate of Title from Land Information New Zealand (Council does not issue these) and discuss its contents with a suitably qualified professional (such as a lawyer). Please note that this Land Information Memorandum does not necessarily include information relating to private covenants or other memoranda affecting the title – these should be obtained from a title search.

The Applicant is solely responsible for ensuring that the land is suitable of a particular purpose.

In preparing this report, no Council inspection of the property has been undertaken.

Kind regards

A handwritten signature in blue ink that reads "Tania Scott".

Tania Scott
Customer Services Supervisor



Land Information Memorandum

Prepared under Section 44A Local Government Official Information and Meetings
Act 1987

Address: **4042 State Highway 29 RD 3 Matamata**

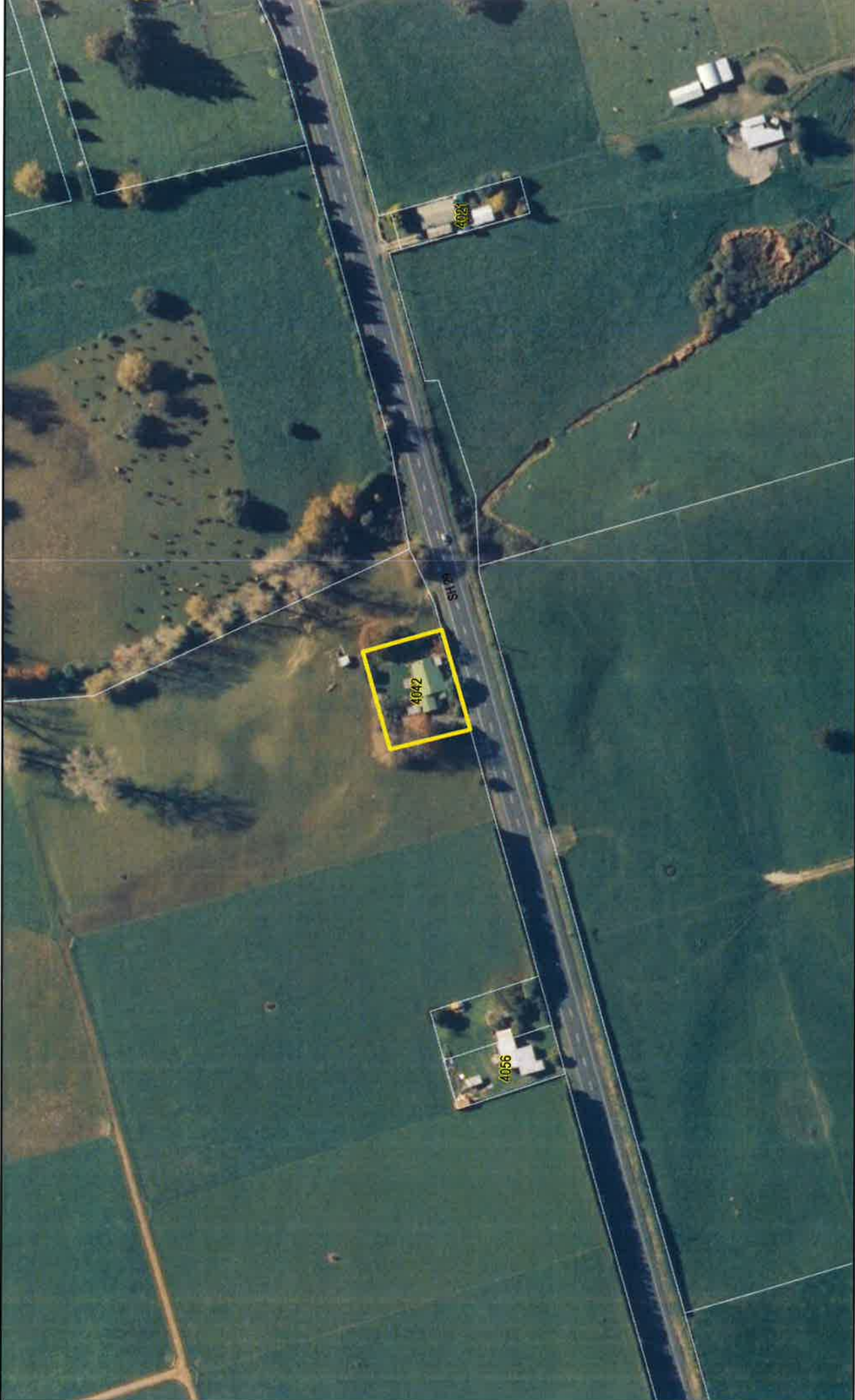
Legal Description: **Lot: 2 DPS: 23175**

Total Property Area: **0.1329 Hectares**

Report Contents

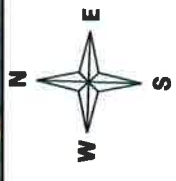
Section:	Covers:
1.	Natural Hazards <ul style="list-style-type: none">▪ Potential Erosion, Avulsion, Falling Debris, Subsidence, Slippage, Alluvion, Inundation or likely presence of hazardous contaminants▪ Geotechnical Reports (if available)▪ Contaminated or Hazardous Activities and Industries List (HAIL) sites▪ Wind Zone and Map▪ Soil Grade and Map (If available)▪ Earthquake Map (Zone B)
2.	Utilities – Stormwater and Sewer <ul style="list-style-type: none">▪ Stormwater▪ Sewer▪ Council's Utility Plan (if available)▪ Private Drainage Plans (if available)▪ Waikato Regional Council's Drains (if available)
3.	Drinking Water Standards <ul style="list-style-type: none">▪ Section 69ZH Health Act 1956 notifications▪ Water Supply Type▪ Metered Water▪ Register of Community Drinking Water Standards
4.	Rating Valuations, Current District Rates <ul style="list-style-type: none">Capital Loans ContributionObjection to Revaluation
5.	Building <ul style="list-style-type: none">▪ Listing of Known Permits and Consents▪ Certificates of Acceptance▪ Requisitions, Orders, Notice to Fix▪ Certificates and Schedules▪ Swimming Pools▪ Frequently asked Building Questions
6.	Weathertight Homes Resolution Service
7.	Planning <ul style="list-style-type: none">▪ District Plan<ul style="list-style-type: none">○ Zoning○ Proposed plan changes▪ Resource Consents<ul style="list-style-type: none">○ Land Use Consents○ Subdivision Consents▪ Requisitions▪ Scheduled Sites▪ Significant Natural Features▪ Designations

8. **Other consent, certificate, notice, order, or requisition**
 - Hazardous Substances
 - Dangerous Good Licence (Historic)
 - Licences
 - Health Registration(s)
 - Liquor Licences (on/off/club)
 - Environmental Health
 - Is the property subject to a Cleansing Order?
 - Is the property subject to a Closing Order?
 - Other Notifications
 - Road frontage permits
 - Matamata-Piako District Council
 - Other statutory organisations
9. **Refuse Information**
10. **Development and Network Contributions**
11. **Additional Information**
12. **Other Services**
13. **Contact Details**
14. **Disclaimer**



This aerial photography was taken Jan-Mar 2012 (Rural) and Sep16-Mar17 (Urban). This data is provided as at February 2020 pursuant to the Local Government Official Information and Meetings Act 1987. While every effort has been made to ensure accuracy of the data, MPDC cannot guarantee its accuracy or suitability for any specific purpose. MPDC is not responsible for the misuse or misinterpretation of the data supplied. Under no circumstances shall MPDC be liable for any actions taken or omissions made from reliance on any information contained herein from whatever source nor shall the MPDC be liable for any other consequences from any such reliance. Copyright © 2018 Matamata-Piako District Council. Cadastral information derived from Land Information NZ. Crown copyright reserved.

LAND INFORMATION MEMORANDUM - AERIAL
4042 STATE HIGHWAY 29 - MATAMATA
SCALE 1:2000 AT A4



UTILITIES NETWORK

- Dialysis Valve
- Private Point
- Private Line
- Water Meter
- Water Manifold
- Water Valve
- Water Tobby
- Fire Hydrant
- Water Pump Station
- Water Treatment Plant
- Water Lateral
- Water Rising Main
- Water Main
- Sewer Manhole
- Sewer Pump Station
- Sewer Treatment Plant
- Sewer Lateral
- Sewer Rising Main
- Sewer Gravity Main
- Drainage Manhole
- Drainage Outlet
- Drainage Soakhole
- Drainage Catchpit
- Drainage Inspection Chamber
- Drainage Catchpit Lead
- Drainage Open Drain
- Drainage Channel
- Drainage Culvert
- Drainage Other
- Drainage Soakage Trench
- Drainage Subsoil (Noweflow)
- Drainage Service
- Drainage Main
- Open Channel OverLand Flowpath
- Dialysis Land Parcel

LAND INFORMATION MEMORANDUM MAP LEGEND



DISTRICT PLAN

3RD PARTY WORKS/UTILITIES

- Waikato Regional Council Floodgate
- Waikato Regional Council Pump Station
- Transpower (TP) Site
- Waikato Regional Council Embankment
- Transmission Line
- Gas Pipeline
- Gas Pipe Corridor
- Gas Station Site
- Powerco Site
- Sub Trans Overhead Line Corridor
- Sub Trans Underground Cable Corridor

DP FEATURES

- DP Label
- Rail Label
- Designated Site
- Heritage Site
- Outstanding or Significant Natural Feature
- Protected Tree Site
- Waahi Tapu Site

OVERLAYS

- Shopping Frontage
- Water Catchment Zone
- Airport Height Control
- Airport Sound Zone
- Detention Ponds and Spillways
- Principal Road Landscaping Area
- Character Area
- Business Res Interface
- Infill Housing
- Future Residential Policy Area
- Crown Land Reserved From Sale
- Reserve
- Current Parcel
- Designation
- Water Course
- Fire Line Edge
- Fire Hazard Buffer
- Peat Soil
- Flood Hazard
- Instability Area

DP ZONES

- Industrial
- Residential
- Rural
- Business
- Rural Residential 1
- Rural Residential 2
- Kaitiaki (Conservation)

DCP FEATURES

- Noise Emission Control Boundary
- Development Concept Plan Area

STRUCTURE PLAN FEATURES

- Structure Plan Area

WIND ZONES

- Specific Design
- Very High: 50m/s
- High: 44m/s
- Medium: 37m/s
- Low: Below 32m/s

WRC DRAINS

- WRC Drain
- WRC Scheme

SOIL CLASSES

- LRIS 2002 Soil Class 1
- LRIS 2002 Soil Class 2
- LRIS 2002 Soil Class 3
- LRIS 2002 Soil Class 4
- LRIS 2002 Soil Class 6
- LRIS 2002 Soil Class 7
- LRIS 2002 Soil Class 8

TREATY CLAIMS SETTLEMENT

- Raukawa Aoi subject to SA and DoR*
- Raukawa Aoi subject to SA**
- Ngati Haua Aoi subject to SA***
- Ngati Haua Aoi subject to SA and DoR****

OTHER

- Unformed Road
- Private Road

TREATY CLAIMS SETTLEMENT

- * Raukawa Area of Interest subject to Statutory Acknowledgement and Deed of Recognition
- ** Raukawa Area of Interest subject to Statutory Acknowledgement
- *** Ngati Haua Area of Interest subject to Statutory Acknowledgement
- **** Ngati Haua Area of Interest subject to Statutory Acknowledgement and Deed of Recognition

Section 1: Natural Hazards

The matters which shall be included in a LIM are:

- a) Information identifying each (if any) special feature or characteristic of the land concerned, including but not limited to potential erosion, avulsion, falling debris, subsidence, slippage, alluvion, or inundation, or likely presence of hazardous contaminants, being a feature or characteristic that –
 - (i) Is known to the territorial authority; but
 - (ii) Is not apparent from the District Scheme under the Town and Country Planning Act 1977 or a District Plan under the Resource Management Act 1991...

Potential Erosion

No information available.

Avulsion (the sudden removal of land, by the change in a river's course, or by flooding, to another persons land)

No information available.

Falling Debris

No information available.

Subsidence

No information available.

Slippage

No information available.

Alluvion (the deposit of earth, sand etc. left during a flood)

No information available.

Inundation / Flooding

No information available.

Fire Protection Zone

No information available.

