
Residential Land Information Memorandum



Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Land Information Memorandum

**158 Owhiro Bay Parade,
Owhiro Bay**

19 March 2025

David John Nicholls
22 Curtis St
Northland
Wellington 6012

Service Request No: 557141
File Reference: 0600 235135

Land Information Memorandum (LIM)

Please refer to the attached LIM for 158 Owhiro Bay Parade, Owhiro Bay, 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

Jerome Respicio
LIM Team
City Consenting and Compliance
Wellington City Council
Telephone: (04) 801 4303

Table of Contents

- Special Features of the Land**
- District Plan**
- Historic Heritage**
- Resource Consents**
- Town Planning and/or Local Government Act 1974**
- Legal Documents**
- Rates**
- Building**
 - Building Permits**
 - Building Consents**
 - Certificate of Acceptance**
 - Building Complaints**
 - Building Correspondence**
- Compliance Schedule and Building Warrant of Fitness**
- Earthquake Prone Buildings**
- Verandah**
- Unreinforced Masonry Buildings**
- Pre-Cast Floors**
- Wind Zones for Wellington City Council**
- Corrosion Zones**
- Swimming Pools**
- Weathertightness**
- Drainage**
- Potential Flooding**
- Water**
- Hazardous Substances**
- Encroachment License: Road Reserve Land and/or Airspace**
- Encroachments: Parks and Reserve Land**
- Land and Structure**
- Access**

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 158 Owhiro Bay Parade, Owhiro Bay

Legal Description LOT 12 DP 10394

Record of Title WN469/132

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 \(naturalhazardsportal.govt.nz\)](http://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 Medium Density Residential Zone.

This property is located in a Height Control Area: 11m.

This property is located within Medium and High Coastal Inundation Hazard Areas.

This property is located within a Low Tsunami Hazard Area.

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:

- ***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 not a recorded archaeological site on this property.

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.

It will be necessary to consult the District Plan for the restrictions arising from this heritage listing.

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

Resource Consents

(a) Subdivision There are no 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 None

Land Use

10 February 1998 - SR 38764

Resource Consent was granted pursuant to the provisions of the Resource Management Act 1991, subject to conditions, for dwelling additions. 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

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 no legal documents attached.

Rates and Levies

Rates	There are outstanding rates for this property. The current rates balance for this property is \$6,968.28
Water Rates	This property does not have water rates associated with it.

Sludge Levy

The annual sludge levy for this property is \$98.41

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.

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 is **ONE** outstanding building consent relating to 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.

The following consents are outstanding, meaning they have no Code Compliance Certificate:

(i) SR No: 38755 - First Floor extension. Plus 1 Amended Plan (SR39797)
Status: Inspection – Site Bldg

*Please refer to “**Building Consent Fees**” Section.*

Computer Status Definitions:

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

“Inspection” means inspections have commenced.

Building Consent Fees: Building Consent fees paid at the time of application include a portion for inspections. Depending on when the application was lodged, the inspection fee would have been based either on the value of the project or on an assessment of the number of inspections required.

If the inspection fee paid is not enough to cover the inspections actually carried out, additional inspection fees will be charged at the rate applicable at the time of the inspection.

Additional inspection fees and any other outstanding building consent fees must be paid prior to the Code Compliance Certificate being issued.

Where a Building Consent was issued more than 5 years ago and does not have a Code Compliance Certificate (CCC), the Building Consent will be subject to the Old Consent Process to determine if a CCC can be granted. You can email bccmajorprojects@wcc.govt.nz for information on the old consent process.

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

A compliance schedule or building warrant of fitness does not exist for the buildings on this property.

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.

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.

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

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 "Extra High" 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

This property is located within the Wellington City corrosion/exposure zone D.

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 (NZS3604: 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 a record of a spa pool having been removed from 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 and Stormwater mains located within this property.

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

On 30 September 2010, a blocked sump outside the property was reported to the Council. Council investigated and completed work.

On 23 April 2015, a leaky hydrant was reported to the Council. Council investigated and completed work.

On 11 February 2024, a leaky toby was reported to the Council. Council investigated and completed work.

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 not hold record of any potential flooding issues with this property.

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/>). 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.

This property has an individual domestic connection to the Council's water supply.

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.

Encroachment Licence: Road Reserve Land and/or Airspace

There is no encroachment licence for this property.

Property owners are legally required under the bylaw to have an encroachment licence for any private occupation of legal road.

- The owner(s) must obtain an encroachment licence for any ongoing use of legal road: <https://wellington.govt.nz/property-rates-and-building/encroachments/applying-for-an-encroachment-licence>
- Council (as landowner of legal road) has the discretion to approve or decline an encroachment licence in accordance with its Road Encroachment and Sale Policy.

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

A search of our records shows there are no requirements.

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 and or path 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 VehicleAccess@wcc.govt.nz

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 waning 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

158 Owhiro Bay Parade, Owhiro Bay



March 18, 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.

N 1:500 0 10 20 Metres

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Legend

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

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

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

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)
1102583	C	158 Owhiro Bay Parade	638.0000

Legal Description: LOT 12 DP 10394
Apportionment: 0
Valuation Ref: 17010-17600-

Valuation Usage

Land Use Zone	9A
Garage And Parking	1
Land Usage	91
Building Construction	WI
Building Condition	AA
Building Age	1990-99
Building Floor Area (m2)	170
Building Site Area	80
Units Of Use	1
Building Category	RD9B

