

Statement of Passing Over Information

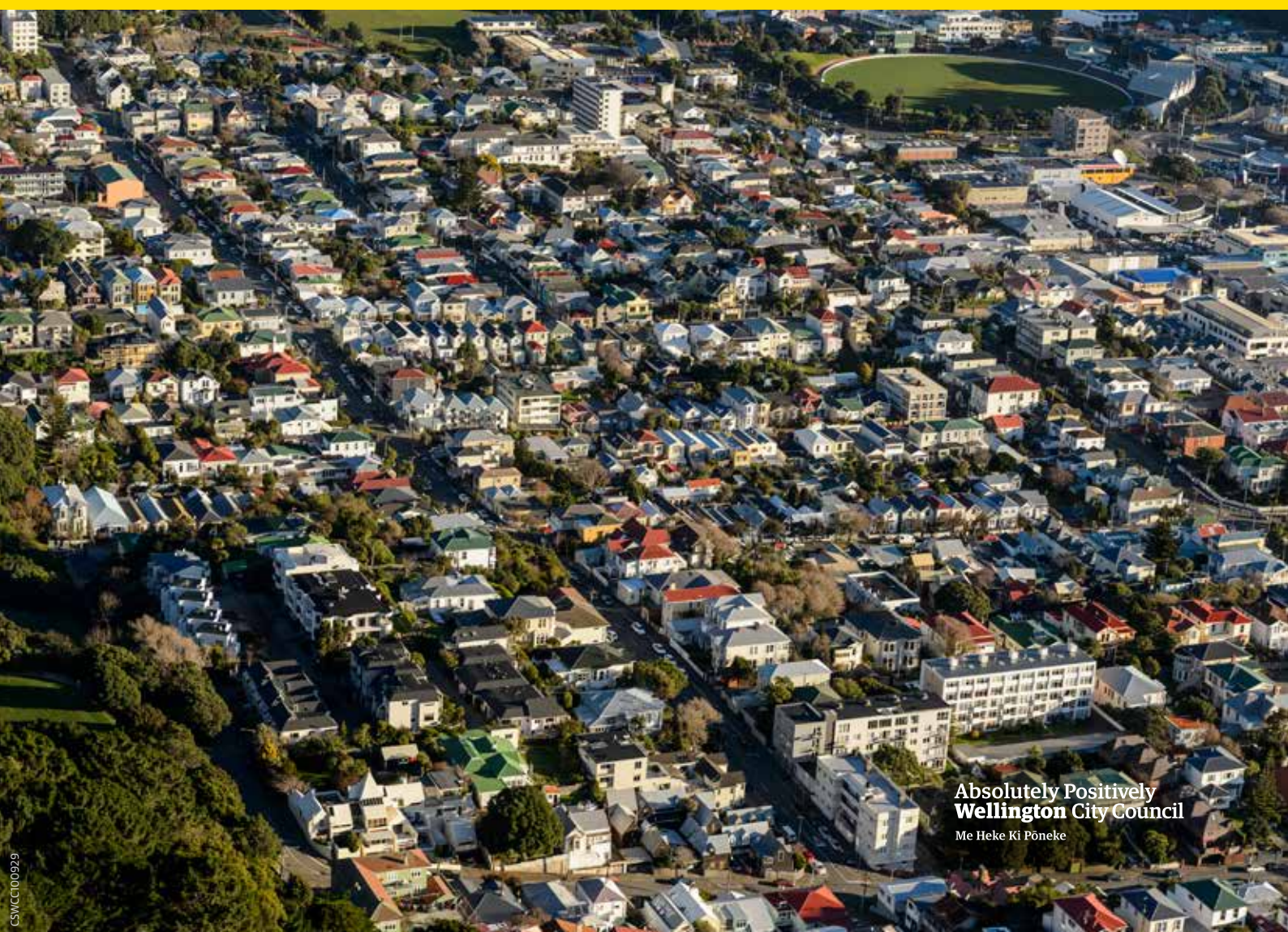
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LIM REPORT

115 Vivian Street | Te Aro

Residential Land Information Memorandum



**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke

Land Information Memorandum

**115 Vivian Street,
Te Aro**

11 March, 2025

Professionals Wellington City & Suburbs
27 Buller Street
Te Aro
Wellington 6011

Service Request No: 556809
File Reference: 0600 605117

Attention: Claire Woodhead

Land Information Memorandum (LIM)

Please refer to the attached LIM for 115 VIVIAN STREET, Te Aro, as requested by you.

On 14 March 2024, Wellington City Council made decisions on parts of the Proposed District Plan. These have been incorporated into the 2024 Wellington City District Plan (2024 District Plan).

Until decisions are made on remaining parts of the Proposed District Plan, both the 2024 District Plan and 2000 Wellington City District Plan (2000 District Plan) may need to be consulted to determine the classification of any existing or proposed activity on the subject property.

Please refer to Page 5 of the LIM for more information.

Yours sincerely

Amy Macdonald
LIM Team
City Consenting and Compliance
Wellington City Council
Telephone: (04) 801 4303

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Land Information Memorandum

For any queries relating to the contents of this LIM, please contact the relevant department in question. Contact information for each department can be found at the end of each section.

Address	115 VIVIAN STREET, Te Aro – Unit 401
Legal Description	LOT 3 DP 386 – Unit 401 and AU 4J, B11 and 1/50 share of AU B1 DP 335843
Record of Title	702391

Note: The land which is the subject of this application is part of a cross lease or a unit title subdivision. Hence Council property records consulted relate to the underlying land known as Lot 3 DP 386.

Special Features of the Land

	Information Included	No Information Found
Erosion <i>(The wearing away of land by running water, rain, wind or other geological agents)</i>		✓
Avulsion <i>(The sudden removal of land by the change in a river's course, or by flooding to another person's land)</i>		✓
Falling debris <i>(The dislodgement of rock or earth from above)</i>		✓
Subsidence <i>(A gradual sinking of land with respect to its previous level)</i>		✓
Slippage <i>(The downhill movement of land)</i>		✓
Alluvion <i>(The deposit of earth, sand, etc, left during a flood)</i>		✓
Inundation <i>(History of being prone to flooding or overflowing)</i>		✓

To access the Earthquake Commission's (EQC) Natural Hazards Portal for information held by EQC:

[Natural hazards in your area \(naturalhazardsportal.govt.nz\)](https://naturalhazardsportal.govt.nz)

District Plan

District Plan Map

Refer to the attached Property Report. Please note this report may contain other information from the 2024 District Plan that has not yet been determined.

Zone

This property is located in a City Centre Zone.

This property is located in a Height Control Area: 42.5m.

This property is subject to Verandah Control.

This property is located within an Inundation Area (Flood Hazard Overlay).

This property is located within an Overland Flow Path (Flood Hazard Overlay).

This property is located within a High Noise Area (State Highway Designation 40m Setback).

This property is located within a Moderate Noise Area (City Centre Zone).

Vivian Street is rated as a State Highway (SH1).

Designations

This property is located within Designation WIAL1 - Wellington Airport Obstacle Limitation Surfaces.

Please note, the above information only identifies zones and designations applying to this property. For information about the wider area, please refer to the 2024 District Plan.

Decisions relating to parts of the Proposed District Plan were made on 14 March 2024 and have been incorporated into the 2024 District Plan. There are still decisions to be made that may impact any existing or proposed activity on the subject property or nearby properties.

Please see the following webpage for more information:

[Decision making and status of provisions - Plans, policies and bylaws - Wellington City Council - https://wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/decision-making-and-status-of-provisions](https://wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/decision-making-and-status-of-provisions)

The 2024 and 2000 District Plans should be consulted to determine the classification of any existing or proposed activity on the subject property. Resource consents may be necessary for activities that are not permitted activities. The District Plan can be viewed online at the Wellington City Council Service Centre, 12 Manners Street, Te Aro, at Wellington City Libraries, or visit the Wellington City Council website (see link below).

[2024 District Plan ePlan - https://eplan.wellington.govt.nz/proposed/](https://eplan.wellington.govt.nz/proposed/)

[2000 District Plan ePlan - https://eplan.wellington.govt.nz/eplan/](https://eplan.wellington.govt.nz/eplan/)

District Plan Changes

From time to time the Council makes amendments to the contents of the District Plan by publicly notifying District Plan changes. These changes are relevant on the date they are publicly notified. When they are first released the changes are referred to as 'proposed Plan Changes'. Once the plan change process is completed they become 'operative plan changes'.

For details of any plan changes that may affect this property, please visit the Wellington City Council website (as above).

If you have any queries regarding this section, please contact the Planning Customer Service Team. Email planning@wcc.govt.nz or Telephone: (04) 801 3590

Historic Heritage

Scheduled historic heritage in the 2024 District Plan, including:

None.

- ***Heritage buildings***
- ***Heritage structures***
- ***Heritage areas***
- ***Archaeological sites***
- ***Sites and areas of significance to Māori***
- ***Notable trees***

Heritage New Zealand Pouhere Taonga identification

Council has not been given notice that this property is included in the New Zealand Heritage List of Historic Places, Historic Areas, Wāhi Tūpuna, Wāhi Tapu, and Wāhi Tapu areas.

Heritage Orders under Part 8 of the Resource Management Act 1991

There are no heritage orders on this property.

Heritage New Zealand Pouhere Taonga Archaeological Site Identification

There is a recorded archaeological site on this property – NZAA Site: R27/270 - Thomas Ward Survey - 1891.

This is based on data from the New Zealand Archaeological Association.

Contact Heritage New Zealand Pouhere Taonga on <https://www.heritage.org.nz/> for further information.

If you have any queries regarding this section, please contact a Heritage Advisor. Telephone: (04) 499 4444

Resource Consents

- | | |
|---|--|
| (a) Subdivision | There are Subdivision consents for this property. |
| (b) Land Use | There are Land Use consents for this property. |
| (c) Other types of Consents | There are no other types of consents for this property. |
| (d) Resource Consents for adjoining properties | SR 23017, SR 57150, SR 65293, SR 141764, SR 141716, SR 194016, SR 417793 |

Unit Title Subdivision

28 February 1997 – SR 27724

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for a unit title subdivision (14 units). Refer to the attached documents for further details.

6 April 1999 - SR 50781

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for a unit title subdivision (16 additional units). Refer to the attached documents for further details.

29 January 2004 - SR 111063

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for a unit title subdivision (50 units and 48 accessory units). Refer to the attached documents for further details (including Change of Conditions SR 117285).

Land Use

12 December 1996 - SR 25388

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for the conversion of an existing industrial building to 14 apartments. Refer to the attached documents for further details.

11 August 1998 - SR 43663

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, to construct a two storey addition onto the existing three storey building and a new veranda to be erected directly above the first storey (ground floor) windows of the building. Refer to the attached documents for further details.

18 September 2002 - SR 89681

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for the addition of four storeys to an existing three storey Central Area building. Refer to the attached documents for further details.

Note: If a consent has not been given effect to, then it may have lapsed depending on the legislation under which it was authorised.

If you have any queries regarding this section, please contact the Planning Customer Service Team. Email planning@wcc.govt.nz or Telephone: (04) 801 3590

Town Planning and/or Local Government Act 1974

There is a record of consents for this property.

Council granted approval in principle dated 16 November 1972, subject to conditions, for the erection of a three storey building to be used by the Police Department.

Council holds information regarding the subdivision of this property prior to 1990.

No documents relating to this consent have been attached. If required, they can be requested from the Wellington City Archives [Archives - Wellington City Council](https://wellington.govt.nz/arts-and-culture/archives) (<https://wellington.govt.nz/arts-and-culture/archives>)

Legal Documents

There are legal documents attached.

- Resolution Conditionally Consenting to the Construction of a Cellar dated 5 February 1973.
- Consent Notice dated 15 May 1997.
- Section 221(5) Certificate dated 23 July 2004.

Rates and Levies

Rates	There are no outstanding rates for this property.
Water Rates	This property does not have water rates associated with it.
Sludge Levy	The annual sludge levy for this property is \$68.71

Properties in the rating categories BGR1, BGR2, BGC1, and BGC2 are subject to an annual sludge levy for the purpose of funding certain costs relating to the construction of a sludge minimisation facility at Moa Point, Wellington. The levy period is 1 July 2024 to 30 July 2057. Liability for the levy is assessed in accordance with clauses 13 to 19 of the Infrastructure Funding and Financing (Wellington Sludge Minimisation Facility Levy) Order 2023.

For information on the sludge levy billing and rating categories please see: [Billing categories - Rates - Wellington City Council](#) and [Rates for 2024/2025 - Rates - Wellington City Council](#)

Refer to attached computer printout for rates and levies.

For valuation information, please contact Quotable Value: [QV - Discover your property value](#)

***If you have any queries regarding this section, please contact Rates.
Telephone: (04) 499 4444***

Building

Building Permits	There is a record of building permits for this property.
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Please refer to attached copies of computer details for building permits.

Building, plumbing, and drainage permits issued under the bylaws made pursuant to the Local Government Act 1974 have now expired. The bylaws relating to building permits were superseded by the Building Act 1991 and subsequently by the Building Act 2004.

Unauthorised or incomplete building, plumbing and drainage permitted work done prior to the implementation of the Building Act 1991 in January 1993, now has the status of “an existing situation”. Unless the building is either dangerous or insanitary, as defined under Sections 121 and 123 of the Building Act 2004 (refer to the Appendix II section of this document), Council is precluded from taking any further action to require the owner to complete the work in accordance with the original building permit.

It is not practical to copy the information relating to permits and/or completed consents held at Wellington City Archives. If you wish to sight this information, please contact the Archives on (04) 801 2096.

Building Consents

There is a record of building consents for this property.

There are no outstanding building consents for this property.

Please refer to attached copies of computer details for all building consents.

Building consents have replaced building permits as a result of the implementation of the Building Act 1991, and subsequently the Building Act 2004.

Under Schedule 1 of both Acts, some types of building work are exempt from the need to obtain a building consent. If building work that needs consent was carried out after January 1993 without consent first being obtained that work is not authorised and the Council may require the property owner to:

- (i) Demolish or remove the work,
- (ii) Upgrade to building code requirements (consent may be required, contact BCC on (04) 801-4311),

- (iii) Apply for Certificate of Acceptance (refer to Certificate of Acceptance section below).

The Council may prosecute persons who contravene or fail to comply with the Act or with a notice issued under the Act, for example a notice to rectify issued under the Building Act 1991, or a notice to fix issued under the Building Act 2004.

Under Section 52 of the Building Act 2004, a building consent lapses and is of no effect if the building work has not been commenced within 12 months of the date of issue, or any further period that the building consent authority may allow.

An owner must apply on the prescribed form for a Code Compliance Certificate when all building work covered by the building consent is complete. A Code Compliance Certificate will be issued once the Council is satisfied that the building work has been completed in accordance with the building consent and complies with the Building Code.

Computer Status Definitions:

“Completed” means a Code Compliance Certificate has been issued.

Certificate of Acceptance

There is no record of a Certificate of Acceptance relating to building work at this property.

Section 96 of the Building Act 2004 provides for a Territorial Authority (i.e. a council) to issue a Certificate of Acceptance in certain circumstances. When issued a Certificate of Acceptance is limited to the extent to which the Territorial Authority was able to inspect the building work in question.

Application for a Certificate of Acceptance may be made in the following circumstances:

- Work was carried out without a building consent, where a building consent was required but not obtained.
- Work was carried out under urgency.
- A private building certifier refuses or is unable to issue a Code Compliance Certificate and another building consent authority is unable or refuses to issue a Code Compliance Certificate.

Building Complaints

There is no record of unresolved complaints for this property.

Building Correspondence

There is no record of building correspondence for this property.

After 31 March 2005 Building Consents issued under the 1991 Building Act will be deemed to be issued under the 2004 Act.

If you have any queries regarding this section, please contact Building Compliance & Consents. Telephone: (04) 801 4311

Compliance Schedule and Warrant of Fitness

We advise that the property has a current building warrant of fitness which expires on 16 December 2026.

Section 100 of the Building Act 2004 requires all buildings containing any specified systems listed in the Regulations 2005/32 to have a **compliance schedule** and for the owner to display a **Compliance Schedule Statement for the initial year**, and thereafter, annually, issued and display a warrant of fitness relating to those systems in that building as specified in the compliance schedule.

Refer to Appendix III - **Sections 100 & 108 of the Building Act 2004.**

Earthquake Prone Building

The national framework for managing earthquake-prone buildings took effect in July 2017 via changes to the Building Act 2004, along with regulations and the Earthquake-prone Building Methodology. This change has removed the requirement for Councils to have individual earthquake-prone building policies and creates a single national policy.

These earthquake-prone building provisions apply to non-residential buildings and some residential buildings if they are:

- Two storeys or more and have three or more household units, or
- Two storeys or more and used as a hostel, boarding house or other specialised accommodation

Other specific exclusions include farm buildings, retaining walls, fences, certain monuments, wharves, bridges, tunnels and storage tanks.

Under the Wellington City Council's previous Earthquake-prone Building Policy 2009 any pre-1976 commercial building or any pre-1976 residential building which is two or more stories high and contains three or more residential units was assessed to determine an earthquake-prone status. The status resulting from these assessments remain active.

This building is not considered earthquake-prone.

This status comes as a result of an assessment process carried out under Council's previous earthquake-prone building policy 2009 which Council is reasonably satisfied qualifies as a previous assessment in terms of the current EPB Methodology. The original assessment process was part of a programme of assessments and subject to a moderation process and oversight by suitably qualified engineers.

If there are changes to legislation, the loading standard or if the Council receives further information, a building may require an assessment or reassessment to consider whether it is earthquake prone.

It should also be noted that where a change of use is proposed for the building, structural strengthening work is required to most buildings to upgrade the building to meet current codes.

Please refer to Appendix II. Sec. 133AA and 133AB defines the meaning of an earthquake-prone building.

Refer to the attached documents (including Letter to Owner and IEP Assessment) for further information.

Background:

Council initiated Initial Evaluation Procedures and assessments were carried out solely as a screening tool in terms of the WCC's previous Earthquake-prone Building Policy. The process was developed in line with the New Zealand Society for Earthquake Engineering document 'Recommendations for the Assessment and Improvement of the Structural Performance of Buildings in Earthquakes'. Council initiated IEP's and assessments were carried out as a screening tool and should not be relied on by anyone for any other purpose and a detailed engineering inspection and/or engineering calculations, may lead to a different result or seismic grade.

A Detailed Seismic Assessment (DSA) includes some calculation and/or computer analysis and should provide a more accurate indication of the seismic performance of a building.

In some cases, a building owner or body corporate may have already received a DSA and may be available for review. Parties should seek their own independent engineering advice particularly for commercial purposes such as sale & purchase, lease agreements and insurance, etc.

Please note, select personal identifying information has been removed from the attachments pursuant to the Privacy Act 2020.

If you have any queries regarding this section, please contact the Resilient Buildings Team. Telephone: (04) 499 4444, or email BuildingResilience@wcc.govt.nz.

Verandah

This verandah is yet to be assessed under the bylaw.

Wellington City Council (the Council) is undertaking assessments of verandahs in Wellington city in accordance with the Public Places Bylaw 2022.

The intention of the verandah related rules in the bylaw is to ensure that all verandahs are maintained in a waterproof condition and in a good state of repair.

If you have any queries regarding this section, please contact the Resilient Buildings Team. Telephone: (04) 499 4444, or email BuildingResilience@wcc.govt.nz.

Unreinforced Masonry Buildings

Due to the increased risk of earthquakes following the Hurunui/Kaikōura earthquake on November 2016 the Ministry of Business Innovation & Employment (MBIE) has set up an initiative to improve the seismic performance of unreinforced masonry buildings (URM) in high-risk areas, including Wellington. The initiative requires building owners of certain buildings to take action to secure unreinforced masonry parapets and facades by March 2018. This is an amendment to the Building Act 2004 and was passed February 2017 under an Order in Council (OIC).

Any unreinforced masonry buildings in question must meet the following criteria: buildings with street facing parapets and facades on busy, high-traffic areas (pedestrian or vehicles) that are already known to be vulnerable in the event of an earthquake.

If you have any queries regarding this section, please contact the Resilient Buildings Team. Telephone: (04) 499 4444, or email BuildingResilience@wcc.govt.nz

Precast Concrete Floors

Following the 2016 Kaikōura earthquake the Ministry of Business, Innovation and Employment (MBIE) did an investigation into the factors that led to a partial floor collapse at Wellington's Statistic House. That investigation led to some revisions in the technical guidelines in 2018, known as the 'Yellow Chapter', that tell engineers how to carry out detailed seismic assessments of concrete buildings, particularly the pre-cast concrete floors.

We recommend that any building with precast concrete floors is assessed using the revised guidelines to confirm there are no seismic performance issues. It is not a legislative requirement.

If you have any queries regarding this section, please contact the Resilient Buildings Team. Telephone: (04) 499 4444 or email BuildingResilience@wcc.govt.nz .

Wind Zones for Wellington City

The Wind Zone in terms of NZS3604:2011 for the subject property was determined to be "Medium" by the CLC Consulting Group Limited, Auckland.

Wind zones are required when making structural or building envelope changes. Determination of the correct wind zone can only be achieved by accurate knowledge of ground topography, ground roughness, site exposure and "expected conditions five years hence".

While the wind zone determinations have been made by CLC Consulting Group Limited, Auckland they note that a final interpretation of the wind zone remains the prerogative of Council.

Corrosion Zone

Corrosion zones are required when making structural or building envelope changes.

Sites are classified as being in an exposure zone B, C or D depending on the severity of exposure to wind-driven sea salt or geothermal gases. These zones are defined in (NZ3604: 2011) the NZ Standard for light framed buildings.

For Wellington City, most sites are either in exposure zone D, which includes the area within 500 metres of the sea, or exposure zone C in terms of NZS3604: 2011.

Swimming Pools

There is no record of a swimming pool or spa pool at this property.

The Building Act 2004 requires the property owner to ensure that every residential pool that is filled or partly filled with water must have physical barriers that restrict access to the pool by unsupervised children under 5 years of age.

Definitions of what constitutes a pool and details of the safety requirements are set out in this Act.

A building consent is required for the installation of a pool fence and may be required for the installation of any pool itself.

The Council has a programme to audit the on-going compliance of pool fences and so pools will be subject to periodic inspections to confirm compliance. Property owners will be charged for time spent by Council officers in audits.

If you have any queries regarding this section, please contact Building Compliance & Consents. Telephone: (04) 499 4444 or email bccpoolaudits@wcc.govt.nz

Weathertightness

There is no record of Weathertightness issues Council is aware of.

This section of the LIM will be completed only where Council has received **formal** notification of possible water ingress issues at the property pursuant to s 124 of the Weathertight Homes Resolution Services Act 2006 from one of the following sources:

- Ministry of Business Innovation and Employment (MBIE)
- Weathertight Homes Tribunal

Council may also include information in this section where it has received a notification that it considers relates to water ingress issues from one of the following sources:

- High or District Court
- Written notification from the owner of the property or their agent
- Where the owner has applied to MBIE for a Determination and the report carried out by MBIE has identified areas of water ingress

Where Council may hold other information about possible weathertight issues with the dwelling, e.g. via notes of phone calls, emails, or other correspondence or documents, the Council, at its discretion, include this information under the “Complaint” or “Building Correspondence” section of this LIM.

If you have any concerns, we recommend that you seek independent advice from a suitably qualified person such as a building surveyor, and/or speak to the owners of the property.

Drainage

Refer to the attached Drainage Plan for details of private and public drainage.

There are no Public Wastewater or Stormwater mains located within this property.

The Council holds no record regarding cross connections at this property.

On 6 November 2015, a blocked sewer causing sewage seepage into the bottom flat was reported to the Council. Council investigated and determined this was a private fault.

Approval to build any structure over public drains is subject to the standard conditions that are applicable.

If you have any queries regarding this section, please email the Customer Hub at Wellington Water, customer@wellingtonwater.co.nz, or phone on 04 912 4470. If phoning, please advise whether your query relates to Drainage or Water, and you will be referred to the appropriate team member.

Potential Flooding

Council does hold record of potential flooding issues with this property.

This property has been identified as possibly at risk of flooding during severe storm events (1 in 100 year Annual Return Interval + 20% Climate Change Intensity). The accompanying coloured legend is an indicator of the potential flood risk depth for a given area. This risk has been identified from either historic flooding records or flood modelling compiled by Wellington Water. Please contact Wellington Water if you require more information.

If new construction is contemplated on this property this flood risk information will be taken into consideration and may have implications on minimum floor levels and natural hazard assessments. Please contact Building Compliance and Consents for more information regarding what these implications could be.

An on-site survey by an engineer is recommended if a more detailed site evaluation is needed.

To understand how the potential Rainfall Flood Risks in Wellington City are arrived at and more of what they mean, please [click here](https://www.wellingtonwater.co.nz/resources/topic/drinking-water-4/) (<https://www.wellingtonwater.co.nz/resources/topic/drinking-water-4/>). You may find the FAQ tab particularly helpful.

Having accessed this information, if you have further queries about potential flooding risks, please email the Customer Hub at Wellington Water, customer@wellingtonwater.co.nz, or phone on 04 9124470. If phoning, please advise whether your query relates to Drainage, Water, or Potential Flooding, and you will be referred to the appropriate team member.

Water

Refer to the attached Water Services Plan.

Water supply is available to this property.

Approval to build any structure over a water main would be subject to the standard conditions that are applicable.

If you have any queries regarding this section, please email the Customer Hub at Wellington Water, customer@wellingtonwater.co.nz, or phone on 04 9124470. If phoning, please advise whether your query relates to Drainage or Water, and you will be referred to the appropriate team member.

Hazardous Substances

No record can be found relating to any hazardous substances for this property.

For your information this property is located adjacent to a property that has a record of hazardous substances. This is shown on the attached Aerial photo.

Greater Wellington Regional Council holds information regarding issues around site contamination. Telephone: 0800 496 734

The Dangerous Goods Regulations have been superseded by the Hazardous Substances and New Organisms Act 1996 (HSNO). Since the enactment of this Act Wellington City Council no longer has delegated authority to certify premises for storing or using hazardous substances or record the Test Certificates for the premises.

WorkSafe NZ hold information regarding the Test Certificates issued for sites storing and using hazardous substances.

For WorkSafe NZ, phone: 0800 030 040, fax: (04) 914 6866 or email: info@worksafe.govt.nz – website: <https://www.worksafe.govt.nz/>

Encroachment Licence: Road Reserve Land and/or Airspace

There is an encroachment licence for this property.

- When the property changes ownership a new licence will be sent to the new property owner(s) for signing.
- There is an administration fee of \$74.75 including GST for the new licence.
- Any new licence may be subject to change in accordance with current policy.
- To find out the current annual fee and any other change that may affect the licence, please email encroachments@wcc.govt.nz.

Application link:

<https://wellington.govt.nz/property-rates-and-building/encroachments/applying-for-an-encroachment-licence>

If you have any queries regarding this section, please contact the Encroachments Team. Telephone: (04) 801 4266

Encroachments: Parks and Reserve Land

Encroachments are not permitted on land that is subject to the Reserves Act 1977 or the Wellington Town Belt Act (2016): This includes most of Council's parks and reserves. Encroachments include any structure, building, furniture, vehicle or pedestrian access, lawn, garden or any area of the reserve being used for private purposes (exclusive or otherwise).

If an encroachment exists the owner is required to remove the encroachment immediately or alternatively, to contact Council to set a timeframe for removal. Removal is at the property owners' cost.

Immediate removal will not be required for dwellings that have historically encroached on an adjacent reserve. In these instances, removal will be required at the time of any future demolition or major reconstruction project.

If you have any queries regarding this section, please contact Parks, Sport & Recreation. Telephone: (04) 499 4444

Land and Structure

The maintenance of the Common Property is the responsibility of the owners.

If you have any queries regarding this section, please contact one of our Planning Technicians Customer Service. Email Planning@wcc.govt.nz, or Telephone (04) 801 3590

Access

The owner is responsible for maintaining the vehicle accessway out to and including the kerb crossing.

A search of our records shows there are no other requirements.

If you have any queries regarding this section, please contact a Transport Engineer, Transport and Infrastructure. Telephone: (04) 499 4444 or email transportenquiries@wcc.govt.nz

Trade Waste

Trade waste refers to any liquid non-domestic waste, excess oil or grease, or large quantities of domestic-type waste produced by a business or trade that is or may be discharged to a sewer.

Any premises discharging or proposing to discharge trade waste to the sewer must apply for a Trade Waste Discharge Consent pursuant to the Wellington City Council Trade Waste Bylaw. Dependent on the nature and quantity of the trade waste the discharge may be made the subject of a Trade Waste Consent. In addition, the trade waste may require pre-treatment before discharge to the sewer. This includes the use of a grease trap.

In respect of this LIM:

There is no Trade Waste Consent for the discharge of trade waste to the sewer associated with this address.

Please contact Leon Chen, Wellington Water. Telephone: 021 820 943

Backflow Prevention

There is a record of a backflow preventer in this building. Refer to the attached compliance schedule for details.

If you have any queries regarding this section, please contact Michael Arthurs, Building Compliance & Consents. Telephone: 021 247 8792

Health

There are no food/health registered premises at this property.

There are no outstanding complaints.

Restrictions on any change of use may apply. For more details, please contact Phoebe McDonald, Environmental Health Officer, Public Health Group. Telephone: 021 390 931

Alcohol Licence/Pavement Permission

There are no Alcohol Licences in place.

There are no Pavement Permissions in place.

Restrictions on any change of use may apply. For more details, please contact Phoebe McDonald, Environmental Health Officer, Public Health Group. Telephone: 021 390 931

Appendix I

Section 44A. Local Government Official Information and Meeting Act 1987

Land information memorandum—

- (1) A person may apply to a territorial authority for the issue, within 10 working days, of a land information memorandum in relation to matters affecting any land in the district of the authority.
- (2) The matters which shall be included in that memorandum 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:
 - (b) information on private and public stormwater and sewerage drains as shown in the territorial authority's records:
 - (ba) *[Repealed]*
 - (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:
 - (iv) any exemption that has been notified by Taumata Arowai to the territorial authority under section 57 of the Water Services Act 2021:
 - (c) information relating to any rates owing in relation to the land:
 - (ca) if the land concerned is located in a levy area that is subject to a levy order under the Infrastructure Funding and Financing Act 2020, information about—
 - (i) the levy period:
 - (ii) how liability for a levy on the land is assessed:
 - (iii) amounts of any unpaid levy:

- (cb) if the land concerned is located in a project area that is subject to a targeted rates order under the Urban Development Act 2020, information about—
 - (i) the financial years to which the order applies; and
 - (ii) how liability for targeted rates under that Act on the land is calculated; and
 - (iii) amounts of any unpaid targeted rates under that Act:
- (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):
- (da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:
- (e) information concerning any certificate issued by a building certifier pursuant to the Building Act 1991 or the Building Act 2004:
- (ea) information notified to the territorial authority under section 124 of the Weathertight Homes Resolution Services Act 2006:
- (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 organisation having the power to classify land or buildings for any purpose:
- (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.
- (3) In addition to the information provided for under subsection (2), a territorial authority may provide in the memorandum such other information concerning the land as the authority considers, at its discretion, to be relevant.
- (4) An application for a land information memorandum shall be in writing and shall be accompanied by any charge fixed by the territorial authority in relation thereto.
- (5) In the absence of proof to the contrary, a land information memorandum shall be sufficient evidence of the correctness, as at the date of its issue, of any information included in it pursuant to subsection (2).
- (6) Notwithstanding anything to the contrary in this Act, there shall be no grounds for the territorial authority to withhold information specified in terms of subsection (2) or to refuse to provide a land information memorandum where this has been requested.

Section 44A: inserted, on 1 December 1992, by section 2 of the Local Government Official Information and Meetings Amendment Act (No 2) 1991 (1991 No 151).

Section 44A(2)(ba): repealed, on 15 November 2021, by [section 206\(1\)](#) of the Water Services Act 2021 (2021 No 36).

Section 44A(2)(bb): inserted, on 1 July 2008, by [section 18](#) of the Health (Drinking Water) Amendment Act 2007 (2007 No 92).

Section 44A(2)(bb)(i): amended, on 15 November 2021, by [section 206\(1\)](#) of the Water Services Act 2021 (2021 No 36).

Section 44A(2)(bb)(ii): amended, on 15 November 2021, by [section 206\(1\)](#) of the Water Services Act 2021 (2021 No 36).

Section 44A(2)(bb)(iv): inserted, on 15 November 2021, by [section 206\(1\)](#) of the Water Services Act 2021 (2021 No 36).

Section 44A(2)(ca): inserted, on 7 August 2020, by [section 161](#) of the Infrastructure Funding and Financing Act 2020 (2020 No 47).

Section 44A(2)(cb): inserted, on 7 August 2020, by [section 300](#) of the Urban Development Act 2020 (2020 No 42).

Section 44A(2)(d): amended, on 31 March 2005, by [section 414](#) of the Building Act 2004 (2004 No 72).

Section 44A(2)(da): inserted, on 28 November 2013, by [section 77](#) of the Building Amendment Act 2013 (2013 No 100).

Section 44A(2)(e): amended, on 31 March 2005, by [section 414](#) of the Building Act 2004 (2004 No 72).

Section 44A(2)(ea): inserted, on 1 April 2007, by [section 127\(5\)](#) of the Weathertight Homes Resolution Services Act 2006 (2006 No 84).

Section 44A(2)(h): amended, on 31 March 2005, by [section 414](#) of the Building Act 2004 (2004 No 72).

Appendix II

Sections 121, 123, 133AA & 133AB of the Building Act 2004.

Buildings which are deemed to be dangerous, earthquake prone and insanitary —

121 Meaning of dangerous building

- (1) A building is **dangerous** for the purposes of this Act if, -
- (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause-
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - (ii) in the event of fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazardous the occupancy of the building.
 - (2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority -
 - (a) may seek advice from members of the New Zealand fire Service who have been notified to the territorial authority by the Fire Service National Commander as being competent to give advice; and
 - (b) if the advice is sought must have due regard to the advice.