Peat Hazard Zone

No information available.

Geotechnical Report Available

None on file.

Contaminated or Hazardous Activities and Industries List (HAIL) sites

Waikato Regional Council have compiled a list of possible and confirmed contaminated and HAIL sites.

This property is not listed on Waikato Regional Council's Selected Land-Use Register.

Wind Zone

The wind zone of the property is:

Medium wind speeds 37m/s.

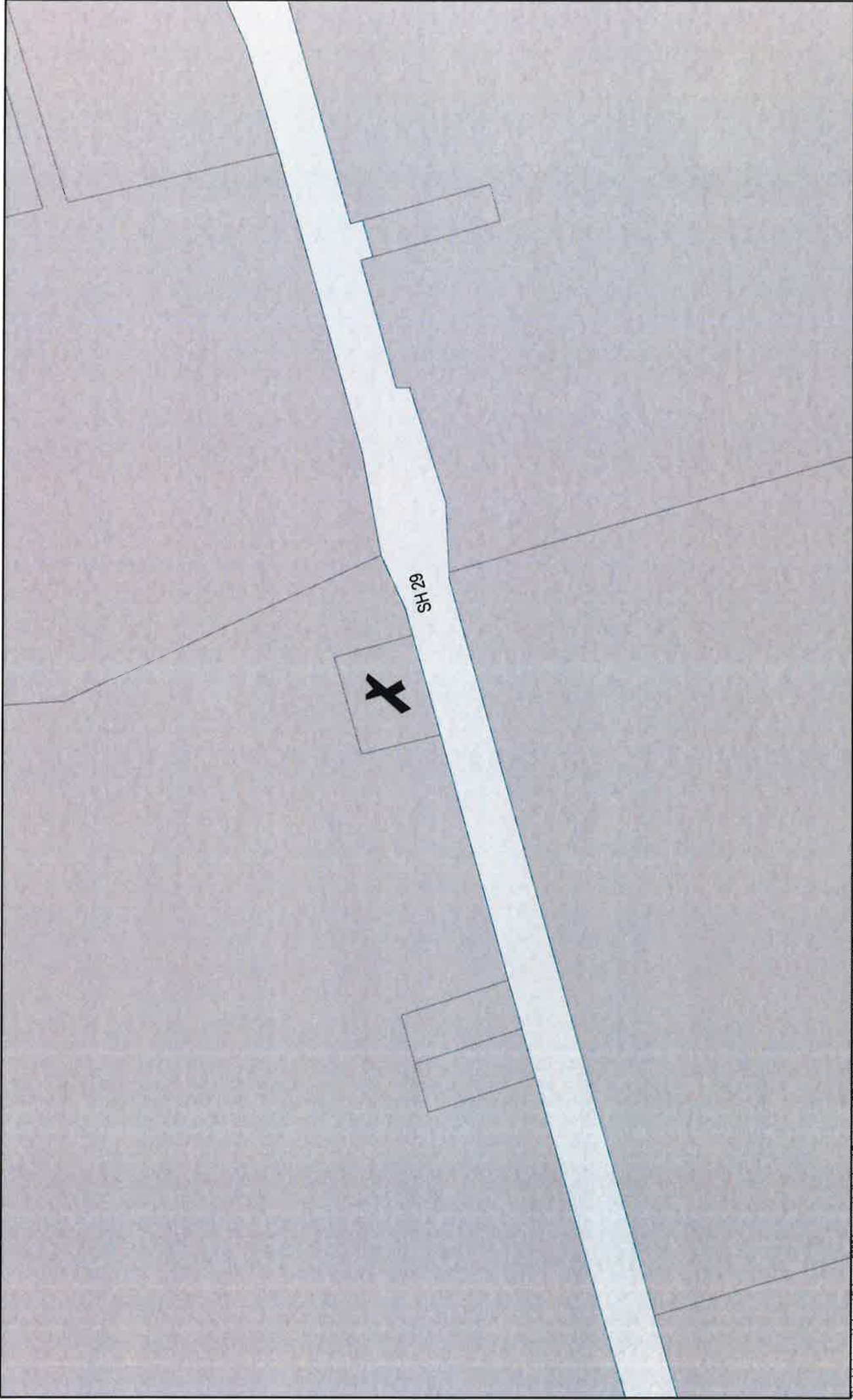
See attached Wind Zone Map.

Soil Grade

The soil grade of the property is:

Class 2 – Land with slight limitations to arable cropping. Management practices to overcome these limitations are easy to apply. Land has moderately high versatility for cropping and is also well suited to non-arable production.

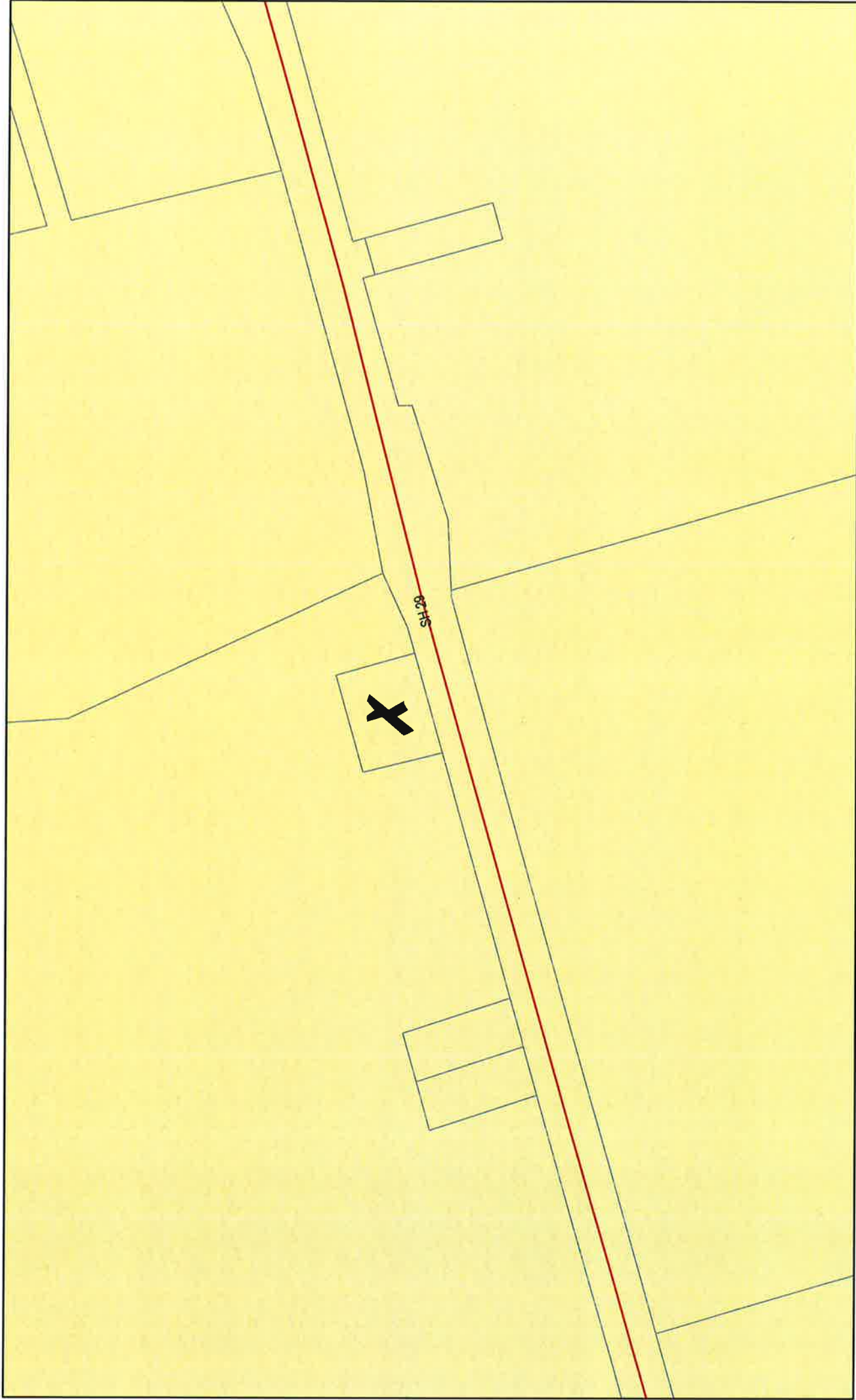
See attached Soil Grade Map.



This data is provided as at February 2021 pursuant to the Local Government Official Information and Meetings Act 1987. While every effort has been made to ensure accuracy of the data, MPDC cannot guarantee its accuracy or suitability for any specific purpose. MPDC is not responsible for the misuse or misinterpretation of the data supplied. Under no circumstances shall MPDC be liable for any actions taken or omissions made from reliance on any information contained herein from whatever source nor shall the MPDC be liable for any other consequences from any such reliance. Copyright © 2018 Matamata-Piako District Council. Cadastral information derived from Land Information NZ. Crown copyright reserved.

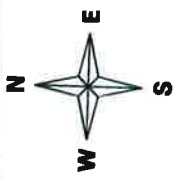
LAND INFORMATION MEMORANDUM - WIND ZONES
4042 STATE HIGHWAY 29 - MATAMATA
SCALE 1:2000 AT A4





The soil classes shown in these maps are intended to be indicative only, as they are not shown at the same scale as the published scale of the soil class map for the Matamata-Piako District. Site specific investigations should be undertaken by a suitable qualified expert to establish the soil class for individual properties. This data is provided as at February 2020 pursuant to the Local Government Official Information and Meetings Act 1987. While every effort has been made to ensure accuracy of the data, MPDC cannot guarantee its accuracy or suitability for any specific purpose. MPDC is not responsible for the misuse or misinterpretation of the data supplied. Under no circumstances shall MPDC be liable for any actions taken or omissions made from reliance on any information contained herein from whatever source nor shall the MPDC be liable for any other consequences from any such reliance. Copyright © 2018 Matamata-Piako District Council. Cadastral information derived from Land Information NZ. Crown copyright reserved.

LAND INFORMATION MEMORANDUM - SOIL CLASS
4042 STATE HIGHWAY 29 - MATAMATA
SCALE 1:2000 AT A4



Earthquake Zone B: All properties within our district fall into this category.