Property Addresses

Full Address	Source	WCC Assigned	WCC Accepted
158 Owhiro Bay Parade	W	N	Y



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




R.W. Muir
Registrar-General
of Land

Identifier **WN469/132**

Land Registration District **Wellington**

Date Issued 16 March 1939

Prior References

WN458/201

Estate Fee Simple

Area 638 square metres more or less

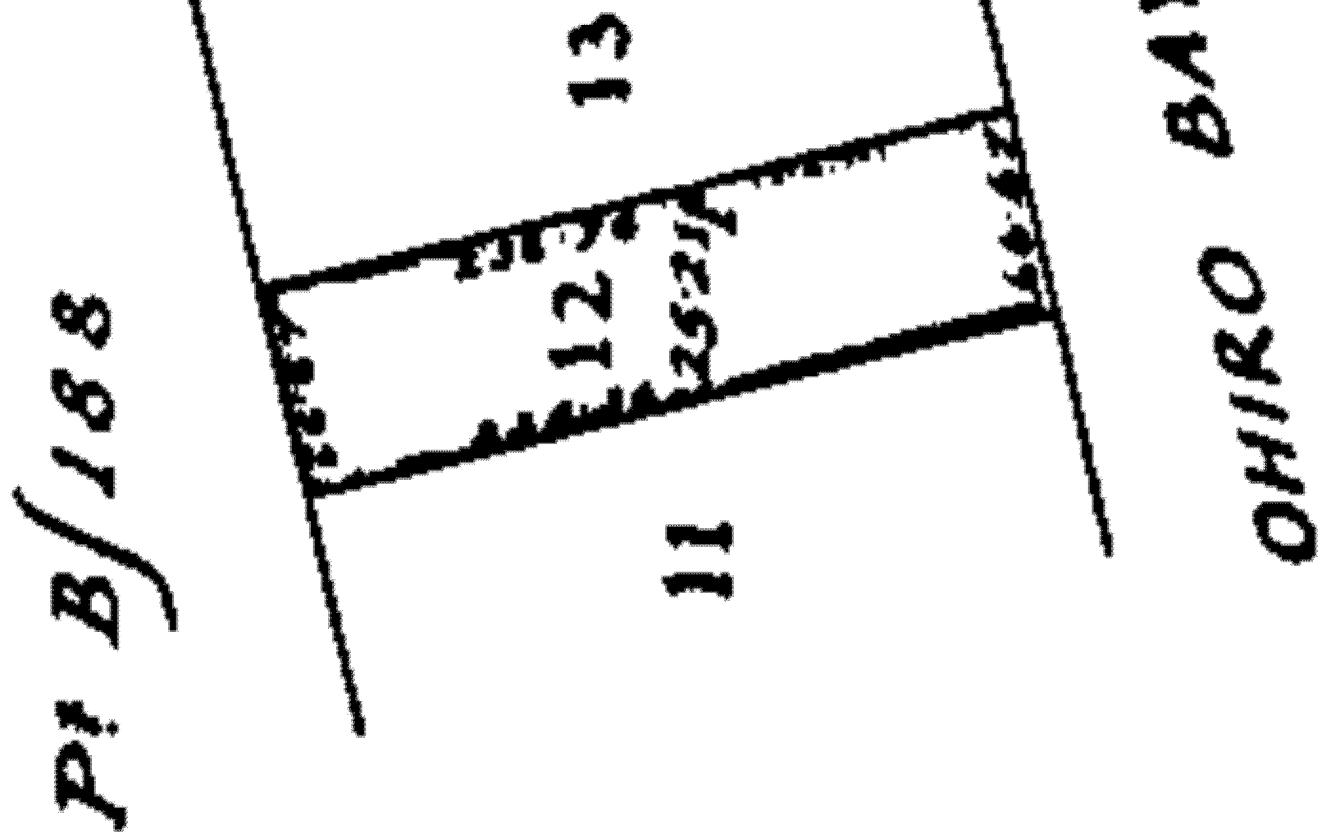
Legal Description Lot 12 Deposited Plan 10394

Registered Owners

Lorraine Esther Nicholls

Interests

Fencing Agreement in Transfer 245078 - 16.3.1939



Invoice Attachments

Tax Invoice

GST Number 53-204-635

David John Nicholls
22 Curtis St
Northland
Wellington 6012

Date: 13-Mar-25
Reference: TW 557141 - 1
Land Information Memorandum

Property Address
158 Owhiro Bay Parade, Owhiro Bay

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

David John Nicholls
22 Curtis St
Northland
Wellington 6012

WELLINGTON CITY COUNCIL
PO BOX 2199 WELLINGTON

13-Mar-25

Reference:	TW 557141 - 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

David John Nicholls
22 Curtis St
Northland
Wellington 6012

Date: 18-Mar-25
Reference: TW 557141
Land Information Memorandum
Property Address: 158 Owhiro Bay Parade, Owhiro Bay

Reference	Code	Date	Debit	Credit
557141 - 1	INV	13/03/2025	552.50	
N0000158227-001	PAY	13/03/2025		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

David John Nicholls
22 Curtis St
Northland
Wellington 6012

WELLINGTON CITY COUNCIL
PO BOX 2199 WELLINGTON

18-Mar-25

Reference:	TW 557141
Amount Due:	Land Information Memorandum
AMOUNT PAID:	0.00

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

Property Report - Wellington City 2024 District Plan: Appeals Version - Appeals

17/12/2024

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158 Owhiro Bay Parade, Owhiro Bay

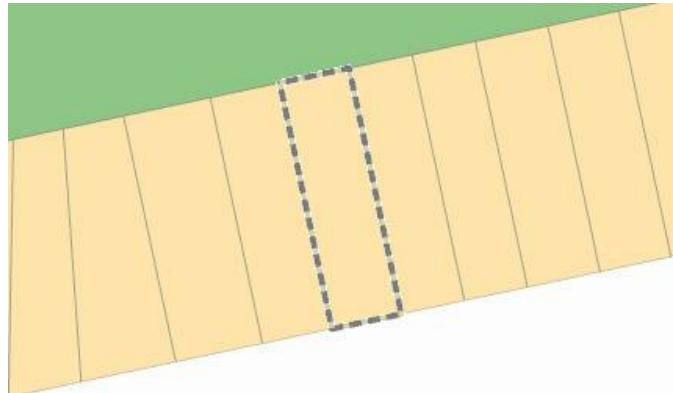


Area 638.00 m²

Aerial View Map



District Plan Zoning



Zones

Medium Density Residential Zone



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

Zone Details

Status: Operative

Specific Controls

Height Control Area



Height Control: 11m

Status: Operative

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

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.

Hazards and Risks Overlays



Coastal Inundation Hazard - Medium Hazard Area

Status: Operative



Coastal Inundation Hazard - High Hazard Area

Status: Operative



Tsunami Hazard Overlay - Low Hazard Area

Status: Operative

General District-Wide Matters Overlays

Coastal Environment



Status: Proposed

Designations

WIAL - Wellington International Airport Ltd



Name: Wellington Airport Obstacle Limitation Surfaces

Designation ID: WIAL1

Status: Proposed

WIAL - Obstacle Limitation Surface (OLS)