Compare: 1991 No 150 s 64(1) (2),(30)

123 Meaning of insanitary building

A building is insanitary for the purposes of this Act if the building -

- (a) is offensive or likely to be injurious to health because-
 - (i) of how it is situated or constructed; or
 - (ii) it is in a state of disrepair; or
- (b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
- (c) does not have a supply of potable water that is adequate for its intended use; or
- (d) does not have sanitary facilities that are adequate for its intended use.

Compare: 1991 No 150 s 64(4)

133AA Buildings to which this subpart applies

- (1) This subpart applies to all buildings except the following:
 - (a) a building that is used wholly or mainly for residential purposes (but see subsection (2)):
 - (b) a farm building (being a shed or other building that is located on a farm and used primarily for farming activities or an ancillary purpose):
 - (c) a stand-alone retaining wall (being a retaining wall that is not integral to the structure of a building):
 - (d) a fence:
 - (e) a monument (including a statue), unless the monument is capable of being entered by a person:
 - (f) a wharf:
 - (g) a bridge:
 - (h) a tunnel:
 - (i) a storage tank:
 - (j) a building that is a dam:
 - (k) a part of a building that is a dam.
- (2) Despite subsection (1)(a), this subpart applies to a building described in that subsection if the building—
 - (a) comprises 2 or more storeys; and
 - (b) either—
 - (i) is a hostel, boarding house, or other specialised accommodation; or
 - (ii) contains 3 or more household units.

133AB Meaning of earthquake-prone building

- (1) A building or a part of a building is **earthquake prone** if, having regard to the condition of the building or part and to the ground on which the building is built, and because of the construction of the building or part,—
 - (a) the building or part will have its ultimate capacity exceeded in a moderate earthquake; and
 - (b) if the building or part were to collapse, the collapse would be likely to cause—
 - (i) injury or death to persons in or near the building or on any other property; or

- (ii) damage to any other property.
- (2) Whether a building or a part of a building is earthquake prone is determined by the territorial authority in whose district the building is situated: *see* section 133AK.
- (3) For the purpose of subsection (1)(a), **ultimate capacity** and **moderate earthquake** have the meanings given to them by regulations.

Compare: 1991 No 150 s 66

Appendix III

Compliance schedules

Sections 100, 101, 103, 105, 108, 110. The Building Act 2004 as amended by The Building Amendment Act 2005

"100 Requirement for compliance schedule

- "(1) A building not used wholly as a single household unit -
 - "(a) requires a compliance schedule if -
 - (i) it has a specified system; or
 - (ii) it has a cable car attached to it or servicing it; and
 - "(b) requires the schedule for all specified systems it has and any cable car it has attached to it or servicing it.
- "(2) A building used wholly as a single household unit –
 - "(a) requires a compliance schedule only if it has a cable car attached to it or servicing it; and
 - "(b) requires the schedule only for the cable car.
- "(3) Before 31 March 2008,-
 - "(a) a building not used wholly as a single household unit -
 - (i) requires a compliance schedule only if it has a specified system other than a cable car; and
 - (ii) does not require a compliance schedule for any cable car attached to it or servicing it; and
 - "(b) a building used wholly as a single household unit does not require a compliance schedule."

"101 Owner must comply with requirement for compliance schedule

- (1) An owner of a building for which a compliance schedule is required under section 100 must obtain the compliance schedule.
- (2) A person commits an offence if the person fails to comply with subsection (1).
- (3) A person who commits an offence under this section is liable to a fine not exceeding \$20,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,000 for every day or part of a day during which the offence has continued.

"103 Content of compliance schedule

- (1) A compliance schedule must state—
 - (a) the specified systems that are covered by the compliance schedule; and
 - (b) the performance standards for the specified systems; and
 - (c) the inspection, maintenance, and reporting procedures to be followed by licensed building practitioners in respect of the specified systems to ensure that those systems are capable of, and are, performing to the performance standards; and
 - (d) if applicable, the specified systems that relate to—
 - (i) means of escape from fire; and
 - (ii) safety barriers; and
 - (iii) means of access, and facilities for use, by persons with disabilities that meet the requirements of section 118; and
 - (iv) handheld hose reels for fire-fighting; and
 - (v) any signs that are required by the building code or by section 120.
- (2) For the purposes of subsection (1)(c), the inspection, maintenance, and reporting procedures of the compliance schedule may be identified—
 - (a) by description in the compliance schedule; or
 - (b) by reference to—
 - (i) a prescribed acceptable solution or prescribed verification method in a regulation referred to in section 20; or
 - (ii) a compliance document; or
 - (iii) a building method or product.

"105 Obligations of owner if compliance schedule is issued

An owner of a building for which a compliance schedule has been issued must ensure—

- (a) that each of the specified systems stated in the compliance schedule is performing, and will continue to perform, to the performance standards for that system; and
- (b) that the owner provides to the territorial authority an annual building warrant of fitness in accordance with section 108; and
- (c) that the compliance schedule is kept—

- (i) in the building; or
 - (ii) in another building in the district of the territorial authority; or
 - (iii) in some other place agreed on by the owner and the territorial authority; and
- (d) that the compliance schedule is available for inspection by any person or organisation who or that has a right to inspect the building under any Act; and
- (e) that, for the first 12 months of the period of the compliance schedule, there is displayed publicly in a place in the building so that users of the building can have access to it a statement by the territorial authority in the prescribed form stating—
 - (i) the specified systems covered by the compliance schedule; and
 - (ii) the place where the compliance schedule is held.

"108 Annual building warrant of fitness

- (1) An owner of a building for which a compliance schedule has been issued must supply to the territorial authority a building warrant of fitness in accordance with subsection (3).
- (2) The purpose of a building warrant of fitness is to ensure that the specified systems stated in the compliance schedule are performing, and will continue to perform, to the performance standards for those systems that are set out in the relevant building consent.
- (3) The building warrant of fitness must—
 - (a) be supplied on each anniversary of the issue of the compliance schedule; and
 - (b) state that the inspection, maintenance, and reporting procedures of the compliance schedule have been fully complied with during the previous 12 months; and
 - (c) have attached to it all certificates, in the prescribed form, issued by a licensed building practitioner that, when those certificates are considered together, certify that the inspection, maintenance, and reporting procedures stated in the compliance schedule have been fully complied with during the previous 12 months; and
 - (d) have attached to it any recommendation made by a licensed building practitioner that the compliance schedule should be amended to ensure that the specified systems stated in the compliance schedule are performing, and will continue to perform, to the performance standards for those systems; and
 - (e) be in the prescribed form; and
 - (f) contain the prescribed information.

- (4) The owner must publicly display a copy of the building warrant of fitness in a place in the building to which users of the building have ready access.
- (5) A person commits an offence if the person—
 - (a) fails to display a building warrant of fitness that is required to be displayed under this section; or
 - (b) displays a false or misleading building warrant of fitness; or
 - (c) displays a building warrant of fitness otherwise than in accordance with this section.
- (6) A person who commits an offence under this section is liable to a fine not exceeding \$20,000.
- (7) In subsection (3)(d), a reference to a licensed building practitioner is a reference to the licensed building practitioner or licensed building practitioners who carried out the inspection, maintenance, and reporting procedures stated in a compliance schedule during the previous 12 months.

"110 Owner must obtain reports on compliance schedule

An owner of a building for which a compliance schedule has been issued must—

- (a) obtain annual written reports relating to the inspection, maintenance, and reporting procedures of the compliance schedule signed by each licensed building practitioner who carried out 1 or more of those procedures; and
- (b) keep those reports, together with the compliance schedule, for a period of 2 years; and
- (c) produce those reports for inspection, when required, by—
 - (i) the territorial authority; and
 - (ii) any person or organisation who or that has the right to inspect the building under any Act; and
- (d) show the location of those reports and the compliance schedule on the building warrant of fitness displayed in accordance with section 108(4)

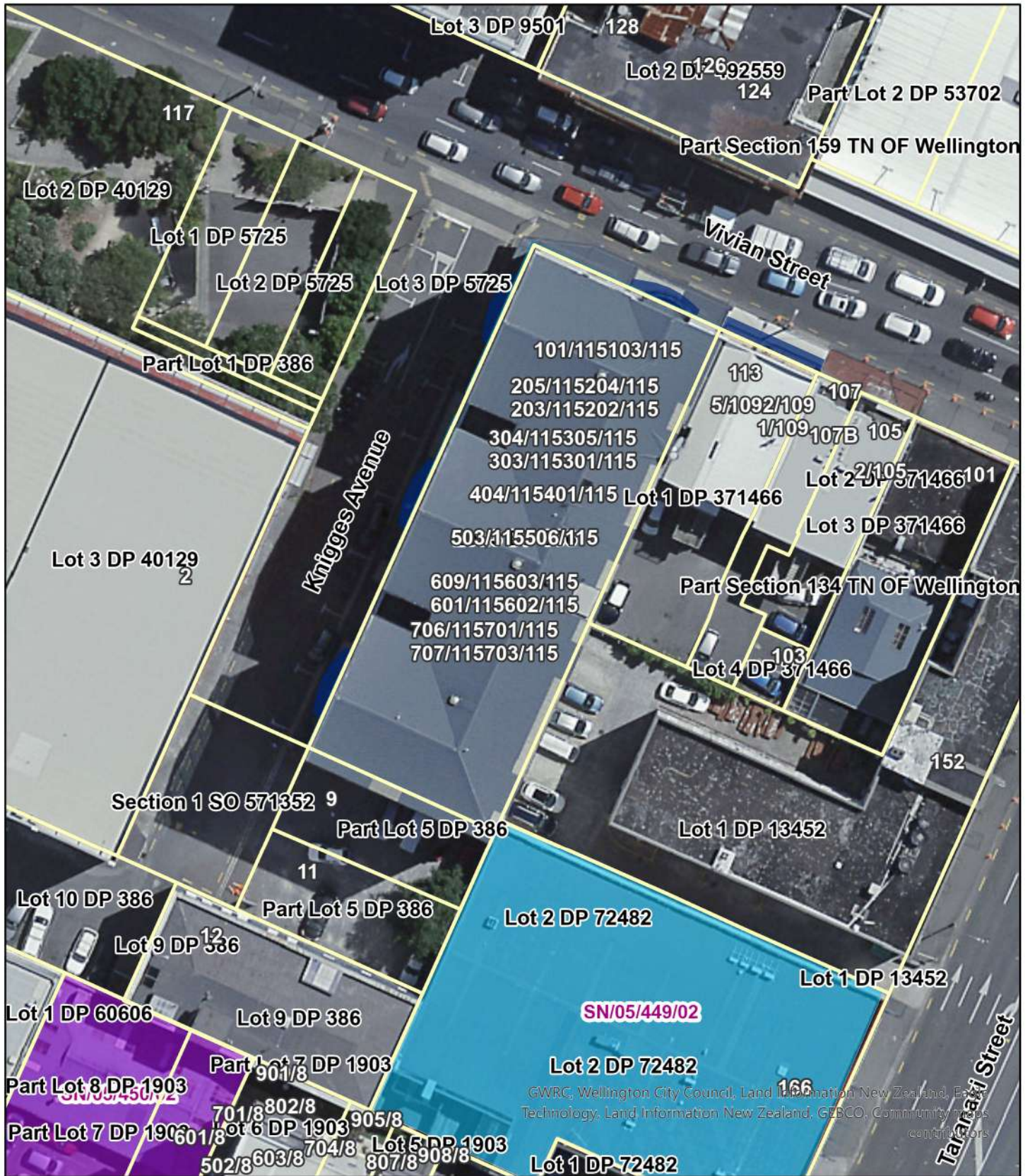
Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 – Schedule 1 as amended by Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Amendment Regulations 2005

"Schedule 1 Specified systems

- 1 Automatic systems for fire suppression (for example, sprinkler systems).
- 2 Automatic or manual emergency warning systems for fire or other dangers (other than a warning system for fire that is entirely within a household unit and serves only that unit).
- 3 Electromagnetic or automatic doors or windows (for example, ones that close on fire alarm activation).
- 4 Emergency lighting systems.
- 5 Escape route pressurisation systems.
- 6 Riser mains for use by fire services.
- 7 Automatic back-flow preventers connected to a potable water supply.
- 8 Lifts, escalators, travelators or other systems for moving people or goods within buildings.
- 9 Mechanical ventilation or air conditioning systems.
- 10 Building maintenance units providing access to exterior and interior walls of buildings
- 11 Laboratory fume cupboards.
- 12 Audio loops or other assistive listening systems.
- 13 Smoke control systems.
- 14 Emergency power systems for, or signs relating to, a system or feature specified in any of clauses 1 to 13.
- 15 Any or all of the following systems and features, so long as they form part of a building's means of escape from fire, and so long as those means also contain any or all of the systems or features specified in clauses 1 to 6, 9, and 13:
 - (a) systems for communicating spoken information intended to facilitate evacuation: and
 - (b) final exits (as defined by clause A2 of the building code): and
 - (c) fire separations (as so defined): and
 - (d) signs for communicating information intended to facilitate evacuation: and
 - (e) smoke separations (as so defined)"

Aerial Photo

115 Vivian Street, Te Aro



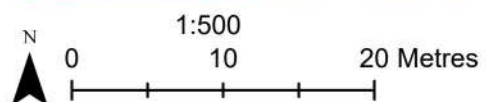
March 10, 2025

Disclaimer:
The use of any land or property information in OneMap is entirely at the user's own risk and discretion. Wellington City Council does not give any warranty that any information contained is accurate or complete. The Council does not accept any responsibility or liability for any action taken, or omission made, in reliance on information obtained from OneMap.

Data Statement:
Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m. Crown Copyright reserved.

Property Boundaries Accuracy:
+/-1m in urban areas
+/-30m in rural areas

Data Source:
Census data - Statistics NZ.
Postcodes - NZ Post.









Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Legend

-  Parcels (LINZ)
-  Property
-  Title
-  Earthmoving - Fill
-  Earthmoving - Cut
-  Closed Landfills
-  Corrosion Zone

Selected Land Use Register

-  Contamination Acceptable Managed/Remediated for
-  Contamination Confirmed
-  Entered on Database in Error
-  No Identified Contamination
-  Unverified History of Hazardous Activity or Industry
-  Verified History of Hazardous Activity or Industry

Encroachments

Encroachment Subtype

-  Accessway
-  Airspace
-  Building
-  Car Parking
-  Fences and Walls
-  Land
-  Point Objects
-  Subsoil
-  Park and Reserve Encroachments

Property Summary

Valuation Property Details

The information below has been obtained from selected computer records held by Wellington City Council, as supplied by third parties, in relation to the address provided by you and in relation to the matters requested by you. The accuracy of this information cannot be guaranteed.

Wufi	Property Status	Address	Area (m2)
1207702	C	115 Vivian Street	986.0000

Legal Description: LOT 3 DP 386 - 56.1 M2 EAVES & IMITATION BALCONIES IN COUNCIL AIR SPACE

Apportionment: 6

Valuation Ref: 17290-14900-

Valuation Usage

Land Use Zone	8A
Garage And Parking	11
Land Usage	92
Building Construction	
Building Condition	
Building Age	Unknown
Building Floor Area (m2)	0
Building Site Area	0
Units Of Use	50
Building Category	RA4A

Property Addresses

Full Address	Source	WCC Assigned	WCC Accepted
115 Vivian Street	W	N	Y

Valuation Property Details

The information below has been obtained from selected computer records held by Wellington City Council, as supplied by third parties, in relation to the address provided by you and in relation to the matters requested by you. The accuracy of this information cannot be guaranteed.

Wufi	Property Status	Address	Area (m2)
1908684	C	Unit 401 115 Vivian Street	0.0000

Legal Description: UNIT 401 DP 335843 AU4J AUB11 1/50 SHAUB1
Apportionment: 2
Valuation Ref: 17290-14900-DA

Valuation Usage

Land Use Zone	8A
Garage And Parking	1
Land Usage	91
Building Construction	CI
Building Condition	AA
Building Age	1970-79
Building Floor Area (m2)	68
Building Site Area	68
Units Of Use	1
Building Category	RA20B

Property Addresses

Full Address	Source	WCC Assigned	WCC Accepted
Unit 401 115 Vivian Street	W	N	Y



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
UNIT TITLE
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **702391**
Land Registration District **Wellington**
Date Issued 22 June 2015

Prior References

146883 266652

Supplementary Record Sheet

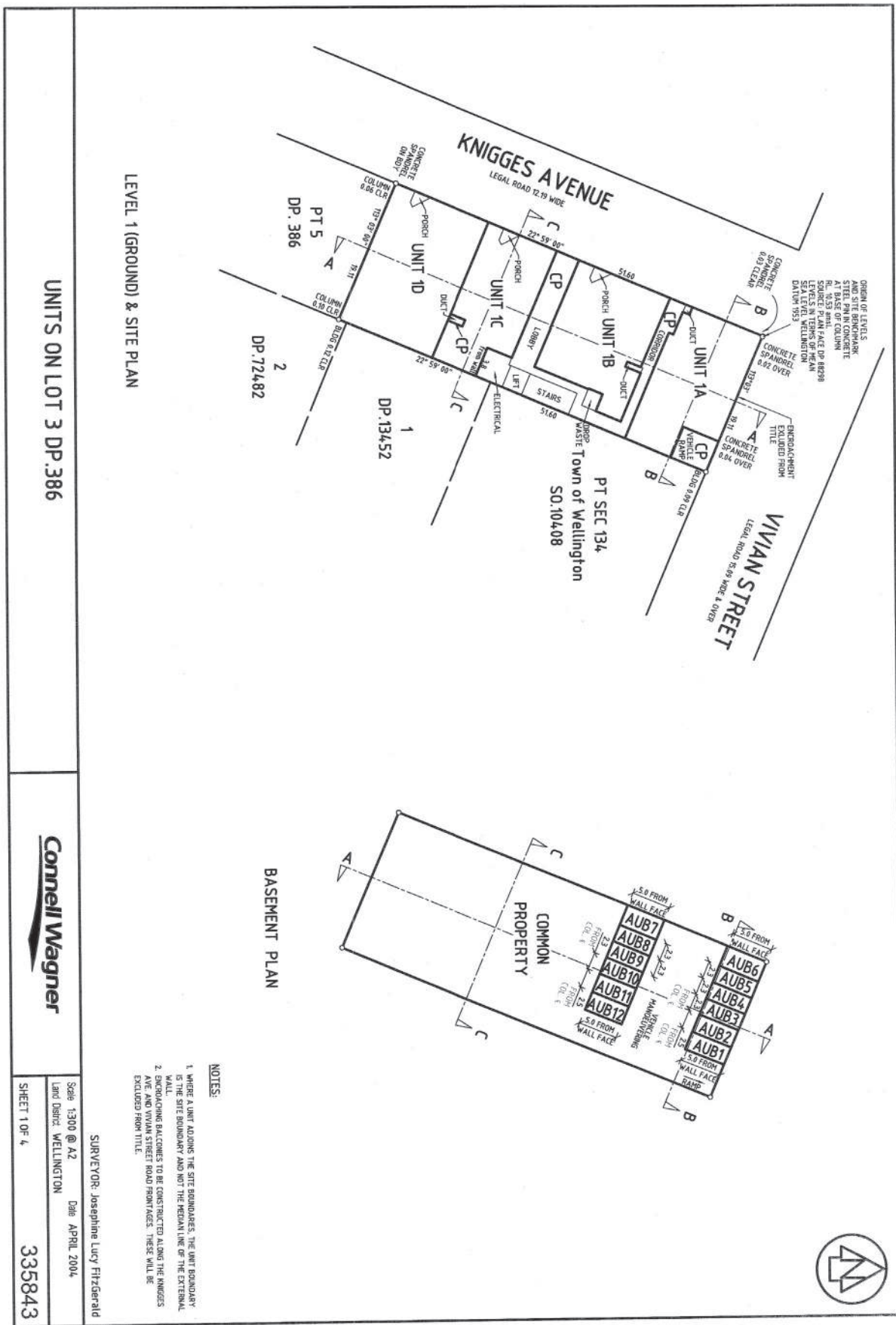
168999

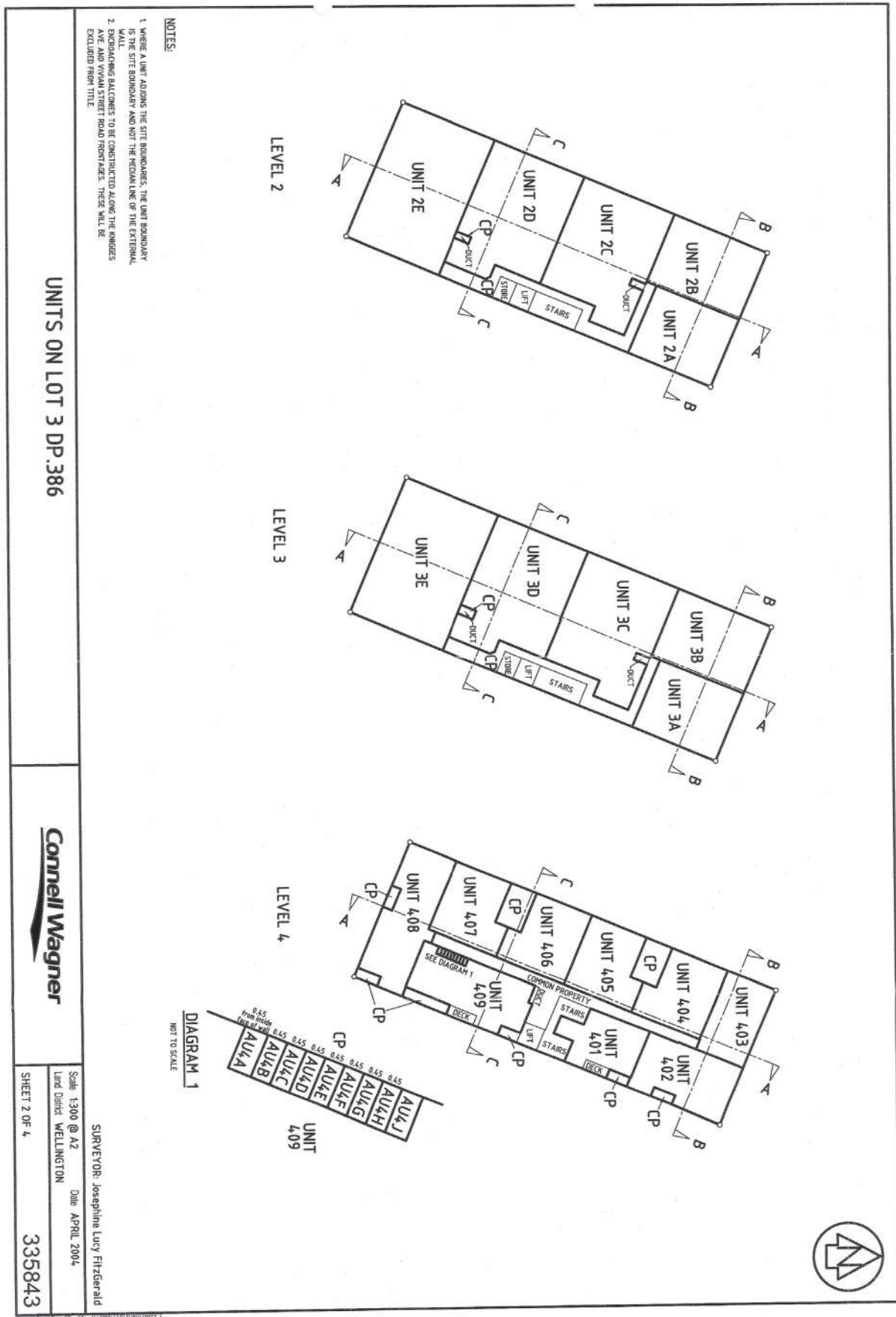
Estate Stratum in Freehold
Legal Description Unit 401 and Accessory Unit 4J, B11 and
 1/50 share of Accessory Unit B1 Deposited
 Plan 335843

Registered Owners

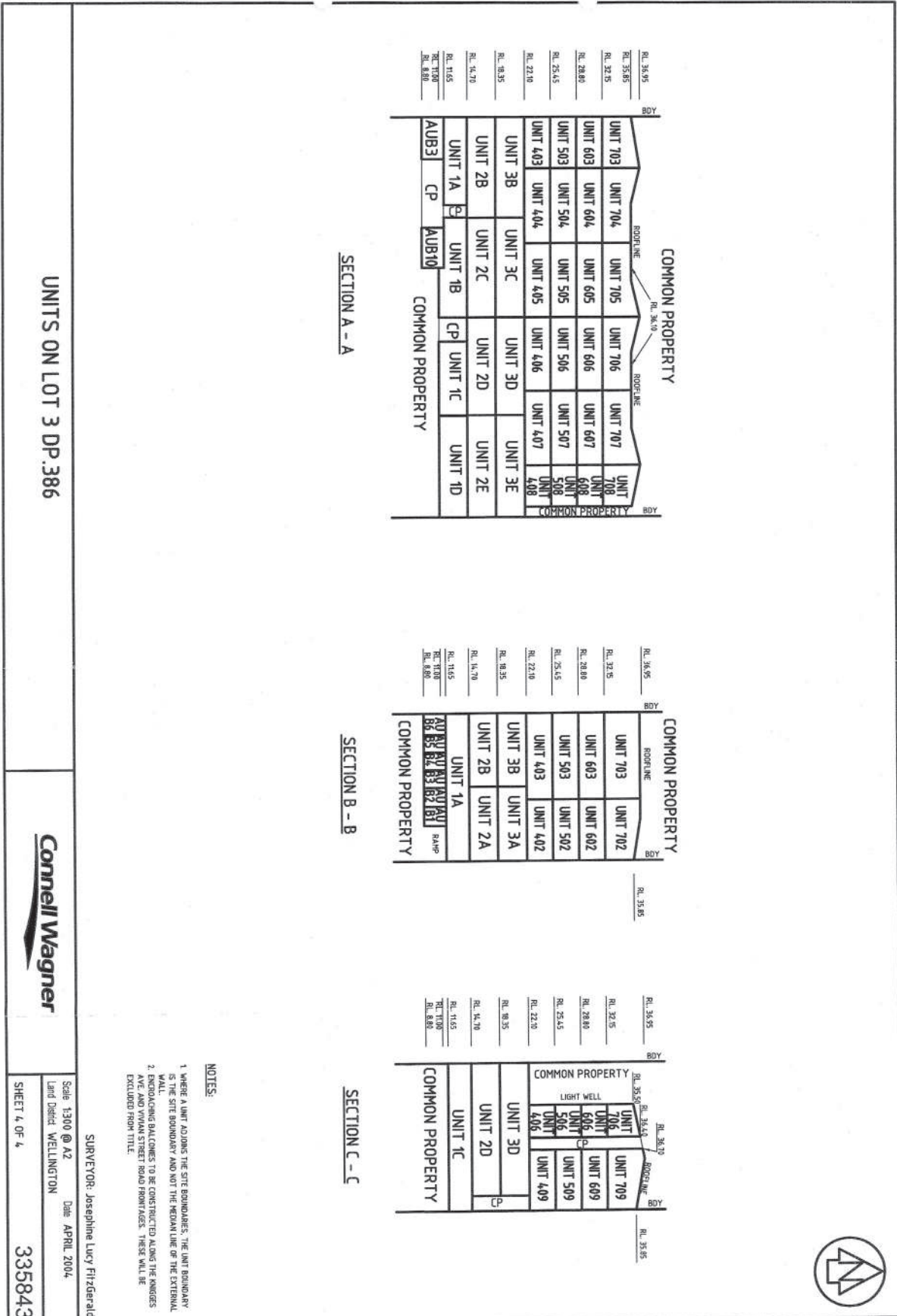
Suasdey Chea

The above estates are subject to the reservations, restrictions, encumbrances, liens and interests noted below and on the relevant unit plan and supplementary record sheet











SUPPLEMENTARY RECORD SHEET UNDER UNIT TITLES ACT 1972

Search Copy

Identifier 168999
Land Registration District Wellington
Date Issued 02 August 2004
Plan Number DP 335843

Subdivision of
 Lot 3 Deposited Plan 386

Prior References
 166924

Unit Titles Issued

146878	146879	146882	146884
146885	146886	146887	146888
146889	146890	146892	146894
146895	146897	146899	146900
146901	146902	146903	146905
146906	146908	146911	146912
146914	146915	146917	146918
199340	199970	205280	209024
215664	217020	217821	218485
222851	225424	229206	230226
230257	231778	236015	237720
290380	294850	340786	340787
702391	702393		

Interests

OWNERSHIP OF COMMON PROPERTY

Pursuant to Section 47 Unit Titles Act 2010 -

(a) the body corporate owns the common property and

(b) the owners of all the units are beneficially entitled to the common property as tenants in common in shares proportional to the ownership interest (or proposed ownership interest) in respect of their respective units.

The above memorial has been added to Supplementary Record Sheets issued under the Unit Titles Act 1972 to give effect to Section 47 of the Unit Titles Act 2010.

963751 Consent by The Wellington City Council to the construction of a cellar on the within land - 8.3.1973 at 1.50 pm

6160596.1 Change of rules of the Body Corporate - 24.9.2004 at 9:00 am

9798326.1 Notice of change of body corporate operational rules pursuant to Section 106 Unit Titles Act 2010 - 30.7.2014 at 12:21 pm

Invoice Attachments

Tax Invoice

GST Number 53-204-635

Attention: Claire Woodhead
Professionals Wellington City & Suburbs
27 Buller Street
Te Aro
Wellington 6011

Date: 4-Mar-25
Reference: TW 556809 - 1

Land Information Memorandum

Property Address

115 Vivian Street, Te Aro

Owners

Fees Payable

Description	Reference	Fee	GST	Total
LIM Application Fee	RES LIM	\$480.43	\$72.07	\$552.50
Total		\$480.43	\$72.07	\$552.50

The Council's Terms and Conditions for Supply of Goods and Services require that you pay all invoices by the 20th day of the month following the date it is issued. If payment is not made by that time, you will be liable for:

- interest calculated daily at a rate of 15% pa on the overdue Invoice amount,
- an administrative fee of either 10% of the overdue Invoice amount or \$300 (whichever is less), and
- all costs and expenses incurred by the Council in seeking to recover the overdue Invoice amount.

Payment Advice

Please return this section with your payment

Attention: Claire Woodhead
Professionals Wellington City & Suburbs
27 Buller Street
Te Aro
Wellington 6011

WELLINGTON CITY COUNCIL
PO BOX 2199 WELLINGTON

4-Mar-25

Reference:	TW 556809 - 1
Amount Due:	\$552.50
AMOUNT PAID:	PLEASE COMPLETE

Payment can be made by:

- Direct Credit to a/c 060582 01 06111 00 with ref. no. noted
- Online at wellington.govt.nz/payments/online

STATEMENT

GST Number 53-204-635

Attention: Claire Woodhead
Professionals Wellington City & Suburbs
27 Buller Street
Te Aro
Wellington 6011

Date: 10-Mar-25
Reference: TW 556809
Land Information Memorandum
Property Address: 115 Vivian Street, Te Aro

Reference	Code	Date	Debit	Credit
556809 - 1	INV	04/03/2025	552.50	
N0000157539-001	PAY	04/03/2025		552.50
			552.50	552.50

Amount Due: 0.00

Note: Due to system changes invoices issued prior to 11/10/2006 will show on this statement as dated 11/10/2006.

Codes: INV: Invoice CN:Credit Note PAY:Payment TFR:Transferred Payment RFD:Refunded Payment INT:Internal Invoices
DIS:Dishonoured Cheque/Cancelled Payment BAD:Bad Debt Write-off REV:Bad Debt Write-off Reversal

The Council's Terms and Conditions for Supply of Goods and Services require that you pay all invoices by the 20th day of the month following the date it is issued. If payment is not made by that time, you will be liable for:

- interest calculated daily at a rate of 15% pa on the overdue Invoice amount,
- an administrative fee of either 10% of the overdue Invoice amount or \$300 (whichever is less), and
- all costs and expenses incurred by the Council in seeking to recover the overdue Invoice amount.

Payment Advice

Please return this section with your payment

Attention: Claire Woodhead
Professionals Wellington City & Suburbs
27 Buller Street
Te Aro
Wellington 6011

WELLINGTON CITY COUNCIL
PO BOX 2199 WELLINGTON

10-Mar-25

Reference:	TW 556809
Amount Due:	0.00
AMOUNT PAID:	PLEASE COMPLETE

Payment can be made by:

- Direct Credit to a/c 060582 01 06111 00 with ref. no. noted
- EFTPOS, Credit Cards or Cash at Council Offices
- Online at wellington.govt.nz/payments/online

District Plan Attachments

115 Vivian Street, Te Aro



Area 986.00 m²

Aerial View Map



District Plan Zoning



Zones

City Centre Zone

Zone Details

Status: Operative

Specific Controls

Height Control Area

Height Control: 42.5m

Status: Operative

Description: Height measured from Ground Level, as defined in the WCC District Plan.

Verandah Control

Status: Operative

Hazards and Risks Overlays

Flood Hazard Overlay - Inundation Area

Status: Operative

Flood Hazard Overlay - Overland Flowpath

Status: Operative

More information about the rules that apply to these developments, and details of other developments, are available at <https://wellington.govt.nz/>

Disclaimer: Other relevant District Plan provisions: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

General District-Wide Matters Overlays

Designation Setbacks



Category: High Noise Area

Name: State Highway Designation 40m Setback

Status: Operative

Centres



Category: Moderate Noise Area

Name: City Centre Zone

Status: Operative

Designations

WIAL - Wellington International Airport Ltd



Name: Wellington Airport Obstacle Limitation Surfaces

Designation ID: WIAL1

Status: Proposed

WIAL - Obstacle Limitation Surface (OLS)

OLS Surface: Inner Horizontal

Highest Ground Elevation: 11m

Lowest OLS Elevation: 57m

OLS height above or below the ground elevation: 46m

Notification: Approval required from Wellington International Airport Limited (WIAL) for buildings and structures exceeding 46m in height.