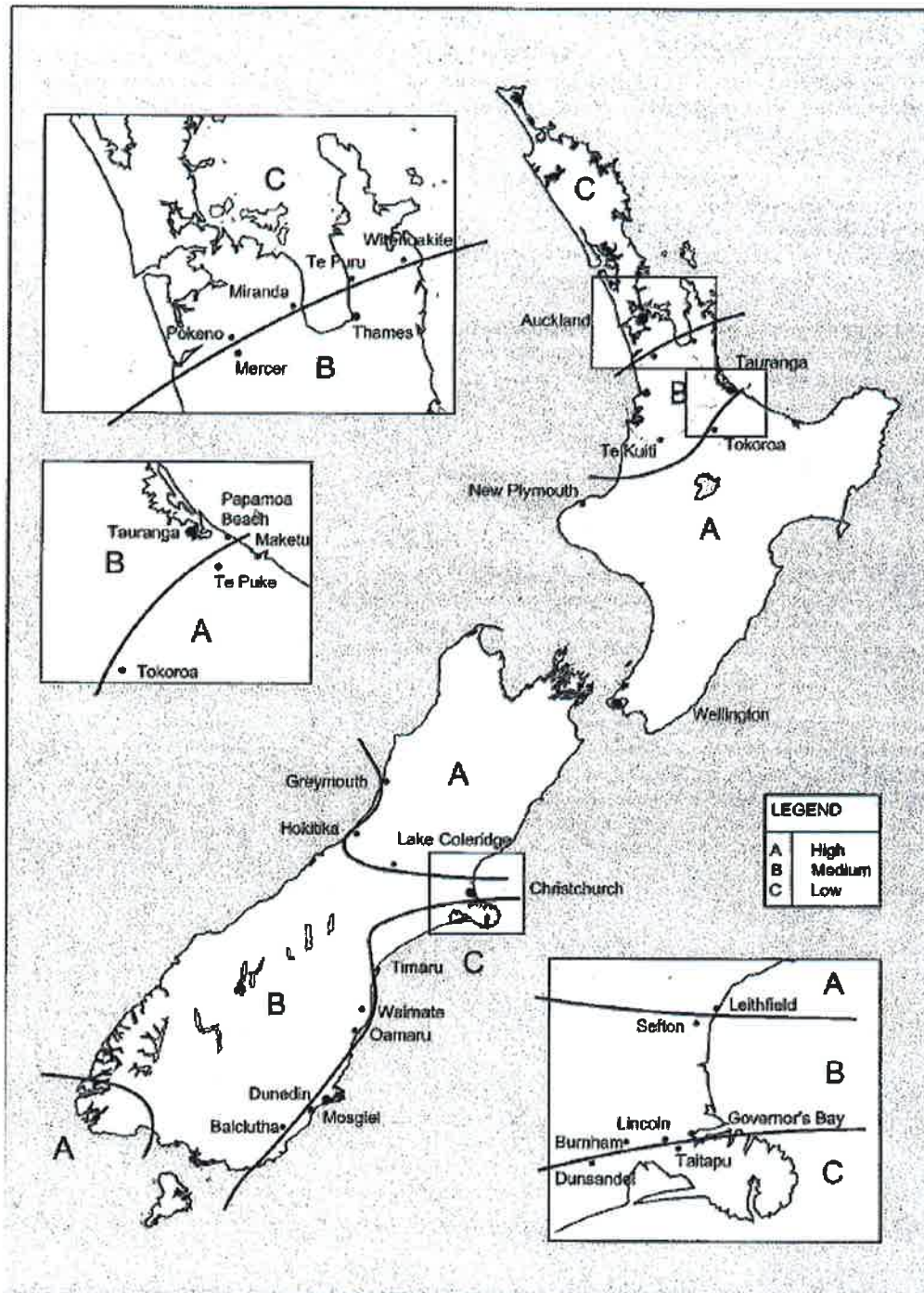


Figure 5.4 – Earthquake zones

Section 2: Utilities – Stormwater and Sewer

The matters which shall be included in a LIM are:

- b) Information on private and public stormwater and sewerage drains as shown in the territorial authority's records...**

Stormwater

The Stormwater Management Bylaw 2009 came into force on 1 July 2009; this page provides an outline of some of the requirements of the bylaw. You can refer to the full bylaw for further information, either on our website www.mpdc.govt.nz or at any Matamata-Piako District Council Office.

The Stormwater Management Bylaw aims to manage stormwater more effectively to protect people, property and the environment by minimising the impact of flooding, erosion and environmental pollution.

There are already some stormwater controls in place, enforced by the Waikato Regional Council and Matamata-Piako District Council under the Resource Management Act 1991, the Building Act 2004, and other acts, regulations and bylaws. The Stormwater Management Bylaw is in addition to these.

The bylaw covers the following:

- the construction and alteration of stormwater systems
- protection of public stormwater systems
- preventing obstruction of stormwater systems
- the responsibilities of land owners and occupiers
- Council's monitoring powers
- information on the permitted points of discharge to the public stormwater system
- offences and penalties for failing to comply with the bylaw
- watercourses maintained by Council

In general:

- Any stormwater generated by developments and construction projects must be disposed of on that site, unless there is spare capacity in the public stormwater system. Council is currently preparing guidelines for the design of on-site disposal systems.
- Any new driveways that slope up from the road must have a stormwater collection and discharge system at the road reserve boundary to prevent runoff and debris running on to the road and footpaths.
- There should be a minimum clearance of 150mm from the floor level of any dwelling to the ground level (or to the maximum flood level if higher). Owners must take care when landscaping properties to maintain this minimum clearance.
- You can't allow stormwater to run on to a neighbouring property, unless it occurs naturally from absorbent surfaces (e.g. grass) or designated overland flow paths. Likewise, you can't obstruct the flow from a neighbouring property that occurs naturally from absorbent surfaces or overland flow paths.

- There are restrictions on excavating near public drains, or building close to or over drains. You can't obstruct the flow of water in any stormwater system or any overland flow path or flood plain (including with vegetation and tree roots).
- All private stormwater systems must be maintained so that they operate at their design capacity at all times.
- All open watercourses are the responsibility of the property owner that they flow through. In some cases specified in the bylaw, Council has taken over responsibility for the removal of obstructions but not the control of bank erosion.

The stormwater/drainage for the property is:

No record of connection to public service.

Inflow Reduction

Not applicable to this property.

Sewer

The sewerage system for the property is:

No record of connection to public service.

There are no public utility systems available for this property. We recommend appropriate site investigations.

Council utilities plan available?

No – out of Council's utilities-supplied areas.

As-laid drainage plan available?

Yes – attached for your records.

Waikato Regional Council map available?

No – none known.

Lot. 2 DPS 23175

Robson & Robson PAKI

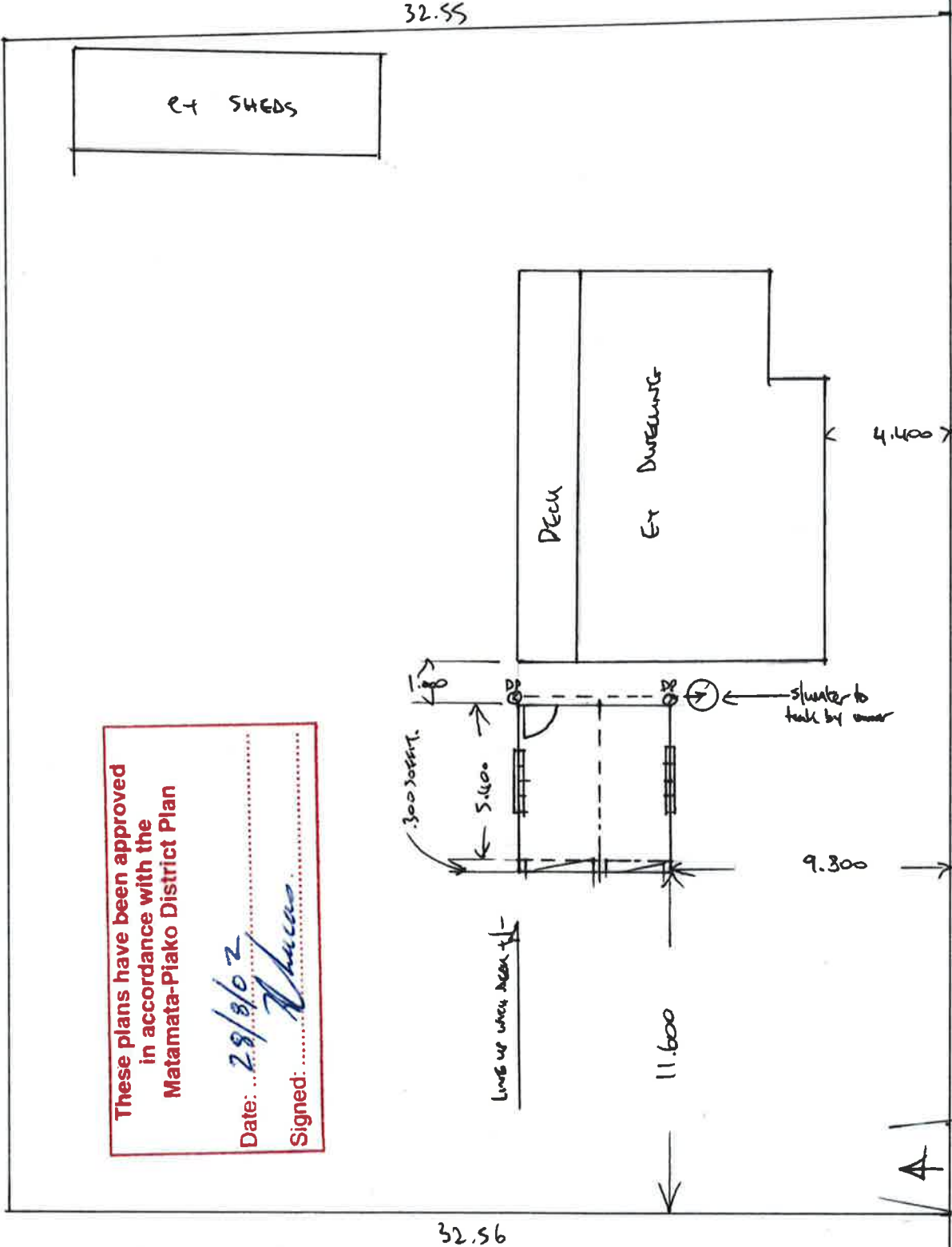
4042 SHW29

TE Poi.

SCALE 1:200

40.36

These plans have been approved
 in accordance with the
 Matamata-Piako District Plan
 Date: 28/3/02
 Signed: *[Signature]*



41.34

SHW 29 TE Poi

32.56

A
4042

Section 3: Water and Drinking Water Standards

The matters which shall be included in a LIM are:

ba) any information that has been notified to the territorial authority by a drinking water supplier under section 69ZH of the Health Act 1956

bb) information on -

- (i) whether the land is supplied with drinking water and if so, whether the supplier is the owner of the land or a networked supplier:**
- (ii) if the land is supplied with drinking water by a networked supplier, any conditions that are applicable to that supply:**
- (iii) if the land is supplied with water by the owner of the land, any information the territorial authority has about the supply...**

Notification from drinking water supplier under S 69ZH of the Health Act 1956?

Has a drinking water supplier notified Council's of any of the following:

- that connection of additional residential properties to the supply may compromise the ability to provide an adequate supply of water to this property
- that it will not connect any further residential properties to the water supply
- that any further residential properties that are connected to the supply will be subject to conditions limiting the amount of water to be supplied
- that it has withdrawn a notice on any of the above.

No record of any of the above.

Supply Type:

Council holds no records relating to the supply of water to this property.

Metered water

There is no water meter on this property.

Backflow Prevention Device

The Health Act 1956 requires every water supply authority (including MPDC) to ensure the installation of backflow prevention devices to properties which are deemed to be a high or moderate risk of contaminating the water supply from backflow. Backflow is the flow of water from within the property back into the supply main and occurs when the pressure in the mains are low from breaks, or the use of fire hydrants etc. These backflow devices must be recertified annually by an approved person.

Does the property have a backflow prevention device installed on the town water supply.

No

What are water gradings and what are we graded?

In order to compare water supplies and identify those that may not be delivering quality water, the Ministry of Health grades water supplies around the country. This is a voluntary system and Council has opted not to participate as it believes compliance with the NZ Drinking Water Standards to be a more meaningful process. If you are interested, you can find out more information about the gradings and what they mean on the Ministry of Health's website

(<http://www.drinkingwater.esr.cri.nz/general/grading.asp>)

Section 4: Current Rating Valuations, District Rates

The matters which shall be included in a LIM are:

c) Information relating to any rates owing in relation to the land...

The information provided in this report may not reflect the current details of the legal description provided on your application form. This may be due to the property currently being under subdivision and the information has not been provided yet, and/or that the information has not yet been updated for the current valuation and improvements for this financial year.

“The rate shall not be affected by any alterations in value during the financial year in respect of which the rate is made” – Section 123 of the Ratings Power Act, 1988.

Matamata-Piako District Council rates

Matamata-Piako District Council rates are set yearly and quarterly instalments are sent out in August, November, February, and May.

We accept several payment methods including direct debit, automatic payment, internet banking, cheque, EFTPOS, cash at our offices and credit cards via www.mpdc.govt.nz Pay my Rates. Unpaid rates for each instalment may incur a 10% penalty.

Land Value (July 2018):	\$137,000
Capital Value (July 2018):	\$340,000
Rates (01/07/2019 – 30/06/2020):	\$1,160.01
Balance of Rates to clear to 30 June 2020:	-\$6.10

**Objection to Revaluation:
No Objection to Valuation**

**Capital Loans Contribution:
No Outstanding Capital Loans Contribution**

Regional Council: Waikato Regional Council

Waikato Regional Council sends their rates notices annually. You are able to get specific annual regional rates information at www.waikatoregion.govt.nz.