OLS Surface: Conical Surface

Highest Ground Elevation: 28m

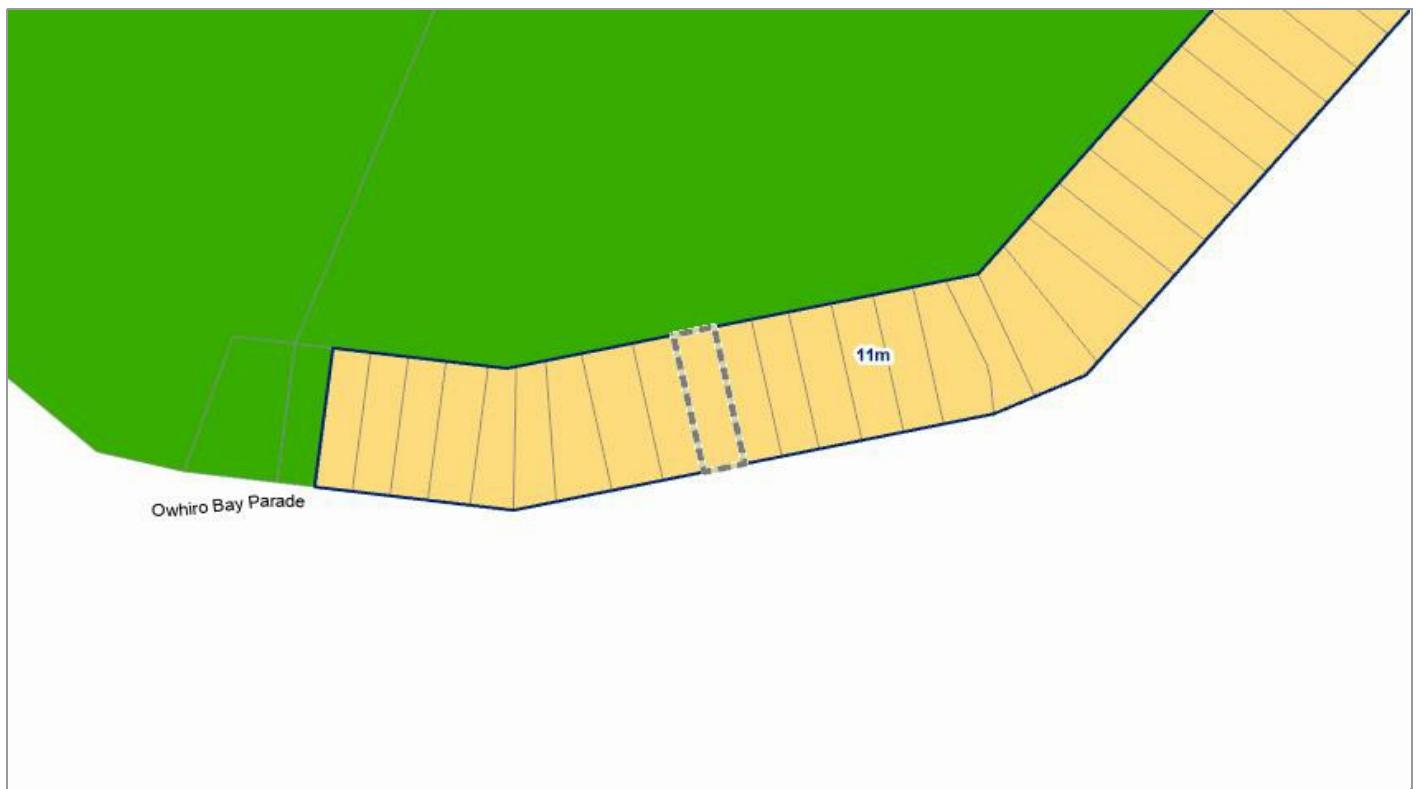
Lowest OLS Elevation: 87m

OLS height above or below the ground elevation: 60m

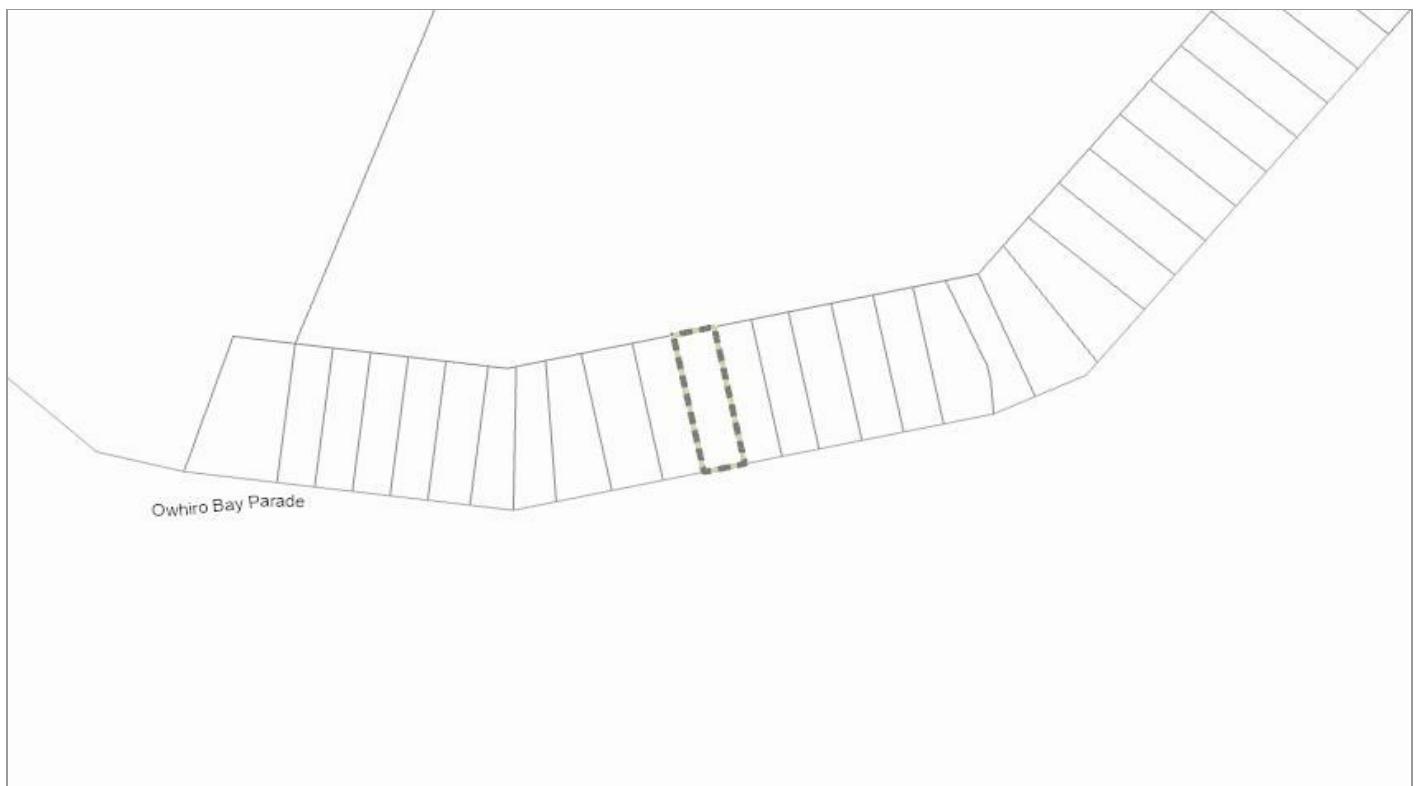
Notification: Approval required from Wellington International Airport Limited (WIAL) for buildings and structures exceeding 60m in height.