Status: Proposed

Additional Map – Specific Controls and Nearby Zonings



Additional Map - Precincts



Additional Map – Historical and Cultural Values



Additional Map - Hazards and Risks



Additional Map – Natural Environment Values



Additional Map – Other DP Overlays



LEGEND FOR PLANNING MAPS

ZONE

	Large Lot Residential Zone
	Medium Density Residential Zone
	High Density Residential Zone
	General Rural Zone
	Neighbourhood Centre Zone
	Local Centre Zone
	Mixed Use Zone
	Metropolitan Centre Zone
	City Centre Zone
	General Industrial Zone
	Natural Open Space Zone
	Open Space Zone
	Sport and Active Recreation Zone
	Special Purpose Zone (See Map Label)

PRECINCTS

	Character Precinct
	Curtis Street Precinct
	Inner Harbour Port Precinct
	Kiwipoint Quarry Precinct
	Makara Beach and Makara Village Precinct
	Miramar/Burnham Wharf Precinct
	Mount Victoria North Townscape Precinct
	Multi-User Ferry Precinct
	Oriental Bay Height Precinct
	Te Ngākau Civic Square Precinct

SPECIFIC CONTROLS

	Height Control Area (See Map Label)
	Active Frontage
	Non-Residential Activity Frontage
	Verandah Control
	Minimum Sunlight Access Requirement

	Waterfront Areas of Change
	Waterfront Public Open Space
	Specific Control (See Map Label)


ENERGY, INFRASTRUCTURE, AND TRANSPORT

 National Grid Transmission Lines






Road Classification

	Activity Streets
	City Hubs
	Civic Spaces
	Local Streets
	Main Streets
	Peri-urban Roads
	Rural Connectors
	Rural Roads
	Transit Corridors
	Urban Connectors

HAZARDS AND RISKS












	Medium Coastal Inundation Hazard
	High Coastal Inundation Hazard
	Inundation Area Flood Hazard
	Overland Flowpath Flood Hazard
	Stream Corridor Flood Hazard
	Liquefaction Hazard Overlay
	Low Coastal Tsunami Hazard
	Medium Coastal Tsunami Hazard
	High Coastal Tsunami Hazard

Fault Hazard Overlay






	Uncertain Poorly-Constrained
	Uncertain Constrained
	Distributed
	Well-Defined Extended
	Well-Defined

LEGEND FOR PLANNING MAPS








HISTORICAL AND CULTURAL VALUES OVERLAYS

-  Heritage Building (SCHED1)
-  Heritage Structure (SCHED2)
-  Heritage Area - Contributing Building (SCHED3)
-  Heritage Area - Non-heritage Building (SCHED3)
-  Notable Tree (SCHED6)
-  Heritage Building Extent (SCHED1)
-  Heritage Structure Extent (SCHED2)
-  Heritage Area (SCHED3)
-  Archaeological Site (SCHED4)
-  Viewshaft (SCHED5)
-  Notable Tree Indicative Root Protection Area (SCHED6)

Sites and Areas of Significance to Māori (SCHED7):



-    Category A
-    Category B
-  Category C
-  Mana Whenua Statutory Acknowledgements

NATURAL ENVIRONMENT VALUES

-  Ridgelines and Hilltops
-  Significant Natural Areas (SCHED8)
-  Outstanding Natural Features (SCHED10)
-  Outstanding Natural Landscapes (SCHED10)
-  Special Amenity Landscapes (SCHED11)
-  High Coastal Natural Character (SCHED12)
-  Very High Coastal Natural Character (SCHED12)

GENERAL DISTRICT-WIDE MATTERS

-  Coastal Environment
-  Air Noise Boundary
-  Port Noise Control Line
-  Noise Area Overlay

-  Rail Vibration Advisory Overlay
-  Helicopter Noise Effects Advisory Overlay







DEVELOPMENT AREAS

-  Development area boundary
-  Bus stop
-  Clean fill
-  Collector road
-  Community sports and active recreation
-  General industrial
-  Indicative local road
-  Key local road
-  Medium density residential
-  Natural open space
-  Neighbourhood centre
-  Neighbourhood park
-  Neighbourhood park catchment
-  Potential connection
-  Principal road
-  School and community hub
-  Unbuilt areas (open space, cut & fill batters)
-  Walking track

DESIGNATIONS

-  Designation

OLS and Ground Height Differences

-  Penetrates OLS
-  0-5 metres clearance
-  5-10 metres clearance
-  10-15 metres clearance
-  15-20 metres clearance
-  20 plus metres clearance

OTHER

-  Wellington City Boundary

**Resource Management
Act 1991 - Unit Title
Subdivison**

Service Request 27724 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 402511

Contact: 52536146 Connell Wagner Ltd

Contact Address: 25394537

Attention:

Status: Completed

Status Date: 18-Aug-97 9:59 AM SR Status: Completed

Owner: Member: Ian Leary Extn: 3193

Team: 1996 Q4/Comp Mon/Enf Team 74

Due Date: Days Remaining :

Days Elapsed :

Description: Proposed Unit Flats

Extended:
Description

Special
Conditions or
Comment

28 February, 1997

Connell Wagner Limited
P O Box 1591
Thorndon
Wellington

Service Request No: 27724
Link No: 0600 402511

Attention: **Bruce Manners**

Dear Sir

APPLICATION FOR RESOURCE CONSENT 27724 GRANTED

Service Request Type:	Resource Consent	
Site Address:	115 Vivian St	Lot 3 DP 386
Consent Type:	Subdivision	
Consent Description:	Proposed Unit Flats	

Please refer to Service Request no.27724.

I refer to your recent Resource Consent Application in which you seek consent to undertake a subdivision creating 14 unit titles.

The application was considered by officers acting under delegated authority on 28 February 1997. I advise under section 105(1)(b) of the Resource Management Act 1991 (the Act), consent to the application is hereby **granted** subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a two (2) year period, commencing from the date of this decision. If you have not given effect to this consent you may either make an application for an extension of time, within three (3) months of the expiry, or lodge a fresh resource consent application.

If you would like to discuss this application further please don't hesitate to contact me on the phone number below.

Yours sincerely

Cameron Dash
Delegated Officer
Environmental Control Business Unit
Wellington City Council
Telephone 801-3537

Notice of Decision

<u>Date:</u>	28 February, 1997
<u>Site Address:</u>	115 Vivian St
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner Limited
<u>Proposal:</u>	Subdivision creating 14 unit titles
<u>Owner:</u>	VIVIAN LTD
<u>Plan No:</u>	2915 - UT1

Transitional District Plan:

The site is zoned Industrial B1. This subdivision has been assessed against the provisions of the Proposed District Plan. Decisions have now been issued on submissions received on the notified Proposed District Plan. Consequently, more weight can now be given to this plan.

As the Proposed District Plan is not fully operative, however, section 405 of the Resource Management Act 1991 applies. The subdivision is classified as a Discretionary Activity under the Transitional District Plan.

Proposed District Plan:

The site is zoned Central Area. Unit title subdivision is a controlled activity by virtue of Rule 13.2.2. Council has restricted its discretion to the following matters:

- stormwater, sewerage and water supply; and
- the allocation of accessory units to principle units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.

Rule 13.2.2 specifies the criteria by which the Council will be guided in determining whether to grant consent, and what conditions to impose, if any. These criteria will be addressed later under the assessment section.

Decision:

THAT the undersigned officers, acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991, **agree** to grant subdivision consent for the creation of 14 unit titles at 115 Vivian Street, as shown in Plans 2915-UT1-UT4 accompanying WCC application 27742, received on 24 January 1997, subject to the following conditions:

Conditions of Consent:

1. No modifications to the disposition of the land or structures in any manner will be permitted now, or in the future, without specific approval from the Wellington City Council authorising any such changes pursuant to the provisions of the Resource Management Act 1991 or any subsequent replacement legislation.

Please note: Upon the issue of the Certificate pursuant to Section 224 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent Notice will specify condition 1 above, to be registered against all Certificates of Title in respect of this subdivision.

2. The applicant shall provide certification from a suitably qualified person that the building(s) to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in Section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to Section 224(f) of the Resource Management Act 1991.

Note: Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above condition:

- Members of the Association of Consulting Engineers of New Zealand (Incorporated);
 - Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
 - Members of the New Zealand Institute of Architects (N.Z.I.A.)
 - Registered Clerks of Works
3. In order to make appropriate provision for recreational facilities, a contribution in respect of reserves is payable and this has been assessed at \$2,497.00 incl. GST. Payment of this reserves contribution must be made by **bank cheque** within twelve (12) months from the date of this approval, or before the issue of a certificate pursuant to Section 224(c), whichever occurs first. If payment is not made within that time, the contribution will be reassessed.
 4. The applicant shall comply with the requirements of Council's "Code of Practice for Land Development, November 1994," in regard to vehicle access, manoeuvring, and parking.

Reasons for Decision:

1. The subdivision is consistent with the policies and objectives of the Transitional District Plan and Proposed District Plan.
2. The subdivision would have no more than minor environmental effects.

**Environmental Control Business Unit
Decision Report For Land Use Consent**

Service Request No: 27724
Link No: 0600 402511

5 February 1997

Notified Application

Application Received: 24 January 1997
Additional Information Required: No
Date Information Received: N/A
Working Days to Complete:

<u>Site Address:</u>	115 Vivian Street, Wellington
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner
<u>Proposal:</u>	Subdivide building into 14 Unit Titles
<u>Owner:</u>	Thomas George Macarthy
<u>Plan No:</u>	2915-UT1-UT4

Introduction:

The application is for the subdivision of an existing three-storey building into 14 Unit Titles and associated Common Property. The proposed use of the building is for apartments. 13 carpark spaces will be supplied on the ground floor of the building.

A land use consent has already been granted for the proposed development. This was to effect changes to the exterior of the building and relaxation of requirements relating to carparking and loading areas (S.R. No. 25388, dated 12 December 1996).

Vehicle access to the building will be via an existing vehicle crossing from Vivian Street.

Transitional District Plan:

The site is zoned Industrial B1. This subdivision has been assessed against the provisions of the Proposed District Plan. Decisions have now been issued on submissions received on the notified Proposed District Plan. Consequently, more weight can now be given to this plan.

As the Proposed District Plan is not fully operative, however, section 405 of the Resource Management Act 1991 applies. The subdivision is classified as a Discretionary Activity under the Transitional District Plan.

Proposed District Plan:

The site is zoned Central Area. Unit title subdivision is a controlled activity by virtue of Rule 13.2.2. Council has restricted its discretion to the following matters:

- stormwater, sewerage and water supply; and
- the allocation of accessory units to principle units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.

Rule 13.2.2 specifies the criteria by which the Council will be guided in determining whether to grant consent, and what conditions to impose, if any. These criteria will be addressed later under the assessment section.

Non-Notification:

Pursuant to Section 94 of the Act, the application can be considered on a non-notified basis. Rule 13.2.2 states that the written approval of affected persons will not be required in terms of items 13.2.2.1 and 13.2.2.2 and the application need not be notified.

Assessment:

The applicant has submitted a brief assessment of environmental effects. The proposal is assessed against Rule 13.2.2. The previous land use consent (granted 11 December 1996) dealt with issues such as provision of a loading bay and parking requirements. The assessment for this application will deal only with those items in Rule 13.2.2. It is considered that the act of unit title subdivision in itself will create no environmental effects, therefore no persons or parties are considered to be affected.

Assessment Criteria

13.2.2

1. Requirements of Section 106 of the Act -

There are no known natural hazards associated with this site.

2. Extent of compliance with relevant City Bylaws -

The surveyor has indicated that services can be supplied to the building. No letters have been received from service authorities regarding provision of these services. Confirmation will be required as to whether services can be provided.

3. Need to ensure permanent site access and continued provision for on site loading and unloading facilities -

Existing vehicle access to the building already exists. Consent has already been granted to the proposed drawings and the manoeuvring, common area and proposed ramp to the basement. Any outstanding issues, regarding parking or the provision of loading bays, have already been addressed and approved.

4. Current use and future allocation of subdivisional areas -

The lobby, stairwells and parking ramp are common property, shared between owners/occupiers of the 14 apartments. There is practical physical access to all units, either via doors to the street level, or via the common lobby and stairwell.

It is considered that the proposal is consistent with the rules in the PDP.

Reserves Contribution:

Rule 3.4.4 - Development Impact Fees, requires reserve contributions where development would result in additional demand for recreational facilities. In this respect, the Council can impose a reserve contribution for the 14 residential units that would be created. Current policy is to subtract the reserves contribution represented by the existing commercial use of the building. Accordingly, the following reserves contribution has been calculated:

(i)	Reserves contribution in respect of residential apartments: 14 apartments @ \$1950.00	\$27,300.00
(ii)	Less reserves contribution by existing building (typical floor gross areas = 981m ² , basement = 364m ²), therefore: (3 x 9.81 + 3.64) x \$750.00	\$24,802.50
TOTAL		\$2,497.00

A condition is recommended as part of subdivisional consent.

Objectives and Policies:

The Proposed District Plan provides for a variety of uses in the Central Area, of which unit title subdivisions are included. The subdivision would be an efficient use of physical resources and would be compatible with the general character of the surrounding environment. The proposal is consistent with the objectives and policies of the Proposed District Plan.

Conclusion:

This proposal is consistent with the policies and objectives of the Proposed District Plan. The environmental effects of the subdivision are considered to be minor. The subdivision, therefore, will meet the requirements of the Resource Management Act 1991 and the provisions of the Transitional District Plan and the Proposed District Plan.

Decision:

THAT the undersigned officers, acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991, **agree** to grant subdivision consent for the creation of 14 unit titles at 115 Vivian Street, as shown in Plans 2915-UT1-UT4 accompanying WCC application 27742, received on 24 January 1997, subject to the following conditions:

Conditions of Consent:

1. No modifications to the disposition of the land or structures in any manner will be permitted now, or in the future, without specific approval from the Wellington City Council authorising any such changes pursuant to the provisions of the Resource Management Act 1991 or any subsequent replacement legislation.

Please note: Upon the issue of the Certificate pursuant to Section 224 or at such earlier time as may be required, a Consent Notice pursuant to Section 221 will be issued. The Consent

Notice will specify condition 1 above, to be registered against all Certificates of Title in respect of this subdivision.

2. The applicant shall provide certification from a suitably qualified person that the building(s) to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in Section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to Section 224(f) of the Resource Management Act 1991.

Note: Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above condition:

- Members of the Association of Consulting Engineers of New Zealand (Incorporated);
- Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
- Members of the New Zealand Institute of Architects (N.Z.I.A.)
- Registered Clerks of Works

3. In order to make appropriate provision for recreational facilities, a contribution in respect of reserves is payable and this has been assessed at \$2,497.00 incl. GST. Payment of this reserves contribution must be made by **bank cheque** within twelve (12) months from the date of this approval, or before the issue of a certificate pursuant to Section 224(c), whichever occurs first. If payment is not made within that time, the contribution will be reassessed.
4. Construction plans of building, water reticulation, public sewers and stormwater drains to serve the building shall be submitted for approval and all work carried out in accordance with the approved plans and to the satisfaction of the Subdivision Engineer, Commissioning.
5. The applicant shall comply with the requirements of Council's "Code of Practice for Land Development, November 1994," in regard to vehicle access, manoeuvring, and parking.

Reasons for Decision:

1. The subdivision is consistent with the policies and objectives of the Transitional District Plan and Proposed District Plan.
2. The subdivision would have no more than minor environmental effects.

Delegated Officer

Delegated Officer

Prepared by:

Sarah Jenkin
Works Consultancy Services Limited

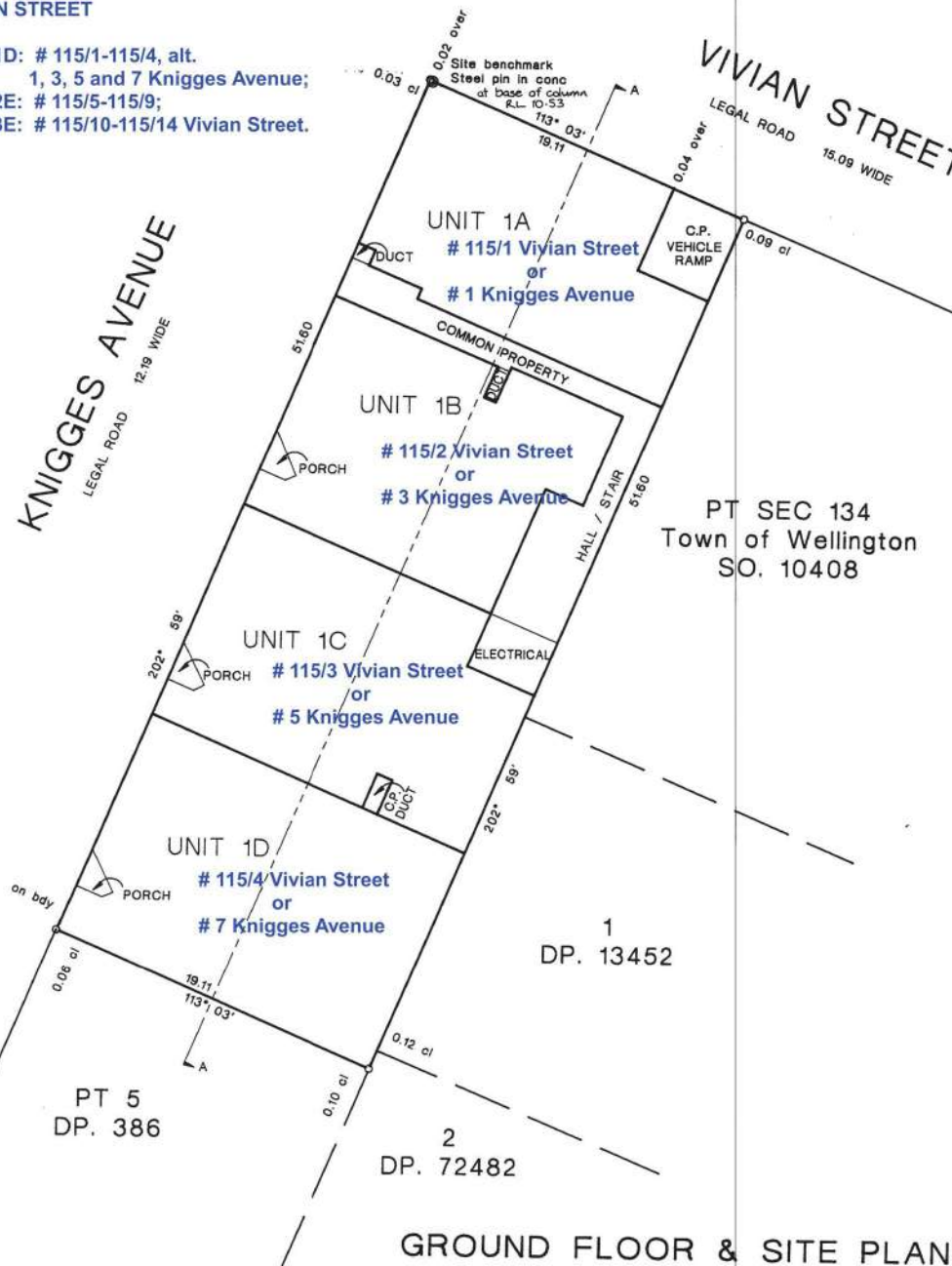
Delegate Authority Code: ii, viii, xix, and xxi (subdivision only)

115 VIVIAN STREET

Units 1A-1D: # 115/1-115/4, alt.
1, 3, 5 and 7 Knigges Avenue;
Units 2A-2E: # 115/5-115/9;
Units 3A-3E: # 115/10-115/14 Vivian Street.

KNIGGES AVENUE
LEGAL ROAD 12.19 WIDE

VIVIAN STREET
LEGAL ROAD 15.09 WIDE



UNIT ENTITLEMENT					
UNIT DESCRIPTION	APPROX FLOOR AREA	UNIT ENTITLEMENT	HEIGHT LOWER	LIMITS UPPER	CT ISSUED
UNIT 1A	192m ²		14.80	11.65	
UNIT 1B	202m ²		14.80	11.10	
UNIT 1C	226m ²		14.80	11.10	
UNIT 1D	249m ²		14.80	11.10	
UNIT 2A	113m ²		18.55	14.80	
UNIT 2B	121m ²		18.55	14.80	
UNIT 2C	198m ²		18.55	14.80	
UNIT 2D	201m ²		18.55	14.80	
UNIT 2E	247m ²		18.55	14.80	
UNIT 3A	113m ²		21.60	18.55	
UNIT 3B	121m ²		21.60	18.55	
UNIT 3C	198m ²		21.60	18.55	
UNIT 3D	201m ²		21.60	18.55	
UNIT 3E	247m ²		21.60	18.55	
AU B1	13m ²		11.65	8.70	
AU B2	13m ²		11.65	8.70	
AU B3	12m ²		11.65	8.70	
AU B4	12m ²		11.65	8.70	
AU B5	12m ²		11.65	8.70	
AU B6	15m ²		11.65	8.70	
AU B7	14m ²		11.65	8.70	
AU B8	11m ²		11.65	8.70	
AU B9	11m ²		11.65	8.70	
AU B10	11m ²		11.65	8.70	
AU B11	13m ²		11.65	8.70	
AU B12	13m ²		11.65	8.70	
AU B13	13m ²		11.65	8.70	

TOTAL ENTITLEMENT
SUPPLEMENTARY RECORD SHEET No.

SITE BENCH MARK IS STEEL PIN FLUSH IN CONC AT BASE OF COLUMN RL = 10.53
ORIGIN OF LEVELS IS BM 46 RL = 13.82
WELLINGTON BENCH MARK CARDS
Height in terms of MSL Wellington Datum
UNIT BOUNDARIES ARE THE CENTRE OF WALLS UNLESS SHOWN OTHERWISE

ADDRESS OF BODY CORPORATE
115 VIVIAN STREET
WELLINGTON

I, Bruce Andrew Monners REGISTERED VALUER
HEREBY CERTIFY THAT I HAVE ASSESSED THE UNIT ENTITLEMENT SHOWN HEREON IN ACCORDANCE WITH THE UNIT TITLES ACT 1972.
DATED THIS 15 DAY OF MAY 1997.

REGISTERED VALUER

PURSUANT TO SECTION 5(1)(g) OF THE UNIT TITLES ACT 1972, I BRUCE ANDREW MONNERS PRINCIPAL ADMINISTRATION OFFICER OF THE WELLINGTON CITY COUNCIL HEREBY CERTIFY THAT EVERY BUILDING SHOWN ON THIS UNIT PLAN HAS BEEN ERECTED AND ALL OTHER DEVELOPMENT WORK HAS BEEN CARRIED OUT TO THE EXTENT NECESSARY TO ENABLE ALL BOUNDARIES OF EVERY UNIT AND THE COMMON PROPERTY SHOWN ON THE PLAN TO BE PHYSICALLY MEASURED.

PLAN NO DATED MAY 15, 1997
PRINCIPAL ADMINISTRATION OFFICER

Approvals

REGISTERED OWNERS

APPROVED PURSUANT TO SECTION 223 OF THE RESOURCE MANAGEMENT ACT 1991, ON THE 15TH DAY OF MAY 1997, THE COMMON SEAL OF THE WELLINGTON CITY COUNCIL WAS AFFIXED HERETO IN THE PRESENCE OF:

AUTHORIZED OFFICER

PURSUANT TO SECTION 224(c) OF THE RESOURCE MANAGEMENT ACT 1991, I HEREBY CERTIFY THAT SOME OF THE CONDITIONS OF THE SUBMISSION CONSENT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE WELLINGTON CITY COUNCIL, AND THAT A CONSENT NOTICE HAS BEEN ISSUED IN RESPECT OF THOSE CONDITIONS THAT HAVE NOT BEEN COMPLIED WITH.
DATED THIS 15TH DAY OF MAY 1997.

AUTHORIZED OFFICER

PURSUANT TO SECTION 224(f) OF THE RESOURCE MANAGEMENT ACT 1991, I HEREBY CERTIFY THAT THE WELLINGTON CITY COUNCIL IS SATISFIED ON REASONABLE GROUNDS ON THIS PLAN COMPLIES WITH THE PROVISIONS OF THE BUILDING CODE SPECIFIED IN SECTION 46(4) OF THE BUILDING ACT 1991
DATED THIS 15TH DAY OF MAY 1997

AUTHORIZED OFFICER

Total Area 986m²

Comprised in CT / (All)

I, Bruce Andrew Monners
Registered Surveyor and holder of an annual practicing certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at Wellington this 26th day of March 1997 Signature BRM

Field Book p. Traverse Book p. DPs 386, 13452, 60606, 72482, 83518, 50s 40408, 34937
Reference Plans
Examined Correct

Approved as to Survey
..... / Chief Surveyor

Deposited this day of 19 ..
District Land Registrar

File : 2915 : 50 WCC 2724
Received 30.5.97
Instructions
14685

LAND DISTRICT WELLINGTON
SURVEY BLK. & DIST. VI PORT NICHOLSON
NZMS 261 SHT RECORD MAP No

UNITS ON LOT 3 D.P. 386

TERRITORIAL AUTHORITY WELLINGTON CITY
Surveyed by Connell Wagner Ltd.
Scale 1:200 Date March 1997

Service Request 50781 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1126086 Valuation Historic - 115 Vivian Street

File Reference: 0600

Contact: 52536146 Connell Wagner Ltd

Contact Address: 25394537

Attention: J FitzGerald

Status: Passed to Holding

Status Date: 6-Apr-99 8:58 AM

SR Status: On-going

Owner: Member:

Extn:

Team: 1997 Q1/Gov Team 77

Due Date:

Days Remaining :

Days Elapsed :

Description: Unit Title subdivision

Extended:
Description

Special
Conditions or
Comment

6 April, 1999

Connell Wagner Limited
P O Box 1591
Thorndon
Wellington

Service Request No: 50781
Link No: 0600 715786

Attention: J FitzGerald

Dear Sir/Madam,

APPLICATION FOR RESOURCE CONSENT 50781 GRANTED

Service Request Type:	Resource Consent	
Site Address:	115 Vivian St	Lot 3 DP 386
Consent Type:	Subdivision	
Consent Description:	Unit Title subdivision	

Please refer to Service Request No. 50781.

I refer to your recent Resource Consent application in which you seek consent to a Unit Title Subdivision for 16 additional units.

The application was considered by officers acting under delegated authority on 1 April 1999. I advise that under section 105(1)(b) of the Resource Management Act 1991 (the Act), consent to the application is hereby granted subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a two (2) year period, commencing from the date of this decision. If you have not given effect to this consent by then, you may either make an application for an extension of time, within three (3) months of the expiry, or lodge a fresh resource consent application.

If you would like to discuss this application further please do not hesitate to contact me on 801-3524.

Yours sincerely,

Alexander (Dave) Gibson
Resource Consent Planner
Environmental Control Business Unit
Wellington City Council

Notice of Decision

<u>Date:</u>	6 April, 1999
<u>Site Address:</u>	115 Vivian St
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner Limited
<u>Proposal:</u>	Subdivide building into 16 additional Unit Titles
<u>Owner:</u>	VIVIAN LTD
<u>Plan No:</u>	2915:51 dated Feb. 1999 by Connell Wagner Ltd

Transitional District Plan:

Planning Maps

- Industrial B1 Zone

Activity

- The proposed Unit Title subdivision is a Controlled Activity pursuant to Section 405(3)(a) of the Resource Management Act 1991.

Proposed District Plan:

Planning Maps

- Central Area (Cuba Character Area)

Activity

Unit Title subdivision is a Controlled Activity by virtue of Rule 13.2.2 of the Proposed District Plan in respect of:

- 13.2.2.1 stormwater, sewerage and water supply
- 13.2.2.2 the allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.

The standards and terms for the activity are that all buildings and structures must meet the conditions for permitted activities, the terms of any relevant resource consent, or must have existing use rights. However, as the parts of the building to be subdivided have not been constructed yet, the subdivision does not meet the standards and terms and is therefore a Discretionary Activity.

Decision:

THAT officers acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991 and the provisions of the Transitional and Proposed District Plans, grant consent to a unit title subdivision at 115 Vivian Street (being Lot 3 DP 386), subject to the following conditions:

Conditions of Consent:

- (a) The Land Transfer Plan to give effect to this Resource Consent must be consistent with the proposal shown on Plan No. 2915:51, dated February 1999 drawn by Connell Wagner Ltd submitted with the Application, our SR No. 50781.
- (b) In order to make appropriate provision for recreational facilities, a contribution in respect of reserves is payable and this has been assessed at \$31,200.00 inclusive of GST. Payment of this reserves contribution must be made by **bank cheque** before the issue of a certificate pursuant to Section 224(c).

Notes:

1. The Applicant shall provide certification from a suitably qualified person that the building(s) to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in Section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to Section 224(f) of the Resource Management Act 1991.

Note: Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above condition:

- Members of the Association of Consulting Engineers of New Zealand (Inc);
 - Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
 - Members of the New Zealand Institute of Architects (N.Z.I.A.);
 - Registered Clerks of Works.
2. The Survey Plan must be certified in accordance with Section 223 within 2 years of the granting of this Consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
 3. A certificate pursuant to Section 224 will be issued following compliance with all of the Conditions of Consent set out above, and payment of all relevant charges and levies.
 4. All payments including reserves contributions and water connection fees, called for in the above conditions of approval should be made through the Environmental Control Business Unit.
 5. At any time prior to the issue of a certificate pursuant to Section 224, Council may, in accordance with Section 128, review the Conditions of Consent. Council may conduct the review to deal with any adverse effect on the environment which may arise from the exercise of the consent, for any purpose specified in the Consent or in the event that information supplied to Council contained inaccuracies that were material to the decision.
 6. Rights of objection to the conditions specified above may be exercised pursuant to Section 357(2) by the consent holder. Any objection shall be made in writing, setting

out the reasons for the objection within 15 working days of this notification or within such extended period as Council in any special case may allow.

Reasons For Decision:

There are little or no adverse effects in relation to this subdivision proposal. The proposal also meets the relevant objectives and policies, and assessment criteria of the Transitional and Proposed District Plan.

**Environmental Control Business Unit
Decision Report For Subdivision Consent**

Service Request No: 50781
Link No: 0600 715786

31 March 1999

Non-Notified Application

<u>Site Address:</u>	115 Vivian Street, Wellington
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Vivian Limited c/- Connell Wagner
<u>Proposal:</u>	Subdivide building into 16 additional Unit Titles
<u>Owners:</u>	VIVIAN LIMITED
<u>Plan No:</u>	Connell Wagner, 2915:51 dated February 1999

Transitional District Plan:

- 1 Planning Maps
 - Industrial B1 Zone
- 2 Activity
 - The proposed Unit Title subdivision is a Controlled Activity pursuant to Section 405(3)(a) of the Resource Management Act 1991.

Proposed District Plan:

- 3 Planning Maps
 - Central Area (Cuba Character Area)
- 4 Activity

Unit Title subdivision is a Controlled Activity by virtue of Rule 13.2.2 of the Proposed District Plan in respect of : (refer section 6 of this report)

 - 13.2.2.1 stormwater, sewerage and water supply
 - 13.2.2.2 the allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.
- 5 The Plan outlines assessment criteria to guide Council in determining appropriate conditions. These include:
 - the requirements of section 106 of the Act;

- the extent of compliance with the relevant parts of the City Bylaws
 - the need to ensure permanent site access and continued provision for on site loading and unloading facilities
 - the current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.
- 6 The standards and terms for the activity are that all buildings and structures must meet the conditions for permitted activities, the terms of any relevant resource consent, or must have existing use rights. However, as the parts of the building to be subdivided have not been constructed yet , the subdivision does not meet the standards and terms and is therefore a Discretionary Activity.

Status of District Plans:

- 7 The Proposed District Plan Central Area provisions have been through the submission, hearing and decision phases of plan development. These include all subdivision provisions. There are no relevant appeals lodged with the Environment Court. The Proposed District Plan is, therefore, the dominant planning document against which the application is assessed.

Section 94 Analysis:

- 8 Pursuant to section 94 of the Act, applications can be considered on a non-notified basis if the subdivision is a controlled activity. As the subdivision is technically a Discretionary Activity the application can be considered on a non-notified basis if the effects of the activity are considered to be minor and the written approval of any person who may be adversely affected has been obtained. The additions to the building have a Land Use consent which has not been acted upon. The subdivision can not be acted upon until the additions have been substantially built. Therefore I consider the effects of the subdivision to be de minimus and no persons are adversely affected. Accordingly, the application has been dealt with on a non-notified basis.

The Site:

- 9 The subject site is on the corner of Vivian Street and Knigges Ave, opposite Cobblestone Park and the School of Architecture and Design. The site is fully occupied, comprising a three storey existing residential building.
- 10 On 12th December 1996 consent was granted to convert the building from an unused warehouse into 14 apartments (Service Request No. 25388).
- 11 On 28th February 1998 consent was granted for the subdivision of the existing building into 14 unit titles (Service Request No. 27724).
- 12 On 11th August 1998 consent was granted to construct a 2 storey addition onto the existing three storey building; and a new veranda to be added directly above the 1st storey (ground floor) windows of the building.

The Proposal:

- 13 The application is for a subdivision of the proposed residential apartment development on top of the existing building at 115 Vivian Street into sixteen two storey residential units. The proposal is to redevelop the existing unit title development on Lot 3 DP 386. The existing unit plan (DP 84197) comprises 14 principal units (residential) and 13 accessory units (car parks). It is proposed to create 16 new units within the common property above the existing roof level.
- 14 The units are proposed to be for residential purposes, and would be labelled 4A – 4H, 4J – 4N, 4P, 4Q and 4R. Access to these units will be via the existing stairwells and corridors, which are common property within the existing building. The proposed units are all two storey apartments. A corridor is to be provided on Level 3 from the stairwell and lift for access to each unit. This corridor will be common property.

Assessment:

- 15 The proposal is assessed against the criteria of Rule 13.2.2 even though it is a Discretionary Activity as these criteria are more appropriate for a Unit Title subdivision. The previous land use consents (granted 12 December 1996 and 11 August 1998) dealt with issues relating to provision of a loading bay and parking requirements. The assessment for this application will deal only with those items with respect to which Council has reserved its control:

13.2.2.1 stormwater, sewerage and water supply

All services are available and existing within the current development;

13.2.2.2 the allocation of accessory units to principal units to ensure compliance with the servicing rules, and to ensure practical physical access to every household unit

All passageways, stairwells and the lift would be common property, ensuring access to all units.