Search under address or valuation reference: 05321/528.00

Alternatively, contact them on freephone 0800 800 401

Section 5: Building

The matters which shall be included in a LIM are:

- d) Information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by the territorial authority (whether under the Building Act 2004, or any other Act)**
- e) Information concerning any certificate issued by a building certifier pursuant to the Building Act 1991 (or the Building Act 2004)...**
- h) Any information which has been notified to the territorial authority by any network utility operator pursuant to the Building Act 1991 or the Building Act 2004**

Council's must include on a Land Information Memorandum any consent, certificate, notice, order or requisition affecting the land or any building on the land previously issued by the territorial authority (whether under the Building Act 1991, the Building Act 2004, or any other act).

Note that statutory natural disaster insurance may be limited if there is an entry under Section 74 of the Building Act 2004, Section 36(2) of the Building Act 1991 or Section 641(A) of the Local Government Act 1974 on the Certificate of Title, or if a Building Consent has been issued subject to Section 72 of the Building Act 2004 and the required Section 74 entry on the Certificate of Title is pending. If there is such an entry on the Certificate of Title (or the entry is required by the Building Consent), refer to Clause 3(d) of Third Schedule to the Earthquake Commission Act 1993.

Building Permits

Building/Plumbing Permits held for the period prior to 31 December 1992:

None known.

Building Consents:

Building Consents Issued 1 January 1993 – 31 March 2005

Building projects granted a building consent before 31 March 2005 will be completed under the provisions of the Building Act 1991, with one important exception. Code Compliance Certificates for these projects will be issued against the Building Code in place when the consent was issued, not against the Building Code at the time the code compliance certificate is applied for.

Consent Details (issued date)	Consent Number	Code Compliance Certificate
Garage Issued on 27.08.02	21570	21570C

Building Consents Issued since 1 April 2005

According to Section 93 (2) (b) (i) of the Building Act 2004 all building consents issued after 31 March 2005 require a Code Compliance Certificate to be issued within two years (project must be completed).

If you do not get a Code Compliance Certificate for your project within the two year period then a Code Compliance Certificate cannot be issued for your project. An extension may be granted in some cases.

Consent Details (issued date)	Consent Number	Code Compliance Certificate
Metro Tiny Rad Woodfire Issued on 23.02.16	2016.4599	2016.4599

BUILDING CONSENT No:21570
Section 35, Building Act 1991

OWNER: ROBERT WAYNE PAKI
4042 STATE HIGHWAY 29
R D 3
MATAMATA 2271

CONTACT: BUILDING INNOVATIONZ LTD
382 AVALON DRIVE
HAMILTON

Application received: 22Aug02

Issued:27Aug02

The project is for: NEW CONSTRUCTION
Intended Use(s): NEW GARAGE
Intended life: Indefinite but not less than 50 years
Value of Work: \$6,375.00

Street Address: 4042 STATE HIGHWAY 29, R D 3, MATAMATA 2271
Property ID: 1372/4042
Assessment No: 05321/528.00
Legal: LOT 2 DPS 23175 BLK XI TAPAPA SD

Council's total charges for this Building Consent were: \$107.00
Payments to date:
Receipt number: 1855430 Date: 22Aug02 Amount: \$107.00

Building Consent: 21570
See attached page(s) for conditions.

Page : 1

212768

1: CONDITIONS OF BUILDING CONSENT:

The conditions of this Building Consent are as follows:-

2: ON SITE INSPECTIONS

One on-site inspection has been assessed for this Building project. Should further Inspections or extra time beyond that estimated be required, you will be invoiced accordingly.

Signed for and on behalf of the Matamata-Piako District Council:

Name.....*Scott*.....
Position.....*Customer Services Officer*.....
Date.....*27.8.02*.....

Any extra site inspections will be charged for at \$55.00 per hour.

CODE COMPLIANCE CERTIFICATE No. 21570C

Issued by Matamata-Piako District Council - Section 43(3) - Building Act 1991

Building Consent No: 21570

<p style="text-align: center;"><u>PROJECT</u></p> <p>New or Relocated Building <input checked="" type="checkbox"/></p> <p>Alteration <input type="checkbox"/></p> <p style="text-align: center;"><u>INTENDED USE(S) [in detail]</u></p> <p style="text-align: center;">New Garage</p>	<p style="text-align: center;"><u>PROJECT LOCATION</u></p> <p style="text-align: center;">4042 State Highway 29, R D 3, Matamata</p> <p style="text-align: center;"><u>LEGAL DESCRIPTION</u></p> <p style="text-align: center;">Lot 2 DPS 23175 Blk XI Tapapa SD</p>
---	--

<p style="text-align: center;"><u>INTENDED LIFE</u></p> <p>Indefinite but not less than 50 years <input checked="" type="checkbox"/></p> <p>Specified as years <input type="checkbox"/></p> <p>Demolition <input type="checkbox"/></p> <p>Being stage 1 of an intended 1 stages</p>	<p style="text-align: center;"><u>COUNCIL CHARGES</u></p> <p>The Council's total charges payable on the uplifting of this code compliance certificate, in accordance with the attached details are:</p> <p style="text-align: right;">Fee: \$25.00 PAID</p> <p style="text-align: right;">Receipt No. 1855430</p>
--	--

This is:

- A Final code compliance certificate issued in respect to all of the work under the above building consent.
- An interim code compliance certificate in respect of part only, as specified in the attached particulars, of the building work under the above building consent.
- This certificate is issued subject to the conditions specified in the attached .1.. page(s) headed "Conditions of Code Compliance Certificate No. (being this certificate).

Signed for and on behalf of the Council:

Name:



Position: Building Advisory Officer

Date:

18/2/03

REG-2F13 Issue 1

Form 5

Building Consent No. 2016.4599

Section 51, Building Act 2004



The Building

Street address of building: 4042 State Highway 29 RD 3 Matamata
Legal description of land where building is located: Lot: 2 DPS: 23175
Property id: 12798 Rating unit number: 05321/528.00
Assessment Number 214
Building name: Nil
Location of building within site/block number: Nil
Level/unit number: Nil

The Owner

Name of owner: Mr Gavin Taylor & Mrs Kim Taylor
Contact person: K Taylor
Mailing address: 4042 State Highway 29
RD 3
Matamata 3473

COPY

Street address/registered office: 4042 State Highway 29 RD 3 Matamata

Phone Number:
Landline: 07 888 2728
Mobile: N/A
Daytime: N/A
After Hours: N/A
Facsimile Number: N/A
Email Address: N/A
Website: N/A

First point of contact for communications with the council/building consent authority:

Plumb.Co (2004) Limited
PO Box 299
Matamata 3440

Phone Number:
Landline: 07 888 8147
Mobile: 027 4920616
Daytime: N/A
After Hours: N/A
Facsimile Number: 07 888 5981
Email Address: N/A
Website: N/A



Building Work

The following building work is authorised by this building consent:

Project type:	Alterations to
Proposed work:	Metro Tiny Rad Woodfire
Intended use:	Ancillary
Value of work:	\$2,000.00
Intended life:	>50 years

This building consent is issued under section 51 of the Building Act 2004. This building consent does not relieve the owner of the building (or proposed building) of any duty or responsibility under any other Act relating to or affecting the building (or proposed building).

This building consent also does not permit the construction, alteration, demolition, or removal of the building (or proposed building) if that construction, alteration, demolition, or removal would be in breach of any other Act.

This Building Consent is subject to the following conditions:

On Site Inspections

Listed below are the inspections that are required for this project. Should further inspections or extra time beyond that estimated be required, you will be invoiced accordingly.

The inspections required are:

Final Inspection

Compliance Schedule

A compliance schedule is not required for the building.

Person Rhiannon Campbell

Signature



Position Customer Services Advisor

On behalf of Matamata-Piako District Council

Date Building Consent Issued 23/02/2016



Form 7

Code Compliance Certificate No. 2016.4599

Section 95, Building Act 2004

The Building

Street address of building: **4042 State Highway 29 RD 3
Matamata 3473**

Legal description of land where building is located: **Lot: 2 DPS: 23175**

Rating unit number: **05321/528.00**

Building name: **N/A**

Location of building within site/block number: **N/A**

Level/unit number: **N/A**

Current, lawfully established, use: **Detached Dwelling
(Occupancy - 4)**

Year first constructed: **1950s**

The Owner

Name of owner: **Mr Gavin Taylor & Mrs Kim Taylor**
Mailing address: **4042 State Highway 29
RD 3
Matamata 3473**

Street Address/Registered Office: **4042 State Highway 29 RD 3
Matamata**

Phone number: Landline: **07 888 2728** Mobile: **N/A**
Daytime: **07 888 2728** After Hours: **N/A**

Facsimile Number: **N/A**

Email address: **N/A**

Website: **N/A**

First point of contact for communications with the Council/building consent authority:

**Plumb.Co (2004) Limited
PO Box 299
Matamata 3440**

Phone number: Landline: **07 888 8147** Mobile: **027 4920616**
Daytime: **07 888 8147** After Hours: **N/A**

Facsimile Number: **N/A**

Email address: **N/A**

Website: **N/A**

Building Work

Building consent number: **2016.4599**
Project: **Metro Tiny Rad Woodfire**
Issued by: **Matamata-Piako District Council**

Code Compliance

The building consent authority named below is satisfied, on reasonable grounds, that-

- a) the building work complies with the building consent

Signature:



Name:

Norm Barton

Position:

Building Control Manager

On behalf of:

Matamata-Piako District Council

Date:

17 March 2016

BLD-4/1.7 Issue 4
Auth Ref: BC_CCC2004

25/05/11

Certificates of Acceptance

The certificates of acceptance provisions in the Building Act 2004 came into force on 31 March 2005.

A certificate of acceptance was a new tool in the Building Act 2004. It can be used in situations where work has been done without a building consent, or where a building consent authority cannot issue a code compliance certificate.

A certificate of acceptance has some similarities to a code compliance certificate in that it will provide some verification for a building owner/future building owner that part or all of certain building work carried out complies with the Building Code.

Certificates of acceptance are based on the Code at the time the application is made rather than what was in place at the time a building consent was granted, should have been applied for, or when the work was actually carried out.

None known.

Has Work Been Exempt from Building Consent?

None known.

Requisitions, orders, notice to fix, notification of earthquake prone, dangerous or insanitary building?

None held on file.

Certificates and Schedules:

Buildings containing certain safety and essential systems, known as specified systems, require a compliance schedule. These specified systems ensure a building is safe and healthy for members of the public to enter, occupy or work in. The building owner must ensure continued effective operation of those features and systems and sign an annual building warrant of fitness.

Under the Building Act 2004, all buildings other than single residential buildings will require a compliance schedule and annual warrant of fitness if they contain any of the following:

- automatic systems for fire suppression (e.g. sprinkler system)
- automatic or manual emergency warning systems for fire or other dangers
- electromagnetic or automatic doors or window (e.g. doors or windows that close on fire alarm activation)
- emergency lighting systems
- escape route pressurisation systems
- riser mains for use by fire systems
- automatic back-flow preventers connected to a potable water supply
- lifts, escalators, travelators or other systems for moving people or goods within buildings
- mechanical ventilation or air-conditioning systems
- building maintenance units providing access to exterior and interior walls of buildings
- laboratory fume cupboards
- audio loops or other assistive listening systems
- smoke control systems
- emergency power systems for signs relating to a system or feature specified for any of the above systems or features.

No record of these systems on this property.

Information concerning any certificate issued by a building certifier pursuant to the Building Act 1991 or the Building Act 2004:

None known.

Information which has been notified to the territorial authority by any network utility operator pursuant to the Building Act 1991 or the Building Act 2004

None known.

Swimming/Spa Pool

Because Matamata-Piako District Council is required to enforce government legislation regarding the fencing of swimming pools, we have to maintain a register of all pools within the District that are deeper than 400mm. We therefore ask all pool owners to notify the Council of their pool/s and – in the case of a new pool – we ask that fencing details are shown on a building consent application.

No Record of a Swimming/Spa Pool on this property.

Frequently asked Building Questions

What if a LIM shows that no records are held by the Council but there is some works or building on the property?

A Land Information Memorandum (LIM) identifies the information held by the Council concerning any building consent or permit for existing buildings or structures. In some cases however, the Council's records may be incomplete, and there is a building in existence. The absence of Council's records for building permits or consents may mean any of the following:

- The building was erected without a permit or consent
- The Council no longer holds a record of the permit (past bylaws allowed for some records to be discarded after 10 years from the date of issue)
- The property was in the ownership of the Crown when the building was constructed and did not therefore require a permit.