Status: Proposed

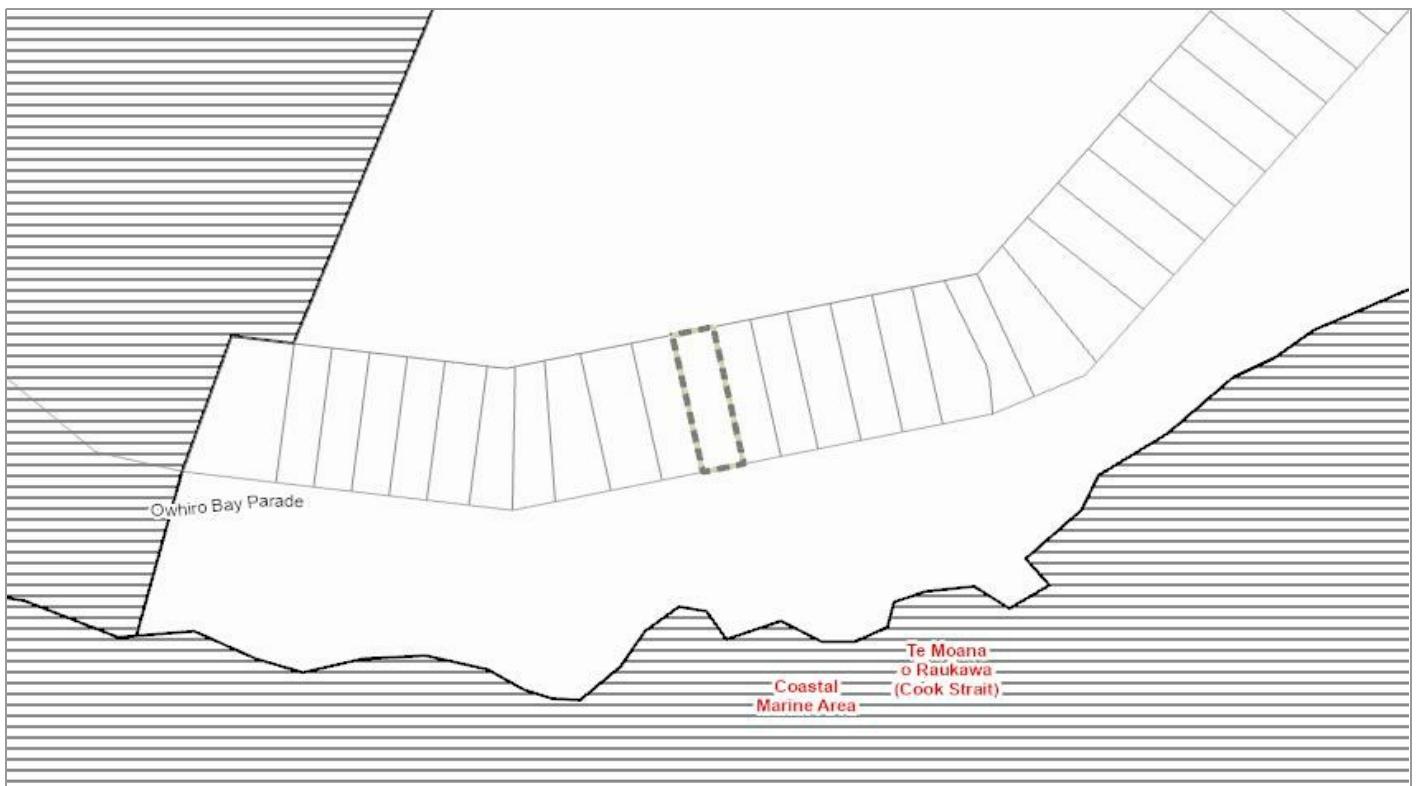
Additional Map – Specific Controls and Nearby Zonings