- 16 The following is an assessment with respect to the assessment criteria set out in Rule 13.2.2:

- *the requirements of Section 106 of the Act*
The subject site is not subject to any material damage by erosion, subsidence, slippage, or inundation, and the granting of this consent will not change this situation. The proposed unit title subdivision is therefore considered to satisfy Section 106 of the Act.
- *the extent of compliance with the relevant parts of the City Bylaws*
The applicant has stated that the proposal will comply with all relevant parts of the City Bylaws. City Water and Public Drainage have no requirements for the subdivision
- *the need to ensure permanent site access and continued provision for on site loading and unloading facilities*

Existing vehicle access to the building already exists. Consent has already been granted with respect to parking, loading and access to the building, and shall therefore remain as they are.

- *the current and future allocation of subdivisional areas to achieve the efficient use of land and buildings*

All passageways, stairwells and the lift will be common property shared between the owners/occupants of the 16 proposed apartments

It is considered that unit title subdivision itself will not create any adverse environmental effects.

Reserves Contribution

Rule 3.4.4 – Development Impact Fees, requires reserve contributions where development would result in additional demand for recreational facilities. Council can therefore impose a reserve contribution for the 16 residential units that would be created.

Reserves contribution in respect of residential apartments: 16 apartments @ \$1950.00 = **\$31,200.00**

A condition is recommended as part of subdivisional consent.

District Plan Objectives and Policies:

- 19 The relevant objectives and policies of the Proposed District Plan are as follows:

Objective 12.2.4 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.

Policy 12.2.4.1 Ensure the sound design, development and servicing of all subdivisions.

- 20 The relevant objectives, policies and the rules which flow from them, have been devised to ensure that the adverse effects of subdivisions are remedied, avoided or mitigated. It is considered that the proposed subdivision is consistent with these objectives.

Conclusion:

- 21 In conclusion, I believe that there are little or no adverse effects in relation to this proposal. The proposal also meets the relevant objectives and policies, and assessment criteria of the Transitional and Proposed District Plan. Having regard to the matters set out in section 104 of the Act, I believe consent can be granted.

Decision:

THAT officers acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991 and the provisions of the Transitional and Proposed District Plans, grant consent to a unit title subdivision at 115 Vivian Street (being Lot 3 DP 386), subject to the following conditions:

Conditions of Consent:

- (a) The Land Transfer Plan to give effect to this Resource Consent must be consistent with the proposal shown on Plan No.2915:51, dated February 1999 drawn by Connell Wagner Ltd submitted with the Application, our SR No. 50781.
- (b) In order to make appropriate provision for recreational facilities, a contribution in respect of reserves is payable and this has been assessed at \$31,200.00 inclusive of GST. Payment of this reserves contribution must be made by **bank cheque** before the issue of a certificate pursuant to Section 224(c).

Notes:

1. The Applicant shall provide certification from a suitably qualified person that the building(s) to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in Section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to Section 224(f) of the Resource Management Act 1991.

Note: Council regards the following persons as fulfilling the requirements for being suitably qualified with respect to the above condition:

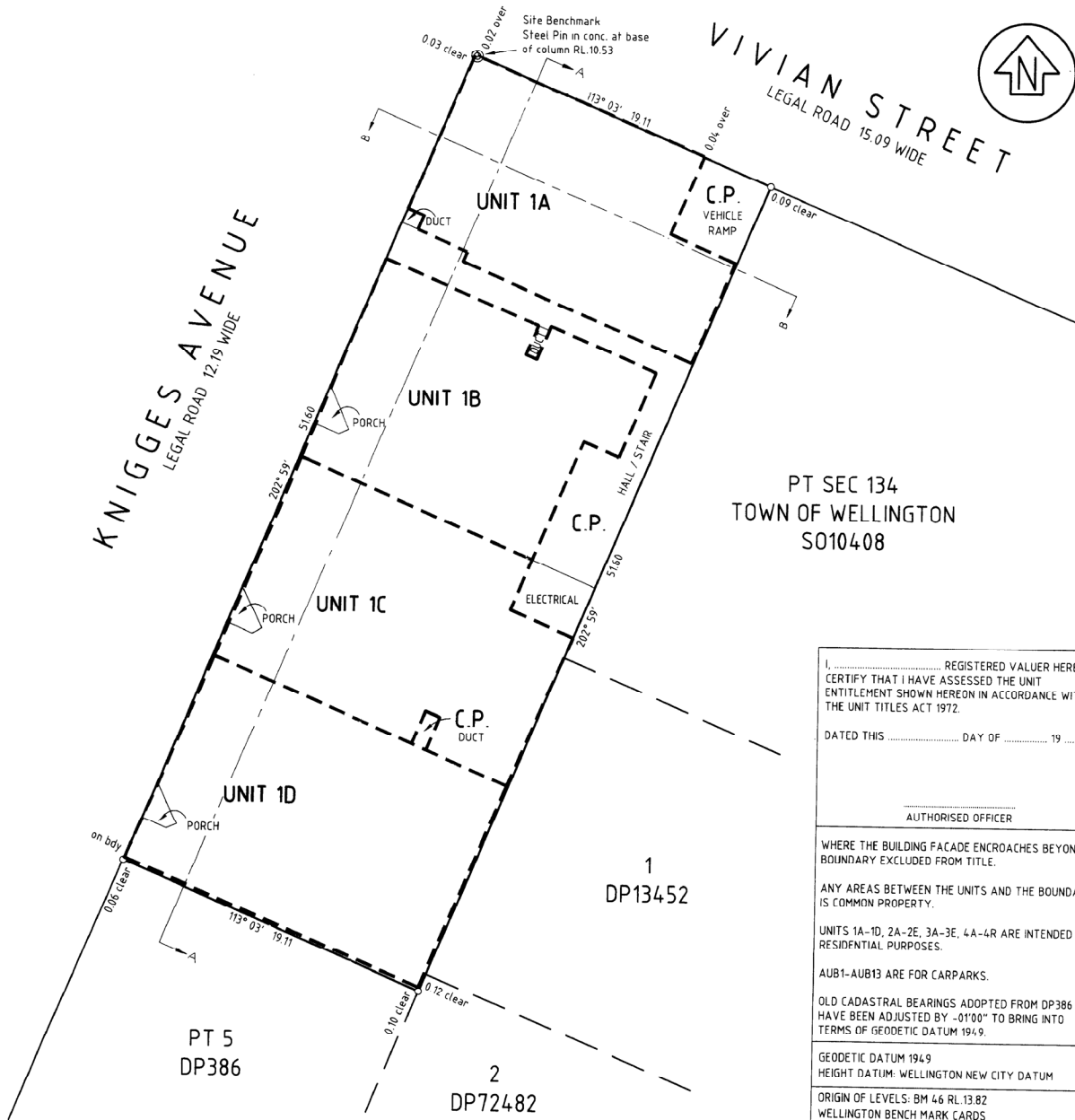
- Members of the Association of Consulting Engineers of New Zealand (Inc);
 - Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
 - Members of the New Zealand Institute of Architects (N.Z.I.A.);
 - Registered Clerks of Works.
2. The Survey Plan must be certified in accordance with Section 223 within 2 years of the granting of this Consent, or within such extended period of time pursuant to Sections 125 and 37, as Council may allow.
 3. A certificate pursuant to Section 224 will be issued following compliance with all of the Conditions of Consent set out above, and payment of all relevant charges and levies.
 4. All payments including reserves contributions and water connection fees, called for in the above conditions of approval should be made through the Environmental Control Business Unit.
 5. At any time prior to the issue of a certificate pursuant to Section 224, Council may, in accordance with Section 128, review the Conditions of Consent. Council may conduct the review to deal with any adverse effect on the environment which may arise from the exercise of the consent, for any purpose specified in the Consent or in the event that information supplied to Council contained inaccuracies that were material to the decision.
 6. Rights of objection to the conditions specified above may be exercised pursuant to

Section 357(2) by the consent holder. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as Council in any special case may allow.

Alexander (Dave) Gibson
Delegated Officer

T Garnett
Delegated Officer

Delegated Authority Code: (ii, viii, xix and xxi)



GROUND FLOOR AND SITE PLAN

PT SEC 134
TOWN OF WELLINGTON
SO10408

1
DP13452

2
DP72482

PT 5
DP386

I, REGISTERED VALUER HEREBY
CERTIFY THAT I HAVE ASSESSED THE UNIT
ENTITLEMENT SHOWN HEREON IN ACCORDANCE WITH
THE UNIT TITLES ACT 1972.

DATED THIS DAY OF 19

.....
AUTHORISED OFFICER

WHERE THE BUILDING FACADE ENCROACHES BEYOND
BOUNDARY EXCLUDED FROM TITLE.

ANY AREAS BETWEEN THE UNITS AND THE BOUNDARY
IS COMMON PROPERTY.

UNITS 1A-1D, 2A-2E, 3A-3E, 4A-4R ARE INTENDED FOR
RESIDENTIAL PURPOSES.

AUB1-AUB13 ARE FOR CARPARKS.

OLD CADASTRAL BEARINGS ADOPTED FROM DP386
HAVE BEEN ADJUSTED BY -0'100" TO BRING INTO
TERMS OF GEODETIC DATUM 1949.

GEODETIC DATUM 1949
HEIGHT DATUM: WELLINGTON NEW CITY DATUM

ORIGIN OF LEVELS: BM 46 RL 13.82
WELLINGTON BENCH MARK CARDS
HEIGHT IN TERMS OF MSL WELLINGTON DATUM

SITE BENCH MARK: STEEL PIN FLUSH IN CONCRETE
AT BASE OF COLUMN RL 10.53

UNIT BOUNDARIES ARE THE CENTRE OF WALLS
UNLESS SHOWN OTHERWISE

UNIT SCHEDULE					
UNIT DESCRIPTION	APPROX FLOOR AREA	UNIT ENTITLEMENT	HEIGHT LIMITS		CT ISSUED
			UPPER	LOWER	
UNIT 1A	192m ²	413	14.80	11.65	
UNIT 1B	202m ²	437	14.80	11.10	
UNIT 1C	226m ²	424	14.80	11.10	
UNIT 1D	249m ²	429	14.80	11.10	
UNIT 2A	113m ²	312	18.55	14.80	
UNIT 2B	121m ²	330	18.55	14.80	
UNIT 2C	198m ²	418	18.55	14.80	
UNIT 2D	201m ²	417	18.55	14.80	
UNIT 2E	247m ²	427	18.55	14.80	
UNIT 3A	113m ²	312	21.60	18.55	
UNIT 3B	121m ²	330	21.60	18.55	
UNIT 3C	198m ²	418	21.60	18.55	
UNIT 3D	201m ²	418	21.60	18.55	
UNIT 3E	247m ²	466	21.60	18.55	
UNIT 4A	103m ²	254	35.00	21.60	
UNIT 4B	116m ²	267	35.00	21.60	
UNIT 4C	113m ²	266	35.00	21.60	
UNIT 4D	113m ²	266	35.00	21.60	
UNIT 4E	118m ²	266	35.00	21.60	
UNIT 4F	95m ²	250	35.00	21.60	
UNIT 4G	95m ²	250	35.00	21.60	
UNIT 4H	95m ²	250	35.00	21.60	
UNIT 4J	95m ²	250	35.00	21.60	
UNIT 4K	95m ²	250	35.00	21.60	
UNIT 4L	95m ²	250	35.00	21.60	
UNIT 4M	118m ²	266	35.00	21.60	
UNIT 4N	113m ²	265	35.00	21.60	
UNIT 4P	113m ²	266	35.00	21.60	
UNIT 4Q	117m ²	267	35.00	21.60	
UNIT 4R	118m ²	267	35.00	21.60	
AU B1	13m ²	23	11.65	8.70	
AU B2	13m ²	23	11.65	8.70	
AU B3	12m ²	23	11.65	8.70	
AU B4	12m ²	23	11.65	8.70	
AU B5	12m ²	23	11.65	8.70	
AU B6	15m ²	23	11.65	8.70	
AU B7	14m ²	23	11.65	8.70	
AU B8	11m ²	23	11.65	8.70	
AU B9	11m ²	23	11.65	8.70	
AU B10	11m ²	23	11.65	8.70	
AU B11	13m ²	23	11.65	8.70	
AU B12	13m ²	23	11.65	8.70	
AU B13	13m ²	23	11.65	8.70	
TOTAL ENTITLEMENT		10,000			

SUPPLEMENTARY RECORD SHEET

TERRITORIAL AUTHORITY WELLINGTON CITY

Surveyed by Connell Wagner Ltd.

Scale 1:200

Date APRIL 1999

Approvals

REGISTERED OWNERS

ADDRESS OF BODY CORPORATE:
115 VIVIAN STREET
WELLINGTON

I HEREBY CERTIFY THAT THIS PLAN WAS APPROVED BY THE
WELLINGTON CITY COUNCIL PURSUANT TO SECTION 223 OF THE
RESOURCE MANAGEMENT ACT 1991 ON THE 1ST DAY OF September
1999

W. H. Stevens
AUTHORISED OFFICER

PURSUANT TO SECTION 224(C) OF THE RESOURCE MANAGEMENT
ACT 1991, I HEREBY CERTIFY THAT SOME OF THE CONDITIONS OF THE
SUBDIVISION CONSENT HAVE BEEN COMPLIED WITH TO THE
SATISFACTION OF THE WELLINGTON CITY COUNCIL AND THAT A
BOND HAS BEEN ENTERED INTO IN RESPECT OF THOSE
CONDITIONS THAT HAVE NOT BEEN COMPLIED WITH.

DATED THIS 1ST DAY OF September 1999

W. H. Stevens
AUTHORISED OFFICER

PURSUANT TO SECTION 224 (F) OF THE RESOURCE MANAGEMENT
ACT 1991, I HEREBY CERTIFY THAT THE WELLINGTON CITY COUNCIL
IS SATISFIED ON REASONABLE GROUNDS THAT EVERY EXISTING
BUILDING OR PART OF AN EXISTING BUILDING (INCLUDING ANY
BUILDING OR PART THEREOF UNDER CONSTRUCTION)
SHOWN ON THIS PLAN COMPLIES WITH OR WILL
COMPLY WITH THE PROVISIONS OF THE BUILDING
CODE SPECIFIED IN SECTION 46(4) OF THE
BUILDING ACT 1991. DATED THIS 2ND DAY OF
SEPTEMBER 1999.

W. H. Stevens
Authorised Officer

Total Area 986m²

Comprised in 51B/862 - 51B/876 (ALL)

I, Bruce Andrew Manners

Registered Surveyor and holder of an annual practising certificate for
who may act as a registered surveyor pursuant to section 25 of the
Survey Act 1986) hereby certify that this plan has been made from
surveys executed by me or under my directions, that both plan and
survey are correct and have been made in accordance with the Survey
Regulations 1972 or any regulations made in substitution thereof.

Dated at Wellington this 4th day
of May 1999 Signature [Signature]

Field Book . . . p . . . Traverse Book . . . p . . .
Reference Plans . . . DP's 386, 13452, 60606, 72482, 83518
SO's 40408, 34937

Examined Correct

Approved as to Survey #15595/1

.../.../... Chief Surveyor

Deposited this . . day of 19 . .

Registrar - General of Land

File 2915 50 CL (PD1)
Received
Instructions

SHEET 1 OF 4

APPROVED WG-LM 95/5

LAND DISTRICT WELLINGTON
SURVEY BLK. & DIST. VI PORT NICHOLSON
NZMS 261 SHT. RECORD MAP No.

PROPOSED UNIT DEVELOPMENT
ON LOT 3 DP386



Approvals

REGISTERED OWNERS

ADDRESS OF BODY CORPORATE:
115 VIVIAN STREET
WELLINGTON

PURSUANT TO SECTION 5(1)(g) OF THE UNIT TITLES ACT 1972, I, *Ashley Russell* PRINCIPAL ADMINISTRATIVE OFFICER OF THE WELLINGTON CITY COUNCIL HEREBY CERTIFY THAT EVERY BUILDING SHOWN ON THIS PLAN HAS BEEN ERRECTED AND ALL OTHER DEVELOPMENT WORK HAS BEEN CARRIED OUT TO THE EXTENT NECESSARY TO ENABLE ALL BOUNDARIES OF EVERY UNIT AND THE COMMON PROPERTY SHOWN ON THE PLAN TO BE PHYSICALLY MEASURED. I FURTHER CERTIFY THAT THE SAID PLAN IS CONSISTENT WITH PROPOSED UNIT DEVELOPMENT PLAN NO.

DATED THIS 1st DAY OF September, 1999.

A. Moughtin
AUTHORISED OFFICER

WHERE THE BUILDING FACADE ENCLOSES BEYOND BOUNDARY EXCLUDED FROM TITLE.

ANY AREAS BETWEEN THE UNITS AND THE BOUNDARY IS COMMON PROPERTY.

UNITS 1A-1D, 2A-2E, 3A-3E ARE INTENDED FOR RESIDENTIAL PURPOSES.

AUB1-AUB13 ARE FOR CARPARKS.

OLD CADASTRAL BEARINGS ADOPTED FROM DP386 HAVE BEEN ADJUSTED BY -01'00" TO BRING INTO TERMS OF GEODETIC DATUM 1949.

GEODETIC DATUM 1949

HEIGHT DATUM: WELLINGTON NEW CITY DATUM

ORIGIN OF LEVELS: BM 46 RL 13.82

WELLINGTON BENCH MARK CARDS

HEIGHT IN TERMS OF MSL WELLINGTON DATUM

SITE BENCH MARK: STEEL PIN FLUSH IN CONCRETE AT BASE OF COLUMN. RL 10.53

UNIT BOUNDARIES ARE THE CENTRE OF WALLS UNLESS SHOWN OTHERWISE

Total Area 986m²

Comprised in 51B/862 - 51B/876 (ALL)

I, Bruce Andrew Manners
Registered Surveyor and holder of an annual practising certificate for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Wellington this 4th day
of May 19 99 Signature *B. Manners*

Field Book . . . p . . . Traverse Book . . . p . . .
Reference Plans . DP's 386, 13452, 60606, 72482, 83518
SD's 40408, 34937

Examined Correct

Approved as to Survey #15095/2
. . / . . / . . Chief Surveyor

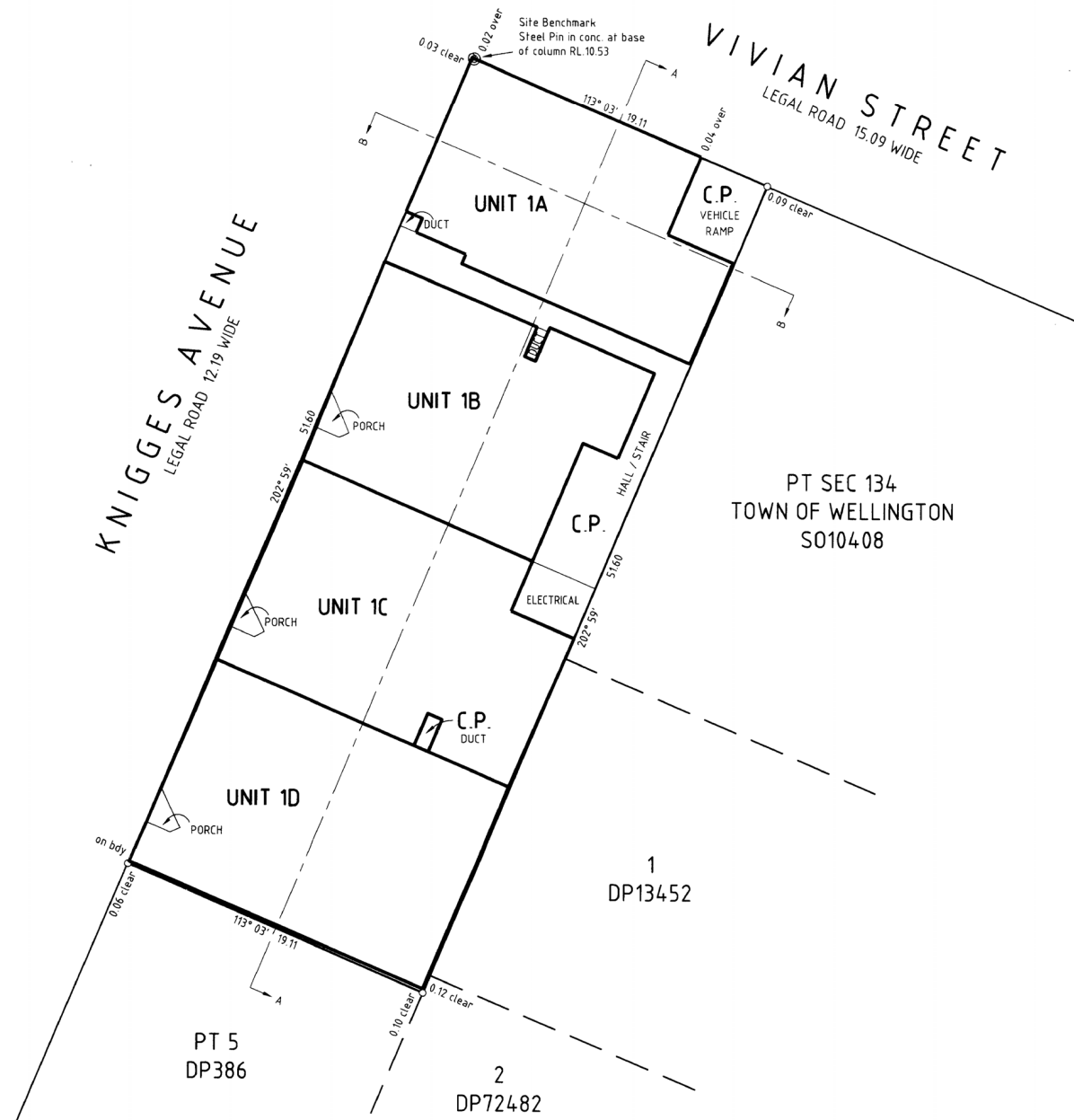
Deposited this . . day of 19 . .

Registrar - General of Land

File 2915 50 CL (FS1)
Received
Instructions

SHEET 1 OF 4

APPROVED WG-LM 95/5



GROUND FLOOR AND SITE PLAN

LAND DISTRICT WELLINGTON
SURVEY BLK. & DIST. VI PORT NICHOLSON
NZMS 261 SHT. RECORD MAP No.

FIRST STAGE UNIT PLAN ON LOT 3 DP386

TERRITORIAL AUTHORITY WELLINGTON CITY
Surveyed by Connell Wagner Ltd.
Scale 1:200 Date APRIL 1999

Service Request 111063 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 605117

Contact: 52536146 Connell Wagner Ltd

Contact Address: 25394537

Attention: Josie Fitzgerald

Status: Passed to Holding

Status Date: 29-Jan-04 1:59 PM SR Status: On-going

Owner: Member: Extn:

Team: 1997 Q1/Gov Team 77

Due Date: Days Remaining :

Days Elapsed :

Description: 2: Unit Title subdivision of apartments (granted land use consent under SR#89681)

Extended:
Description

Special
Conditions or
Comment All units to be addressed off #115 Vivian Street. mk
NOD sent 30.1.04

29 January, 2004

Connell Wagner Limited
P O Box 1591
Wellington

Service Request No: 111063
Link No: 0600 605117

Attention: Josie Fitzgerald

Dear Josie,

APPLICATION FOR RESOURCE CONSENT 111063 GRANTED

Service Request Type:	Resource Consent	
Site Address:	115 Vivian St	Lot 3 DP 386
Consent Type:	Subdivision	
Consent Description:	Unit Title subdivision of apartments (granted land use consent under SR#89681)	

Please refer to Service Request No. 111063. I refer to your recent Resource Consent application in which you seek consent for a unit title subdivision of the apartments at City Lodge.

The application was considered by officers acting under delegated authority on 29 January 2004. I advise that under section 104A of the Resource Management Act 1991 (the Act), consent to the application is hereby granted subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a five (5) year period, commencing from the date of this decision. If you have not given effect to this consent by then, you may either make an application for an extension of time before the expiry of the consent, or lodge a fresh resource consent application.

If you would like to discuss this application further please contact me on 801-3523.

Yours sincerely

Lisa Gibellini
Resource Consents Planner
Urban Strategy Group
Wellington City Council

Notice of Decision

<u>Date:</u>	29 January, 2004
<u>Site Address:</u>	115 Vivian St
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner Limited on behalf of City Lodge Limited
<u>Proposal:</u>	Unit title subdivision of apartments (granted land use consent under SR#89681)
<u>Owner:</u>	City Lodge Limited
<u>Plan No:</u>	Drawings RC01, RC02, RC03 and RC04, prepared by Connell Wagner, dated 15 January 2004

Decision:

That officers acting under delegated authority from Council and pursuant to section 104A of the Resource Management Act 1991, grant consent to unit title subdivision of the existing building at 115 Vivian St, being Lot 3 DP 386, subject to the following conditions:

Survey Plan:

- (a) The survey plan must conform to the subdivision consent proposal shown on City Lodge Apartments Wellington Drawings No RC01, RC02, RC03, RC04, prepared by Connell Wagner, dated 15 January 2004 submitted with Service Request No. 111063.

Development Impact Fee:

- (b) In order to make appropriate contribution to upgrading the city's infrastructure and reserves, a development impact fee is payable and this has been assessed at \$18,036 inclusive of GST. The development impact fee shall be paid before the issue of a certificate pursuant to section 224(c).

Note:

At time of the section 224 (c) application, part or all of the development impact fee may already have been paid under the building consent process. You will need to provide evidence of these payments in your application.

A traffic fee of:	\$303 per unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per unit	x 36	= \$7,128
Total Fee			= \$18,036

Water Supply:

- (c) An appropriate sized water connection to the public main is required if one is not already available. Please contact Wellington City Council water supply to discuss.

Notes:

1. The applicant shall provide certification from a suitably qualified person that the building to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to section 224(f) of the Resource Management Act 1991.

Council regards the following persons as fulfilling the requirements for being “suitably qualified” with respect to the above:

- Members of the Association of Consulting Engineers of New Zealand (Incorporated);
 - Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
 - Members of the New Zealand Institute of Architects (N.Z.I.A.)
 - Registered Clerks of Works.
2. The survey plan must be certified in accordance with section 223 within 5 years of the granting of this consent, or within such extended period of time pursuant to sections 125 and 37, as the Council may allow.
 3. A certificate pursuant to section 224 will be issued following compliance with all of the conditions of consent set out above, and payment of all relevant charges and levies.
 4. All payments called for in the above conditions of consent should be made through the Building Consents and Licensing Unit.
 5. Rights of objection to the conditions specified above may be exercised pursuant to section 357(2) by the consent holder. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as the Council in any special case may allow.

Reasons for the Decision:

1. The adverse effects of the proposal on the environment will be no more than minor and no parties are considered to be adversely affected.
2. This proposal is in accordance with the relevant objectives, policies and assessment criteria of the Wellington City District Plan.

Urban Strategy Group
Decision Report For Central Area Subdivision Consent

Service Request No: 111063
Link No: 0600 605117

29 January, 2004

Non-Notified Application

<u>Site Address:</u>	115 Vivian St, Te Aro
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner Limited on behalf of City Lodge Limited
<u>Proposal:</u>	Unit Title subdivision of apartments (granted land use consent under SR#89681)
<u>Owner:</u>	City Lodge Limited
<u>Plan No:</u>	Drawings RC01, RC02, RC03 and RC04, prepared by Connell Wagner, dated 15 January 2004

District Plan:

Planning Maps

- 1 The site is located in the Central Area of the District Plan. It is not subject to any special character rules or designations however part of the site is located within hazard (Ground Shaking) area.

Activity

- 2 The unit title subdivision is a Controlled Activity pursuant to Rule 13.2.2. Control has been reserved over:
 - 13.2.2.1 stormwater, sewerage and water supply
 - 13.2.2.2 the allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.
- 3 The standards and terms for the activity are that all buildings and structures must meet the conditions for permitted activities, the terms of any relevant resource consent, or must have existing use rights. In this case the development has a land use consent under SR89681 for the addition of four storeys to an existing three level Central Area

building and alterations to the façade of the building. However, the terms are yet to be met and therefore the subdivision is considered as a Discretionary (Unrestricted) Activity under Rule 13.4.4 .

- 4 The assessment criteria for this proposal (14.4.4.1 to 13.4.4.4 and 13.2.2.6 in relation to unit title subdivisions) are referred to later in the report.

The Site:

- 5 The site is situated on the southern side of Vivian Street at the corner of Vivian Street and Knigges Avenue. Knigges Avenue is a short dead-end street. The site is occupied by a three storey building (with a basement accessed from Vivian Street). The additional four floors approved under land use consent SR89681 are currently under construction. The use of the building is residential.

Surrounding development is typically commercial in nature, although Victoria University's School of Architecture, with a small open space area (Cobblestone Park) fronting onto Vivian Street, occupies the opposite site on Knigges Avenue.

The Proposal:

- 6 The applicant proposes to subdivide the existing building and extensions to create 50 residential principal units and 48 accessory units. The vehicle and pedestrian access throughout the building will be common property.

The site is currently unit titled under DP 88298 and earlier subdivision consent SR50781. DP 88298 represents a staged unit title subdivision of the site, with stage one comprising the existing apartments on the lower three floors, and the second proposed stage being 16 two storey apartments. The second stage has not been carried out. As a consequence of alterations to the layout of units and common areas under the previous staged subdivision consent SR50781, the applicant proposes to abandon the existing staged unit title plan and undertake a new unit title subdivision.

The proposed unit title subdivision seeks to create the same number of principal units on the lower three floors of the building as shown on DP8298, with the boundaries of the units slightly altered to take into account the altered areas of common property, lobbies and lifts. In addition a further 9 residential units are proposed for each of the additional four floors currently under construction. Accordingly the proposed subdivision application seeks to unit title both the reconfigured existing 14 residential apartments on the lower three floors as well as the additional 36 apartments created in the additional four floors. The unit title subdivision is therefore creating units around those additions and alterations approved under land use consent SR89681.

Notification Analysis and Determination

- 7 Pursuant to section 93(1)(b) and 94(2) of the Act, an application which is a discretionary (unrestricted) activity can be considered non-notified and without service

provided that the adverse effect on the environment will be minor and that the written approvals of all parties that could be adversely affected have been obtained.

- 8 In forming the opinion outlined below as to who is affected, only effects within the matters of discretion were considered and effects of activities that the plan permits (permitted baseline) were disregarded. Disregarding permitted activity effects was appropriate in this case as use of the permitted baseline is not inconsistent with the wider context of the District Plan and Part II.

Affected Parties

- 9 There are no parties considered to be adversely affected by the proposal because the effects of the development were created and considered under the previous land use consent SR89681. The development itself, is typical of what can be expected in the Central Area under the permitted activity rules. The proposed unit title subdivision will not create any actual or potential effects and merely serves as a legal process through which ownership of the apartments can be facilitated.

Summary

- 10 Overall, on the basis of the above, no persons will be affected. In addition, there are no special circumstances under section 94C(2) of the Act that warrant the public notification of this application. Accordingly, the application has been processed on a non-notified basis.

Assessment Under Section 104:

Assessment Criteria

- 11 This proposal has been assessed against the relevant criteria as follows.

- *the requirements of Section 106 of the Act.*

No building, servicing or earthworks are required to facilitate the proposed unit title subdivision. Accordingly the act of subdivision, at this stage following the issue of land use and building consents, will not worsen the potential for material damage to be caused erosion, falling debris, subsidence, or slippage.

I confirm the Council's restrictions and hazards register has been checked and there are no entries relating to this property. While part of the site is located in the ground shaking area, the subdivision will not increase any potential for material damage associated with the earthquake hazard.

Physical and legal access is available and all units can be accessed off Knigges Avenue through stairs and lifts via common areas.

On the basis of the above I am satisfied that there are no grounds under section 106 of the Act indicating that the consent should not be granted.

- *Whether proposed allotments are capable of accommodating Permitted Activities in compliance with the Central Area rules.*

The apartments are currently under construction in accordance with land use and building consents. The consideration required under this criterion is not particularly relevant to a unit title subdivision, as the building is erected prior to subdivision process occurring.

- *the extent of compliance with the relevant part of the Council's Code of Practice for Land Development.*

All services will be provided to the building in accordance with the approved building consent. The site has vehicular access to the basement car park area from the Vivian Street frontage. Pedestrian access is obtained through the corridor between Units 1A and 1B and through the new foyer between Units 1C and 1B at street level. From there stairs and a lift provides pedestrian access to all levels and units within the building. The access ways for all units will be contained as common areas through the unit title subdivision. Existing loading and servicing area is accommodated within the basement, and the subdivision will formalise this through the provision of it being held in common areas. Council's Vehicle Access Engineer has evaluated the proposal and is satisfied with physical access provisions to the lot. The unit title subdivision will not alter the extent of compliance of the building Code of Practice for Land Development.

- *the current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.*

The layout of the units directly reflects the physical units created by the previous building and land use consents. In addition the provision of common areas and accessory units to serve the principal units will ensure an efficient use of land and buildings results from the subdivision.

Development Impact Fees

- 12 With each new subdivision, the consent holder is required to contribute toward the cost of upgrading the City's infrastructure and reserves. The legal basis for the payments is section 108(9) of the Resource Management Act 1991, which allows the Council to impose a variety of financial contributions to achieve the purposes of the Act. The mechanism for setting and imposing the contributions is detailed in section 3.4 of the District Plan.
- 13 The subdivision relates to 50 new household units. There is 14 existing household unit(s) therefore development impact fees are required for the 36 additional household unit(s) resulting from this proposal. In accordance with the 'Guide to Development Impact Fees', the total development impact fee is made up as follows:

A traffic fee of:	\$303 per unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per unit	x 36	= \$7,128
Total Fee			= \$18,036

An appropriate condition has been included in the decision section of this report.

Objectives and Policies:

14 The relevant policies and objectives of the District Plan are:

Development Impact Fees:

Objective 3.4.2.1 To ensure that the costs of serving development with infrastructure and reserves is included in the cost of development in a fair and equitable manner.

Policy 3.4.2.1.2 Identify the instances where fees will be imposed to mitigate the impacts of development on city infrastructure and on the wider environment.

