

Melissa Shipman
Dunedin City Council
PO Box 5045, Moray Place
Dunedin 9058

Dear Melissa,

Thank you for your assistance on the phone today. I appreciated your explanation of the consenting process and the options available to us.

Please take this letter as acceptance by us, as the new owners of 39 Oates Street, that we will take over the consent application from the past owner and original applicant for Land Use Consent **LUC-2016-645**. Please note the correct spelling of Hannah's Surname below, that which was incorrect on the previous correspondence.

We accept responsibility for all future fees and charges associated with this application.

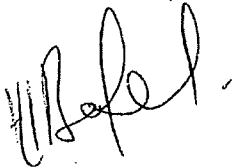
The address for correspondence will now be:

39 Oates Street
Kaikorai
Dunedin 9010

As discussed we will engage the neighbour and attempt to gain their approval for the veranda. Should this prove unsuccessful, we will then decide whether to withdraw the application or opt to engage in the Limited Notification process.

Thanks again for your assistance.

Kind wishes,



Hannah Bedford & Michael McSweeney

Contact Phone Numbers:

Hannah - 0276795432

Michael - 0278347561

Campbell Thomson

From: Derek Parkes <parkesmador@yahoo.com.au>
Sent: Wednesday, 5 April 2017 03:14 p.m.
To: Melissa Shipman
Subject: Re: LuC-2016-645 Application - 39 Oates Street
Attachments: Sales and Purchase Agreement.pdf

Dear Melissa,

further to your call of 5th of April regarding the resource consent for the veranda at 39 Oates St - I can confirm that the property was sold to Michael McSweeney and Hannah Bedford with settlement occurring on the 8th of March. (settlement document attached)

It is my understanding that the purchasers wish to continue the process of obtaining the resource consent for the veranda.

I am happy to hand over my deposit to allow them to continue the application, if this is possible.

Yours sincerely

Derek Parkes

From: Melissa Shipman <Melissa.Shipman@dcc.govt.nz>
To: "parkesmador@yahoo.com.au" <parkesmador@yahoo.com.au>
Sent: Friday, 3 February 2017, 14:39
Subject: LuC-2016-645 Application - 39 Oates Street

As requested, please find attached a copy of the application as lodged. Sorry for the delay.

Regards,

Melissa Shipman
Planner, City Planning
Dunedin City Council

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand
Telephone: 03 474 3448; Fax: 03 474 3451
Email: melissa.shipman@dcc.govt.nz



 Please consider the environment before printing this e-mail

If this message is not intended for you please delete it and notify us immediately; you are warned that any further use, dissemination, distribution or reproduction of this material by you is prohibited.



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier OT279/68
Land Registration District Otago
Date Issued 12 October 1936

Prior References

OT266/220

Estate	Fee Simple
Area	631 square metres more or less
Legal Description	Lot 2 Deposited Plan 4763