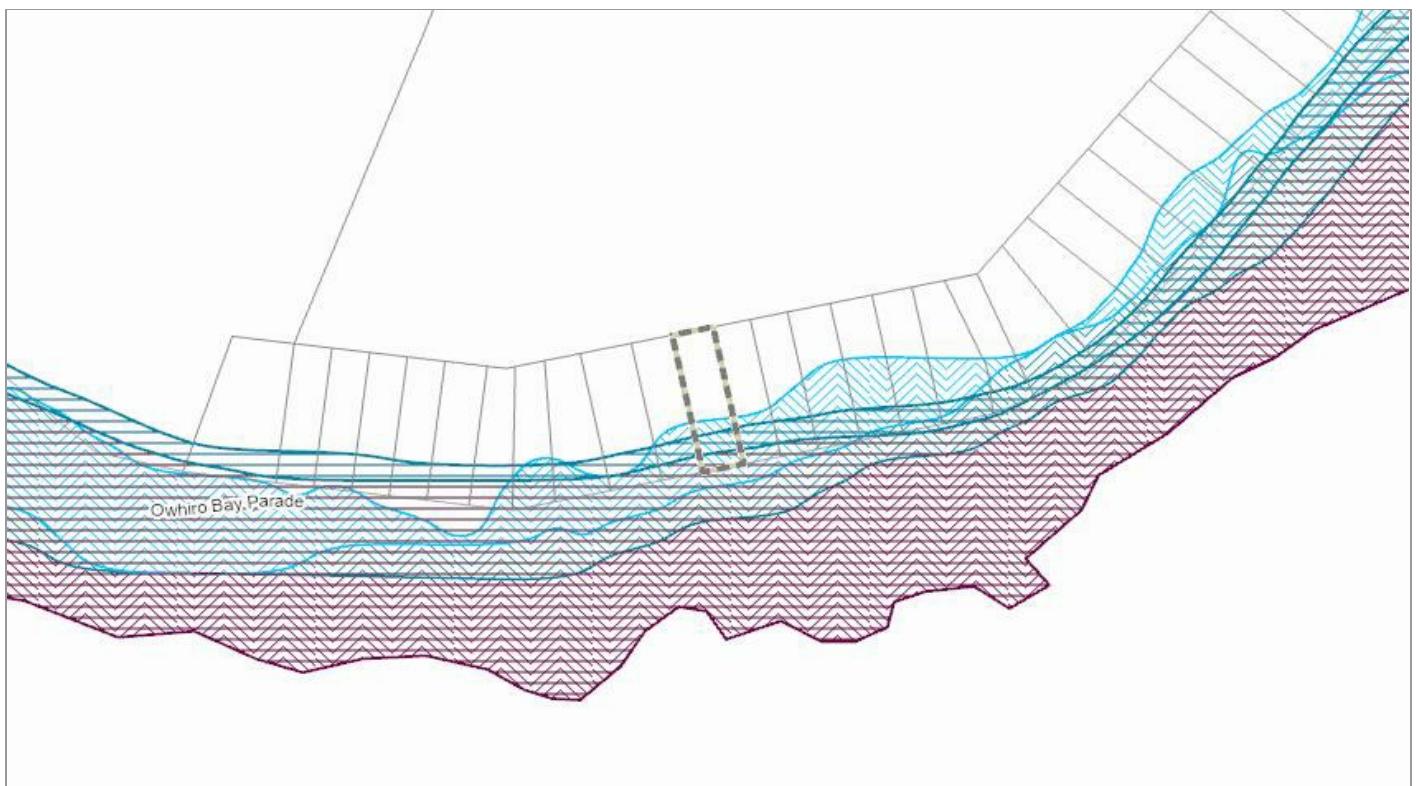
Additional Map - Precincts



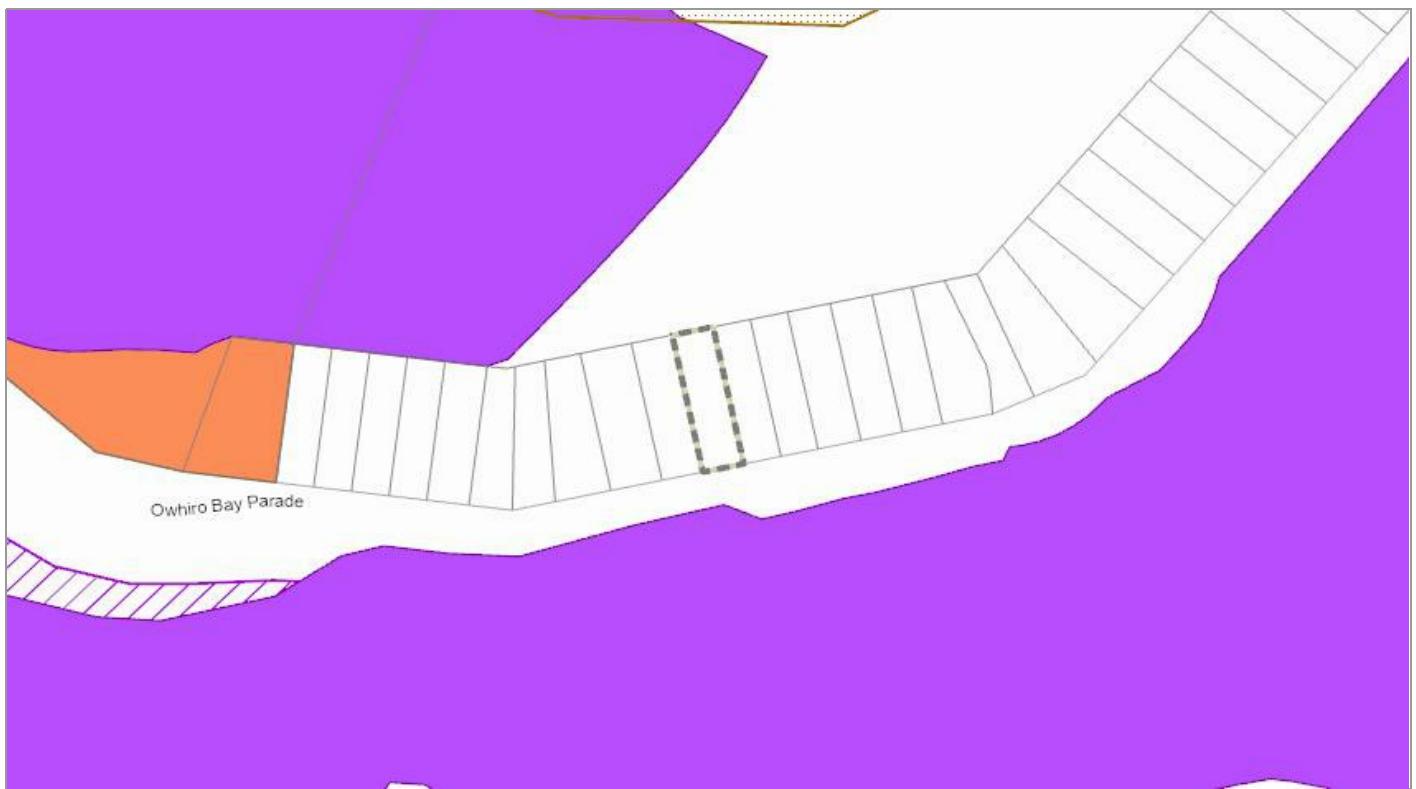
Additional Map – Historical and Cultural Values