Subdivision:

Objective 12.2.4 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.

Objective 12.2.8 To enable efficient, convenient and safe access for people and goods within the Central Area.

Essentially the relevant policies and objectives and the rules which flow from them, have been devised to ensure the adverse effects of subdivisions are remedied, avoided or mitigated. This also includes ensuring the sound design, development and servicing of all subdivisions. Of importance in the Central Area is the provision of loading facilities, and safe efficient access. I believe that the subdivision is consistent with these objectives and policies for the reasons outlined in the assessment above.

Other matters:

15 All relevant matters have been assessed in the above discussion. There are no other matters that the Council should have regard to, to assess the proposal.

Conclusion:

16 In conclusion, I believe that the adverse effects of the proposal are no more than minor and can be mitigated by conditions of consent. The proposal also meets the relevant objectives, policies and assessment criteria of the District Plan. Having considered the matters set out in section 104 of the Act, I am of the opinion that consent can be granted subject to appropriate conditions.

Decision:

That officers acting under delegated authority from Council and pursuant to section 104A of the Resource Management Act 1991, grant consent to unit title subdivision of the existing building at 115 Vivian St, being Lot 3 DP 386, subject to the following conditions:

Survey Plan:

- (a) The survey plan must conform to the subdivision consent proposal shown on City Lodge Apartments Wellington Drawings No RC01, RC02, RC03, RC04, prepared by Connell Wagner, dated 15 January 2004 submitted with Service Request No. 111063.

Development Impact Fee:

- (b) In order to make appropriate contribution to upgrading the city's infrastructure and reserves, a development impact fee is payable and this has been assessed at \$18,036 inclusive of GST. The development impact fee shall be paid before the issue of a certificate pursuant to section 224(c).

Note:

At time of the section 224 (c) application, part or all of the development impact fee may already have been paid under the building consent process. You will need to provide evidence of these payments in your application.

A traffic fee of:	\$303 per unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per unit	x 36	= \$7,128
Total Fee			= \$18,036

Water Supply:

- (c) An appropriate sized water connection to the public main is required if one is not already available. Please contact Wellington City Council water supply to discuss.

Notes:

1. The applicant shall provide certification from a suitably qualified person that the building to which the unit title plan relates complies with or will comply with the provisions of the Building Code specified in section 46(4) of the Building Act 1991 prior to the issue of the certificate pursuant to section 224(f) of the Resource Management Act 1991.

Council regards the following persons as fulfilling the requirements for being "suitably qualified" with respect to the above:

- Members of the Association of Consulting Engineers of New Zealand (Incorporated);
 - Members of the Institute of Professional Engineers of New Zealand (I.P.E.N.Z.);
 - Members of the New Zealand Institute of Architects (N.Z.I.A.)
 - Registered Clerks of Works.
2. The survey plan must be certified in accordance with section 223 within 5 years of the granting of this consent, or within such extended period of time pursuant to sections 125 and 37, as the Council may allow.
3. A certificate pursuant to section 224 will be issued following compliance with all of the conditions of consent set out above, and payment of all relevant charges and levies.

4. All payments called for in the above conditions of consent should be made through the Building Consents and Licensing Unit.
5. Rights of objection to the conditions specified above may be exercised pursuant to section 357(2) by the consent holder. Any objection shall be made in writing, setting out the reasons for the objection within 15 working days of this notification or within such extended period as the Council in any special case may allow.

Reasons for the Decision:

1. The adverse effects of the proposal on the environment will be no more than minor and no parties are considered to be adversely affected.
2. This proposal is in accordance with the relevant objectives, policies and assessment criteria of the Wellington City District Plan.

Report prepared by: Lisa Gibellini

Vicki Barker
Delegated Officer

Bill Stevens
Delegated Officer

Delegated Authority Code: (1, 2 & 7)

Service Request 117285 (RC-ChangeCondns) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 605117

Contact: 52536146 Connell Wagner Ltd

Contact Address: 25394537

Attention: Josie FitzGerald

Status: Issued

Status Date: 23-Jul-04 10:00 AM SR Status: Completed

Owner: Member: Extn:

Team: 1996 Q1/Permissions Team 30

Due Date: Days Remaining :

Days Elapsed :

Description: 1: Request for cancellation of consent notice

Extended:
Description

Special
Conditions or
Comment

Urban Strategy Group
Decision Report On Application to Cancel a Condition of a Consent Notice Pursuant to
section 221(3) of the Resource Management Act 1991 (the Act)

21 July 2004
Service Request No: 117285
Link No: 605117
WUFI No: 1045499

<u>Site Address:</u>	115 Vivian Street
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Connell Wagner Ltd
<u>Proposal:</u>	To cancel a condition of consent referred to in a consent notice registered on the certificate of title for Lot 3 DP 386
<u>Owner:</u>	City Lodge Ltd

Planning Maps:

The site is located in the Central Area of the District Plan. It is not subject to any special character rules or designations however part of the site is located within hazard (ground shaking) area.

Background:

The request for the Council's agreement to the cancellation of the relevant condition relates to a unit-title subdivision of the land for which resource consent was granted on 29 January 2004 (SR 111063).

The land is already subject to a unit-title development which was consented to on 28 February 1997 (SR 27724). One of the conditions of that 1997 subdivision consent related to prohibition of modifications to the land and structures without the Council's approval. That condition has now been registered on the certificate of titles for the land and the units (document no. B615045.1).

The more recent application for subdivision consent was processed without notification and without notice of the application being served. The subdivision was assessed as a controlled activity. The consent was granted subject to three conditions relating to: consistency with the approved plan; development impact fees; and, water supply.

The Section 221(3) Application:

In a letter dated 6 July 2004, Josie FitzGerald of Connell Wagner, has asked on behalf of her client for the condition of the consent notice to be cancelled.

The condition (Condition 1) requires that:

No modifications to the disposition of the land or structures in any manner will be permitted now, or in the future, without specific approval from the Wellington City Council authorising any such changes pursuant to the provisions of the Resource Management Act 1991 or any subsequent replacement legislation.

In her letter Ms. Fitzgerald has pointed out that this condition is somewhat unusual and is no longer imposed on unit-title or cross lease subdivisions. She has also pointed out that the original unit plan (DP 88298) to which the condition relates will collapse upon the deposit of the unit plan for the subdivision approved under SR 111063, but that the DP 88298 cannot collapse without the cancellation of the consent notice. Furthermore, she notes that the condition was not imposed on the most recent subdivision. The relevant details are outlined in Ms Fitzgerald's letter which should be read as an addendum to this report.

Section 221(3) of the Act:

Section 221(3) of the Act 1991 states:

At any time after the deposit of the survey plan, any condition specified in a consent notice may be varied or cancelled by agreement between the owner for the time being and the territorial authority.

The following was determined by the High Court (*AP173/01*) following an appeal to a decision of the Environment Court in the matter of section 221 of the Act, *Kapiti Environmental Action Inc. v Kapiti Coast DC (EnvC C99/2001)*:

"A territorial authority has power without more to cancel or vary by agreement between it and the owner of the land, any conditions of any underlying subdivision consent which is specified in the consent notice thereby changing the relevant resource consent conditions accordingly".

I therefore consider that section 221(3) authorises the Council to vary or cancel the conditions of a consent notice. However, section 221(3) provides no guidance for the scope of the assessment for such an application. There is a similarity between decisions under section 221(3) and those made under section 127 (as it applies to land use consents, and to subdivision consents that have not been certified under section 224). For these reasons, I consider that it is appropriate to consider this application in the same manner as if it had been made under the provisions of section 127 of the RM Act as a means of making a reasonable decision on this application to the Council.

Section 127 of the Act:

Section 127(1) of the Act permits the holder of a resource consent to apply for the change or cancellation of any condition of that consent. Section 127(3) deals with the matters the Council must assess when considering such an application, and under section 127(4) consideration of affected parties is required.

While there is no provision for requests under section 221(3) of the RM Act to be notified I consider that an assessment of such an application should relate to effects of the proposed change; persons who may be affected by the change; and, the relevant provisions of the District Plan.

Effects and Affected Persons:

The proposed cancellation of Condition (1) of the subdivision consent will have no adverse effects on the environment over and above those which could arise from a permitted use of the land under the rules of the District Plan, or over and above considered by the Council when the second unit-title subdivision of the land was recently approved.

On this basis I am satisfied that the proposed change will have no additional adverse effects on the environment and that no person will be adversely affected.

District Plan Provisions

I believe the proposed cancellation of the condition of the consent will not result in any inconsistency with the provisions of the District Plan, and that the proposal can be satisfactorily considered against the relevant objectives, policies and assessment criteria in the District Plan.

The restriction referred to in the condition is no longer imposed on such subdivisions and the cancellation of the condition will ensure that the provisions of the District Plan are being consistently administered.

Conclusion:

I consider that no adverse effects will result from the cancellation of the condition and that the proposal is consistent with the relevant objectives, policies and assessment criteria of the District Plan. Having considered all the relevant matters I am of the opinion that the condition to which the request relates can be cancelled.

Decision:

Pursuant to section 221(3) of the Resource Management Act 1991, the undersigned officers acting under delegated authority from the Council agree to cancel the condition specified in the consent notice issued in respect of a unit-title subdivision of Lot 3 DP 386 (lodged for deposit under No. 88298) and registered under number B615045.1.

Brian Warburton
Delegated Officer

Jeffrey Loo
Delegated Officer

(Delegated Authority Nos. 4 and 7)

TA Approvals

Territorial Authority	Wellington City Council TA Certification Division	TA Reference	Wellington City Council
Survey Number	LT 335843	Survey Purpose	Standard Unit Plan
Surveyor Reference	718750LL	Land District	Wellington
Surveyor	Josephine Lucy Fitzgerald		
Surveyor Firm	Connell Wagner Ltd (Wellington)		
Dataset Description	UNITS ON LOT 3 DP 386		

TA Certificates

I hereby certify that plan DP 335843 was approved by the Wellington City Council pursuant to section 223 of the Resource Management Act 1991 on the 28 day of June 2004. ☒

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the Wellington City Council Dated this 28 day of June 2004. ☒

Pursuant to Section 224(f) of the Resource Management Act 1991 I hereby certify that the Wellington City Council is satisfied on reasonable grounds that every building [or part of a building] shown on plan DP 335843 ~~complies with~~ [or will comply with] the provisions of the building code specified in Section 46(4) of the Building Act 1991 ☒

Pursuant to Section 5(1)(g) Unit Titles Act 1972 I DP 335843 hereby certify that every building shown on Unit Plan Number has been erected and all other development work has been carried out to the extent necessary to enable all the boundaries of every unit and the common property shown on the plan to be physically measured. ☒

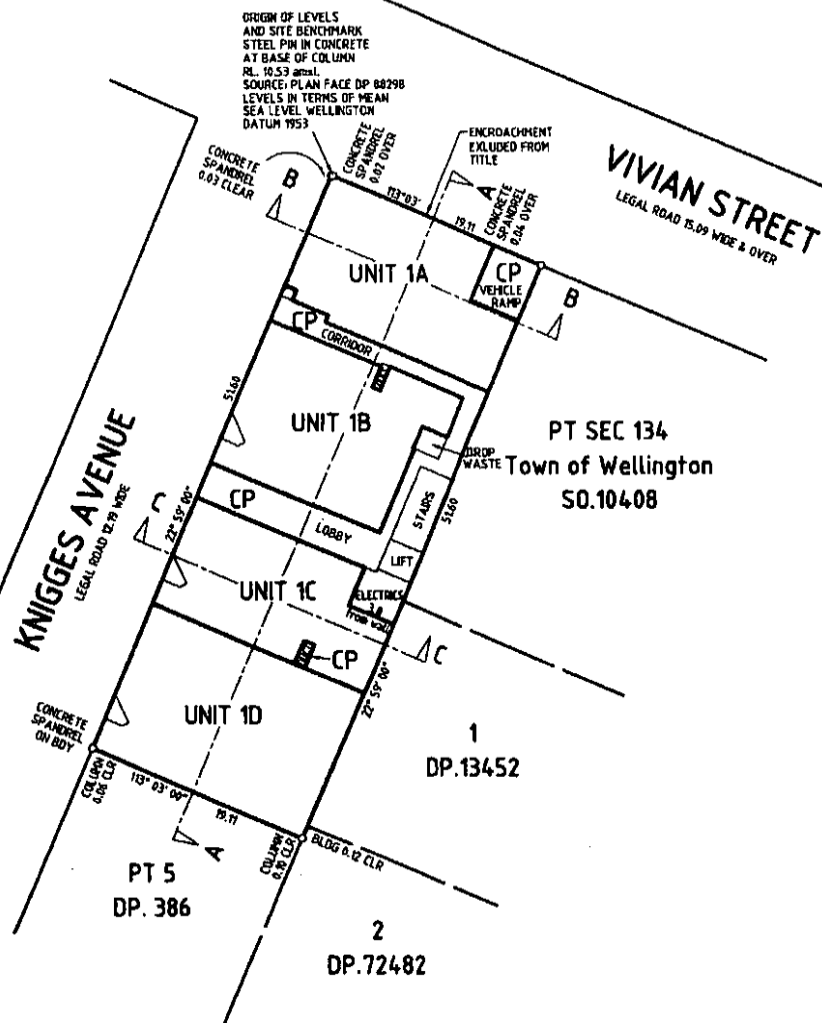
Signature

Signed by Dominique Jean Joseph Bancilhon, Authorised Officer, on 28/06/2004 01:19 PM

Receipt Information

Transaction Receipt Number	2014928
Signing Certificate (Distinguished Name)	Bancilhon, Dominique Jean Joseph
Signing Certificate (Serial Number)	1018347170
Signature Date	28/06/2004

*** End of Report ***



174561

LEVEL 1 (GROUND) & SITE PLAN

NOTES:

1. WHERE A UNIT ADJOINS THE SITE BOUNDARIES, THE UNIT BOUNDARY IS THE SITE BOUNDARY AND NOT THE MEDIAN LINE OF THE EXTERNAL WALL.
2. ENCROACHING BALCONIES TO BE CONSTRUCTED ALONG THE KNIGGES AVE. AND VIVIAN STREET ROAD FRONTAGES. THESE WILL BE EXCLUDED FROM TITLE.

SURVEYOR: Josephine Lucy FitzGerald

UNITS ON LOT 3 DP.386

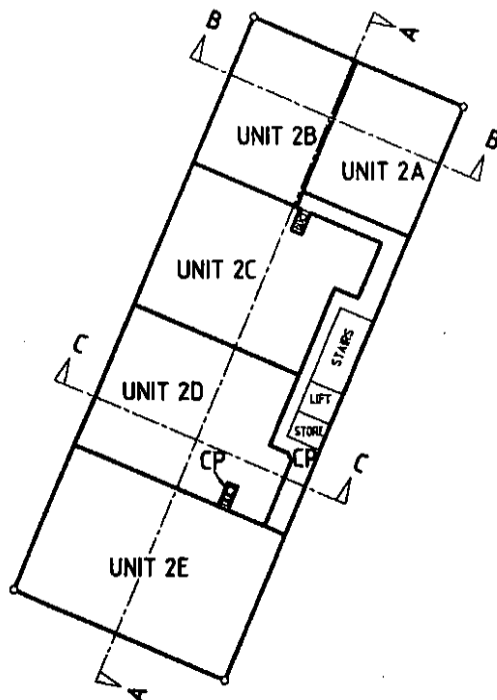
Connell Wagner

Scale 1:300 @ A2 Date APRIL 2004
Land District WELLINGTON

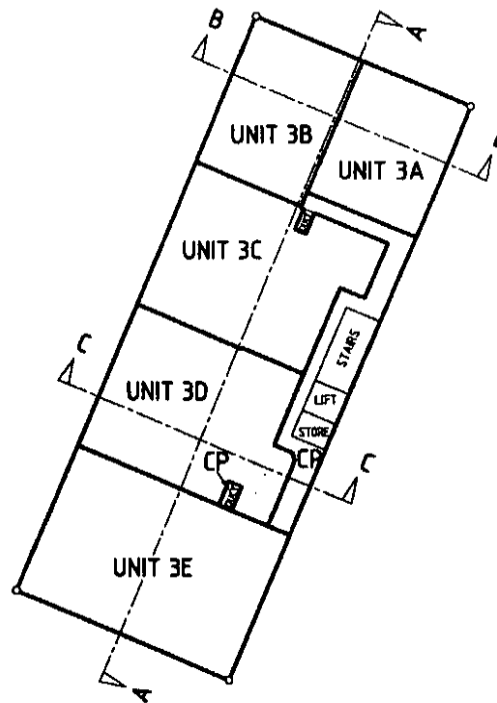
SHEET 1 OF 4

335843

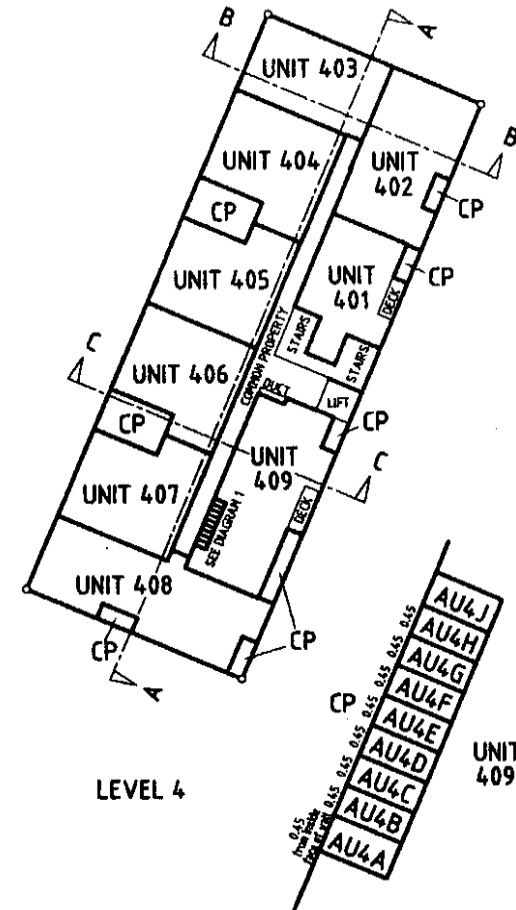
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LEVEL 2



LEVEL 3



LEVEL 4

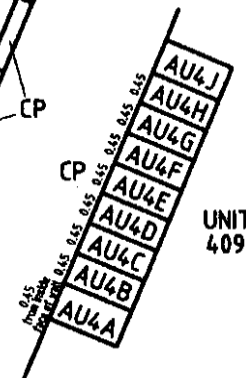


DIAGRAM 1
NOT TO SCALE

NOTES:

1. WHERE A UNIT ADJONS THE SITE BOUNDARIES, THE UNIT BOUNDARY IS THE SITE BOUNDARY AND NOT THE MEDIAN LINE OF THE EXTERNAL WALL.
2. ENCROACHING BALCONIES TO BE CONSTRUCTED ALONG THE KODGES AVE. AND VIVIAN STREET ROAD FRONTAGES. THESE WILL BE EXCLUDED FROM TITLE.

UNITS ON LOT 3 DP.386

Connell Wagner

SURVEYOR: Josephine Lucy FitzGerald

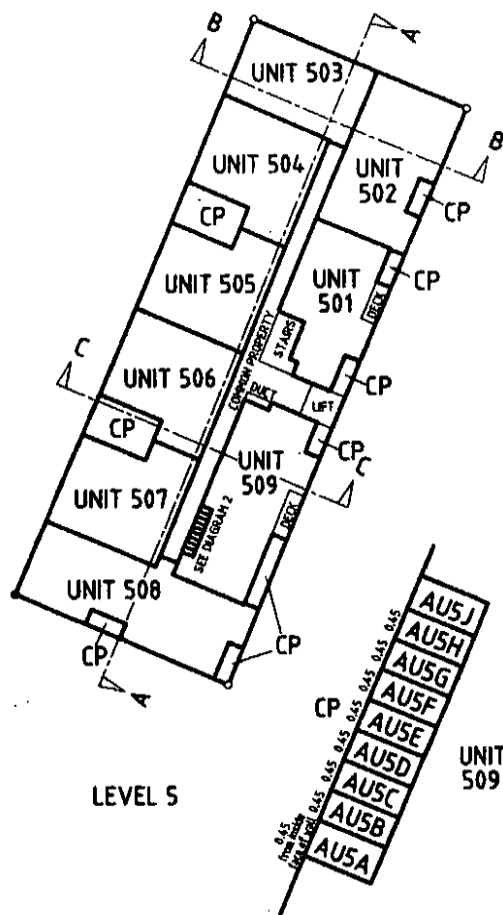
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Land District WELLINGTON

SHEET 2 OF 4

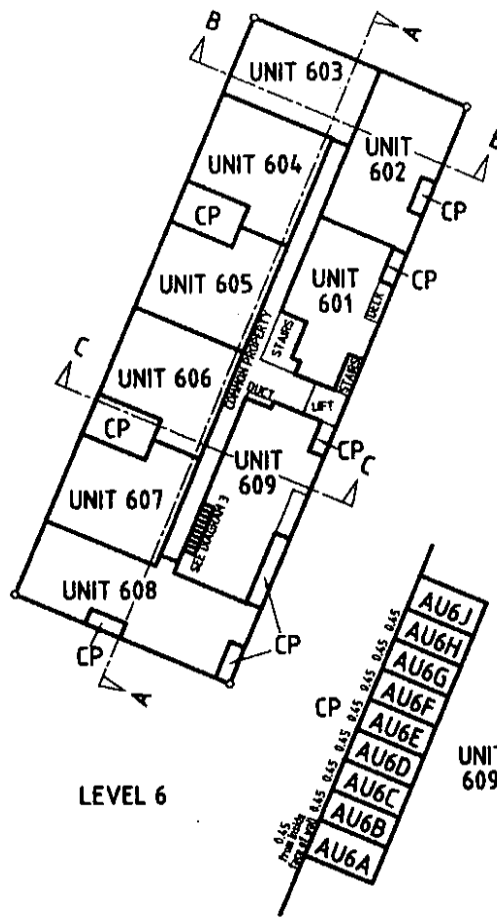
335843

17456/2



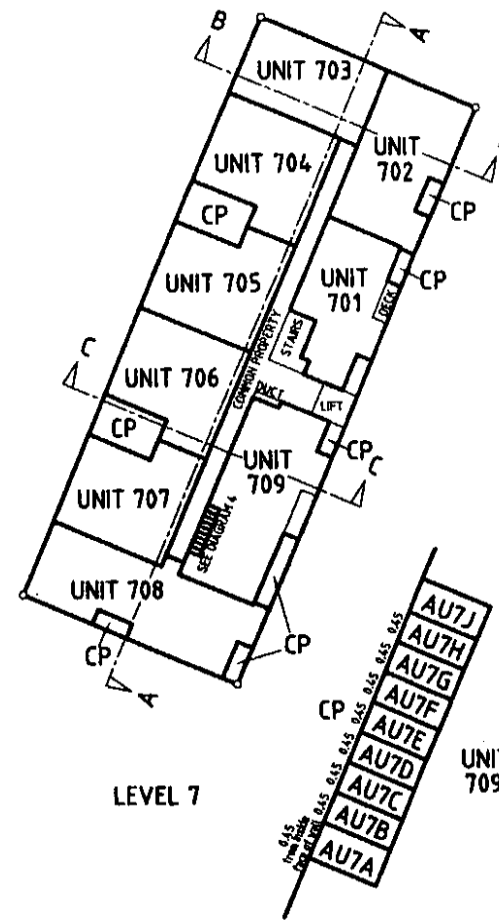
LEVEL 5

DIAGRAM 2
NOT TO SCALE



LEVEL 6

DIAGRAM 3
NOT TO SCALE



LEVEL 7

DIAGRAM 4
NOT TO SCALE

NOTES:

1. WHERE A UNIT ADJOINS THE SITE BOUNDARIES, THE UNIT BOUNDARY IS THE SITE BOUNDARY AND NOT THE MEDIAN LINE OF THE EXTERNAL WALL.
2. ENCRoACHING BALCONIES TO BE CONSTRUCTED ALONG THE YONGES AVE. AND VIVIAN STREET ROAD FRONTAGES. THESE WILL BE EXCLUDED FROM TITLE.

UNITS ON LOT 3 DP.386

Connell Wagner

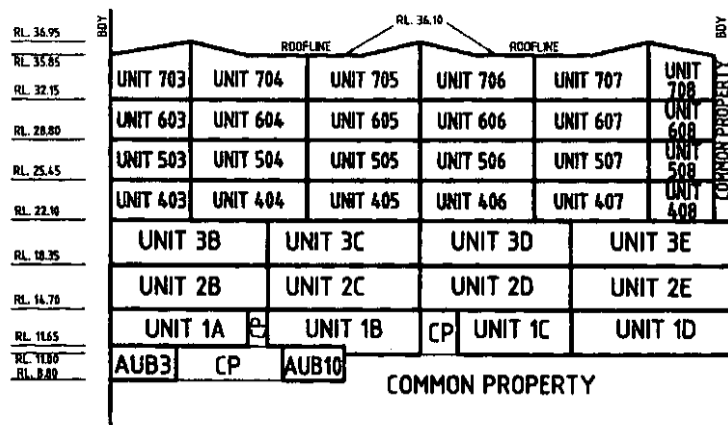
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Land District WELLINGTON

SHEET 3 OF 4

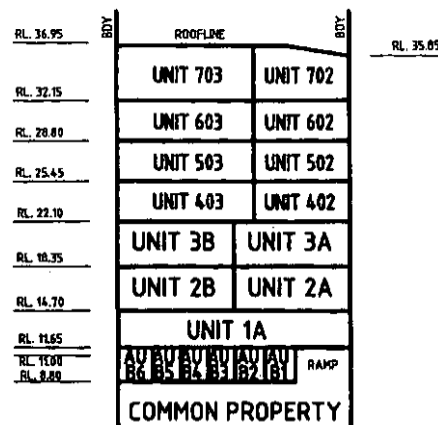
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17456/3

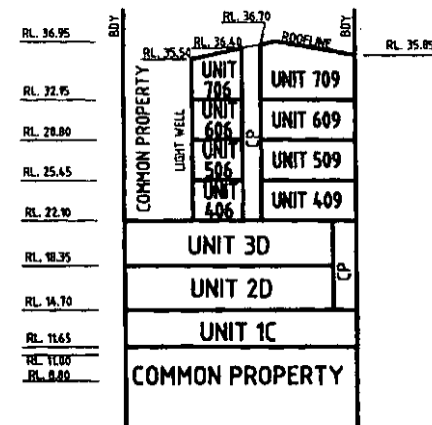
SURVEYOR: Josephine Lucy FitzGerald



SECTION A - A



SECTION B - B



SECTION C - C

NOTES:

1. WHERE A UNIT ADJOINS THE SITE BOUNDARIES, THE UNIT BOUNDARY IS THE SITE BOUNDARY AND NOT THE MEDIAN LINE OF THE EXTERNAL WALL.
2. ENCROACHING BALCONIES TO BE CONSTRUCTED ALONG THE KNOGGES AVE. AND VIVIAN STREET ROAD FRONTAGES. THESE WILL BE EXCLUDED FROM TITLE.

17456/4

SURVEYOR: Josephine Lucy FitzGerald

UNITS ON LOT 3 DP.386

Connell Wagner

Scale 1:300 @ A2 Date APRIL 2004
Land District WELLINGTON

SHEET 4 OF 4

335843

Resource Management Act 1991 - Land Use

Service Request 25388 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 402511

Contact: 1200771 Campbell Pope Architects

Contact Address: 15041394

Attention: Campbell Pope

Status: Passed to Holding

Status Date: 12-Dec-96 4:43 PM

SR Status: On-going

Owner: Member: Amanda Kirkland

Extn: 801 3797

Team: 1997 Q1/Gov Team 77

Due Date:

Days Remaining :

Days Elapsed :

Description: Conversion of an existing building to apartments

Extended:
Description

Special
Conditions or
Comment

12 December, 1996

Campbell Pope Architects
P O box 11 798
Wellington

Service Request No:25388
Link No: 0600402511

Attention:Campbell Pope

Dear Mr Pope

APPLICATION FOR RESOURCE CONSENT 25388 GRANTED

Service Request Type:	Resource Consent	
Site Address:	115 Vivian St	Lot 3 DP 386
Consent Type:	Land Use	
Consent Description:	Conversion of an industrial building to 14 apartments	

I refer to your recent Resource Consent Application in which you seek consent to convert an existing building at 115 Vivian Street (Lot 3 DP 386) into 14 apartments.

The application was considered by officers acting under delegated authority on 11 December 1996. I advise under section 105(1)(b) of the Resource Management Act 1991 (the Act), consent to the application is hereby **granted** subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a two (2) year period, commencing from the date of this decision. If you have not given effect to this consent you may either make an application for an extension of time, within three (3) months of the expiry, or lodge a fresh resource consent application.

If you would like to discuss this application further please don't hesitate to contact me on the phone number below.

Yours sincerely

Amanda Kirkland
Delegated Officer
Environmental Control Business Unit
Wellington City Council
Telephone:801-3276

Notice of Decision

<u>Date:</u>	12 December, 1996
<u>Site Address:</u>	115 Vivian St
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Campbell Pope Architects
<u>Proposal:</u>	Conversion of an existing industrial building to 14 apartments
<u>Owner:</u>	MACCARTHY T G EST
<u>Plan No:</u>	36698

Transitional District Plan:

The site is located in the Cuba Precinct Zone. As a result of this the activity is a Controlled Activity in respect of the design and external appearance of the building. There is no compulsion to provide parking as part of the proposal. Any parking should be ancillary to the activity and the proposed carparking satisfies this provision of the plan.

Proposed District Plan:

The site is located within the Central Area and is in the Cuba Character Area. The activity is deemed to be Controlled in respect of the design and external appearance of the building. Furthermore, Rule 13.1.1.7.6 of the Proposed Plan requires that at least one loading area must be provided, and as this is not provided consent is also required for a Discretionary Activity (Restricted). The activity is also a Discretionary Activity (Restricted) because too much carparking is being provided as part of the proposal, that is 1: 65m² rather than the maximum permitted carparking level of 1: 150m².

Decision:

That officers acting under Delegated authority from Council and pursuant to section 105(1)(a) and (1)(b) of the Resource Management Act 1991, **grant consent** to the proposal to convert an existing building at 115 Vivian Street, Wellington to 14 apartments (Lot 3 DP 386) subject to the following condition:

- (a) That the proposal shall proceed in accordance with the plans (CAD ref 9616\G-01-04 DWG) and information lodged with the application dated 19 November 1996.

Reasons For Decision:

Council's Urban Design Expert, Deyana Popova, has assessed the proposal and is satisfied that the design of the proposal complies with the Cuba Character Area Design Guide for the following reasons:

- The building is of a modern design and therefore not subject to the older character requirements of the Design Guide.
- The alterations to the exterior of the building are minor with the bulk of the work involves internal construction.
- The installation of open sashes into the exterior of the building better reflects the new residential use of the building.

The Proposed District Plan enables Council to vary the parking and servicing provisions in the Central Area. Council's Transportation and Traffic Unit is satisfied that the number of carparking spaces and layout, and the alternative servicing provisions in Knigges Avenue meet the requirements of the plan and will not adversely affect the efficient operation of the street or endanger public safety.

In conclusion I consider that the proposed activity will only have minor effects on the environment and the activity is consistent with the objectives and policies of the plan as well as the relevant provisions of the Act.

Environmental Control Business Unit Decision Report For Land Use Consent

Service Request No:25388
Link No: 0600402511

9 December, 1996

Non-Notified Application

Application Received:	19 Nov 1996
Additional Information Required:	-
Date Information Received:	-
Working Days to Complete:	15

<u>Site Address:</u>	115 Vivian St
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Campbell Pope Architects
<u>Proposal:</u>	Conversion of a unused building to 14 apartments
<u>Owner:</u>	MACCARTHY T G EST
<u>Plan No:</u>	402511

Transitional District Plan:

The site is located in the Cuba Precinct Zone. As a result of this the activity is a Controlled Activity in respect of the design and external appearance of the building. There is no compulsion to provide parking as part of the proposal. Any parking should be ancillary to the activity and the proposed carparking satisfies this provision of the plan.

Proposed District Plan:

The site is located within the Central Area and is in the Cuba Character Area. The activity is deemed to be Controlled in respect of the design and external appearance of the building. Furthermore, Rule 13.1.1.7.6 of the Proposed Plan requires that at least one loading area must be provided, and as this is not provided consent is also required for a Discretionary Activity (Restricted). The activity is also a Discretionary Activity (Restricted) because too much carparking is being provided as part of the proposal, that is 1: 65m² rather than the maximum permitted carparking level of 1: 150m².

Section 94 Analysis:

Pursuant to section 94 of the Resource Management Act (the Act), the application can be considered on a non-notified basis provided that any adverse effects on the environment will be minor and that the written approval of all parties that could be adversely affected have been obtained. In this instance it is considered that there will be minimal environmental effects and no person is considered to be adversely affected. Therefore the activity will be non-notified.

Assessment:

1. The 981m² site is located on the corner of Vivian Street and Knigges Avenue. It is proposed to convert the existing warehouse building into 14 apartments with 78 double bedrooms. The building occupies the whole site has an existing basement car parking area that is entered into and exited from Vivian Street. 13 carparks are to be provided including 1 disabled person's carpark.
2. The three-storey building was built in the early 1970's of concrete and has been unoccupied for the last four or five years. The proposed new usage of the building will be apartment housing for younger people.
3. While there is no official servicing facility for the building on the site, the adjacent Knigges Avenue serves as a service lane for the building in question and the neighbouring building. The Council's Traffic and Transportation Unit has examined the situation and is satisfied that this is an appropriate means of servicing the building.
4. While the 13 proposed parking spaces exceed the requirements of the Transitional Plan it is important to consider the carparking assessment criteria in the Proposed Plan. In this case the proposed carparking will be beneficial in that those residents who own cars will be able to take advantage of parking in a covered and secure building. Furthermore the carparking facilities will reduce the level of street parking required and subsequently the inherent congestion that exists with parking in the Vivian Street area.
5. Council's Urban Design Expert, Deyana Popova, has assessed the proposal and is satisfied that the design of the proposal complies with the Cuba Character Area Design Guide for the following reasons:
 - The building is of a modern design and therefore not subject to the older character requirements of the Design Guide.
 - The alterations to the exterior of the building are minor with the bulk of the work involves internal construction.
 - The installation of open sashes into the exterior of the building better reflects the new residential use of the building.
6. When assessing the proposal under the relevant provisions of Section 104 of the Act there is a requirement to have regard to the assessment criteria in the Proposed District Plans.