What if I buy a property that has an existing building without any building consent or permit?

If building work has been carried out without a permit or building consent then there is no authority under the Building Act 2004 or any prior building legislation to retrospectively issue a building consent for the work. The Building Act 2004 provides that a Certificate of Acceptance may be issued where work has been done without a building consent. A Certificate of Acceptance will provide some verification for a building owner/future building owner that part or all of certain work carried out complies with the Building Code. A Certificate of Acceptance may only be issued in relation to building work carried out after 1 July 1991.

For buildings erected prior to 1 July 1991, without any building permit or for which Council holds no records, then Council is generally unlikely to take any action against the current owners of that building unless the building is dangerous or insanitary in terms of the Building Act 2004 or the provisions to the Health Act 1956. This assumes that the building complies in all other respects with other statutory requirements.

For work undertaken after 1 July 1991, for which the Council holds no record, it is likely that the building work was carried out without consent. If so, the property owner and the person who carried out the work may have contravened the relevant building legislation and enforcement action may be taken at the Council's discretion. If purchasers of properties require a report on a building they should engage a qualified builder or designer to inspect the building and provide the report. The Council is happy to put a copy of this report on the property file.

What type of work needs a building consent?

Basic building, such as laying a patio or installing kitchen cupboards, does not require a building consent, but most more complicated household projects do.

If you are considering building or plumbing work, you should contact Council.

For more information, visit the Building Act 2004 website: www.building.govt.nz

Section 6: Weathertight Homes Resolution Service

The matters which shall be included in a LIM are:

(ea) Information notified to the territorial authority under section 124 of the Weathertight Homes Resolution Services Act 2006...

Watertight Homes Information:

'Weather tightness' is the term used to describe the resistance of a building to the weather.

Weather tightness is not necessarily waterproofing, but rather ensuring against undue dampness inside buildings and damage to building elements as a result of this moisture. Since the mid 1990s, a considerable number of houses have been built using methods that won't withstand the weather conditions in New Zealand and therefore will not comply with the New Zealand Building Code. When it rains, some houses are leaking because of problems involving design and installation of materials. In some cases the materials themselves have been used inappropriately.

Is there a water tightness notification on file?

No record of watertight home notification held on file.

Section 7: Planning

The matters which shall be included in a LIM are:

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

(g) Information which, in terms of any other Act, has been notified to the territorial authority by any statutory organization having the power to classify land or buildings for any purpose...

Matamata-Piako Operative District Plan 2005

Our District Plan became Operative on 25 July 2005.

The District Plan provides a way for the Council and residents of Matamata-Piako District to achieve integrated management of the effects of the use, development, and protection of the district's natural and physical resources.

The plan is written under the provisions of the Resource Management Act 1991, in accordance with the Council's functions in Section 31 and duties in Section 32, to promote the social and economic well-being of the community, whilst providing for the sustainable management of natural and physical resources, by undertaking statutory regulatory functions.

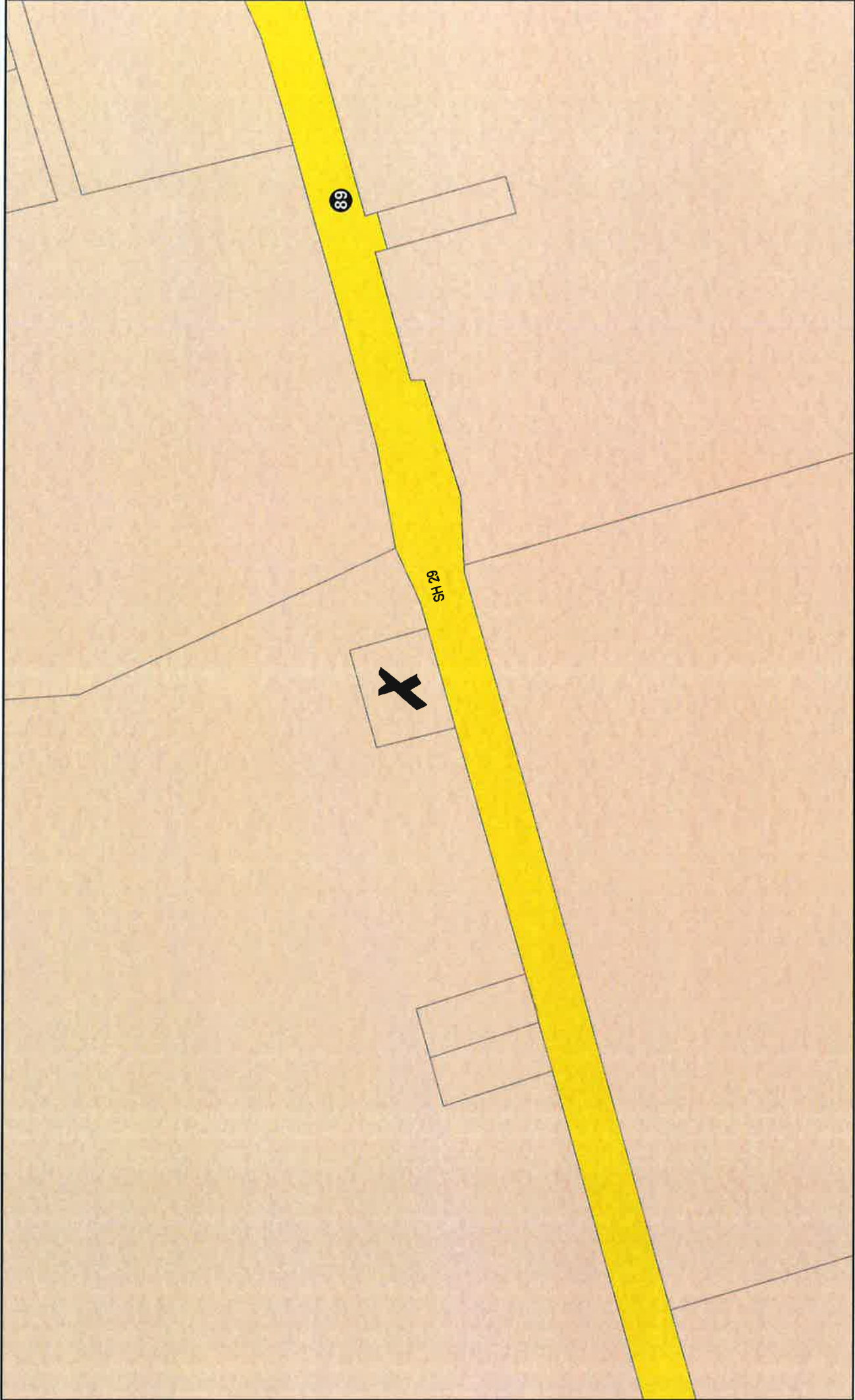
You can view the full Operative District Plan online: www.mpdc.govt.nz
- (Policies & Plans / Operative District Plan)

Zoning:

Rural – This zone allows for rural development providing for general farming activities – see attached Planning Map.

Additional overlays:

None known.



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05321/528.00

**LAND INFORMATION MEMORANDUM - DISTRICT PLAN
4042 STATE HIGHWAY 29 - MATAMATA
SCALE 1:2000 AT A4**



Proposed plan changes:

Is this property subject to any proposed plan changes?

The Matamata-Piako District Council is in the early stages of preparing a plan change to the District Plan, which seeks to update the District Plan provisions for papakāinga development (PC54). The aim is to ensure that the District Plan provides an enabling framework for quality papakāinga development that supports the social, cultural and economic wellbeing of tangata whenua.

At the moment the District Plan has not identified the areas for papakainga development. This means that any land in the Rural Zone and in the Rural Residential Zone could potentially be affected by the plan change. For more information please email our policy planner on: jsilva@mpdc.govt.nz

Plan Change 54 is on hold at the moment due to Covid -19.

Resource Consents

Land Use consents:

RCN 0105 to operate scenic boat trips and fishing trips on the Waihou River granted 25.03.1996.

Conditional Use Consent to subdivide property into 2 lots granted 05.05.1976.

Subdivision consents:

None known.

Requisitions:

None known.

Scheduled sites:

This site has the following buildings, objects or places classified as historical, natural beauty or waahi tapu sites:

None known.

Significant Natural Features

Significant Natural Features are significant areas of indigenous vegetation such as stands of native trees, areas of native bush or wetlands. Significant Natural Features in the district are assessed using eleven criteria, which are listed in the MPDC Operative District Plan (District Plan).

Significant Natural Features have either, been scheduled in the District Plan, protected through covenants and/or identified through ecological assessments. The District Plan includes mechanisms for their protection and preservation.

None known.

Designations:

The site has the following designations/other:

Subject property borders State Highway 29 (see attached planning map).

There are certain restrictions on vehicular access from state highways. To enquire about these restrictions contact New Zealand Transport Agency on (07) 958 7220 or write to them:

**New Zealand Transport Agency
PO Box 973
Hamilton 3240**

S G Bigwood

TE AROHA

In reply please quote: RCN 0105

11 April 1996

C R & J R McKenney
c/- Postal Delivery Centre
TE POI

Dear Sir/Madam

**DECISION ON RESOURCE CONSENT - REVIEW OF CONDITIONS : RCN
0105 C R & J R MCKENNEY, TAURANGA ROAD, MATAMATA**

At its meeting held on 3 April 1996 the Regulatory and Planning Committee reviewed the conditions of the above resource consent.

The following is the text of Council's resolution:-

"That the Matamata-Piako District Council hereby confirms that a review of conditions for resource consent RCN 0105 has been undertaken in accordance with condition 12 of that consent and that upon review condition 12 is to be deleted and replaced with the following condition:

12. That the Matamata-Piako District Council may review the conditions of this consent at any time to deal with any adverse effects on the environment which may arise as a result of the exercise of this resource consent."

It is brought to your attention that pursuant to Section 120 of the Resource Management Act 1991, the applicant or consent holder may within 15 working days of notice of Council's decision being received, appeal to the Planning Tribunal against the whole or any part of Council's decision on the the review of conditions.

Yours faithfully

S G Bigwood
PLANNER

SGB:RMF

Computer ID: OM051823SGB

Date: 25 March 1996

Folder Ref: RCN 0105

Computer ID: RP050120SGB

SGM



Report to: Regulatory and Planning Committee
By: S G Bigwood, Planner

REVIEW OF CONSENT CONDITIONS

PURSUANT TO SECTION 128 OF THE RESOURCE MANAGEMENT ACT 1991

SUMMARY

Consent was sought to operate scenic boat trips and fishing trips on the Waihou River in 1993. The consent was granted subject to a review condition.

In reviewing the consent, it was found that the conditions are appropriate to the operation and should remain. Conditions of consent not complied with can be monitored as part of Councils separate monitoring strategy.

RECOMMENDATION

That the Matamata-Piako District Council hereby confirms that a review of conditions for resource consent RCN 0105 has been undertaken in accordance with condition 12 of that consent and that upon review condition 12 is to be deleted and replaced with the following condition:

12. That the Matamata-Piako District Council may review the conditions of this consent at any time to deal with any adverse effects on the environment which may arise as a result of the exercise of this resource consent.

1.0 RESOURCE CONSENT

C R & J R McKenney, application for a non-complying activity.

2.0 BACKGROUND

- 2.1 An application was received by Council on 3 November 1993 for consent to operate scenic boat trips and fishing trips on the Waihou River. Full details of the proposal are described below as follows:

"The applicant operates from a jetty on the Tauranga Road property of P G & D J Prestcott. The scenic boat trips include a half day trip viewing wildlife and scenery or a night trip through a two kilometre reach of canyons full of glow worms. The trout fishing trips will aim to take fisherman into areas of the river inaccessible by foot.

The scenic trips will be run from 8.00am to 12 noon and 1.00pm to 5.00pm. The glow worm trips will start an hour before dark. Any trout fishing trips will run from first light until 8.00am.

The applicant operates a 14 foot glass over ply open boat powered by a 25 hp outboard motor. The boat is capable of accommodating three (3) passengers and the operator. The boat is equipped with life jackets, flares, fire extinguisher, and first aid kit.