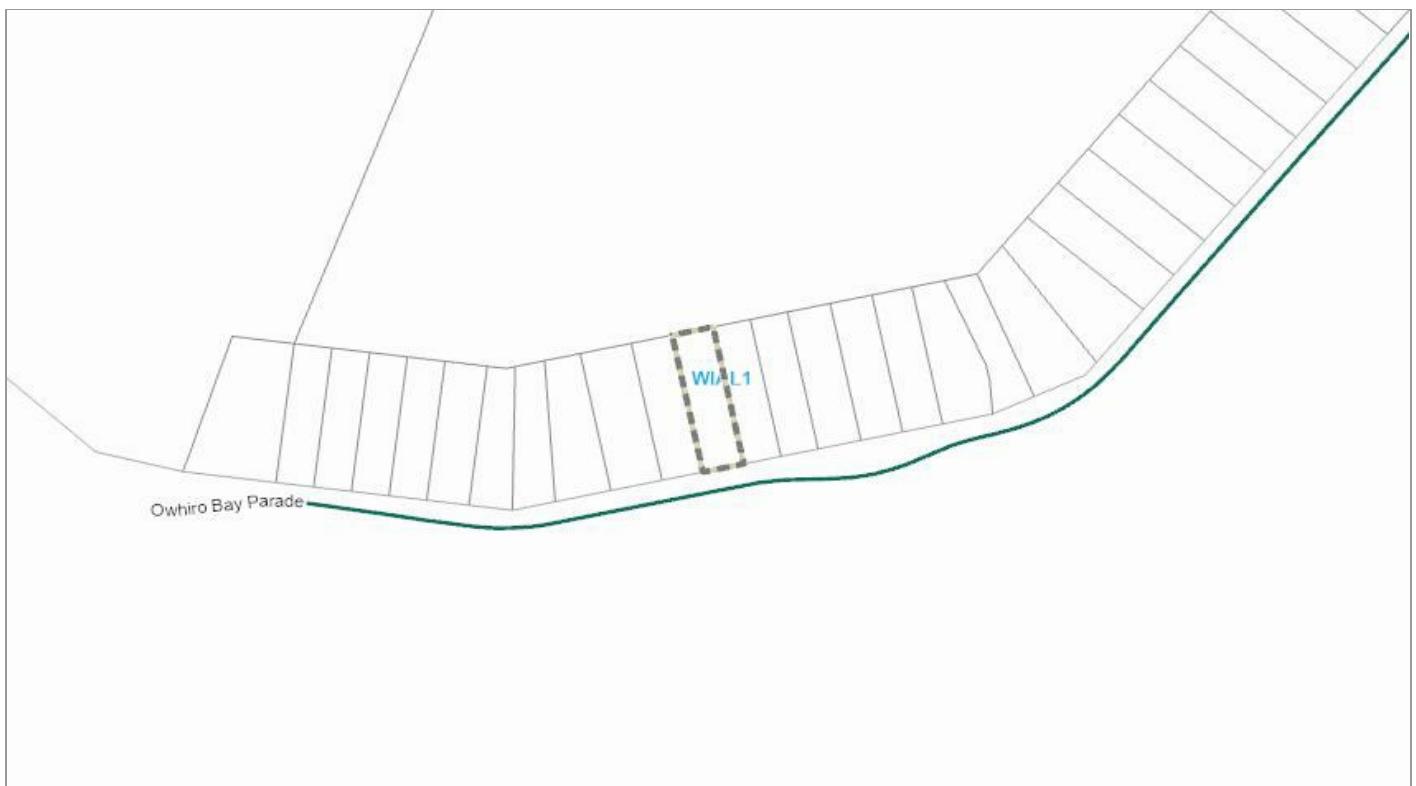
Additional Map - Hazards and Risks



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 - Land Use

Service Request 38764 (RC - a Res.Con) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 158 OHIRO BAY PDE Owhiro Bay

Designated Wufi: 1045680 Survey Current - 158 Owhiro Bay Parade

File Reference: 0600 235135

Contact: 1277200 Matthews K & Clark J

Contact Address: 15083856

Attention:

Status: Passed to Holding

Status Date: 10-Feb-98 3:29 PM SR Status: On-going

Owner: Member: Cameron Dash Extn: 3537

Team: 1996 Q1/Permissions Team 30

Due Date: Days Remaining :

Days Elapsed :

Description: Extension to the house - Height control

Extended: Description

Special Conditions or Comment

10 February, 1998

K & Julie Matthews & Clark
158 Ohiro Road
Island Bay
Wellington

Service Request No: 38764
Link No: 0600 235135

Dear Sir/Madam

APPLICATION FOR RESOURCE CONSENT 38764 GRANTED

Service Request Type:	RC - Resource Consent
Site Address:	158 Ohiro Bay Pde
Consent Type:	Land Use
Consent Description:	Dwelling additions
	Lot 12 DP 10394

Please refer to Service Request no.38764.

I refer to your recent Resource Consent Application in which you seek consent for additions to an existing dwelling.

The application was considered by officers acting under delegated authority on 10 February 1998. 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>	10 February, 1998
<u>Site Address:</u>	158 Ohiro Bay Pde
<u>Legal Description:</u>	Lot 12 DP 10394
<u>Applicant:</u>	K & Julie Matthews & Clark
<u>Proposal:</u>	Dwelling additions
<u>Owner:</u>	MATTHEWS KERRY DOUGLAS
<u>Plan No:</u>	Henry Rombel Plans A:01 and 02, dated 21 December 1997

Decision

THAT officers acting under delegated authority from Council and pursuant to Section 105(1)(b) of the Resource Management Act 1991, **grant** land use consent to construct a dwelling addition at 158 Ohiro Bay Parade, Island Bay (Lot 12 DP 10394), subject to the proposal proceeding in accordance with the plans (Henry Rombel A: 01 & 02, dated 21 December 1997) and information lodged with the application dated 6 January 1998.

Reasons for Decision:

1. The environmental effects of the proposal would be no more than minor.
2. Written approval has been obtained from the only potentially affected party.
3. The proposal would be consistent with the objectives and policies of the Proposed District Plan.

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

Service Request No: 38764
Link No: 0600 235135

10 February 1998

Non-Notified Application

<u>Site Address:</u>	158 Ohiro Bay Parade, Island Bay
<u>Legal Description:</u>	Lot 12 DP 10394
<u>Applicant:</u>	K.D. Matthews
<u>Proposal:</u>	House addition
<u>Owner:</u>	K.D. Matthews
<u>Plan No:</u>	Henry Rombel Plans A: 01 & 02, dated 21 December 1997

Transitional District Plan:

The site is located within the Residential A1 Zone. The rules (relating to sunlight access) in the Transitional District Plan for this zone have been superseded by Proposed District Plan rules which are now operative in the absence of relevant appeals. The proposal to construct a house addition will therefore be assessed in terms of the Proposed District Plan only.

Proposed District Plan:

The site is located within the Outer Residential Area. The proposal is deemed a Discretionary Activity (Restricted) as the proposed house additions would exceed the 2.5m/45° sunlight access plane required under Rule 5.1.3.5.5, taken from the western boundary by up to 1.15 metres.

Section 94 Analysis:

Pursuant to section 94 of the Act the application can be considered on a non-notified basis provided that any adverse effect(s) on the environment will be minor and that the written approval of all parties that could be adversely affected has been obtained. Written approval has been obtained from the owner of the adjoining property to the west at 160 Ohiro Bay Parade. No other parties are considered to be adversely affected by the non-complying portion of the proposed house addition.

Assessment:

The 638m² site is located on the northern side of Ohiro Bay Parade, Island Bay. The front (south end) of subject site is flat, while the remainder of the site slopes uphill steeply to the north. A single storey weatherboard dwelling is located towards the front (south end) of the site.

The applicant proposes to construct an additional storey (and butynol) on top of the existing dwelling. The proposed addition would extend the total height of the dwelling to a maximum of 7.70 metres. The house addition, would comprise a kitchen, large living area, conservatory, loft, and exterior deck.

The relevant assessment criteria for Discretionary Activities (Restricted) under Rule 5.3.3 are evaluated below:

Standard of development

5.3.3.5 **Site Constraints**
The proposed house addition would improve both the quality and amount of indoor and outdoor living area available to the applicant. Hence, by varying sunlight access conditions, a better standard of development in terms of living space would be achieved by the applicant.

5.3.3.6 **Form, scale and character**
The subject site is very narrow and rises steeply up from the middle portion of the section. These physical and topographical characteristics of the site make it difficult for the applicant to comply with the development standards for sunlight access.

5.3.3.7 **Loss of sunlight, daylight and privacy**
Houses in the immediate vicinity are of a similar scale and character to the subject dwelling and proposed additions. The proposed house addition has been designed to assimilate this scale and character, and therefore would remain compatible with the local streetscape amenities.