The Proposed District Plan enables Council to vary the parking and servicing provisions in the Central Area. Council's Transportation and Traffic Unit is satisfied

that the number of carparking spaces and layout, and the alternative servicing provisions in Knigges Avenue meet the requirements of the plan and will not adversely affect the efficient operation of the street or endanger public safety.

the In conclusion I consider that the proposed activity will only have minor effects on environment and the activity is consistent with the objectives and policies of the plan as well as the relevant provisions of the Act.

Decision:

That officers acting under Delegated authority from Council and pursuant to section 105(1)(a) and (1)(b) of the Resource Management Act 1991, **grant consent** to the proposal to convert an existing building at 115 Vivian Street, Wellington to 14 apartments (Lot 3 DP 386) subject to the following condition:

- (a) That the proposal shall proceed in accordance with the plans (CAD ref 9616\G-01-04 DWG) and information lodged with the application dated 19 November 1996.

Amanda Kirkland
Delegated Officer

Elizabeth Chin
Delegated Officer

Delegate Authority Code: (viii and xix)

Service Request 43663 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1126086 Valuation Historic - 115 Vivian Street

File Reference: 0600

Contact: 51333217 Kenneth Campbell Pope

Contact Address: 20094391

Attention:

Status: Passed to CME

Status Date: 11-Aug-98 5:00 PM

SR Status: On-going

Owner: Member:

Extn:

Team: 1996 Q4/Comp Mon/Enf Team 74

Due Date:

Days Remaining :

Days Elapsed :

Description: Proposed construction of 16 units on roof of existing apartment building 115 Vivian Street

Extended:
Description

Special
Conditions or
Comment

11 August, 1998

Campbell Pope Architects Ltd.
P.O. Box 5223
Wellington

Service Request No: 43663
Link No: 0600 715786

Dear Mr Pope

APPLICATION FOR RESOURCE CONSENT 43663 GRANTED

Service Request Type:	RC - Resource Consent	
Site Address:	115 Vivian St	Lot 3 DP 386
Consent Type:	Land Use	
Consent Description:	Two storey and veranda additions to the building on the above site.	

Please refer to Service Request no.43663.

I refer to your recent Resource Consent Application in which you seek consent to construct a two storey addition onto the existing three storey building; and a new veranda to be erected directly above the 1st storey (ground floor) windows of the building.

The application was considered by officers acting under delegated authority 10/8/98. I advise under section 105(1)(a) of the Resource Management Act 1991 (the Act), consent to the application is hereby **granted** subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a two (2) year period, commencing from the date of this decision. If you have not given effect to this consent you may either make an application for an extension of time, within three (3) months of the expiry, or lodge a fresh resource consent application.

If you would like to discuss this application further please don't hesitate to contact me on the phone number below.

Yours sincerely

Kath Phillips
Delegated Officer
Environmental Control Business Unit
Wellington City Council
Telephone 801 3562

Notice of Decision

<u>Date:</u>	11 August, 1998
<u>Site Address:</u>	115 Vivian Street.
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Campbell Pope
<u>Proposal:</u>	To construct a 2 storey addition onto the existing three storey building*; and a new veranda to be erected directly above the 1 st storey (ground floor) windows of the building.
<u>Owner:</u>	Vivian Ltd.
<u>Plan No:</u>	Perspective drawing and (A) O1, (A1) O2 - O8 showing building additions: and (A1) O5 R6 showing veranda addition: By Campbell Pope Architect

Decision:

That officers acting under delegated authority from Council and pursuant to Section 105(1)(a) of the Resource Management Act 1991, grant consent to the proposal to construct a two storey addition atop the existing third storey and veranda above the ground level, onto the existing building at 115 Vivian St (Lot 3 DP 386), subject to the following conditions:

- (a) The proposal shall be undertaken in accordance with the information and plans (Perspective drawing and (A) O1, (A1) O2 - O8 showing building additions: and (A1) O5 R6 showing veranda addition: By Campbell Pope Architect), lodged with the application SR No. 43663: **except to provide the following design elements - hand railings around the balconies; new building name and address signage; inclusion of three veranda entry features.**
- (b) Details of the design elements identified in condition (a) above shall be shown on plans and/or sketches, described in an accompanying statement, and submitted to the Environmental Control Business Unit to consider for approval. This information shall be submitted to the Council prior to construction beginning on site.
- (c) The width of the veranda shall be built in accordance with Rule 13.1.2.8. Being such that it extends horizontally from the building to finish no less than 450mm from the edge of the kerb, or it is to be no more than 3.0 metres in width whichever is lesser.

Note:

The applicant is not restricted to the design elements required above. But please note that all minor changes will need to be shown within the information required for condition (b). Mr Tony Williams (Urban Designer) has provided a basic sketch showing veranda entry features, and this is attached. Should you wish to pursue design changes on the footpath around the building, including any planting, then that will need to be taken up with the Council as a separate matter.

Reasons For Decision:

- The overall design of the proposed additions were considered to be in keeping with the intent of the Cuba Character Area Design Guide.
 - The additional detail required to be provided by conditions of consent will see the proposal fully complies with the Guide.
 - The additions and alterations to the building will contribute positively to the immediate street environment.
 - Although the use of the site (residential) is a discretionary activity under the transitional District Plan, those rules have now been superseded by the proposed District Plan in accordance with Section 19 of the Act. Consent under the transitional Plan was not required.
 - The condition regarding size of the veranda is to ensure its compliance with the relevant rules in the Proposed District Plan.
 - The proposal was found to comply with all relevant bulk, location, wind and shading rules for the Central Area, excepting where the size of the veranda was unclear.
-

**Environmental Control Business Unit
Decision Report For Land Use Consent**

Service Request No: 43663
Link No: 0600 715786

10 August, 1998

<u>Site Address:</u>	115 Vivian Street, City
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Kenneth Campbell Pope
<u>Proposal:</u>	To construct a 2 storey addition onto the existing three storey building*; and a new veranda to be erected directly above the 1 st storey (ground floor) windows of the building.
<u>Owner:</u>	Vivian Ltd.
<u>Plan No:</u>	Perspective drawing and (A) O1, (A1) O2 - O8 showing building additions: and (A1) O5 R6 showing veranda addition: By Campbell Pope Architect

*Ground floor represents 1st storey of the building.

Proposal:

To construct a two storey addition and new veranda onto the existing three storey building. A perspective drawing submitted (figure 1 our reference) shows the general form and design. The addition follows the basic rectangular shape of the existing building but is modulated vertically along building edges and has a distinct roof line. Balconies will face the street and provide building set-backs; an irregular 'v' shaped roof; and coloured metal building cladding; are all new design features incorporated into this proposal. The new veranda is to be cantilevered from the buildings vertical concrete pillars. It will have a flat fascia surface and semi-circle shaped dome over the main doorway entrance.

Transitional District Plan:

- 1 Planning Maps - Industrial B1
- 2 Activity

The residential use of the site is listed as a discretionary activity by Rule 10D.4. The proposed alternations and additions have been checked for compliance with the conditions in Rule 10F for bulk and location, and have been found to comply.

Proposed District Plan:

3 Planning Maps - Central Area

4 Activity

The proposed alterations are a controlled activity by Rule 13.2.1. for design, external appearance and siting. The assessment criteria for determining the conditions to impose, if any, are - the extent to which the proposal will meet the provisions of the Cuba Character Area Design Guide. The proposed residential use of the building is a permitted activity. No carparking is required.

- 5 The standards and terms for the activity are that it must comply with all the conditions specified for activities in rules 13.1.1 and 13.1.2. I can confirm that all the relevant conditions are met by this proposal: including a satisfactory wind assessment (see below), and the applicants have shown on drawings that no shading from the addition will reach Cobblestone Park.
- 6 The proposed veranda appears to comply with the bulk and location rule 13.1.2.8 relating to verandas. However, no information has been given to show the horizontal distance from the veranda to the edge of the footpath.
- 7 Regarding wind Rule 13.12.11. A wind report, undertaken by Opus consulting was submitted by the applicants. They advised that minor wind changes would occur at the pedestrian level. A peer review of that report was undertaken by Mike Donn, School of Architecture, on behalf of Council. Mr Donn advised that the applicants either undertake a wind tunnel test to confirm compliance with the rule, or erect a veranda to avoid potential wind changes at pedestrian level. Mr Donn advised that a veranda would satisfy him that the building additions would be able to comply with the wind rules. The applicants opted to erect a veranda. I am therefore satisfied that the proposal meets with the wind Rule 13.12.11.

Status of District Plans:

- 8 The proposed District Plan allows residential activities on the subject site without the need to provide any carparking as a permitted land use, whereas the transitional Plan does not. There have been no appeals lodged against the Central Area Provisions for the Proposed District Plan that are relevant to the use of the subject building. Section 19 of the Act applies and provides that the transitional Plan provisions are no longer operative. As such, resource consent is only required under the Proposed District Plan as a controlled activity.

Section 94 Analysis:

- 9 Section 94(1)(b) of the Act provides that a controlled activity can be considered on a non-notified basis if the District Plan expressly permits consideration of the application without the need to obtain written approval of affected parties. Rule 13.2.1 of the Proposed District Plan expressly permits consideration of the design and external appearance of this proposal without the need to obtain the written approval of affected

parties. I am therefore satisfied that the statutory criteria for an application not requiring notification is met. As such this application has been dealt with on a non-notified basis.

The Site:

- 10 Location of the subject site is on the corner of Vivian Street and Knigges Ave. opposite Cobblestone Park. The existing building was originally designed as an office block, but has since been converted into residential apartments. This proposal is an extension of that use. The site is located in an area described as the “Low City” where multi level buildings are common, but commercial sky-scrapers are not. The ‘low city’ provides a distinctly urban feel to Wellington. The proximity of the school of architecture and Cuba Mall within this portion of the central business district, provides the immediate area with a mixture of activities.

Assessment:

External Design and Appearance

- 11 The design and appearance of the additions have been assessed against the Cuba Character Area Design Guide by Tony Williams, Urban Designer. He comments:

“Care has been taken to ensure that the addition relates to the existing building. This is achieved through the extension of existing columns, adopting existing window proportions and aligning new windows with existing ones, extending new building cladding down to meet the existing top level window frames, and co-ordinating the design elements of the new structure with the existing building’s modulation.

The upgraded building displays more attractive proportions than the existing building and the Vivian Street elevation is generally in keeping with the scale, proportions and character of adjacent buildings and the streetscape environment. The proposed roof design adds an attractive and contemporary skyline feature to the Cuba Character Area.

Generally, the proposal meets the overall intent of the Cuba Character Area Design Guide and substantially improves the visual quality of the existing building. However, the following items are considered appropriate items to address if the proposal is to comply fully with the Cuba Character Area Design Guide.

1. *Additional design elements could be used to communicate the residential emphasis of the building. This could be achieved through the use of strategic detailing such as a new building name/address signage, balcony hand rails etc.*
2. *The Knigges Avenue streetscape environment is in need of improved visual amenity for the anticipated increase in pedestrian activity. This could be achieved through paved/brick banding to modulate the linearity of the long pathway, inserting contrasting paving at the entrances to the building, and upgrading current landscaping to include new shrubs and trees.*
3. *The design of the veranda is acceptable with the inclusion of three veranda entry features per the design of the main entrance...”*

- 12 I concur with Mr Williams' assessment.
- 13 I note that in regards to treatment of the street (legal road) in front of the building (recommendation 2 above), the Council has no jurisdiction to impose conditions as we have limited our control over the building design only. I will note the street issue for the applicant if they wish to follow it through. Tony Williams is in the process of reviewing how these improvements could be efficiently co-ordinated with appropriate Council staff/departments if the applicant chooses to follow his recommendation. Ongoing maintenance issues will also be addressed
- 14 Attention to additional design elements, and addition of veranda entry features will be required through conditions of consent.

Objective and Policies.

- | | | |
|----|-------------------------|--|
| 15 | <i>Objective 12.2.3</i> | <i>To maintain and enhance the physical character, townscape and streetscape of the Central Area.</i> |
| | <i>Policy 12.2.3.1</i> | <i>To preserve the present general urban form of the Central Area</i> |
| | <i>Policy 12.2.3.2</i> | <i>Enhance the public environment of the Central Area by guiding the design of new building development.</i> |

The subject site falls within an area of the city where the built form is considered as the "Low City". The proposed additions will maintain this urban feel; especially in consideration of the new roof formation and balconies. Further, it is considered that the proposed additions and alterations to the subject building will improve upon its existing qualities, thereby enhancing the public street environment.

Other Matters

- 16 It is unclear whether or not the new veranda is exactly the required distance from the footpath. Therefore a condition of consent will be imposed to ensure compliance with Rule 13.1.2.8.

Decision:

That officers acting under delegated authority from Council and pursuant to Section 105(1)(a) of the Resource Management Act 1991, grant consent to the proposal to construct a two storey addition atop the existing third storey, and veranda above the ground level, onto the existing building at 115 Vivian St (Lot 3 DP 386), subject to the following conditions:

- (a) The proposal shall be undertaken in accordance with the information and plans (Perspective drawing and (A) O1, (A1) O2 - O8 showing building additions: and (A1) O5 R6 showing veranda addition: By Campbell Pope Architect), lodged with the application SR No. 43663: **except to provide the following design elements - hand railings around the balconies; new building name and address signage; inclusion of three veranda entry features.**
- (b) Details of the design elements identified in condition (a) above shall be shown on plans and/or sketches, described in an accompanying statement, and submitted to the

Environmental Control Business Unit to consider for approval. This information shall be submitted to the Council prior to construction beginning on site.

- (c) The width of the veranda shall be built in accordance with Rule 13.1.2.8. Being such that it extends horizontally from the building to finish no less than 450mm from the edge of the kerb, or it is to be no more than 3.0 metres in width whichever is lesser.

Note:

The applicant is not restricted to the design elements required above. But please note that all minor changes will need to be shown within the information required for condition (b). Mr Tony Williams (Urban Designer) has provided a basic sketch showing veranda entry features, and this is attached. Should you wish to pursue design changes on the footpath around the building, including any planting, then that will need to be taken up with the Council as a separate matter.

Kath Phillips
Delegated Officer

Honor Johns
Delegated Officer

Delegated Authority Code: (ii, viii, xix)

Service Request 89681 (RC - a Res.Con) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 605117

Contact: 1162799 Peddle Thorp & Montgomery Limited

Contact Address: 15067090

Attention: Richard Kaye

Status: Completed

Status Date: 2-Feb-05 8:36 AM SR Status: Completed

Owner: Member: Scott Cantley Extn: 803 8142

Team: 1996 Q4/Comp Mon/Enf Team 74

Due Date: Days Remaining :

Days Elapsed :

Description: B: Land Use - addition of four storeys to an existing three level Central Area building

Extended:
Description

Special
Conditions or
Comment

18 September, 2002

Peddle Thorp & Montgomery Ltd
P O Box 3139
Wellington

Service Request No: 89681
Link No: 0600 605117

Attention: Richard Kaye

Dear Richard,

APPLICATION FOR RESOURCE CONSENT - GRANTED

Service Request Type:	Resource Consent	
Site Address:	115 Vivian Street	Unit 1A and Accessory Unit B1 DP 88298
Consent Type:	Land Use	
Consent Description:	Addition of four storeys to an existing Central Area building	

Please refer to Service Request No. 89681.

I refer to your recent Resource Consent application in which you seek consent to undertake additions (four new storeys) and alterations to an existing Central Area building at the above property.

The application was considered by officers acting under delegated authority on 18 September 2002. I advise that under section 105(1)(b) of the Resource Management Act 1991 (the Act), consent to the application is hereby granted subject to the conditions listed in the attached Notice of Decision.

Please note that under the provisions of section 125 of the Act, this consent will expire at the end of a two (2) year period, commencing from the date of this decision. If you have not given effect to this consent by then, you may either make an application for an extension of time, within three (3) months of the expiry, or lodge a fresh resource consent application.

Yours sincerely,

Warren Ulusele
Resource Consent Planner
Environmental Control Business Unit
Wellington City Council

Notice of Decision

<u>Date:</u>	18 September 2002
<u>Site Address:</u>	115 Vivian Street, Te Aro
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Peddle Thorp & Montgomery Ltd
<u>Proposal:</u>	Addition of four storeys to an existing three level Central Area building
<u>Owner:</u>	City Lodge Limited
<u>Plan No:</u>	Peddle Thorp & Montgomery Ltd plans numbered RCSK03 rev G and RCSK09 rev B – dated 18 April 2002

District Plan:

The site is located within the Central Area and Cuba Character Area under the Wellington City District Plan (Map 16) and is not subject to any designations.

The proposal fails to meet the standards and terms for Controlled Activities under rule 13.2.1, which require that the activity comply with all the conditions specified for activities in rule 13.1.2. More specifically, the proposal fails to meet the conditions specified within the following rules:

- Rules 13.1.1.7.6 – 13.1.1.7.13 (loading and site access requirements) ; and
- Rule 13.1.2.11 (wind requirements)

Accordingly, the proposal has been assessed as a Discretionary Activity (Restricted) under rule 13.3.1.5 in respect of vehicle parking, servicing and site access; and rule 13.3.2. in respect of wind and design, external appearance and siting. The proposal will meet the standards and terms specified under rules 13.3.1 and 13.3.2.

Decision:

That officers acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991, grant consent to the proposal to construct an additional four levels above, and undertake alterations to the external façade of, the existing building at 115 Vivian Street, Te Aro (Lot 3 DP 386), subject to the following conditions:

- (a) That the proposal shall be in accordance with the information and plans (by Peddle Thorp & Montgomery Ltd plans numbered RCSK03 rev G and RCSK09 rev B – dated 18 April 2002) lodged with SR No. 89681.

- (b) In order to make appropriate contribution to upgrading the city's infrastructure and reserves, a development impact fee is payable and this has been assessed at \$18,036 inclusive of GST. The development impact fee shall be paid on, or prior to, the issue of the building consent; or evidence shall be produced that the payment has already been made in connection with other development on the site.

Note:

Part, or all, of the development impact fee may already have been paid under earlier building consents or to meet a condition of another resource consent.

A traffic fee of:	\$303 per household unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per household unit	x 36	= \$7,128
Total Fee			= \$18,036

- (c) The consent holder shall notify the Compliance and Monitoring Officer a minimum of 48 hours before the consent is to be exercised by telephone (801 4017) or facsimile (801 3100) quoting the address of the property and the service request number. Review
- (d) That the consent holder shall pay to the Wellington City Council the actual and reasonable costs associated with the monitoring of conditions [or review of consent conditions], or supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

*Please refer to ECBU's current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Notes:

1. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to Council.
2. As the proposed balconies extend beyond the boundaries of the property, the applicant is reminded of the requirement to obtain an encroachment licence under Part 17 of Wellington Consolidated Bylaw 1991 from Council's Property Services Section, prior to proceeding with this proposal.

Reasons for decision:

1. The effects of the proposal are considered to be no more than minor.

2. The proposal is in accordance with the relevant objectives, policies and assessment criteria of the Wellington City District Plan.
-

**Environmental Control Business Unit
Decision Report For Land Use Consent**

17 September 2002

Service Request No: 89681
Link No: 0600 605117

Non-Notified Application

<u>Site Address:</u>	115 Vivian Street, Te Aro
<u>Legal Description:</u>	Lot 3 DP 386
<u>Applicant:</u>	Peddle Thorp & Montgomery Ltd
<u>Proposal:</u>	Addition of four storeys to an existing three level Central Area building
<u>Owner:</u>	City Lodge Limited
<u>Plan No:</u>	Peddle Thorp & Montgomery Ltd plans numbered RCSK03 rev G and RCSK09 rev B – dated 18 April 2002

District Plan:

The site is located within the Central Area and Cuba Character Area under the Wellington City District Plan (Map 16) and is not subject to any designations.

The proposal fails to meet the standards and terms for Controlled Activities under rule 13.2.1, which require that the activity comply with all the conditions specified for activities in rule 13.1.2. More specifically, the proposal fails to meet the conditions specified within the following rules:

- Rules 13.1.1.7.6 – 13.1.1.7.13 (loading and site access requirements) ; and
- Rule 13.1.2.11 (wind requirements)

Accordingly, the proposal has been assessed as a Discretionary Activity (Restricted) under rule 13.3.1.5 in respect of vehicle parking, servicing and site access; and rule 13.3.2. in respect of wind and design, external appearance and siting. The proposal will meet the standards and terms specified under rules 13.3.1 and 13.3.2.

Site Description:

The site is situated on the southern side of Vivian Street at the corner of Vivian Street and Knigges Avenue. Knigges Avenue is a short dead-end street. The site is occupied by a three storey building (with a basement accessed from Vivian Street), which currently provides for residential use.

Surrounding development is typically commercial in nature, although Victoria University's School of Architecture, with a small open space area (Cobblestone Park) fronting onto Vivian Street, occupies the site on the opposite side of Knigges Avenue.

Proposal:

The proposal is to undertake additions and alterations to the existing building. The proposal is described in detail within the plans and information submitted in support of the application. The salient aspects of the proposed works being:

- Construction of an additional four levels;
- New balconies (extending above legal road);
- New entrance on the Knigges Avenue façade; and
- Alterations to the external façade of the existing building.

The existing level of on-site parking i.e. the 13 basement parking spaces, will be reduced by one to allow for a servicing/rubbish collection area to be allocated within the basement.

Section 94 Analysis:

The proposal is a Discretionary Activity (Restricted) and the rules in the District Plan (rules 13.3.1.5 and 13.3.2.) expressly state that the written approval of affected persons will not be necessary and that the application need not be notified in respect of 13.3.1.5 (parking, servicing and site access), 13.3.2.7 (wind) and 13.3.2 (design external appearance and siting).

The proposal is typical of what could be expected in the Central Area, in that, the proposed additions are within the maximum height limit and the Central Area rules permit site coverage to 100%. Furthermore, the proposed residential use of the building is typical of development which is increasingly occurring within the Central Area. The actual design of the addition is being assessed in terms of the relevant Design Guide but this is not a matter for consideration under Section 94 but rather a matter for the substantive assessment of the application.

I consider that the wind environment, design, and site access arrangements require consideration when assessing this application, but are not "special circumstances" in terms of the Resource Management Act which would otherwise lead me to conclude that the application should be notified. These are the types of matters which the plan envisages should generally be dealt with on a non-notified basis. Accordingly, this application has been dealt with on a non-notified basis, pursuant to s.94(1A) of the Act.

Assessment:

The proposal has been assessed against the relevant assessment criteria set out under the wind and site access provisions, and the Cuba Character Area Design Guide. I have discussed the proposal with Yvonne Weeber (ECBU urban designer) and Steve Spence (Council traffic

engineer). In addition, Mike Donn (independent wind consultant) has reviewed the wind assessment prepared by Opus Consultants in support of this proposal.

Central Area Design Guide

Yvonne Weeber has provided the following urban design assessment of the proposal:

“Urban Form

- G1 *The height of the building will be four floors taller than the average buildings in the area. However this building and the building on the opposite side of the road on the corner of Marion Street and Vivian Street will be of a similar size. And these will form an important visual gateway of buildings along this street. The building is within the height limit specified in rule 13.1.2.1.*
- G2 *The definition of the street edges are maintained with this design.*
- G3 *The building orientation is maintained and while there are two light wells along Knigges Avenue the overall orientation is towards the street.*
- G4 *This is a corner site that will be more visually dominant when the Bypass changes the directional flow of traffic. This building reinforces and retains containment of the corner.*
- G5 *The lower doorways and balconies on Knigges Avenue open out onto the open space in front of Victoria University building.*

Street Environment and Image

- G1 *There is no shop front windows in this development as the existing lower level apartments and their present arrangement are being maintained.*
- G2 *A number of entries into the lower level apartments and the new upper apartments are being provided off Knigges Avenue.*
- G3 *Pedestrian weather protection in the form of a verandah is being provided to offset wind concerns. The verandah is from 3 to 4 metres in height and is designed along the bottom edge of the first level spandrel. The width of the verandah is 2.5 metres along Vivian Street and 1.5 metres along Knigges Avenue.*

Building Design and Appearance

- G1 *There is a continuity of façade heights along this side of Vivian Street with three/four storey buildings predominating. The existing building is of similar height to these adjoining buildings. This proposed addition to the existing building will put the building above the adjacent buildings to the east along Vivian Street. However the use of balconies and the articulation of light wells on Knigges Avenue will break up the overall dominance of the development on this side of the street. The existing façade and relationship to the adjoining buildings is maintained.*
- G2 *The use of balconies on the top floors clearly states that this development has a residential use. Further imagery is used in the form of the roof-line with gable ends.*
- G3 *The existing lower floors are maintained in this design.*

- G4 *The entrance into the building is discrete but visible from Knigges Avenue with the use of verandah articulation.*

Heritage Character

G1 *There are three buildings in the vicinity of this building that are listed as heritage buildings in the District Plan. These are:*

- *124 Vivian Street (Wellington Trades Hall) directly across the road from this development. Built in 1927 three level building designed in a plain classical style.*
- *143 Vivian Street on the corner of Marion Street and Vivian Street a two storey timber building with corrugated roof.*
- *105 Vivian Street one building to the east of this development built in 1902 designed for retail and accommodation on two levels in plain Edwardian commercial style.*

There is a 10 metre site width along these buildings that is reflected in the original design and will be articulated in the addition on Vivian Street to reflect the 10 metre site widths adjacent and to align with the gable end to the east bay of this façade.

Residential development

G1 *The proposal expresses the residential use in an explicit fashion with the form of decks projecting out from the top five floors.*

G2 *The north western units will have a clear view of the public space and all western and northern units will have a view out onto the street area.*

G3 *The building is to be used for residential purposes only.*

G4, G5 *Lower ground floor units have separate transition spaces at street level with separate doors. The first to sixth floor units have entry via Knigges Avenue with a main lobby and mailbox area.*

G6 *Western and northern apartments will gain direct sunlight. Units on the eastern side will only gain indirect light via a light well.*

G7 *The top roof and light well roofs are not accessible to the units.*

G8 *The ground floor apartments on Vivian Street and most active pedestrian and traffic route are raised from the footpath level.*

G9 *All new units and the second floor of the old units have habitable indoor/outdoor space. Security screens have been placed between deck areas that fit in with the overall pattern of the development.*

Central Area

I concur with the applicants assessment for the Central Area Design Guide, and in addition the General Design Guidelines Section 3

G1 *Overall Building Composition.*

The building shows:

- *Articulation of the addition in the form of a protruding bay at the existing parapet level of the new addition to match the spandrels on the existing building.*

- *Expression of the existing column lines in the new Knigges Ave façade sheet cladding and jointing above.*

Conclusion

That the proposed addition to the building at 115 Vivian Street meets the intent and objectives of the Cuba Character Area and Central Area Design Guide.”

On the basis of Yvonne’s assessment it is concluded that the proposal is consistent with the objectives of the Cuba Character Area Design Guide.

Traffic/Parking considerations:

Steve Spence (Council traffic engineer) has advised that although the vehicle access directly onto heavily trafficked (one way) Vivian Street, is not ideal in terms of traffic safety, he concedes that this is an existing situation, and as the number of the basement parking spaces will if fact be reduced, the proposal will not exacerbate this situation.

Trish Woods (ECBU vehicle access engineer) assessed the application, in respect to vehicle manoeuvring and parking and made the following comments:

“The gradient of the driveway indicated on plan SK10 Rev C is very steep at 1 in 4.3 approx. No transition zones have been shown. The gradient of the driveway at the beginning, middle and end should be confirmed by the applicant. It is possible that the change in gradient could cause vehicles to scrape on the driveway, near the back of the footpath, and at the bottom of the driveway. The driveway may need to be altered to accommodate the service vehicle.

Further information required:

- *Proposed position of waste bin*
- *Proposed loading bay to be marked on the plan.*
- *Dimensions of the service vehicle*
- *Manoeuvring paths of the service vehicle to be marked on the plan.*
- *Further details of the alterations to be made to the building to accommodate the service vehicle.*
- *Confirmation of the existing driveway gradients.*

In response, the applicant provided further information, which I have discussed with Ms. Woods. Ms. Woods now advises that she finds the proposal acceptable in terms of vehicle manoeuvring and parking arrangements.

Vivian Street forms part of the state highway network, and in this respect the proposal has been considered by Transit NZ. Lindsay Daysh, Regional Planner for Transit NZ, has provided written confirmation that Transit NZ have no objections to the proposal.

On the basis of Mr Spence’s and Ms. Woods’s advice it is considered that the proposal will adequately provide for the servicing and access requirements of additional floor space of the site and that any adverse effects in terms of traffic safety will be no more than minor (and within the realms of that anticipated under the District Plan).

Wind considerations:

The applicant has provided a wind report (tunnel test) of the anticipated aeronautical effects of the proposed additions to the existing building on the local environment. The report has been prepared by Opus Consultants, and in turn, has been reviewed by Michael Donn (Environmental Science Consultant) on behalf of Council. Mr. Donn's assessment concludes with the recommendation that the proposal:

"be approved for construction subject to either:

- 1) a 3-5m set back of the Southern end of the building and addition of verandahs along the West and North facades; or*
- 2) submission of a wind tunnel test that demonstrates that these measures will not be effective in reducing the problem wind speed accelerations in Knigges Avenue."*

In response, the applicant has amended the original proposal to now provide new verandahs on the western and northern facades i.e. the Knigges Avenue and Vivian Street facades respectively. In respect to Mr. Donn's recommendation that a 3-5m setback be provided on the southern façade, the applicant has suggested that such design modifications may provide limited reduction(s) in wind speeds. Any improvements would be limited to the end of Knigges Avenue, a dead-end street, which is an area of low pedestrian traffic, and therefore would provide limited public benefit. In this respect, I concur with the applicant, and given the significant reduction in potential floor space, and limited public benefit that would result from setting back the upper level addition from the southern end of the building, consider that this measure need not be undertaken.

On the basis of the wind report prepared by Opus Consultants and the advice from Mr. Donn, it is considered that the effects of the proposal in terms of wind patterns within the local environment will be no more than minor.

Development Impact Fee:

The proposal would create 36 new household units. In accordance with the 'Guide to Development Impact Fees', the total development impact fee is made up as follows:

A traffic fee of:	\$303 per household unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per household unit	x 36	= \$7,128
Total Fee			= \$18,036

An appropriate condition has been included in the decision section of this report.

Objectives and Policies:

The relevant objectives and policies of the District Plan are:

Objective 3.4.2.1 To ensure that the costs of serving development with infrastructure and reserves is included in the cost of development in a fair and equitable manner.

Policy 3.4.2.1.2 Identify the instances where fees will be imposed to mitigate the impacts of development on city infrastructure and on the wider environment.

Objective 12.2.3 To maintain and enhance the physical character, townscape and streetscape of the Central Area.

Policy 12.2.3.1 Preserve the present general urban form of the Central Area.

Policy 12.2.3.2 Enhance the public environment of the Central Area by guiding the design of new building development and enhancing the accessibility and usability of buildings.

The relevant objectives, policies and rules seek to control the design and appearance of Central Area buildings to enhance the public environment and create a positive relationship, via visual and physical interaction between public spaces and the wider city setting. In addition, development impact fees seek to offset the effects of the new development. Overall, I believe that the proposal is consistent with these provisions of the District Plan and accordingly consent can be granted under section 104 of the Act.

Decision:

That officers acting under delegated authority from Council and pursuant to section 105(1)(b) of the Resource Management Act 1991, grant consent to the proposal to construct an additional four levels above, and undertake alterations to the external façade of, the existing building at 115 Vivian Street, Te Aro (Lot 3 DP 386), subject to the following conditions:

- (a) That the proposal shall be in accordance with the information and plans (by Peddle Thorp & Montgomery Ltd plans numbered RCSK03 rev G and RCSK09 rev B – dated 18 April 2002) lodged with SR No. 89681.
- (b) In order to make appropriate contribution to upgrading the city's infrastructure and reserves, a development impact fee is payable and this has been assessed at \$18,036 inclusive of GST. The development impact fee shall be paid on, or prior to, the issue of the building consent; or evidence shall be produced that the payment has already been made in connection with other development on the site.

Note:

Part, or all, of the development impact fee may already have been paid under earlier building consents or to meet a condition of another resource consent.

A traffic fee of:	\$303 per household unit	x 36	= \$10,908
A city wide reserves fee of:	\$198 per household unit	x 36	= \$7,128
Total Fee			= \$18,036

- (c) The consent holder shall notify the Compliance and Monitoring Officer a minimum of 48 hours before the consent is to be exercised by telephone (801 4017) or facsimile (801 3100) quoting the address of the property and the service request number. Review
- (d) That the consent holder shall pay to the Wellington City Council the actual and reasonable costs associated with the monitoring of conditions [or review of consent conditions], or supervision of the resource consent as set in accordance with section 36 of the Resource Management Act 1991. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including

the costs of consultants or other reports or investigations which may have to be obtained.

*Please refer to ECBU's current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Notes:

1. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to Council.
2. As the proposed balconies extend beyond the boundaries of the property, the applicant is reminded of the requirement to obtain an encroachment licence under Part 17 of Wellington Consolidated Bylaw 1991 from Council's Property Services Section, prior to proceeding with this proposal.

Reasons for decision:

1. The effects of the proposal are considered to be no more than minor.
2. The proposal is in accordance with the relevant objectives, policies and assessment criteria of the Wellington City District Plan.

Warren Ulusele
Delegated Officer

Brendon Stone
Delegated Officer

6 January 2005

City Lodge Ltd
P O Box 10788
Wellington 6036

Service Request: 89681
Property Link: 605117

Dear Sir or Madam

**Compliance with Land Use Consent for addition of four storeys
– 115 Vivian Street**

On 18 September 2002 a land use consent was granted for the addition of four storeys to an existing three level Central Area building. A site inspection was undertaken by Scott Cantley on 23 December 2004 to check compliance with consent conditions.