Proprietors

Michael Joseph McSweeney and Hannah Lisa Bedford

Interests

4381 Order in Council imposing Building Line Restriction - 6.7.1936 at 10.00 am

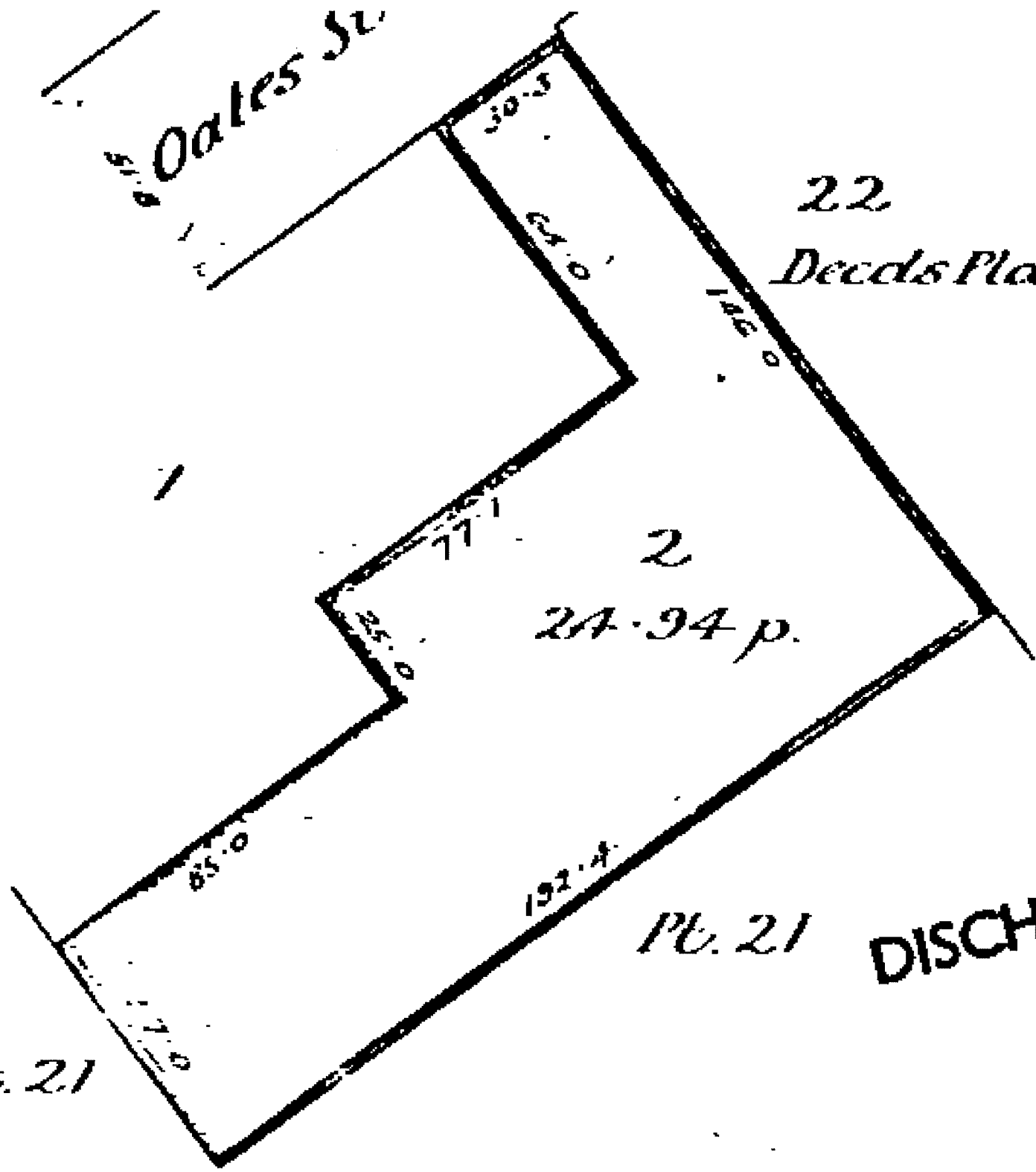
Oates St.

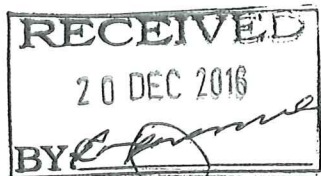
22
Deeds Pl.

2
27.94 p.

Pt. 21
DISCH

21





Application Form for a Resource Consent

50 The Octagon, PO Box 5045, Moray Place
Dunedin 9058, New Zealand
Ph 03 477 4000
www.dunedin.govt.nz

PLEASE FILL IN ALL THE FIELDS

COPY

Application Details

I/We DEREK ROSS PARKET (must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for:

☐ Land Use Consent ☐ Subdivision Consent

Brief description of the proposed activity: Retrospective resource consent for an under 20m² verandah, attached to a house close to a neighbours boundary.