5.3.3.8 **Relevant objectives and policies**
The only potential effect with regard to sunlight or daylight to adjoining sites would be on the property to the west at 160 Ohiro Bay Parade. The owner of this property has provided their written approval to the proposal, and pursuant to Section 104(6) of the Resource Management Act any actual or potential effect on this person shall not be considered.

Relevant objectives and policies for the site under the Proposed District Plan include those that encourage the maintenance of a reasonable amenity standard for all residents. It is considered that the proposal maintains the integrity of these objectives. In addition, written approval has been obtained from the only party considered to be potentially affected. I am therefore of the opinion that consent can be granted for a Discretionary Activity (Restricted) in this instance.

Decision

THAT officers acting under delegated authority from Council and pursuant to Section 105(1)(b) of the Resource Management Act 1991, **grant** land use consent to construct a house addition at 158 Ohiro Bay Parade, Island Bay (Lot 12 DP 10394), subject to the proposal proceeding in accordance with the plans (Henry Rombel A: 01 & 02, dated 21 December 1997) and information lodged with the application dated 6 January 1998.

Reasons for Decision:

1. The environmental effects of the proposal would be no more than minor.
2. Written approval has been obtained from the only potentially affected party.
3. The proposal would be consistent with the objectives and policies of the Proposed District Plan.

Prepared by:

Kristen McCabe, Connell Wagner Limited

Reviewed by:

Richard Lasenby, Connell Wagner Limited

Cameron Dash
Delegated Officer

Brendon Stone
Delegated Officer

Delegate Authority Code:ii, viii, xix

Rates

Attachments

Wellington City Property Rates Record

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 **18 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.

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

158 Owhiro Bay Parade Owhiro Bay 6023

1 July 2024 - 30 June 2025

Details

Rate Account:	1102583	Area:	638 m ²
Account Status:	Current	Improvement:	DWG OBS OI
Rateable Status	Current	Diff. Rating Category:	Base
Valuation Ref:	17010-17600	Billing Category:	A1C - Base - Full services SLC

Flags

- Apportionment Code 0 - M
- LOT 12 DP 10394

Legal Description:

Rates Account Summary

Rates Splits	Annual Rates 2024 - 2025 Rating Year \$6,494.44
--------------	---

WCC	\$5,185.50
GWRC	\$1,210.53
Sludge Levy	\$98.41

Instalments (Due for Payment)

Installment no	Due Date	Amount
1	1 Sep 2024	\$1,623.56
2	1 Dec 2024	\$1,623.56
3	1 Mar 2025	\$1,623.56
4	1 Jun 2025	\$1,623.76

Opening Balance - 01 Jul 2024	\$1,342.07
Instalments YTD	\$4,870.68
Paid YTD	\$0.00
Penalties YTD	\$755.53
Adjustments YTD	\$0.00
Current Balance	\$6,968.28

Water Account Details

No Associated Water Property.

Permits and Consent Information Held at WCC Archives

Wellington City Council

Building Consent Search Item List

LIM: SR557141
Property: 158 Owhiro Bay Parade
Legal description: Lot 12 DP 10394

This is a list of building permits and/or building and other consent types 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-B12888	158 Owhiro Bay Parade, erect bach	Legal description: Lot 12 DP 10394. Owner and builder: James. Application value: £95. Floor area: 290f	1934
00056-B16463	158 Owhiro Bay Parade, alter shed	Legal description: Lot 12 DP 10394. Owner: Mrs AM James. Builder: J James. Application value: £20.	1937
00059-E19377	158 Owhiro Bay Parade, dwelling additions and alterations, garage	Legal description: Lot 12 DP 10394.	1990
00078-179269	158 Owhiro Bay Parade, install wood burner	Legal description: Lot 12 DP 10394. Project value: \$1,600.	2008

Complete Building Consent Attachments

Service Request 179269 (aBLDG CONSENT - Quick) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 158 OWHIRO BAY PARADE Owhiro Bay

Designated Wufi: 1045680 Survey Current - 158 Owhiro Bay Parade

File Reference: 0600 SR179269

Contact: 53088546 Jan Christiaan Jacobus Schnetler

Contact Address: 25533428

Attention:

Status: Completed

Status Date: 7-Jul-08 4:55 PM SR Status: Completed

Owner: Member: Extn:

Team: 1999/CCC-Compliance Team 113

Due Date: Days Remaining :

Days Elapsed :

Description: 1.1 Minor Works - Residential - Installation of a Kiwi Rad Max Clean air free standing fireplace.

Extended: Description

Special Conditions or Comment

Apvd for ccc B.Harlen 23/6/08 emk

Code Compliance Certificate (Form 7)
Section 95, Building Act 2004

Service Request No. 179269

The Building			
Street address of building:	158 Owhiro Bay Parade	Building name:	Dwelling
Current, Lawfully established, use:	SH (Sleeping Single Homes)	Location of building within site/block number:	-
Level/unit number:	-	Intended life of the building if 50 years or less:	50.0
Legal description of land where building is located:	LOT 12 DP 10394	Year first constructed:	1970
The Owner			
Name of owner:	Jan Christian J Schnetler, Caroline Emily Schnetler	Street address /registered office:	-
Contact person:	-	Phone numbers:	
Mailing address:	158 Owhiro Bay Pde Owhiro Bay Wellington 6023	Landline:	973 0115
Email address:	-	Mobile:	0-21-510 303
Website:	-	Daytime:	973 0115
		After hours:	0-21-510 303
		Faxsimile number:	973 0118
First point of contact for communications with the Wellington City Council:			
Name:	Jan Christian J Schnetler	Phone numbers:	
Mailing address:	158 Owhiro Bay Pde Owhiro Bay Wellington 6023	Landline:	973 0115
Email address:	-	Mobile:	0-21-510 303
Website address:	-	Daytime:	973 0115
		After hours:	0-21-510 303
		Faxsimile number:	973 0118
Building Work			
Building Consent No:	179269	Issued by:	Wellington City Council
Project Description:	Minor Works - Residential - Installation of a Kiwi Rad Max Clean air free standing fireplace.		

Code Compliance

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

- (a) the building work complies with the building consent.