I am pleased to advise that conditions (a) and (b) have been met. Therefore I can confirm that the works fully comply with the resource consent, thank you for this.

An invoice for \$60.00 will be sent shortly to cover the costs associated with the monitoring of this consent. This fee is outlined by condition (d), it covers administration, the site visit and material costs.

Please do not hesitate to contact Scott Cantley on (04) 801 3422 if you have any questions.

Yours sincerely

Rose Palmer
Compliance Monitoring and Enforcement Team
Urban Strategy Group
Wellington City Council
Telephone (04) 801 3739
Fax (04) 801 3165

Legal Attachments

RESOLUTION CONDITIONALLY CONSENTING TO THE
CONSTRUCTION OF A CELLAR

Moved by

The Mayor

PURSUANT to Sections 203 and 203A of the Municipal Corporations Act 1954 the Wellington City Council hereby consents to the construction of a cellar on the land described in the Schedule hereto subject to the condition that neither the owner nor the occupier of the said land nor their successors in Title shall be entitled to claim against the Corporation for any damage caused to the cellar or any property therein arising whether directly or indirectly from any defect in any water supply system sewerage system or other public utility service under the control of the Council.

SCHEDULE

ALL THAT parcel of land containing THIRTY EIGHT AND EIGHT TENTHS PERCHES (38.8p) situate in the City of Wellington part of Section 132 on the plan of the said City and being also all of the land contained in Certificate of Title Volume 46 Folio 164 (Wellington Registry).

Seconded by Councillor

Campbell

and carried.

I hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Wellington City Council at its meeting held

82

5 February 1973

Isabel Thomas
TOWN CLERK.

**WELLINGTON CITY COUNCIL
CONSENT NOTICE PURSUANT TO SECTION 221
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The District Land Registrar at Wellington

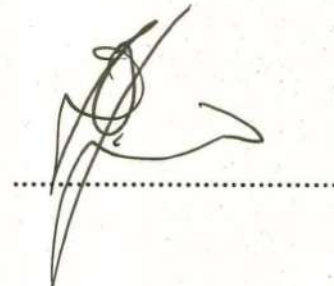
In the matter of a consent notice issued pursuant to Section 221 of the Resource Management Act 1991 in respect of a unit title subdivision of Lot 3 DP 386 lodged for deposit under No.

I, David Wayne Gair, for the Environmental Control Business Unit of the Wellington City Council, hereby certify that the following condition, to be complied with on a continuing basis, was imposed by the Wellington City Council at a meeting held on the 15th day of May 1997 giving consent to the subdivision described herein:

No modifications to the disposition of the land or structures in any manner will be permitted now, or in the future, without specific approval from the Wellington City Council authorising any such changes pursuant to the provisions of the Resource Management Act 1991 or any subsequent replacement legislation.

DATED at Wellington this 15th day of May 1997

Signed by David Wayne Gair, of the)
Environmental Control Business Unit of the)
Wellington City Council on behalf of, and)
by the authority of the said Council under)
Sections 252(1)(a) and 716(1) of the Local)
Government Act 1974.)



**WELLINGTON CITY COUNCIL
NOTICE PURSUANT TO SECTION 221(5)
OF THE RESOURCE MANAGEMENT ACT 1991**

TO: The Registrar General of Land at Wellington

In the matter of a consent notice pursuant to Section 221 of the Resource Management Act 1991 issued in respect of a unit-title subdivision of Lot 3 DP 386 (lodged for deposit under No. 88298) and registered under number B 615045.1.

THE WELLINGTON CITY COUNCIL hereby advises that the conditions of consent have been cancelled pursuant to the provisions of Section 221(3) of the Resource Management Act 1991.

AND it now requests the Registrar General of Land to amend his records accordingly.

DATED at Wellington this 23rd day of July 2004

Signed by Brian Warburton, of the)
Urban Strategy Group of the)
Wellington City Council on behalf of, and)
by the authority of the said Council under)
Sections 252(1)(a) and 716(1) of the Local)
Government Act 1974.)



SR 117188

Rates Attachments

Wellington City Property Rates Record

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Wellington City Council maintains property rating information and manages the collection of rates for Wellington City on behalf of itself and Greater Wellington Regional Council. This information is provided as at **10 March 2025** and may not include all of this day's transactions. Please check the Account Details carefully to ensure this is the property record you require.

Rates & Billing Services
Email: rates@wcc.govt.nz
Phone: 04 499 4444

115 Vivian Street Te Aro 6011

1 July 2024 - 30 June 2025

Details

Rate Account:	1207702	Area:	986 m²
Account Status:	Current	Improvement:	50 APARTMENT BLDG OI
Rateable Status	Not (ZAPCS)	Diff. Rating Category:	Not rated
Valuation Ref:	17290-14900	Billing Category:	ZAPCS - Special Apportionment Code Properties

Flags

- Apportionment Code 6 - S
- Current Encroachment License In Place

Legal Description:

LOT 3 DP 386 - 56.1 M2 EAVES & IMITATION
BALCONIES IN COUNCIL AIR SPACE

Rates Account Summary

Rates Splits	Annual Rates -1 - Rating Year
--------------	-------------------------------

Instalments (Due for Payment)

Installment no	Due Date	Amount
		\$0.00
Instalments YTD		\$0.00
Paid YTD		\$0.00
Penalties YTD		\$0.00
Adjustments YTD		\$0.00

Water Account

Water account	Amount
1186920	\$0.00

Water Account Details

WATER ACCOUNT NO	FREQUENCY	ARREARS	CURRENT AMOUNT	TOTAL
1186920	Reverted to Rates	\$0.00	\$0.00	0.00

Wellington City Property Rates Record

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Wellington City Council
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Rates & Billing Services
Email: rates@wcc.govt.nz
Phone: 04 499 4444

Unit 401 115 Vivian Street Te Aro 6011

1 July 2024 - 30 June 2025

Details

Rate Account:	1908684	Area:	0 m²
Account Status:	Current	Improvement:	APARTMENT CAR PARK OI
Rateable Status	Current	Diff. Rating Category:	Base
Valuation Ref:	17290-14900-DA	Billing Category:	A1C - Base - Full services SLC

Flags

- New rate account from 1 July coming
- LIT Change to Usage
- Apportionment Code 2 - M
- Direct Debit Facility

Legal Description:
UNIT 401 DP 335843 AU4J AUB11 1/50 SHAUB1

Rates Account Summary

Rates Splits	Annual Rates 2024 - 2025 Rating Year \$4,090.03
--------------	--

WCC	\$3,293.56
GWRC	\$727.76
Sludge Levy	\$68.71

Instalments (Due for Payment)

Installment no	Due Date	Amount
1	1 Sep 2024	\$1,022.47
2	1 Dec 2024	\$1,022.47
3	1 Mar 2025	\$1,022.47
4	1 Jun 2025	\$1,022.62

Opening Balance - 01 Jul 2024	\$0.00
Instalments YTD	\$3,067.41
Paid YTD	\$3,067.41
Penalties YTD	\$0.00
Adjustments YTD	\$0.00
Current Balance	\$0.00

Water Account Details

No Associated Water Property.

Permits and Consent Information Held at WCC Archives

Wellington City Council

Building Consent Search Item List

LIM: SR 556809
 Property: 115 Vivian Street
 Legal description: LOT 3 DP 386

This is a list of building permits and/or building consents held at Archives for the above address. Digital copies of these records, which usually include plans, can be accessed through the Building Consent Search Service. Charges and turnaround times apply. Please ring (04) 801 2096 or email consentsearch@wcc.govt.nz for more information.

Series	Title	Description	Date
00056-B14718	115-119 Vivian Street, erect sign	Legal description: Lot 3 DP 386. Owner: Ford Sales and Service. Builder: Neon Lights	1935
00058-C36405	115 Vivian Street, demolish warehouse	Legal description: Lot 3 DP 386. Owner: T G Macarthy Trust. Builder: James Wallace Pty Ltd. Application value: \$2,200.	1972
00058-C37092	115-119 Vivian Street, multi-storey building	Legal description: Lot 3 DP 386. Owner: Wellington District Public Trustee. Applicant: James Wallace Property Ltd. Application value: \$400,000. Floor area: 10,562 square feet. Note: New Zealand Police Building	1973
00078-27699	115 Vivian Street, conversion to apartments	Legal description: Lot 3 DP 386. Application value: \$940,852.	1996
00078-96926	115 Vivian Street, additions and alterations, stage 1	Legal description: Lot 3 DP 386. Application value: \$100,000. Note: Strengthening work to basement and ground floor consisting of piles and new pile caps.	2002
00078-97890	115 Vivian Street, level 1-3, stage 2, strengthening to walls and columns	Legal description: Lot 3 DP 386. Application value: \$60,000.	2003
00078-98757	115 Vivian Street, addition of four storeys	Legal description: Lot 3 DP 386. Designer: Peddle Thorpe Montgomery Ltd. Application value: \$3,600,000. Note: Part of City Lodge Apartment development, student accommodation.	2003

Building Permit Attachments

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 SR9024272

Contact:

Contact Address:

Attention:

Status: Completed

Status Date: 1-Mar-50 12:00 AM SR Status: Completed

Owner: Member: TW Legacy Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description: Reinstatement, Site Address is 115 Vivian St

Extended: Description

Special Conditions or Comment Details migrated from Permits Monitoring and Licensing Control (PMLC) System Archive Index (1900-1986) on 29-04-2000

Service Request 9033835 (Bldg Cons<500K) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 SR9033835

Contact:

Contact Address:

Attention:

Status: Completed

Status Date: 10-Jun-57 12:00 AM SR Status: Completed

Owner: Member: TW Legacy Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :
Days Elapsed :

Description:	Adds and Alts, Site Address is 115 Vivian St
Extended: Description	
Special Conditions or Comment	Details migrated from Permits Monitoring and Licensing Control (PMLC) System Archive Index (1900-1986) on 29-04-2000

Service Request 9036649 (Bldg Cons<500K) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 SR9036649

Contact:

Contact Address:

Attention:

Status: Completed

Status Date: 15-Jun-59 12:00 AM SR Status: Completed

Owner: Member: TW Legacy Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :
Days Elapsed :

Description:	Adds and Alts, Site Address is 115 Vivian St
Extended: Description	
Special Conditions or Comment	Details migrated from Permits Monitoring and Licensing Control (PMLC) System Archive Index (1900-1986) on 29-04-2000

Service Request 9041635 (Bldg Cons<500K) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 SR9041635

Contact:

Contact Address:

Attention:

Status: Completed

Status Date: 4-Oct-62 12:02 AM SR Status: Completed

Owner: Member: TW Legacy Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description: Adds and Alts, Site Address is 115 Vivian St

Extended:
Description

Special
Conditions or
Comment Details migrated from Permits Monitoring and
Licensing Control (PMLC) System Archive Index
(1900-1986) on 29-04-2000

Complete Building Consent Attachments

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1147899 Survey Historic - 115 Vivian Street

File Reference: 0600 SR27699

Contact: 1089072 Ebert New Zealand Ltd

Contact Address: 15078386

Attention:

Status: Completed

Status Date: 24-Apr-97 2:34 PM SR Status: On-going

Owner: Member: Phil Robinson Extn: 803 8261

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description:

Extended:
Description

Special
Conditions or
Comment

24 April, 1997

Vivian Limited
P O Box 5389
Wellington

Service Request No.27699
Link No. 0600402511

CODE COMPLIANCE CERTIFICATE NO.1, PURSUANT TO SECTION 43(2) OF THE BUILDING ACT 1991

Service Request Type:	Building Consent for less than \$500,000	
Site Address:	115 Vivian St	Lot 3 DP 386
Project Description	Apartments	
Intended Life:	50years	

Please accept this letter as a final Code Compliance Certificate in respect of all building works under Building Consent no.27699.

This Code Compliance Certificate excludes any energy work covered by G9 Electricity and G11 Gas.

Signed for and on behalf of the Wellington City Council.

Philip Robinson
Environmental Control Business Unit
Wellington City Council
Telephone 801-3807

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 SR96926

Contact: 52731976 Lachlan Construction Ltd

Contact Address: 25305549

Attention:

Status: Completed

Status Date: 13-Sep-04 10:20 AM SR Status: Completed

Owner: Member: Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description:	Stage 1 - Strengthening work to basement and ground floor level, consisting of piles and new pile caps.
Extended: Description	
Special Conditions or Comment	

13 September, 2004

Lachlan Construction Ltd
P O Box 10 579
Wellington 6036

Service Request No. 96926
Property ID: 1045499

***CODE COMPLIANCE CERTIFICATE FOR BUILDING CONSENT No. 96926
PURSUANT TO SECTION 43(3) OF THE BUILDING ACT 1991***

Service Request Type:	Building Consent for less than \$500,000
Site Address:	115 Vivian Street
Legal Description:	LOT 3 DP 386
Project Description:	Stage 1 - Strengthening work to basement and ground floor level, consisting of piles and new pile caps.
Intended Life	50years

This is a final Code Compliance Certificate in respect of all of the building work under the above consent.

This certificate is issued subject to the conditions specified under the heading "CONDITIONS OF CODE COMPLIANCE". (See attached page.)

Signed for and on behalf of the Wellington City Council.

Rob Tierney

Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

13 September, 2004

Site Address: 115 Vivian Street LOT 3 DP 386
Project Description: Stage 1 - Strengthening work to basement and ground floor level,
consisting of piles and new pile caps.
Building Consent No: 96926

CONDITIONS OF CODE COMPLIANCE CERTIFICATE.

1. This certificate relates only to building consent no 96926. Nothing in this certificate states or implies that the following building work at the same address complies with the building code:

SR#98757 Stage III - Additional 4 floors added to existing 3 level building with amendment

2. The issuing of this code compliance certificate does not certify approval by Wellington City Council that the building work can be occupied. Council has no power under the Building Act 1991 to authorise occupation. The decision to occupy a building is made solely by the building owner on the basis that the owner considers that the state of the building is safe for occupation.
3. Note: The Building Act 1991 requires that all building work must comply with the Building Code. Clause B2 of the Building Code requires that all building elements must be sufficiently durable to meet their functional requirements, with only normal maintenance. It is the responsibility of the owner to ensure that building elements are maintained in accordance with the manufacturers specifications.

Signed for and on behalf of the Wellington City Council

Rob Tierney

Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

Service Request 97890 (Bldg Cons<500K) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 SR97890

Contact: 52731984 Ordinum Ltd

Contact Address: 25305552

Attention:

Status: Completed

Status Date: 20-Oct-04 10:20 AM SR Status: Completed

Owner: Member: Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :
Days Elapsed :

Description: Stage 2 - Strengthening to walls and columns - Levels 1,2 & 3.

Extended:
Description

Special
Conditions or
Comment

20 October, 2004

Ordinum Limited
P O Box 10 579
Wellington 6036

Service Request No. 97890
Property ID: 1045499

***CODE COMPLIANCE CERTIFICATE FOR BUILDING CONSENT No. 97890
PURSUANT TO SECTION 43(3) OF THE BUILDING ACT 1991***

Service Request Type:	Building Consent for less than \$500,000
Site Address:	115 Vivian Street
Legal Description:	LOT 3 DP 386
Project Description:	Stage 2 - Strengthening to walls and columns - Levels 1,2 & 3.
Intended Life	50years

This is a final Code Compliance Certificate in respect of all of the building work under the above consent.

This certificate is issued subject to the conditions specified under the heading "CONDITIONS OF CODE COMPLIANCE". (See attached page.)

Signed for and on behalf of the Wellington City Council.

Robert Tierney

Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

20 October, 2004

Site Address: 115 Vivian Street LOT 3 DP 386
Project Description: Stage 2 - Strengthening to walls and columns - Levels 1,2 & 3.
Building Consent No: 97890

CONDITIONS OF CODE COMPLIANCE CERTIFICATE.

1. This certificate relates only to building consent no 97890. Nothing in this certificate states or implies that the following building work at the same address complies with the building code:

SR#9875 Stage III - Additional 4 floors added to existing 3 level building with amendment
2. The issuing of this code compliance certificate does not certify approval by Wellington City Council that the building work can be occupied. Council has no power under the Building Act 1991 to authorise occupation. The decision to occupy a building is made solely by the building owner on the basis that the owner considers that the state of the building is safe for occupation.
3. Note: The Building Act 1991 requires that all building work must comply with the Building Code. Clause B2 of the Building Code requires that all building elements must be sufficiently durable to meet their functional requirements, with only normal maintenance. It is the responsibility of the owner to ensure that building elements are maintained in accordance with the manufacturers specifications.

Signed for and on behalf of the Wellington City Council

Robert Tierney
Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

Service Request 98757 (aBLDG CONSENT) Item 1 (Appl Form)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 SR98757

Contact: 52731976 Lachlan Construction Ltd

Contact Address: 25305549

Attention:

Status: Completed

Status Date: 21-Mar-05 4:49 PM SR Status: Completed

Owner: Member: Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description: Stage III - Additional 4 floors added to existing 3 level building with amendment

Extended:
Description

Special
Conditions or
Comment

21 March, 2005

Lachlan Construction Ltd
P O Box 10579
Wellington 6036

Service Request No. 98757
Property ID: 1045499

***CODE COMPLIANCE CERTIFICATE FOR BUILDING CONSENT No. 98757
PURSUANT TO SECTION 43(3) OF THE BUILDING ACT 1991***

Service Request Type:	Building Consent greater than \$500,000
Site Address:	115 Vivian Street
Legal Description:	LOT 3 DP 386
Project Description:	Stage III - Additional 4 floors added to existing 3 level building with amendment
Intended Life	50 years

This is a final Code Compliance Certificate in respect of all of the building work under the above consent.

This certificate is issued subject to the conditions specified under the heading "CONDITIONS OF CODE COMPLIANCE". (See attached page.)

Signed for and on behalf of the Wellington City Council.

Rob Tierney

Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

21 March, 2005

Site Address: 115 Vivian Street LOT 3 DP 386
Project Description: Stage III - Additional 4 floors added to existing 3 level building with amendment
Building Consent No: 98757

CONDITIONS OF CODE COMPLIANCE CERTIFICATE.

1. This certificate relates only to building consent no 98757.
2. The issuing of this code compliance certificate does not certify approval by Wellington City Council that the building work can be occupied. Council has no power under the Building Act 1991 to authorise occupation. The decision to occupy a building is made solely by the building owner on the basis that the owner considers that the state of the building is safe for occupation.
3. Note: The Building Act 1991 requires that all building work must comply with the Building Code. Clause B2 of the Building Code requires that all building elements must be sufficiently durable to meet their functional requirements, with only normal maintenance. It is the responsibility of the owner to ensure that building elements are maintained in accordance with the manufacturers specifications.

Signed for and on behalf of the Wellington City Council

Rob Tierney

Building Consents and Licensing Services
Wellington City Council
Telephone 801 3813

Building Warrant of Fitness Attachments

Service Request 38393 (Bldg WOF) Item 1 (Compliance Sch)

Service Request Item

Item: 1 ▼

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 605117

Contact: 53136931 Body Corporate 335843 115 Vivian St

Contact Address: 25907448 ▼

Attention:

Status: Compliance Sch. Amended & Issued

Status Date: 13-Jun-16 4:08 PM SR Status: On-going

Owner: Member: Darrell Nichol Extn: 803 8270

Team: 1999/Comp Mon/Enf Team 108

Due Date: Days Remaining :

Days Elapsed :

Description: City Lodge apartments - 115 Vivian St

Extended:
Description

Special
Conditions or
Comment

Building Warrant of Fitness

Form 12, Section 108,
Building Act 2004

Building

Expiry Date: 16 / 12 / 2026

Street Address of Building: 115 Vivian St Te Aro Wellington Wellington 6011**Compliance Schedule No:** 38393**Building Name:** City Lodge Apartments**Fire Hazard Category:****Legal Description:** LOT 3 DP 386**Lawful Use:** Apartments & Car parking**Level/Unit Number:** Ground to Sixth floors, Basement**Purpose Group:** 08-SR (Sleeping Residential), 14-IA (Intermittent Low)**Year First Constructed:** 1970s**Intended Life (if 50 years or less):** 50**Maximum Number of Occupants that can safely use this building is:** 319**Location of Building within site / block number:**

Agent

Agent: Cove Compliance**Contact Email:** support@covecompliance.co.nz**Registered Office:** B:HIVE Building, Smales Farm, 72 Taharoto Rd, Takapuna, Auckland 0622 , 09 955 5555

Owner

Name of Owner: Body Corporate 335843 115 Vivian St**Mailing Address:** c/- YPM PO Box 12-123**Owner Address:** C/O Your Property Matters Ltd PO Box 12123 Thorndon Wellington 6144**Phone Number:** 04 473 7330**Owner's Contact:** Facility Manager**Mobile Number:****Website:** Body Corporate 335843**Email Address:**

Specified Systems

SS 1 - Automatic systems for fire suppression	✓
SS 2 - Automatic or manual emergency warning systems	✓
SS 3/2 - Egress controlled doors	✓
SS 4 - Emergency lighting systems	✓
SS 7 - Automatic back-flow preventers	✓
SS 8/1 Passenger carrying lifts	✓
SS 14/2 - Signs related to one or more of the specified systems 1-13	✓
SS 15/2 - Final exits	✓
SS 15/3 - Fire separations	✓
SS 15/4 - Signs for communicating information intended to facilitate evacuation	✓
SS 15/5 - Smoke separations	✓



Angelica Ramos

4th March 2025

Signature of agent on behalf of and with the
authority of the owner:

Name

Date

The Compliance Schedule and records are kept at 115 Vivian St Te Aro Wellington Wellington 6011 and Cove Compliance, B:HIVE Building, Smales Farm, 72 Taharoto Rd, Takapuna, Auckland 0622. The inspection, maintenance, and reporting procedures of the compliance schedule for the above building have been fully complied with during the 12 Months prior to the date stated below.

Compliance Schedule

Section 103, Building Act 2004

The Building

Bldg Info SR : 213645

Property Ref: 1045499

Street address : 115 Vivian Street**Legal description** : LOT 3 DP 386**Location Within Site:****Building name** : City Lodge Apartments**Year Constructed** : 1970s**Intended life (years):** 50**Proposed & Currently Lawfully Established Use**

Bldg Consent SR	Purpose Group / Use	Description	Level No	Occupancy	Lawfully Est. Date
	14-IA (Intermittent Low)	Car parking	-1	0	01/07/1992
	08-SR (Sleeping Residential)	Apartments	0-6	319	01/07/1992

The Owner**Name:** Body Corporate 335843 115 Vivian St

Specified Systems

Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Regulations 2005 - Schedule 1

Building (Specified Systems, Change the Use, and Earthquake-prone Buildings) Amendment Regulations 2005

System/Sub System	Performance Standards	Inspection, Maintenance & Reporting Procedures
-------------------	-----------------------	--

SS 1 Automatic systems for fire suppression

Fire Sprinkler System

NZS 4541:1996 - Automatic Fire Sprinkler Systems

NZS 4541: 1996 Part 12: Routine Testing, Maintenance and Surveying as amended by Appendix D of C/AS1

Inspection:

Independent Qualified Person

Monthly

Maintenance:

Independent Qualified Person

As necessary to maintain system in working order

Testing:

Independent Qualified Person

Monthly

Survey:

Refer to NZS 4541

Biennial

SS 2 Automatic or manual emergency warning systems for fire or other dangers

Manual Fire Alarm

NZS 4512:1997 - Fire alarm systems in buildings

Relevant parts of NZS 4512

Inspection:

Independent Qualified Person

Monthly

Maintenance:

Independent Qualified Person

As necessary to maintain system in working order

Testing:

Independent Qualified Person

Monthly

Survey:

Independent Qualified Person

Annually

Location:

Smoke detection throughout and inside apartments

Compliance Schedule (Continued)

System/Sub System	Performance Standards	Inspection,Maintenance & Reporting Procedures
-------------------	-----------------------	---

SS 3 Electromagnetic or automatic doors or windows

SS 3/2 Access controlled doors

ABC: Code of Practice for Electromechanical Controlled Locking Devices on Egress Doors (2019)

Inspection:

Monthly -Owner or Agent
Annually - IQP

ABC: Code of Practice for Electromechanical Controlled Locking Devices on Egress Doors(2019) Part 7 - 8

Maintenance:

ABC: Code of Practice for Electromechanical Controlled Locking Devices on Egress Doors(2019) Part 7 - 8

Survey:

Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible

SS 4 Emergency lighting systems

Emergency lighting system to provide for visibility in all escape routes

AS 2293.1-2005 & 3-2005 (Emergency escape lighting and exit signs for buildings, Part 1: System design, installation and operation & Part 3: Emergency escape luminaries & exit signs

Inspection:

Six monthly - IQP
Annually - IQP

In accordance with AS/NZS 2293.2:2005 Emergency escape lighting and exit signs for buildings – Part 2: Inspection and maintenance.

Maintenance:

As required by AS/NZS 2293.2:2005 Emergency escape lighting and exit signs for buildings – Part 2: Inspection and maintenance.

Survey:

Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible

SS 7 Automatic backflow preventers connected to a potable water supply

Fire Sprinkler System

Location:
(SR120935) 80 mm Ames 2000SS in sprinkler main located in basement garage.

United States Environmental Protection Agency Cross Connection Control Manual (1989 or 2003 issue). AS/NZS 2845.1:1998 Water supply – Backflow prevention devices – Materials, design and performance requirements.

United States Environmental Protection Agency Cross Connection Control Manual or AS 2845.3:1993 Water supply – Backflow prevention devices – Field testing and maintenance

Inspection:

Independent Qualified Person

Maintenance:

Certifying Plumber

Repair or replace the back-flow preventer immediately any defect is apparent.

Testing:

Independent Qualified Person

Annually - Carry out the tests and checks detailed in the relevant Manual/Standard. Provide annual test certificates with Form12A.

Compliance Schedule (Continued)

System/Sub System	Performance Standards	Inspection, Maintenance & Reporting Procedures
-------------------	-----------------------	--

SS 8 Lifts, escalators or other systems for moving people or goods within buildings

SS 8/1 Passenger-carrying lifts	NZS 4332:1997 - Non-domestic passenger and goods lifts and D2/AS1	<p>Inspection:</p> <p>Annually - IQP</p> <p>In accordance with NZS 4332:1997 - Non-domestic passenger and goods lifts</p> <p>Maintenance:</p> <p>As required by NZS 4332:1997 - Non-domestic passenger and goods lifts</p> <p>Testing:</p> <p>Survey:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p>
---------------------------------	---	--

SS 14 Emergency power systems for, or signs relating to, a system or feature specified above

SS 14/2 Signs for Systems	Acceptable Solution F8/AS1 Amendment 4 (effective 1 January 2017)	<p>Inspection:</p> <p>Monthly - Owner or Agent</p> <p>Annually - IQP</p> <p>Ensure all signs are of the correct type, present in the right locations, legible, clearly visible, and unobstructed.</p> <p>Maintenance:</p> <p>Signs shall be refurbished before they become illegible and shall be replaced immediately should they be missing.</p> <p>Testing:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p>
---------------------------	---	--

SS 15 Other fire safety systems or features

SS 15/2 Final exits	NZBC C2 (Means of Escape) Amendment 9 - Effective 10 October 2011. Acceptable Solution C/AS1 Part 3: Means of Escape.	<p>Inspection:</p> <p>Monthly - Owner or Agent</p> <p>Annually - IQP</p> <p>Final exits are to be inspected to ensure they can be opened & are not locked, barred, or blocked (including the egress route). Door locking devices are to be clearly visible, operated without a key or other security device</p> <p>Maintenance:</p> <p>Responsive maintenance shall be carried out to ensure occupants are not prevented from leaving the building in the event of an emergency & be maintained to ensure they are clearly identified, free of obstructions, unlocked & easy to use.</p> <p>Testing:</p> <p>Survey:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p>
---------------------	---	--

Compliance Schedule (Continued)

System/Sub System	Performance Standards	Inspection, Maintenance & Reporting Procedures
SS 15 Other fire safety systems or features		
SS 15/3 Fire separations	Acceptable Solutions C/AS1-C/AS7 Protection from Fire	<p>Inspection:</p> <p>Monthly - Owner or Agent Annually - IQP</p> <p>Inspections procedures in accordance with the details in the NZ Compliance Schedule Handbook (B.4 to B.22) page 50</p> <p>Maintenance:</p> <p>Maintenance procedures detailed in the NZ Compliance Schedule Handbook (in particular the repair of any defect identified in B.4 to B.22)</p> <p>Testing:</p> <p>Survey:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p>
SS 15/4 Signs for communicating information intended to facilitate evacuation	NZBC F8/AS1 Signs, or to the standard applicable at the time of installation and last lawful approval	<p>Maintain signage to ensure continued functional operation</p> <p>Inspection:</p> <p>Owner or Agent - Monthly IQP - Annually</p> <p>Maintenance:</p> <p>Testing:</p> <p>Illuminated exit signs shall be tested in accordance with the emergency lighting system standard for duration - refer MBIE Compliance Schedule Handbook section SS 15/4</p> <p>Survey:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p> <p>The records must, as a minimum, include:</p> <p>Details of any inspection, test or preventative maintenance carried out, including dates, work undertaken, faults found, remedies applied, and the person who performed the work.</p>
Comments: e.g. EXIT signs		
SS 15/5 Smoke separations	Acceptable Solutions C/AS1-C/AS7 Protection from Fire	<p>Inspection:</p> <p>Monthly - Owner or Agent Annually - IQP</p> <p>Inspections procedures in accordance with the details in the NZ Compliance Schedule Handbook (B.3 to B.17) page 52</p> <p>Maintenance:</p> <p>Maintenance procedures detailed in the NZ Compliance Schedule Handbook (in particular the repair of any defect identified in B.3 to B.17)</p> <p>Survey:</p> <p>Logbooks or electronic records must be kept and maintained confirming the inspection dates and maintenance procedures as applicable to this Specified System have been carried out by the individuals responsible</p>

On behalf of Wellington City Council

Darrell Nichol

Compliance Schedule (Continued)

Unit Tech Compliance Officer

BWOF Online Copy

Earthquake-prone Building Process Attachments

Service Request 435297 (EPB Invstgn) Item 1 (Status Item)

Service Request Item

Item: 1

SR Location: 115 VIVIAN STREET Te Aro

Designated Wufi: 1045499 Survey Current - 115 Vivian Street

File Reference: 0600 605117

Contact:

Contact Address:

Attention:

Status: Not EPB

Status Date: 16-May-19 9:45 PM SR Status: On-going

Owner: Member: Ryan Fraser Extn: 806 4759

Team: 1999/Comp Mon/Enf Team 120

Due Date: Days Remaining :

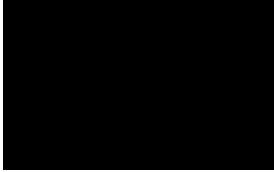
Days Elapsed :

Description: Vivian Apartments

Extended: 115 Vivian Street - aka 119 Vivian Street
Description

Special: more than 17 residential units, 17 first 3 floors only.
Conditions or
Comment

2 April, 2009



Service Request No. 191441
Property ID: 1045499

Dear Sir/Madam

Earthquake Prone Building policy assessment of buildings

Site Address: 115 Vivian Street
Legal Description: LOT 3 DP 386

In May 2006, Wellington City Council adopted an Earthquake Prone Buildings Policy. Under this policy all buildings to which the Building Act 2004 provisions apply and that have been built or strengthened to pre-1976 structural design codes, are being assessed using the Initial Evaluation Process (IEP) set out in the New Zealand Society for Earthquake Engineering *Recommendations for the assessment and Improvement of the Structural Performance of Buildings in an Earthquake*.

The building at 115 Vivian Street has been assessed and the IEP result is greater than 34 percent. The Building Act 2004 and the associated regulations currently define an earthquake prone building as a building whose strength is 33 percent or less of the current seismic loading standard(NZS1170.5:2004). On the basis of this result Council advises that this building has been identified as unlikely to be earthquake prone.

If there are changes to legislation, the loading standard or Council receives further information the building may require reassessment to consider whether it is earthquake prone.

Council has recorded the information about this building and no further action under the Council's Earthquake prone building policy is proposed. This information will be made available on Land Information Memorandum (LIMS).

Yours faithfully

A handwritten signature in black ink, appearing to be 'Suzie'.

Suzie Fitchett
Building Consents and Licensing Services
Wellington City Council
Telephone 801 3522

Table IEP-1 Initial Evaluation Procedure Step 1

Page 1

(Refer Table IEP - 2 for Step 2; Table IEP - 3 for Step 3, Table IEP - 4 for Steps 4, 5 and 6)

Street Number & Name:	115 Vivian St	Ref:	Lot # 26
AKA:	119 Vivian St	WUFI:	1045499
Name of building:	Vivian apartments	By:	GC
Suburb:	Te Aro	Date:	25/10/2007

Step 1 - General Information

1.1 Photos (attach sufficient to describe building)



NOTE: THERE ARE MORE PHOTOS ON PAGE IEP-1a ATTACHED

Note: There is additional room for photos, notes and sketches on page IEP-1a

1.2 Sketch of plan



Note: There is additional room for photos, notes and sketches on page IEP-1a

1.3 List relevant features

7 storeys @ ~3.8 m (3 original, 4 stories added in 2002)
 Strengthening observed
 RC frame/Masonry wall/retrofitted K braces
 Occupancy: apartments
 No signs of structural degradation
 Seems building checked for 100% of 4302: 1922 during extension

1.4 Note information sources

Visual Inspection of Exterior
 Visual Inspection of Interior
 Drawings (note type)
 Specifications
 Geotechnical Reports
 Other (list)

Tick as appropriate

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>

WCC summary sheet, aerial photomap, building extension calcs and drawings

(Refer Table IEP - 1 for Step 1; Table IEP - 3 for Step 3; Table IEP - 4 for Steps 4, 5 and 6)

Street Number & Name:	115 Vivian St	Ref.	Lot # 26
AKA:	119 Vivian St	By	GC
Direction Considered:	a) Longitudinal & b) Transverse		
(Choose worse case if clear at start. Complete IEP-2 and IEP-3 for each if in doubt)		Date:	25/10/2007

Step 2 - Determination of (%NBS)_b**2.1 Determine nominal (%NBS) = (%NBS)_{nom}**

(Baseline (%NBS) for particular building - refer Section B5)

a) Date of Design and Seismic Zone

Date of Design: (or date of code strengthened to)

☐ Pre 1935
☐ 1935-1965
☐ 1965-1976
☐ 1976-1992
☒ 1992-2004

Strengthening

☒ Tick if building has been strengthened

If strengthened enter original design date: 1973

See Note 4 below also

Building Category: Seismic Zone: **b) Soil Type**

From NZS1170.5:2004, CI 3.1.3 :

NZS1170.5:2004

☐ A or B Rock
☐ C Shallow Soil
☒ D Soft Soil
☐ E Very Soft Soil

From NZS4203:1992, CI 4.6.2.2 :
(for 1992 to 2004 only and only if known)

NZS4203:1992

☒ Rigid
☐ Intermediate or Not Known

c) Estimate Period, T

Comment: 7 x 3.8 m

Moment Resisting Concrete Frames: $T = 0.09h_n^{0.75}$
 Moment Resisting Steel Frames: $T = 0.14h_n^{0.75}$
 Eccentrically Braced Steel Frames: $T = 0.08h_n^{0.75}$
 All Other Frame Structures: $T = 0.06h_n^{0.75}$
 Concrete Shear Walls: $T = 0.09h_n^{0.75} / A_c^{0.5}$
 Masonry Shear Walls: $T \leq 0.4\text{sec}$
 User Defined (input Period):

Where h_n = height in m from the base of the structure to the uppermost seismic weight or mass.