The boat will only be operating at slow speeds during the trips so that the customers may fully appreciate the scenery and/or glow worms, and because the boat is powered by an outboard motor thereby requiring much greater care by the operator to ensure it is travelling in water of an acceptable depth. "

- 2.2 The application was publicly notified in the Matamata Chronicle on 4 November 1993 and submissions closed on 3 December 1993.

Three (3) submissions in opposition to the proposal were received from:

- Auckland/Waikato Fish & Game Council
- G S & M A Yeend
- Matamata Freshwater Anglers' Club

In general, the submissions are in favour of the proposal but only if a number of issues are addressed and/or adequately resolved to ensure that any adverse effects on the environment will be minor. Those issues raised are as follows:

- What type of craft and propulsion system is to be used?
- Boat speed to be limited.
- Fishing resource, particularly the Waiomou Stream, to be protected.
- Protection of wildlife and farm stock from people and noise.
- Removal of rubbish.
- Boat safety and equipment to be satisfactory.
- Protection of river banks from erosion.

One (1) submission of support was received from the Matamata Community Board.

- 2.3 The Regulatory and Planning Committee considered the application and submissions thereto at its meeting held on 22 December 1993. The following is the text of the Committee's resolution:

"That pursuant to Section 105 of the Resource Management Act 1991, the Matamata-Piako District Council grants its consent to C R & J R McKenney to operate scenic boat and fishing trips on the Waihou River, for the following reasons and subject to the conditions listed below:

- *Any actual effects on the environment as a result of the proposal will be minor.*

- *The proposal will maintain the amenity values and quality of the environment.*
- *The proposal is based upon exceptional abnormal circumstances which are not provided for in the Transitional District Plan. Allowing this application will not, therefore, affect public confidence that the Transitional District Plan is being administered in a consistent and coherent manner.*

Conditions of Consent

1. *That the boat be licensed by Council under the guidelines of the Maritime Safety Authority on an annual basis and shall include:*

- *the maximum number of persons which the boat can safely carry, i.e. four adults including the driver.*
- *the reach limits of the Waihou River which the boat is permitted to ply, being from the Tauranga Road bridge to the confluence with Waihou River and Waiomou Stream.*
- *the maximum speed which the boat is permitted to travel shall be twelve knots.*
 - (a) *Two oars or paddles of sufficient size to maintain control in the case of engine failure in a motor boat.*
 - (b) *A rudder or steering gear either separate from or incorporated with the propelling motor.*
 - (c) *One baler, one painter, two plugs for each drain plug hole (if fitted).*
 - (d) *One suitable fire extinguisher.*
 - (e) *One life-jacket of a type approved by the Standards Association of New Zealand (NZS 5823 : 1982) should be provided for each person on board.*
 - (f) *One lifebuoy or rescue quoit with suitable length of buoyant line attached.*
 - (g) *A radio telephone or mobile telephone.*
 - (h) *A first aid kit.*

2. *That the boat undergo and pass the following standard suitability test at the time of licensing:*

The boat, when empty of persons and provisions, but otherwise ready for its intended use, shall be capable of supporting one adult standing on the gunwale at the lowest point, without submerging the edge. For the purposes of this test a standard adult is assumed to weigh approximately 80 kgs.

3. *That the person in command of a licensed boat shall hold a local launchman's licence endorsed for the licensed boat and its playing limits issued by the Maritime Safety Authority or such other appropriate qualification of a higher standard issued by that Authority. Details of equivalent certificates may be found in the Shipping (Manning of Restricted Limit Ships) Regulations 1986.*
4. *That the number of boat trips, number of passengers carried and time trips undertaken be logged each day for the purposes of monitoring the activity and that results be forwarded to Council every three (3) months or at any other time requested by Council.*
5. *That the noise level from the watercraft shall not exceed the following at or within the boundary of any rural land use zone:*

At all times - 45 dBA equivalent Ldn

8.00pm to 6.00am on any day - 60 dBA Lmax

The noise level shall be measured and assessed in accordance with the requirements of NZS 6802:1991 (Assessment of Environmental Sound) and NZS 6805:1992 (Airport Noise Management and Land Use Planning). The noise shall be measured with a level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

6. *That a land use consent be obtained from the Waikato Regional Council, if necessary, for the launching ramp. Alternatively written confirmation from the Waikato Regional Council stating that no land use consent is required be submitted to Council.*
7. *That a detailed plan of that reach of the Waihou River between the Tauranga Road Bridge and the confluence with the Waiomou Stream be submitted to Council which identifies any proposed landing areas. All landing areas are to be approved by the landowner.*
8. *That all rubbish be disposed of in suitable containers with appropriate lids and removed from the river banks.*
9. *That toilet facilities suitably sited be provided near the assembly point to the satisfaction of the Council's Environmental Health Officer.*
10. *That five (5) parking spaces be provided and maintained on site.*
11. *That all on site parking, manoeuvring and access areas be constructed and maintained at all times of an all weather dust free surface.*

Note: An all weather dust free surface can be attained by constructing the areas of a 100mm thick metal base (the metal to be GAP40 or equivalent) and then dressed with a 20mm layer of AP20.

12. *That the conditions be reviewed within six (6) months from the date of this consent in accordance with Sections 128 and 129 of the Resource Management Act 1991.*"

3.0 STATUTORY REQUIREMENTS

In accordance with Section 131 (Matters to be Considered in Review) those matters in Section 104, whether the activity allowed by the consent will continue to be viable after change, and the manner in which the consent has been used, are to be assessed by the review process.

4.0 ASSESSMENT

- 4.1 On 14 February 1996 the site was inspected and Mr McKenney interviewed. Further clarification of issues were undertaken via telephone conversation on 22 March 1996.

- 4.2 Conditions of consent 1, 2 and 3 were imposed by the Committee after considering the Maritime Safety Authority's paper entitled "*Requirements for Launches and Boats not Exceeding 6 metres in Overall Length.*"

This document has now been reviewed and adopted. The paper is now entitled "*Guidelines for Launches and Boats not Exceeding 6 metres in Overall Length.*" A review of this document has revealed that other than the change in title, the content has remained generally unchanged. The conditions therefore remain relevant today as they did when they were imposed.

Conditions 1 - 4 (inclusive) were imposed with respect to the glow worm trips. A lack of customers, coupled with the (unrelated) damage to the boat meant that an evaluation of compliance with these conditions was not possible. However, it is again the assessment here that the conditions are necessary and appropriate. With recent boating accidents to the forefront of our national news, safety considerations can not be ignored.

Condition 5 was imposed after the Committee had considered the Regional Noise Control Office of the Department of Health's "*Guidelines for Noise from Watercraft (1993)*". No revision of these guidelines have been processed.

No complaints with respect to noise have been received by Council in relation to the Applicants activity. I was unable to measure the noise level of the activity but suggest the noise level would appear to be appropriate, especially given the fragile/pristine environment which is the glow worm habitat.

Confirmation from the Waikato Regional Council was received with respect to condition 6 (i.e. no land use consent is required for the launching ramp).

Condition 7 requires the Applicant to submit a detailed plan of the stretch of river pleyed and to identify all landing places. No such plan has been received by Council. The Applicant has, however, confirmed that all landowners have been approached and verbal consent given. I have spoken to a number of the landowners who have confirmed this action.

No complaints have been received by Council with respect to trespassing. Complaints have however been received with respect to the disposal of rubbish. In following up on those complaints, there was no evidence to suggest that the rubbish was left from the Applicants operation. This review is nonetheless an appropriate time to remind the Applicants that all rubbish should be removed from the river banks and that it is their responsibility as guides to ensure that their clients also act responsibly.

Conditions 9, 10 and 11 have not been met. In respect of this non-compliance, it is important that a toilet be provided. This needs actioning.

The carparking and access are, however, sufficient for the level of activity currently being experienced.

The conditions remain an integral part of the consent and should not be deleted. If the operation becomes more regular and numbers of clients increase, off-road access and parking will become a very important component of the Application.

- 4.3 The Applicants applied for consent to establish and operate fishing trips and sightseeing tours in late 1993 because the law regarding on-surface water activities at that time required them to do so. Since that time, the Resource Management (Transitional) Regulations 1994 have replaced Section 417A of the Resource Management Act.

The effect of the regulation is that unless an activity is specifically controlled, restricted or prohibited in a District Plan or Proposed District Plan deemed to be constituted under Section 373 of the Act or until a District Plan prepared under the first schedule to the Act provides otherwise, Section 9 (1) and (2) of the Act on the use of the surface of lakes and rivers do not apply. The Transitional District Plan (Matamata County Section) contains no such provisions, the Applicants could, if they were establishing their business today, do so without first obtaining a resource consent.

The Applicants have been made aware of the law change. They have made it quite clear however that they wish to retain their consent.

5.0 CONCLUSION

Generally the consent has been used in accordance with the intention for which consent was sought and in compliance with the conditions upon which consent was granted.

Report Prepared by:



S G Bigwood
PLANNER

Approved for Submission by:



P J Rolfe
DISTRICT PLANNER

COPY for information to:-

27/8/104

Branch Manager,
Valuation Department,
P.O. Box 9347,
HAMILTON NORTH

Mr. R. Roberts,
COUNTY BUILDING INSPECTOR.

19th May, 1976.

Messrs. Schofield, Petersen & Gould,
P.O. Box 43,
MATAMATA

Dear Sirs,

Town and Country Planning -
Matamata County District Scheme -
Application for Conditional Use -
G.V. Cobham.

With reference to previous correspondence and further to the hearing conducted on 5th May, 1976 (at which you appeared with your abovenamed client), I have to advise that at its meeting held yesterday the Council resolved as follows:-

"That the application by G.V. Cobham for consent to the subdivision of the property described as Part Lot 1 D.P.S. 1114 situated on State Highway No. 29 at Te Poi to provide two lots (Lot 1 having an area of 911m² and Lot 2 having an area of 1220m²) as residential sites as a Conditional Use under the Matamata County District Planning Scheme, be approved subject to the following conditions:-

- (1) Lot 1 to be amalgamated with Lot 1 D.P.S. 2608 and held in one certificate of title.
- (2) The balance area to be amalgamated with Part Lot 1 D.P.S. 11781 and held in one certificate of title.
- (3) No further entrances to the State Highway will be permitted except with the consent of the County Engineer and the Resident Engineer, Ministry of Works and Development.
- (4) The rear boundary of Lot 2 to be no closer than 3m to any accessory building either on Lot 2 or the balance area.
- (5) Existing outbuildings on the proposed Lot 2 and Pt. Lot 1 to be upgraded to the satisfaction of the County Building Inspector or else demolished.
- (6) Septic Tanks and associated drainage to be confined within the lot which it serves.
- (7) The supply of water to be to the satisfaction of the County Engineer.

Yours faithfully,

W.J. McBurney,
COUNTY CLERK

per:

WJR:DC

MATAMATA COUNTY COUNCIL

PROCEEDINGS OF HEARING OF SUBMISSION to the application by G.V. Cobham for consent to the subdivision of the property described as Part Lot 1 D.P.S. 1114 situated on State Highway No. 29 at Te Poi to provide two Lots (Lot 1 having an area of 911m² and Lot 2 having an area of 1220m²) as residential sites as a Conditional Use under the Matamata County District Planning Scheme, held in the Council Chambers, Tirau, at 10.30 a.m. on Wednesday, 5th May, 1976.

Present: Councillors A.W. Temm (Chairman), J.E. Bennett, C.H. Cochrane, P.D. Judd and I.C. MacKenzie.

In Attendance: County Clerk, County Engineer and County Planning Officer.

Messrs. W.B. Gould (Counsel), G.V. Cobham C.V. Cobham and D.B. Johnston (Sunny Park-Hinuera Co-op. Dairy Co. Ltd.) appeared in support of the application.

The Chairman read his Introductory Statement as follows:-

The purpose of this Hearing is to consider submissions to the application by G.V. Cobham for consent to the subdivision of the property described as Part Lot 1 D.P.S. 1114 situated on State Highway No. 29 at Te Poi to provide two Lots (Lot 1 having an area of 911m² and Lot 2 having an area of 1220m²) as residential sites as a Conditional Use under the Matamata County District Planning Scheme.