Barry Harlen

Building Officer

On behalf of Wellington City Council

Date: 7 July, 2008

Incomplete Building Consent Attachments

Service Request 38755 (Bldg Cons<500K) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 158 OHIRO BAY PDE Owhiro Bay

Designated Wufi: 1045680 Survey Current - 158 Owhiro Bay Parade

File Reference: 0600 SR38755

Contact: 1277200 Matthews K & Clark J

Contact Address: 15083856

Attention:

Status: Inspection - Site-Bldg

Status Date: 17-Dec-12 5:31 PM SR Status: On-going

Owner: Member: Barrie Collins Extn: 801 3286

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description:	First Floor extension. Plus 1 Amended Plan (SR39797)
Extended Description	Pls note that 158 Ohiro Bay Pde & 158 Owhiro Bay Pde are 1 in the same. ml
Special Conditions or Comment	\$171.35 paid via DPS by Matthew Nicholls, BJC 7/12/12

SITE REPORT

Absolutely
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ME HEKE KI PÖNEKE
WELLINGTON CITY COUNCIL
Wellington

Number

128736

Date	17/12/12	SR or BCA	38755	Inspection no	5	Doc
Time	1 HR	Owner name		M. Nicholls		
Project description				First floor		
Site address				158 Ohira Bay Pde		
				Work completed as % <input type="checkbox"/> 20 <input type="checkbox"/> 40 <input type="checkbox"/> 60 <input type="checkbox"/> 80		
				Documents on site <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

BUILDING/PLUMBING (circle appropriate type and inspection)

Other

Site visit

Site Found Piles PreSlab Subfloor Drainage PreWrap PreClad Weatherlight PreLine PostLine Block Brick Ret.Wall Final.

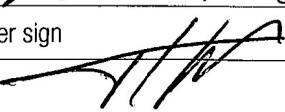
Work to be carried out or supervised	Name	Licensing Class	LBP number
N			
A			

THE FOLLOWING ITEMS REQUIRE REMEDIAL OR ADDITIONAL WORK WHICH IS TO BE COMPLETED BEFORE THE NEXT INSPECTION

Site visit to discuss the old consent process with owner Matt Nicholls

After the discussion with myself, Pete Geraghty & Jason Allen (WCC officers) Matt wishes to take some time to consider his options.

No inspection was carried out.

Agreed (print name)	Matthew Nicholls	Sign	Matthew Nicholls	Date	17/12/12
Officer name	TIM WATSON	Officer sign		Date	17/12/12
Additional Insp. Sheet No					
Information entered into date base (tick)			<input type="checkbox"/>	Initial	Date

4 February, 1998

K.Matthews & J.Clark
158 Ohiro Bay Parade
Island Bay
Wellington

Service Request No: 38755
Link No: 235135

Form 4a

Restrictions on Implementing Building Consent

Section 35(1A), Building Act 1991
Resource Consent Required

Certificate issued by the Wellington City Council.

Building work authorised by Building Consent SR 38755 in respect of the building work at :

Street address:158 Ohiro Bay Pde

Legal description:Lot 12 DP 10394

is also required to have the following authorisation under the Resource Management Act 1991:

Resource Consent approval for the proposed additions is required to be obtained prior to work commencing.

Note

- Other aspects of the proposal may not comply with the rules of the District Plan and would also require resource consent.
- It is the applicant's responsibility to ensure that all aspects of non-compliance are identified and appropriately assessed in a resource consent application.

Until that authorisation has been obtained **no building work to which the above building consent relates may be undertaken.** Failure to observe the restrictions of this certificate may result in enforcement proceedings under the Resource Management Act 1991.

If you require any further information or assistance in relation to making a resource consent application contact **Bill Stevens on phone:801 3299**

Signed for and on behalf of the Council.

Terry Brooks
Environmental Control Business Unit
Wellington City Council

Date: [4 February 1998](#)

Service Request 39797 (Bdg C Amend DNU) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 158 OHIRO BAY PDE Owhiro Bay

Designated Wufi: 1045680 Survey Current - 158 Owhiro Bay Parade

File Reference: 0600 235135

Contact: 1139371 Martin Meyers Structural Engineer

Contact Address: 15052085

Attention:

Status: Decision reached

Status Date: 15-Apr-98 8:36 AM SR Status: Completed

Owner: Member Extn:

Team: 1996 Q1/Permissions Team 31

Due Date: Days Remaining :

Days Elapsed :

Description: Amended plans - refer SR 38755 additions and alterations to dwelling at 158 Owhiro Bay Parade

Extended Description

Special Conditions or Comment

15 April, 1998

Martin Meyers Structural Engineer
P O Box 24-120
Wellington

Service Request No: 39797
Link No: 0600 235135

Dear Sir/Madam

AMENDED PLANS FOR BUILDING CONSENT NO 38755 158 Ohiro Bay Pde

Service Request Type: Amended Plan - Building Consent
Site Address: 158 Ohiro Bay Pde Lot 12 DP 10394

This is to inform you that your amended plans have been approved subject to the same conditions as Building Consent no **38755**.

The works are to comply with the Resource Consent granted.

Yours sincerely

Rob Baumgren
Environmental Control Business Unit
Wellington City Council
Telephone 3826

Swimming Pool Attachments

Service Request 274858 (Swim Pool Insp) Item 1 (Appl Form)
Service Request Item

Item: 1

SR Location: 158 OWHIRO BAY PARADE Owhiro Bay

Designated Wufi: 1045680 Survey Current - 158 Owhiro Bay Parade

File Reference: 0600 235135

Contact: 51965064 Mathew Hamish Nicholls

Contact Address: 25935521

Attention:

Status: Removed

Status Date: 30-Aug-16 9:17 AM SR Status: Completed

Owner: Member: Extn:

Team: 1996 Q1/Comp Mon/Enf Team 36

Due Date: Days Remaining :

Days Elapsed :

Description: Spa Pool

Extended: Description

Special Conditions or Comment
email for Lorraine Nicholls - lnicholl@paradise.net.nz
Matthew - matthew_nicholls@hotmail.com

Plumbing and Drainage Attachments

158 Owhiro Bay Parade, Owhiro Bay

Part Lot 2 DP 26908



March 18, 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.

1:500
N 0 10 20 Metres

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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

Water Attachments

158 Owhiro Bay Parade, Owhiro Bay

Part Lot 2 DP 26908



Wellington Water Ltd, WCC, GWRC, Wellington City Council, Land Information New Zealand, Wellington City Council

March 18, 2025

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



1:500
0 10 20 Metres

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Legend

	Parcels (LINZ)		Service Connection
	Property		Service Connection Private
	Buildings		All other values
	Title		
	Water Hydrant		
	Water Valve		
	Water Valve		In Use
	Backflow Preventer		Abandoned
	Pressure Control or Relief Valve		All other values
	All other values		Bulk Water Hydrant
	Water Customer Service Valve		
	Water Reservoir or Tank		
	WCC Reservoir		Closed
	Private Reservoir		Open
	WCC Emergency		Other
	All other values		Bulk Water Pumpstation
	Water Pumpstation		Bulk Water Meter
	Water Pump		Bulk Water Fitting
	Water Meter		
	Water Fitting		
	Water Pipe		
	Transmission Main		Bulk Water Transmission Main
	Water Main		Bulk Water Intake Main
	Rider Main		Bulk Water Discharge Pipe
	Fire Service		Bulk Water Other Pipe
			Abandoned Bulk Water Pipe
			Virtual Bulk Water Pipe
			All other values