Have you applied for a Building Consent? ☐ Yes, Building Consent Number ABA _____ ☒ No - EXEMPT

Site location/description

I am/We are the: (owner, occupier, lessee, prospective purchaser etc) of the site

Street Address of Site: 39 OATES ST, KAIKORAI

Legal Description: LOT 2 DP 4763

Certificate of Title: OT 279/68

Address for correspondence (this will be the first point of contact for all communications for this application)

Name: DEREK PARKET RD9 (applicant/agent (delete one))

Address: 108 B TAIEPA RD, OTATAHA, 9879 Postcode: 9879

Phone (daytime): 0210345845 Email: parkesmador@yahoo.com.au

Address for invoices or refunds (if different from above)

Name: AS ABOVE

Address: _____

Bank details for refunds

Bank Account Name JULIE E. MADOR

Account Number:

0	1	0	9	0	2	0	1	1	6	3	0	1	0	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Bank Branch Account Number Suffix

Ownership of the site

Who is the current owner of the site? DEREK ROSS PARKET & JULIE ELIZABETH MADOR

If the applicant is not the site owner, please provide the site owner's contact details:

Address: AS ABOVE

Postcode: _____

Phone (daytime): 0210345845 Email: parkesmador@yahoo.com.au

Affected persons' approvals

I/We have obtained the written approval of the following people/organisations and they have signed the plans of the proposal:

Name: SEE ATTACHED SUBMISSION

Address: _____

Name: _____

Address: _____

Please note: You must submit the completed written approval form(s), and any plans signed by affected persons, with this application, unless it is a fully notified application in which case affected persons' approvals need not be provided with the application. If a written approval is required, but not obtained from an affected person, it is likely that the application will be fully notified or limited notified.

Assessment of Effects on Environment (AEE)

In this section you need to consider what effects your proposal will have on the environment. You should discuss all actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effect. i.e. small effect equals small assessment.

You can refer to the Council's relevant checklist and brochure on preparing this assessment. If needed there is the Ministry for the Environment's publication "A Guide to Preparing a Basic Assessment of Environmental Effects" available on www.mfe.govt.nz. Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

NO PROTECTED TREES INVOLVED, NO ARCHAEOLOGICAL SITES ~~DISTURBED~~ DISTURBED, LOW DENSITY AREA DUE TO POOR SITE ACCESS. FITTING TO CHARACTER OF HOUSE. THE HOUSE IS WELL SHIELDED FROM THE NEIGHBOUR BY NGAIO, FIVE FINGER, TREE LUCERNE TREES OF 3-5m HEIGHT, PLUS HEBE & RHODODENDRON SHRUBS 2-4m in HEIGHT (see photos)

(Attach separate sheets if necessary)

The following additional Resource Consents from the Otago Regional Council are required and have/have not (delete one) been applied for:

☐ Water Permit ☐ Discharge Permit ☐ Coastal Permit ☐ Land Use Consent for certain uses of lake beds and rivers ☒ Not applicable

Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I accept that I have a legal obligation to comply with any conditions imposed on the Resource Consent should this application be approved.

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant/Agent (delete one): PARKET Date: 23/11/16

Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

- ☐ Avoid unreasonably prejudicing your commercial position
☐ Protect information you have supplied to Council in confidence
☐ Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

Derek Parkes
108B Taiepa Rd
RD9
Otatarā 9879
20/12/16

RE : Rertrospective resource consent for a veranda for 39 Oates St, Kaikorai,

When I built the veranda in 2013 I was advised by the DCC that it didn't need a building consent if it was under 20 m2. I had a survey plan (enclosed) which clearly shows the offset from the foundation of the building so I built a 19m2 veranda to replace a small gable entry way that was unsupported and collapsing just within my boundary (see photocopy from original sale.) PAGE 1

This October I spoke to a real estate agent about selling the house and I was advised that I would be best to get a Certificate of Acceptance for unconsented work done on the house – a solar hot water system, insulating walls with pink batts, small retaining walls that are close to the boundary and also historical changes to the houses internal structure, that are not on DCC record, from before my ownership. I am told banks will not lend without this today.