The Regulations stipulate the procedure to be followed by the Applicant in the way of advertising the proposal and the notification of persons likely to be affected. This has been complied with and the requisite Statutory Declaration has been received from the Solicitors acting for the applicant.

No objections to the proposal have been received.

This is a properly constituted meeting of a Committee of the Matamata County Council which will hear the Applicant who wishes to make submissions.

Messrs. G.V. Cobham, C.V. Cobham and D.B. Johnston were sworn in.

Mr. Gould called Mr. G.V. Cobham.

Mr. Gould read Mr. Cobham's submissions as follows:-

1. THE 13 acre block is now all that is left of the original family farm. I have lived on this farm all my life. I have been living in the present house occupied by me since 1948: I built the house when I got married.

2. I am now retired, aged 63 years. I have been receiving the pension since age 60. I was farming, but I worked for the Sunny Park-Hinuera Co-operative Dairy Company Limited off and on for five or six years, up until about 18 months ago. My savings are minimal, I do have some life insurance, and my wife and I own a Hillman Minx motor car valued at approximately \$1,000.00. Apart from those items, and the 13 acre block with house, we have no other assets of any significance.

3. MY wife and I are the only occupants of the house. We would not like having to move after all these years, and we would not want to live in town.

4. I am anxious that the section should be kept as small as permissible. I want to have a small area so that I can maintain it adequately. As I get on in years, no doubt it will become important to me to have a compact section. If the section is too large I would have to get a couple of sheep in to keep the grass down.

5. THE Dairy Company does not want to buy the house from me, but it does want the balance of my 13 acres. Although I have been advised that the Dairy Company does not want the house in the near future and has no long term plan for it, in the agreement for sale and purchase I signed with the Dairy Company on 5th November, 1975, I have given the right of first refusal to the Dairy Company in the event of my wanting to sell the property.

6. I am advised that the County Planning Officer has recommended that the septic tank and associated drainage be confined within my own section. At the present moment, the septic tank soakhole is situated just beyond the existing fence line, which is the eastern boundary shown on the plan of subdivision submitted to Council. The septic tank itself is situated within the fence line. As stated above, I am anxious to keep the section as small as possible, but if necessary I would agree to the eastern boundary being extended by six feet to encompass the septic tank soakhole. The soakhole has a concrete cover and is easily located.

7. I am aware that the County Planning Officer has recommended that the existing outbuildings on my proposed house section and on the land to be acquired by the Dairy Company be upgraded to the satisfaction of the County Building Inspector or else demolished. Attached hereto and marked with the letter "A" is a sketch plan showing the location of buildings in relation to the boundaries of Lot 2 as defined on the plan of subdivision submitted to Council. The shed marked B has already been demolished by me, and I am at present in the course of clearing away the timber. The hay-barn and poultry shed marked C will be demolished by me in due course. This may be after the land has been transferred to the Dairy Company. I am unable to say exactly when the haybarn and poultry shed marked C will be demolished, but I will get on to it as soon as my health and other considerations will allow. I wish to retain the garage marked D. I am in the course of upgrading this building: already I have re-sheathed two of the walls with corrugated iron, and I have iron to complete the building. The aluminium on the roof will have to be replaced at a later date, when time and money allow. At this stage, I do not contemplate doing any other work to upgrade the garage. The dairy shed marked E is not required by myself or by the Dairy Company as a dairy shed, but in the corner marked X there is a water pump which provides water to my house. It is a term of the contract made by me with the dairy company on 5th November 1975 that I continue to have the use of this water pump (which pump remains my property) after the land has been transferred to the Dairy Company. This pump requires housing, and so the cowshed yards and portion of the cowshed will be demolished, in due course, but portion of the shed itself will be remodelled to act as a pump house.

8. I am aware that the County Planning Officer has recommended that the rear boundary of my house section be no closer than three metres to any accessory building referred to in the above paragraph. I submit that now I have demolished the shed marked B that the rear boundary of my house section can be as defined on the plan of subdivision submitted to Council. That boundary is more than three metres from the rear edge of building D. The distance between the rear sides of buildings D and E is approximately 8 metres. The rear edge of building C is slightly in excess of three metres from the western boundary of Lot 2 as defined on the plan of subdivision.

Mr. Cobham stood down.

Mr. Gould called Mr. C.V. Cobham.

Mr. Gould read Mr. Cobham's submissions as follows:-

1. I am one of the owners of the residential site being Lot 1 Deposited Plan S. 2608 (Certificate of Title Volume 1105 Folio 107). The property is settled as a Joint Family Home upon my wife and myself.

2. WE have lived in this house for five years. It was my grandfather's house originally, and although it passed out of Cobham ownership for a while, it is now back in the family.

3. FOR some time I have felt that the section in which the house is situated is too small. I would like to be able to put in further gardens and to landscape the area. I feel this would make the house look more attractive, particularly from the road.

4. I want to put a bore down, to ensure a private water supply, but I am faced with the problem about where to put it. Every site would be too close to the house and to the septic tank. My section therefore needs to be enlarged to accommodate such a bore.

5. I hope that before long I will be able to build on to the house. At the present time it is effectively only a one bedroom house, and I hope to add on two further rooms. I would of course in due course have to apply for a building permit, and that would be the subject of a separate application. However, the increased area of the house would reduce the area of the grounds around it.

6. MY present section is only 911 square metres, and being less than 1,000 square metres this is very small for a residential section located in the country.

Mr. Cobham answered questions as follows:-

1. The present water supply to his dwelling was by way of roof supply.
2. He was not able to put down a bore.
3. He can only extend his dwelling to the rear of the property.
4. The shed on the property is on skids and can be moved.

Mr. Cobham stood down.

Mr. Gould called Mr. Johnston.

Mr. Gould read Mr. Johnston's submissions as follows:-

These Submissions are made by Douglas Blyth Johnston of Matamata, Company Manager.

1. I am the Manager of the Sunny Park-Hinuera Co-operative Dairy Company Limited, and am duly authorised to make these Submissions before Council.

2. THE Company wishes to purchase from Mr. G.V. Cobham the Applicant the balance of Lot 1 Deposited Plan S.1114, having an area of approximately 5.30 hectares, and it is therefore an interested party in this application. The agreement made between Mr. G.V. Cobham as Vendor and the Dairy Company as Purchaser dated 5th November, 1975 states that if this application is refused in full, the agreement to purchase Mr. Cobham's land will be void, and shall lapse altogether. 175

3. THE Dairy Company already owns certain lands in this area and attached hereto and marked with the letter "A" is a sketch plan showing the location of the Dairy Company's present holding, with particular relation to the situation of Mr. G.V. Cobham's "13 acre" block. It is apparent from that plan that the Dairy Company is the obvious purchaser for this 13 acre block of land, as the Dairy Company already owns land on all three sides.

4. THE Dairy Company uses its present farm land containing approximately 128 acres (that is the 42 acre and the 86 acre blocks shown on the attached plan) for effluent disposal and farming. It is intended that when the effluent disposal scheme to be described more fully shortly is in full operation the farm land will be used to milk 60 cows and graze approximately 120 heifers. A man will be employed to tend to those farming activities, and also to move the reticulation pipes. The Dairy Company has no desire to own farm land, and to indulge in farming activities for the sake of farming alone, but it owns this land merely as a way of disposing of effluent produced from its business operations.

5. AT the moment the Dairy Company has a temporary right to use the Waioumu Stream for the disposal of effluent, but this temporary right is the subject of an appeal by an objector. The Dairy Company has therefore speeded up its plans for the alternative scheme of disposal of effluent over farm land. A sprinkler system will be used to spread effluent to act as a manure, evenly over the pasture land. The necessary reticulation and tanks have been installed already on the 128 acres farm, but the quantity of effluent being produced could not all be disposed of on the 128 acres. The concentration would be too great, and instead of upgrading the pasture, the effluent would be detrimental to it. It is therefore necessary for the effluent to be spread over a greater area than the 128 acres already owned. For these reasons, the Dairy Company wishes to acquire the remainder of Mr. G.V. Cobham's 13 acre block.

6. IF the Dairy Company is restricted to the disposal of effluent on 128 acres only, it would be necessary for the effluent to be mechanically and/or manually spread elsewhere, on a different site altogether, and this would almost certainly involve the expensive procedures of carting whey away by tanker.

7. MR. G.V. Cobham's house, situated on the 13 acre block, is of no use to the Dairy Company. The Dairy Company has a farm house on the 86 acre portion of its farm, and the Company has sufficient accommodation for its present labour force along State Highway 27, as indicated on the attached plan. Besides that factor, Mr. G.V. Cobham's dwelling is probably not suitable for use as accommodation for the Dairy Company's labour force, and the dwelling would need extensive capital expenditure to make it so. The Dairy Company believes that if Mr. G.V. Cobham is allowed to subdivide his house and section, that the house will not be the start of another housing settlement, at least not at the instigation of the Dairy Company, as the Dairy Company already has sufficient room for development and expansion of its housing in the area marked D on the attached plan.

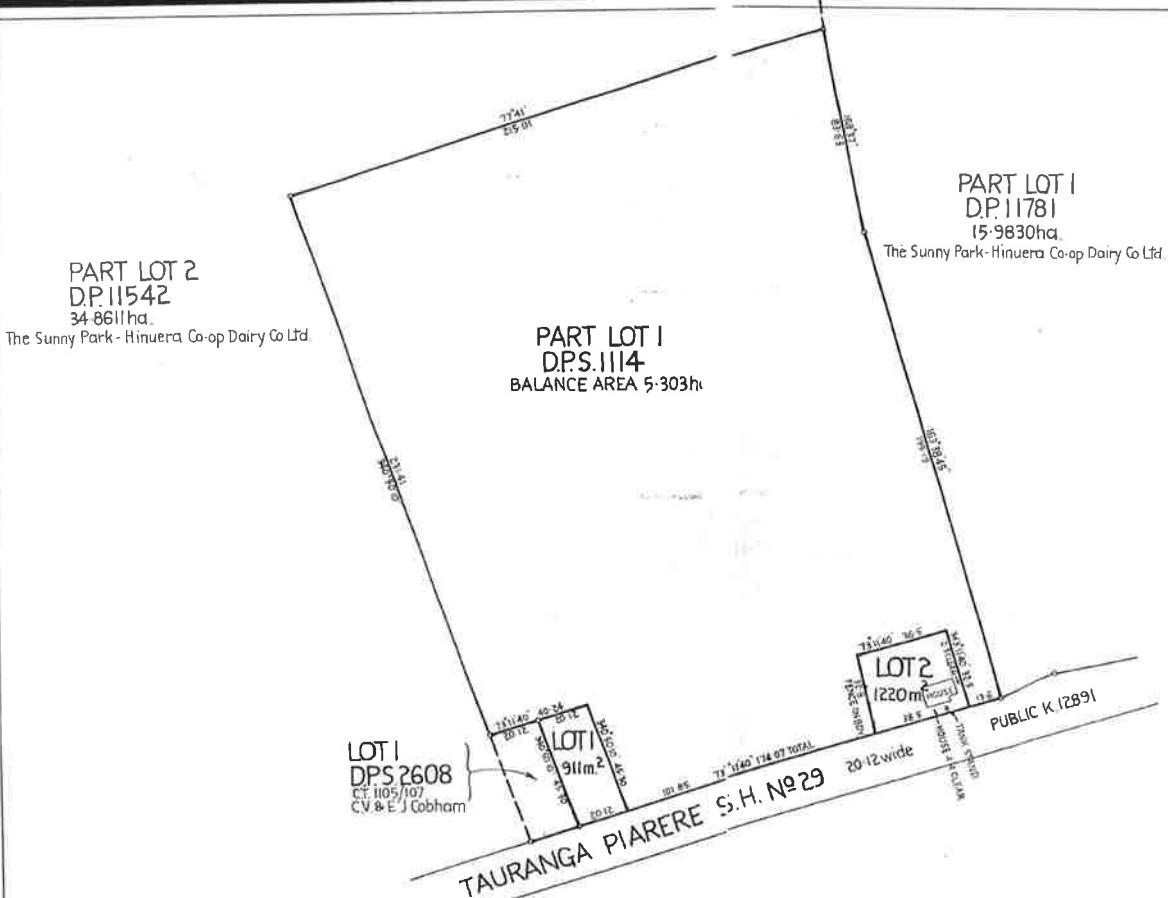
8. THE Sunny Park-Hinuera Co-Operative Dairy Company Limited is now a sizable Company, processing in excess of 4 million kilograms of milkfat per annum. The Company needs a greater area of land than it already owns in which to dispose of all effluent in an acceptable manner. The Dairy Company does not wish to be put

to the extra capital expenditure in acquiring Mr. G.V. Cobham's house as well as his land, as that would be extra expenditure with no return to the Company. The Company is quite prepared that the land to be acquired from G.V. Cobham should be amalgamated with portion of its other lands adjoining the 13 acre block. It is noted that the County Planning Officer has recommended that the area to be acquired be amalgamated with part Lot 1 Deposited Plan 11781, which is the land in Certificate of Title Volume 19B Folio 1187 shown on the plan attached. With respect, the Company would prefer that the land to be acquired be amalgamated with the land on the western side, the 86 acre block, being the land in Certificate of Title Volume 1021 Folio 13 (part Lot 2 Deposited Plan 11542). The reason for this is that the 13 acre block more properly belongs with the 86 acres in view of the geographical relationship of the two. Between the 42 acre block and the 86 acre block there is a Catchment Board Drain, lying at the bottom of a deep gully and this borders the 13 acre block as well. The drain is shown marked C on the attached plan.