Longitudinal	Transverse
--------------	------------

$h_n = 27$ m	27 m
$A_c = 1.00$ m ²	1.00 m ²

<input type="checkbox"/> MRCF	<input checked="" type="checkbox"/> MRCF
<input type="checkbox"/> MRSF	<input type="checkbox"/> MRSF
<input type="checkbox"/> EBSF	<input type="checkbox"/> EBSF
<input type="checkbox"/> Others	<input type="checkbox"/> Others
<input type="checkbox"/> CW	<input type="checkbox"/> CW
<input type="checkbox"/> MSW	<input type="checkbox"/> MSW
<input checked="" type="checkbox"/> Defined	<input type="checkbox"/> Defined

0.40	1.07	Seconds
------	------	---------

d) (%NBS)_{nom} determined from Figure 3.3

Longitudinal:	22.33%
Transverse:	25.77%

Note 1: For buildings designed prior to 1965 and known to be designed as public buildings in accordance with the code of the time, multiply (%NBS)_{nom} by 1.25.
For buildings designed 1965 - 1976 and known to be designed as public buildings in accordance with the code of the time, multiply (%NBS)_{nom} by 1.33 - Zone A, or by 1.2 - Zone B

N/A

Note 2: For reinforced concrete buildings designed between 1976-84 multiply (%NBS)_{nom} by 1.2

N/A

Note 3: For buildings designed prior to 1935 multiply (%NBS)_{nom} by 0.8 except for Wellington where the factor may be taken as 1.

N/A

Note 4: If the building is known to have been strengthened, enter the percentage of the code selected in 2.1 a) that the building has been strengthened to for each direction.

100%	Longitudinal Direction
100%	Transverse Direction

(%NBS)_{nom}

Longitudinal:	22.33%
Transverse:	25.77%

(Scaled as per Notes 1 to 4)

Continued over page.....

2.2 Near Fault Scaling Factor, Factor AIf $T \leq 1.5\text{sec}$, Factor A = 1

- a) Near Fault Factor, $N(T,D)$
(from NZS1170.5:2004, Cl 3.1.6)

Longitudinal: 1
Transverse: 1

- b) Near Fault Scaling Factor = $1/N(T,D)$

Factor A
Longitudinal: 1.00
Transverse: 1.00

2.3 Hazard Scaling Factor, Factor B

- a) Hazard Factor, Z , for site
(from NZS1170.5:2004, Table 3.3)

Site Area : Wellington CBD (north of Basin)

Z = 0.4

 $Z_{1992} = 1.2$

- b) Hazard Scaling Factor

For pre 1992 = $1/Z$ For 1992 onwards = Z_{1992}/Z (Where Z_{1992} is the NZS4203:1992 Zone Factor from accompanying Figure 3.5(b))

Factor B
3.00

2.4 Return Period Scaling Factor, Factor C

- a) Building Importance Level
(from NZS1170.0:2004, Table 3.1 and 3.2)

Choose Importance Level

☐ 1 ☒ 2 ☐ 3 ☐ 4

Comment:

- b) Return Period Scaling Factor from accompanying Table 3.1

Factor C
1.00

2.5 Ductility Scaling Factor, D

- a) Assessed Ductility of Existing Structure, μ
(shall be less than maximum given in accompanying Table 3.2)

 $\mu = 2.00$ Longitudinal Direction $\mu = 2.00$ Transverse Direction

max = 6

Comment:

- b) Ductility Scaling Factor

	Longitudinal	Transverse
For pre 1976	k_μ	k_μ
	1.57	2.00
For 1976 onwards	1	1

(where k_μ is NZS1170.5:2004 Ductility Factor, from accompanying Table 3.3)

Factor D
Longitudinal: 1.00
Transverse: 1.00

2.6 Structural Performance Scaling Factor, Factor E

- a) Structural Performance Factor, S_p
from accompanying Figure 3.4

 $S_p = 0.7$ Longitudinal Direction $S_p = 0.7$ Transverse Direction

- b) Structural Performance Scaling Factor
= $1/S_p$

Factor E
Longitudinal: 1.43
Transverse: 1.43

2.7 Baseline %NBS for Building, $(\%NBS)_b$
(equals $(\%NSB)_{nom} \times A \times B \times C \times D \times E$)

Longitudinal : 96%
Transverse : 110%

(Refer Table IEP - 1 for Step 1; Table IEP - 2 for Step 2; Table IEP - 4 for Steps 4, 5 and 6)

Street Number & Name:	115 Vivian St	Ref. Lot # 26
AKA:	119 Vivian St	By: GC
Direction Considered:	a) Longitudinal & b) Transverse	Date: 25/10/2007
(Choose worse case if clear at start. Complete IEP-2 and IEP-3 for each if in doubt)		

a) Longitudinal Direction

Step 3 - Assessment of Performance Achievement Ratio (PAR)

(Refer Appendix B - Section B3.2)

Critical Structural Weakness	Effect on Structural Performance (Choose a value - Do not interpolate)	Building Score
3.1 Plan Irregularity Effect on Structural Performance <input type="checkbox"/> Severe <input type="checkbox"/> Significant <input checked="" type="checkbox"/> Insignificant Comment:	Factor A	1.0
3.2 Vertical Irregularity Effect on Structural Performance <input type="checkbox"/> Severe <input type="checkbox"/> Significant <input checked="" type="checkbox"/> Insignificant Comment:	Factor B	1.0
3.3 Short Columns Effect on Structural Performance <input type="checkbox"/> Severe <input type="checkbox"/> Significant <input checked="" type="checkbox"/> Insignificant Comment:	Factor C	1.0
3.4 Pounding Potential (Estimate D1 and D2 and set D = the lower of the two, or =1.0 if no potential for pounding)		

a) Factor D1: - Pounding Effect
Select appropriate value from Table

Note:
Values given assume the building has a frame structure. For stiff buildings (eg with shear walls), the effect of pounding may be reduced by taking the co-efficient to the right of the value applicable to frame buildings.

Factor D1 For Longitudinal Direction:				1.0
Table for Selection of Factor D1	Severe 0<Sep<.005H	Significant .005<Sep<.01H	Insignificant Sep>.01H	
Alignment of Floors within 20% of Storey Height	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.8	<input checked="" type="checkbox"/> 1	
Alignment of Floors not within 20% of Storey Height	<input type="checkbox"/> 0.4	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.8	
Comment: Free standing (150 gap)				

b) Factor D2: - Height Difference Effect
Select appropriate value from Table

Factor D2 For Longitudinal Direction:				1.0
Table for Selection of Factor D2	Severe 0<Sep<.005H	Significant .005<Sep<.01H	Insignificant Sep>.01H	
Height Difference > 4 Storeys	<input type="checkbox"/> 0.4	<input type="checkbox"/> 0.7	<input checked="" type="checkbox"/> 1	
Height Difference 2 to 4 Storeys	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.9	<input type="checkbox"/> 1	
Height Difference < 2 Storeys	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	
Comment:				

Factor D 1.0

(Set D = lesser of D1 and D2 or..
set D = 1.0 if no prospect of pounding)

3.5 Site Characteristics - (Stability, landslide threat, liquefaction etc)

Severe Significant Insignificant
☐ 0.5max ☐ 0.7 ☒ 1

Factor E 1.0

Comment:

3.6 Other Factors

For ≤ 3 storeys - Maximum value 2.5,
otherwise - Maximum value 1.5. No minimum.

Factor F 1.0

Record rationale for choice of Factor F:

3.7 Performance Achievement Ratio (PAR)
(equals A x B x C x D x E x F)

PAR (Longitudinal): 1.00

b) Transverse Direction

Page 5

Step 3 - Assessment of Performance Achievement Ratio (PAR)

(Refer Appendix B - Section B3.2)

Critical Structural Weakness

Effect on Structural Performance
(Choose a value - Do not interpolate)

Building Score

3.1 Plan Irregularity

Effect on Structural Performance
Comment☐ Severe ☐ Significant ☒ Insignificant

Factor A 1.0

3.2 Vertical Irregularity

Effect on Structural Performance
Comment☐ Severe ☐ Significant ☒ Insignificant

Factor B 1.0

3.3 Short Columns

Effect on Structural Performance
Comment☐ Severe ☐ Significant ☒ Insignificant

Factor C 1.0

3.4 Pounding Potential

(Estimate D1 and D2 and set D = the lower of the two, or =1.0 if no potential for pounding)

a) Factor D1: - Pounding Effect

Select appropriate value from Table

Note:

Values given assume the building has a frame structure. For stiff buildings (eg with shear walls), the effect of pounding may be reduced by taking the co-efficient to the right of the value applicable to frame buildings.

Factor D1 For Transverse Direction: 1

Table for Selection of Factor D1

	Severe 0<Sep<.005H	Significant .005<Sep<.01H	Insignificant Sep>.01H
Alignment of Floors within 20% of Storey Height	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.8	<input checked="" type="checkbox"/> 1
Alignment of Floors not within 20% of Storey Height	<input type="checkbox"/> 0.4	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.8

Comment: Free standing (150 gap)

b) Factor D2: - Height Difference Effect

Select appropriate value from Table

Factor D2 For Transverse Direction: 1

Table for Selection of Factor D2

	Severe 0<Sep<.005H	Significant .005<Sep<.01H	Insignificant Sep>.01H
Height Difference > 4 Storeys	<input type="checkbox"/> 0.4	<input type="checkbox"/> 0.7	<input checked="" type="checkbox"/> 1
Height Difference 2 to 4 Storeys	<input type="checkbox"/> 0.7	<input type="checkbox"/> 0.9	<input type="checkbox"/> 1
Height Difference < 2 Storeys	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1

Comment:

Factor D 1.0

(Set D = lesser of D1 and D2 or..
set D = 1.0 if no prospect of pounding)

3.5 Site Characteristics - (Stability, landslide threat, liquefaction etc)

☐ Severe 0.5max ☐ Significant 0.7 ☒ Insignificant 1

Factor E 1.0

Comment:

3.6 Other Factors

For ≤ 3 storeys - Maximum value 2.5,
otherwise - Maximum value 1.5. No minimum.

Factor F 1.0

Record rationale for choice of Factor F:

3.7 Performance Achievement Ratio (PAR)
(equals A x B x C x D x E x F)

PAR (Transverse): 1.00

Table IEP- 4 Initial Evaluation Procedure Steps 4, 5 and 6
Page 6
(Refer Table IEP - 1 for Step 1; Table IEP - 2 for Step 2; Table IEP - 3 for Step 3)

Street Number & Name:	115 Vivian St	Ref:	Lot # 26
AKA:	119 Vivian St	By:	GC
		Date:	25/10/2007

Step 4 - Percentage of New Building Standard (%NBS)

	Longitudinal	Transverse
4.1 Assessed Baseline (%NBS)_b (from Table IEP - 1)	96%	110%
4.2 Performance Achievement Ratio (PAR) (from Table IEP - 2)	1.00	1.00
4.3 PAR x Baseline (%NBS)_b	96%	110%
4.4 Percentage New Building Standard (%NBS) (Use lower of two values from Step 3.3)		96%

Step 5 - Potentially Earthquake Prone?

(Mark as appropriate)

 $\%NBS \leq 33$

NO

Step 6 - Potentially Earthquake Risk?

(Mark as appropriate)

 $\%NBS < 67$

NO

Step 7 - Provisional Grading for Seismic Risk based on IEP

Seismic Grade

A

Evaluation Confirmed by

Beca

Signature

On behalf of Wgtn City Council

Name

CPEng. No

Relationship between Grade and SPS:

Grade:	A+	A	B	C	D	E
%NBS:	> 100	100 to 80	80 to 67	67 to 33	33 to 20	< 20

Table IEP-1a Additional Photos and Sketches

Page 1a

(Refer Table IEP - 2 for Step 2; Table IEP - 3 for Step 3, Table IEP - 4 for Steps 4, 5 and 6)

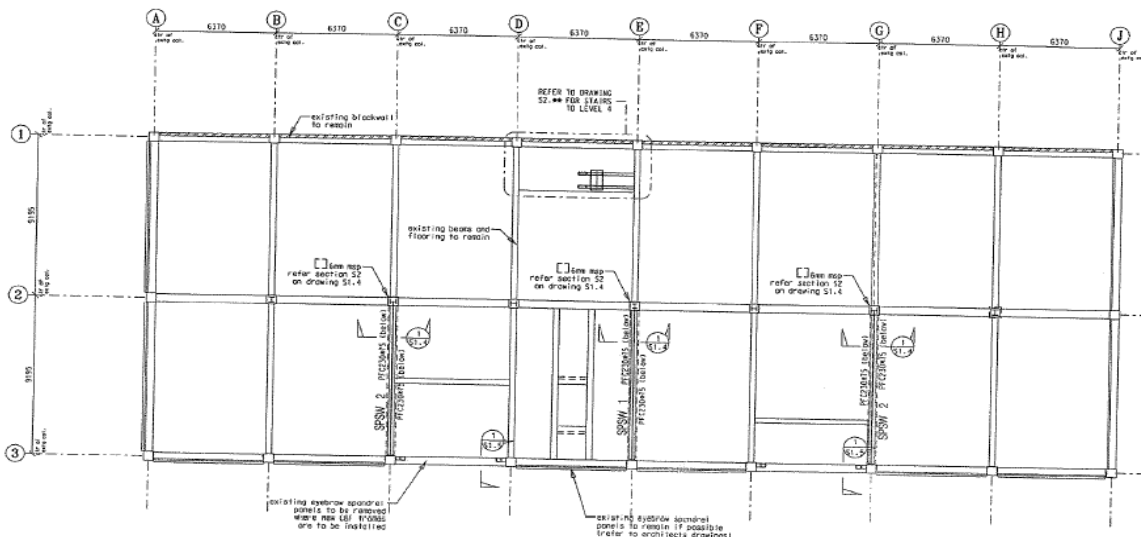
Street Number & Name:	115 Vivian St	Ref.	Lot # 26
AKA:	119 Vivian St	By:	GC
		Date:	25/10/2007

Add any additional photographs, notes or sketches required below:

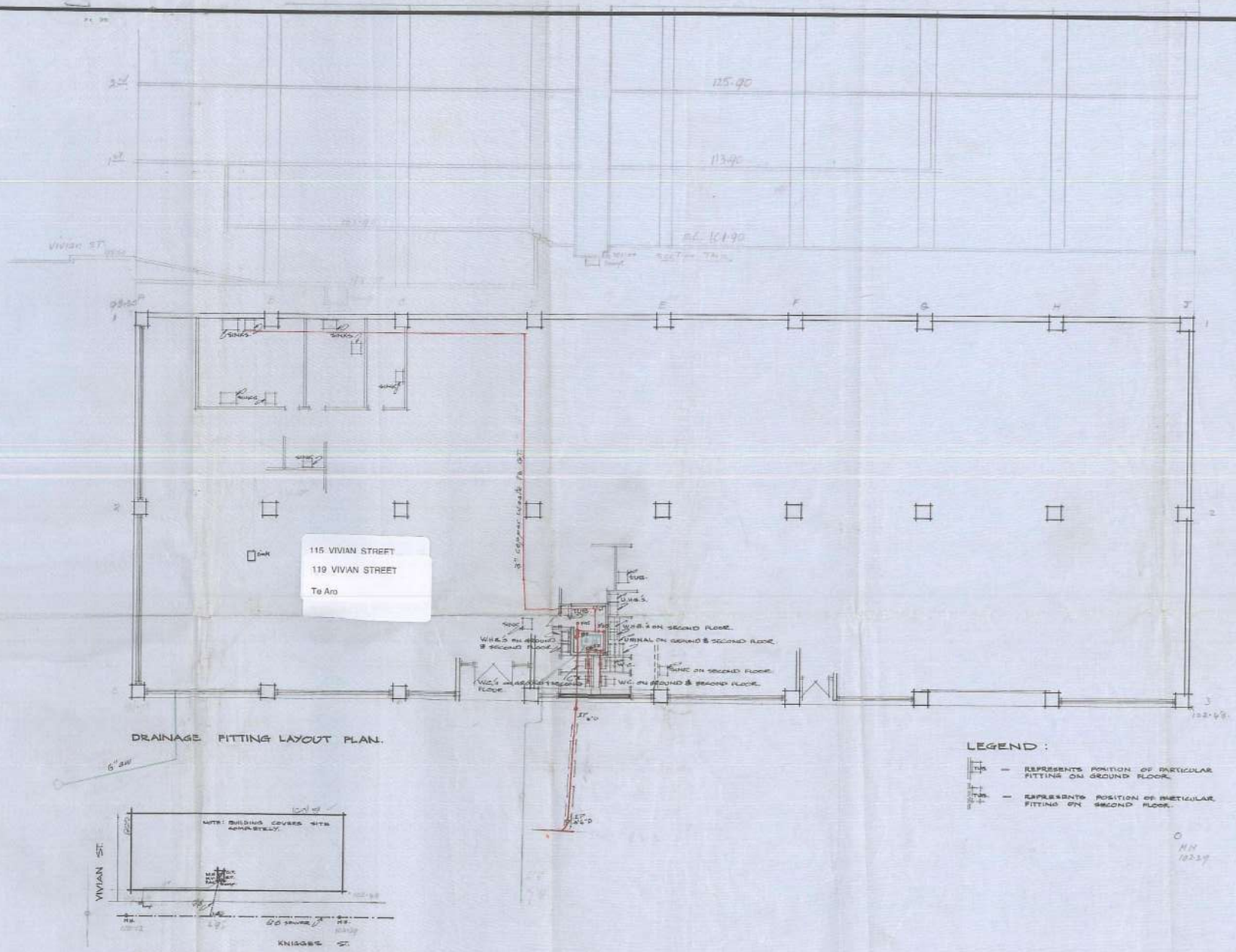
Note: print this page separately



Masonry walls on sides not facing the street



Plumbing and Drainage Attachments



NAME	DATE
Designed	
Drawn	
Checked	
Approved	

PROPOSED N.Z. POLICE BUILDING

NO.	REVISION	DATE	BY
1			
2			
3			
4			
5			
6			

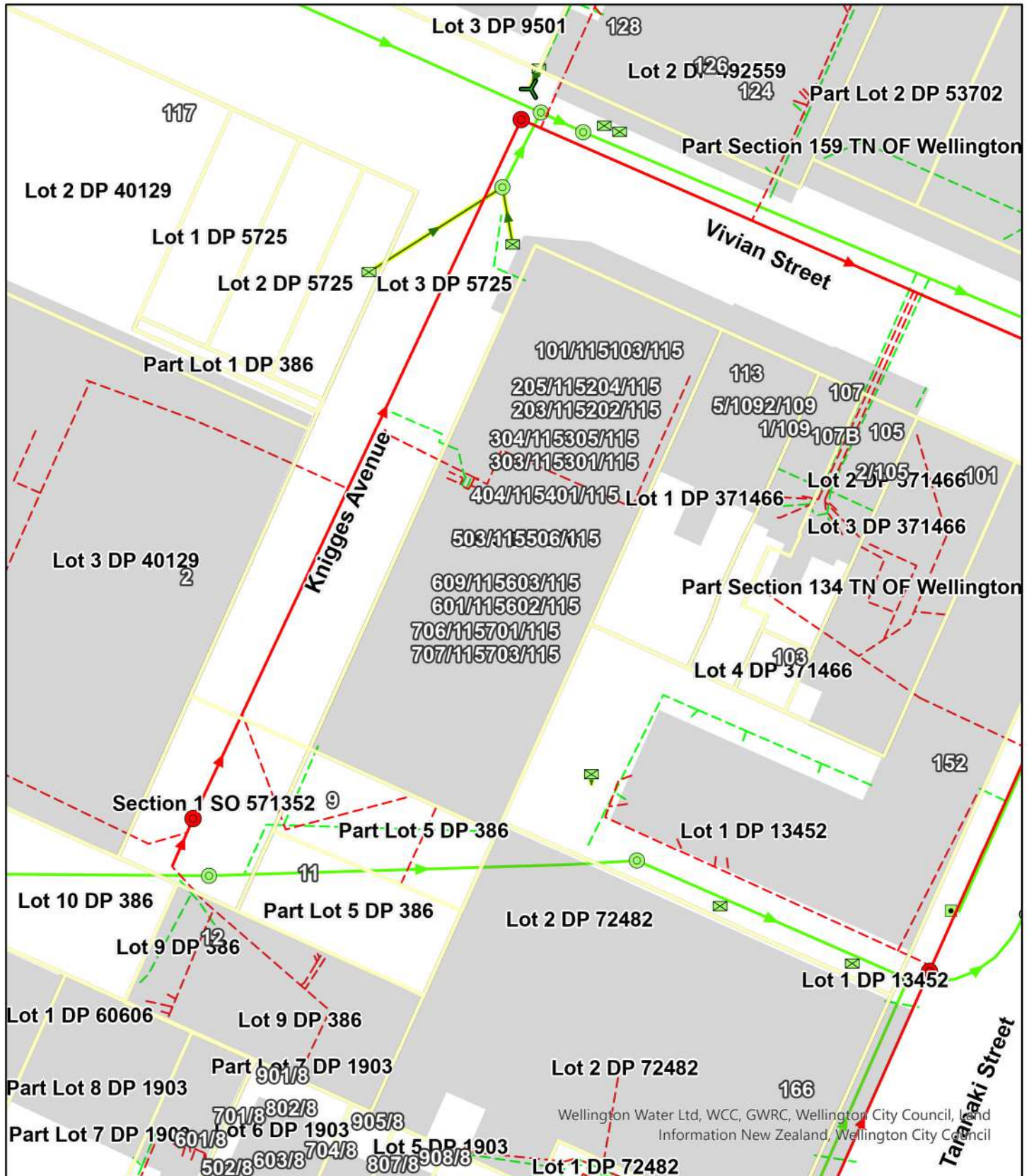
TSE GROUP CONSULTANTS

10 SEP 1971

SCALE: 1/4" = 1'-0"

63
61
LINE
PAGE

115 Vivian Street, Te Aro



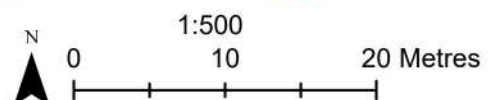
March 10, 2025

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Property Boundaries Accuracy:
+/-1m in urban areas
+/-30m in rural areas

Data Source:
Census data - Statistics NZ.
Postcodes - NZ Post.



**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke


Legend

-  Parcels (LINZ)
-  Property
-  Buildings
-  Title
-  Wastewater Pumpstation
-  Wastewater Pump

Wastewater Node

-  Manhole
-  Lamphole
-  Valve
-  Pump Station
-  Minor WW Node
-  All other values




Wastewater Pipe_Arrow

-  Trunk Main
-  Rising Main
-  Main
-  Service Connection
-  All other values
-  Wastewater Connection Pipe
-  Stormwater Pumpstation

Stormwater Node

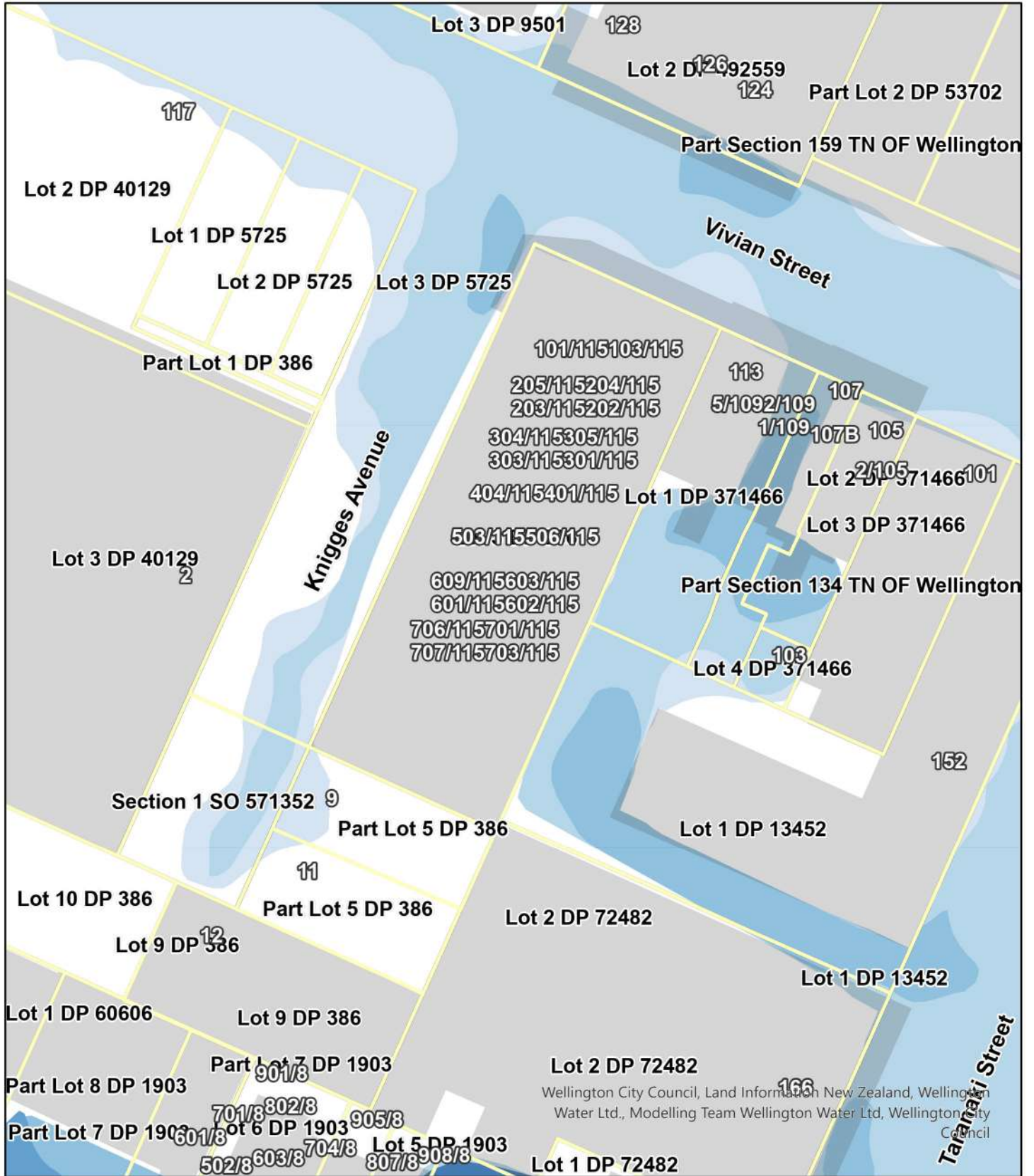
-  Manhole
-  Sump
-  Lamphole
-  Inlet
-  Outlet
-  Minor SW Node
-  All other values

Stormwater Pipe_Arrow

-  Main
-  Sump Lead
-  Service Connection
-  All other values
-  Stormwater Open Channel
-  Stormwater Connection Pipe

Potential Flood Attachments

115 Vivian Street, Te Aro



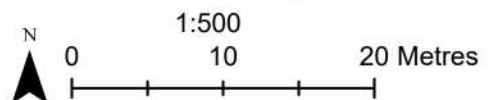
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Legend


 Parcels (LINZ)


 Property


 Buildings


 Title

WCC_Flood_Hazard_Combined_17122020

 0.01 - 0.05m

 0.05 - 0.10m

 0.10 - 0.25m

 0.25 - 0.50m

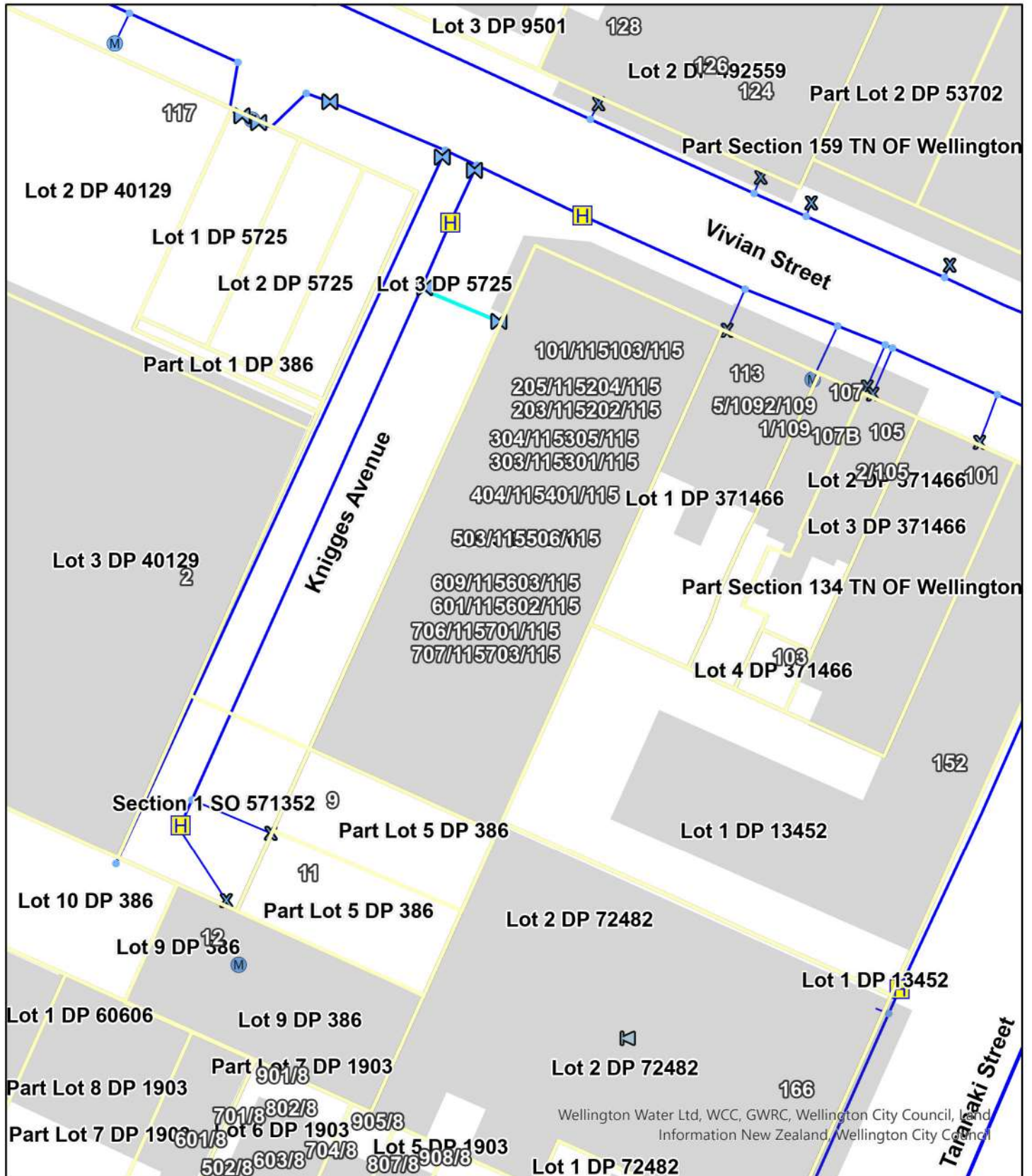
 0.50 - 1.00m

 > 1.00m

 Catchments To Be Modelled

Water Attachments

115 Vivian Street, Te Aro



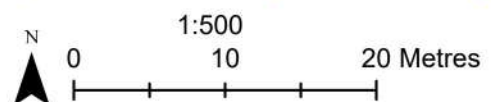
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









































Property Boundaries Accuracy:
+/-1m in urban areas
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Postcodes - NZ Post.



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Legend

	Parcels (LINZ)		Service Connection
	Property		Service Connection Private
	Buildings		All other values
	Title	Water Reservoir	
	Water Hydrant	Operational Status	
Water Valve			In Use
	Water Valve		Abandoned
	Backflow Preventer		All other values
	Pressure Control or Relief Valve		Bulk Water Hydrant
	All other values	Bulk Water Valve	
	Water Customer Service Valve		Closed
Water Reservoir or Tank			Open
	WCC Reservoir		Other
	Private Reservoir		Bulk Water Pumpstation
	WCC Emergency		Bulk Water Meter
	All other values		Bulk Water Fitting
	Water Pumpstation	Bulk Water Pipe	
	Water Pump		Bulk Water Transmission Main
	Water Meter		Bulk Water Intake Main
	Water Fitting		Bulk Water Discharge Pipe
Water Pipe			Bulk Water Other Pipe
	Transmission Main		Abandoned Bulk Water Pipe
	Water Main		Virtual Bulk Water Pipe
	RIder Main		All other values
	Fire Service		