Mr. Johnston outlined buildings on the Company's property and the Company's policy of re-siting of houses in selected housing area.

He stated that the suggested amalgamation condition would not be any embarrassment to the Dairy Company.

The Hearing concluded.



Approved
<i>J. W. Barr</i> Registered Owner
Approved by the Matamata County Council under Section 22 of the Counties Amendment Act 1961 at a meeting held on the _____ day of _____ 1975, subject to the conditions contained in Resolution No. _____
Councillor
Councillor
County Clerk
Total Area 5.5161 ha Comprised in CT 1021/157
I, John Peter Barr, Registered Surveyor, hereby certify that this scheme plan has been prepared by me in accordance with the provisions of Part 6 of the Counties Amendment Act 1961 and the first schedule to that Act. <i>J. Barr</i> Registered Surveyor
Field Book <input checked="" type="checkbox"/> Traverse Book <input checked="" type="checkbox"/>
Reference Plans
Examined <input checked="" type="checkbox"/> Correct
Approved as to Survey
Chief Surveyor
Deposited this _____ day of _____ 1975
District Land Registrar
File Number 431

LAND DISTRICT SOUTH AUCKLAND
SURVEY BLK & DIST. BLK XI TAPAPA S.D.
NZMS 177 SHEET N^o. N.66

PROPOSED SUBDIVISION OF PART LOT 1 D.P.S. 1114
(PART OKAUIA N^o 1 BLOCK)

LOCAL AUTHORITY MATAMATA COUNTY
Surveyed by J. Barr
Scale 1:1000 Date DEC. 1975

© 1975 J. P. Barr, Surveyor. Deposited at Land and Survey Department.

Section 8: Other consent, certificate, notice, order, or requisition

The matters which shall be included in a LIM are:

(d) Information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by the territorial authority (whether under the Building Act 1991, the Building Act 2004, or any other Act)

(g) Information which, in terms of any other Act, has been notified to the territorial authority by any statutory organisation having the power to classify land or buildings for any purpose...

Hazardous Substances

None known

Licences

Certificate of Registration/Licencing Issued

No current Health Registration Certificates on record for this property.

Liquor Licencing

No current Liquor Licences (On/Off/Special) on record for this property.

Environmental Health

Is this property subject to a cleansing order?

The inclusion of information about houses where there has been contamination by a P Lab operation. If Council has been notified by the police about the potential contamination the Environmental Health Officer will issue a cleansing order on the property under the Health Act 1956.

None on file.

Is this property subject to a closing order?

Environmental Health Officer may also issue orders pursuant to Section 42 of the Health Act 1956, this will happen where a dwelling is insanitary and likely to cause harm to human health, or because of overcrowding.

None on file.

Is there any information known to the Environmental Health Officer regarding the supply of water by the owner?

If the land is supplied with water by the owner of the land, Council must provide any information the territorial authority has about the supply (under Section 44 (bb) LGOIMA).

None on file.

Other Notifications

Road Frontage Permits?

No current authority to Graze Road Frontage Permits on record for this property.

Requisition, Notice, Orders, Other - MPDC

Not relevant to this property.

Requisition, Notice, Orders, Other – other statutory organisation

Is there any information which, in terms of any other Act, has been notified to the territorial authority by any statutory organisation having the power to classify land or buildings for any purpose?

Not relevant to this property.

Section 9: Refuse Information

Kerbside Collection:

Kerbside collection for the property is: Not Available

Refuse Transfer Stations and Recycling Centres

The district has Refuse Transfer Stations and Recycling Centres at Matamata, Morrinsville and Waihou. Free Recycling facilities are available at all three sites.

Transfer stations are open **10am to 4pm** on selected days:

Refuse & Recycling Transfer Stations	
Matamata	Mangawhero Road (07) 888 5700 Tues, Wed, Thurs, Sat & Sun
Morrinsville	Roache Road (07) 889 3401 Mon, Tues, Thurs, Sat & Sun
Waihou	State Highway 26 (07) 884 8831 Wed, Fri & Sun

Please note that **all sites are closed** on the following days:
Good Friday, Anzac Day (Until 1pm), Christmas Day, Boxing Day and New Year's Day

Section 10: Development, Network and Financial Contributions

Development and Network Contributions

The purpose of development contributions is to enable Council to recover from those persons undertaking development a fair, equitable, share of the total cost of capital expenditure necessary to service growth over the long term.

Development contributions may be required for new developments if the effect (including the cumulative effect that a development has in combination with other developments) of the developments will require new or additional assets. Development contributions may also be charged if the developments require assets of increased capacity and, as a consequence, we incur capital expenditure to provide appropriately for those assets. We are also able to require a development contribution for capital expenditure incurred in anticipation of development.

The Local Government Act 2002 allows councils to charge development contributions to help fund:

- network infrastructure - the provision of roads and other transport, water, wastewater, and stormwater collection and management;
- community infrastructure – the provision of the following assets when owned, operated, or controlled by Council:
 - community centres or halls for the use of a local community or neighbourhood, and the land on which they are or will be situated;
 - play equipment that is located on a neighbourhood reserve;
 - toilets for use by the public.
- reserves - this includes both land acquisition and development.

Under our Development Contributions Policy we only charge development contributions to help fund network infrastructure – which is the provision of roads and other transport, water, wastewater, and stormwater collection and management. Calculations are based on units called Household Equivalent Unit (HEU). This measures the impact generated by one house and this rate is applied to a new lot, building an additional house, and when building on or making additions to a commercial, industrial, retail or intensive farming property that make a building bigger than a single HEU.

Development contributions are charged when you apply for a:

- a resource consent (including a change to a condition of a resource consent under section 127 of the Resource Management Act 1991); or
- a building consent or a certificate of acceptance under the Building Act 2004; or
- a service connection.

A 224 Certificate (for subdivisions), Code Compliance Certificate or a certificate of acceptance (for buildings), will not be issued if the development contributions haven't been paid in full. Land use resource consents will not be able to proceed and service connections will also be withheld if the development contributions haven't been paid in full.

You can object to or apply for reconsideration of your development contributions and you can find more information at www.mpdc.govt.nz/Building in the development contributions policy clauses 8.2 and 8.2A.

Network Contributions

Network contributions are development contributions and are charged under the Development Contributions Policies 2004-2014 and 2006-2016. Properties that were created under the Development Contributions Policies 2004-2014 and 2006-2016 may incur these contributions. Development contributions under these historic policies were split into two sums:

- The portion paid at time of subdivision (224 Certificate for each stage)
- Network contributions to be paid at time of building consent by the owner of the property.

A 20% discount will be applied to the network contributions owing for each year that the property pays rates for unconnected services, (water, wastewater & stormwater). After a property has paid five years of rates for unconnected services they will have earned a 100% discount on network contributions owing at time of building and would therefore not be charged any network contributions.

Financial Contributions

Under the District Plan you may be required to pay financial contributions to mitigate the effects on Council infrastructure and community facilities. These are typically required to cover the costs of an additional housing development or vacant section on parks and reserves. This parks and reserve contribution is also required when a building on a house site exceeds 35% site coverage. These contributions are imposed as a condition of resource consent or building consent. Financial contributions can also be imposed to mitigate the impact on Council infrastructure such as roads. This is also assessed through the resource consent process and imposed as a condition of consent.

A 224 Certificate (for subdivisions) or Code Compliance Certificate (for buildings) will not be issued if financial contributions have not been paid in full. You are entitled to object to financial contributions in accordance with the Resource Management Act 1991.

Not relevant to this property.

Section 11: Additional Information

The Council may hold additional information or report(s) relating to this property that are not required to be supplied in a Land Information Memorandum under section 44A of the Local Government Official Information and Meetings Act (LGOIMA). You are able to apply for a copy of any such information or report(s) to be supplied to you under Section 10 of LGOIMA. If Council can release additional information under section 10 of LGOIMA to you it will do so within 20 working days of your request being made. Council does not accept any responsibility for the contents or accuracy of any information released under section 10 of LGOIMA. The provision of additional information is made in good faith by Council and subject to the provisions of section 41 of LGOIMA. You will incur collation and copying charges for the provision of this information in accordance with Council's current fees and charges.

Section 12: Other Services

It should be noted that this Land Information Memorandum only refers to information held by Council – it does not include information held by other organisations. Other organisations should be contacted separately if required.

The following organisations should be able to help you with specific enquiries:

Drainage/river classifications

Waikato Regional Council 0800 800 401

Electrical

POWERCO - Network Enquiries 0800 769 372

POWERCO – Faults 0800 272 727

Energex Matamata 07 888 4326

Telephone

Telecom 123

Refuse services

Business and farm waste:

Website www.nothrow.co.nz

Silage wrap collection:

- **Matamata** – Slattery Contracting, 07 888 8647
- **Tirau** - Precision Harvesting, 0800 474 524
- **Morrinsville** – Louise Bonnar, 07 887 4881 (sells bin and liner system – does not collect)
- **Eureka** - Walling Contracting, 07 824 0894 (collect in Morrinsville)

Methamphetamine (Meth, P) Testing:

Hills Laboratories

Website www.hill-laboratories.com

Section 13: Contact Details

If you have any questions regarding the contents of this LIM report, contact customer services:

Phone: 0800 746 467

Email: info@mpdc.govt.nz

Fax: 07 884 8865

Post: PO Box 266
Te Aroha 3342

Or visit any of the area offices:

Te Aroha:
35 Kenrick Street
Te Aroha

Matamata
Cnr Tainui and Tui Streets
Matamata

Morrinsville
56-62 Canada Streets
Morrinsville

Section 14: Disclaimer

This Land Information Memorandum ("LIM") has been prepared by Matamata-Piako District Council ("Council") for the purposes of section 44A of the Local Government Official Information and Meetings Act 1987. It includes the information required by sub-section 44A(2) that is known to Council (at the time of issue of the LIM) to be relevant to the land described.

The LIM is not a comprehensive assessment of the land. It is based on a search of Council records only and no inspection of the land or any building on it has been undertaken for the purpose of preparing the LIM. There may be other information relating to the land that is unknown to Council. Council records may not show illegal or unauthorised buildings or works on the property. Further information relevant to the land may be found in Council's District Plan. Should you have any doubts about the property, you are advised to employ a relevant independent consultant. You are solely responsible for ensuring that the land is suitable for a particular purpose

The Council and its officers, employees and agents accept no liability for any inaccuracy in, or omission from, this information or liability for any loss or damage suffered by any person that may directly or indirectly result from any person acting or refraining from acting on this information.

This information has been prepared for the recipient to whom it is addressed and is intended for that recipient's use only. It is not intended to be relied on by any other person.

Any plan, map, aerial photographs or diagrams attached to the LIM are for illustrative purposes only and are not confirmation of the legal position of the boundaries; or any services on the land.

Where information has been supplied to Council by a third party, Council cannot guarantee the accuracy of that information and it is supplied on the understanding that no liability shall arise or be accepted by the Council for any error contained therein.