I then contacted Stefan Box of Reece consulting to help with the process. He visited the site twice, once with an engineer and I was advised that this was should not be difficult, as the engineer was happy with the work, however I would need to first get a retrospective planning consent for the veranda.

I approached my neighbour, Lyndal Askin, whose property is on the boundary of the veranda on the 22nd of November to discuss the resource consent. I showed her the plan and gave her a copy, however she believes that the surveyor has made a mistake. She held that the verandah and the supporting retaining wall and heat pump it supports are all on her property.

The DCC aerial photo was worrying so I contacted the Chris Milburn at the survey company Terramark who reviewed the stored field notes and produced the enclosed email saying that the survey is accurate and proposed an explanation of the photo.

I discussed this with Lyndal and dropped off a copy of the email to her. However she still questions its accuracy and wants to have a family member resurvey the property for her. This has not occurred.

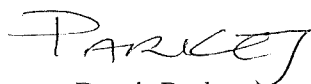
On the 20th of December I contacted Lyndal and made no further progress. She also now states that the veranda ruins her privacy, and she would not agree to it if it was correctly sited.

Please find enclosed the photos of the plants separating the properties.

The veranda stops people at the front door getting wet and allows a clothes rack to be used if it might rain. This doesn't affect privacy. The house is effectively invisible from her property, and only just glimpsed from the street. People have to use the patio to get to the front door and the back of the house anyway – whether or not there is a veranda.

I submit the adverse effects of the veranda are “less than minor” so the veranda and therefore the house can receive it's certificate of acceptance. This will allow me to be able to sell the house to people requiring bank finance.

Yours faithfully


Derek Parkes

PS as a side issue, unraised by Lyndal, there is a temporary storage shed which still holds waste firewood from the work of the house, and the felling of a dangerous tree which was tangling the powerlines. It is designed to be demountable. It was my intention to move the shed when the wood was burned by the tenants however they have used the heat pump instead.

I have spoken to my lawyer Jeanna Chin at Gallway & co, who will include a clause at sale stating the storage shed is only permitted temporarily and must be removed.

Note sagging unsupported gable entry



39 OATES STREET

Roslyn



resupport/underpinning of the existing retaining wall off to 3m

Compose

Flagged

Spam

Deleted

Archived

Unread

Home

Derek

Search

Derek, search your mailbox

Compose

Move

Delete

Spam

More

39 Oates Street

People

Inbox (15)

Drafts (38)

Sent

Archive

Spam (96)

Trash (97)

Smart views

Folders (2)

building

Derek

Julie

kept mail

lbp (2)

Monks and Nuns

oates st

Recent

Advertisement

Chris Milburn <chris@terramark.co.nz>

To parkesmador@yahoo.com.au

26 Nov at 2:46 PM

This message contains blocked images. Show Images Change this setting

Hi Derek

Thanks for calling in on Thursday.

We have located the old job file and accompanying field notes, and have re-checked the calculated offset dimensions shown on drawing 5899/1.

Based on the survey fixes to the front face (North-West face) of the old villa at the time of survey, we agree with the calculated offset dimensions of 2.86m and 2.85m respectively to the North-West boundary of 39 Oates St (Lot 2 DP 4763), and believe them to be accurate.

What we cannot confirm without further survey fieldwork, however, is the accurate relationship of the verandah extension to the subject boundary.

On closer inspection of the DCC webmap, we believe there could be distortion in the aerial photo which is exaggerating the extent to which the verandah eaves appear to encroach over the boundary, but as stated above, the only way to accurately define the relationship of the new verandah to the boundary would be to have it accurately surveyed.

I trust this helps, and feel free to contact me if you have any further questions.

Kind Regards

Chris Milburn

Registered Professional Surveyor

chris@terramark.co.nz

P: (03) 477 4783

E: dunedin@terramark.co.nz

www.terramark.co.nz

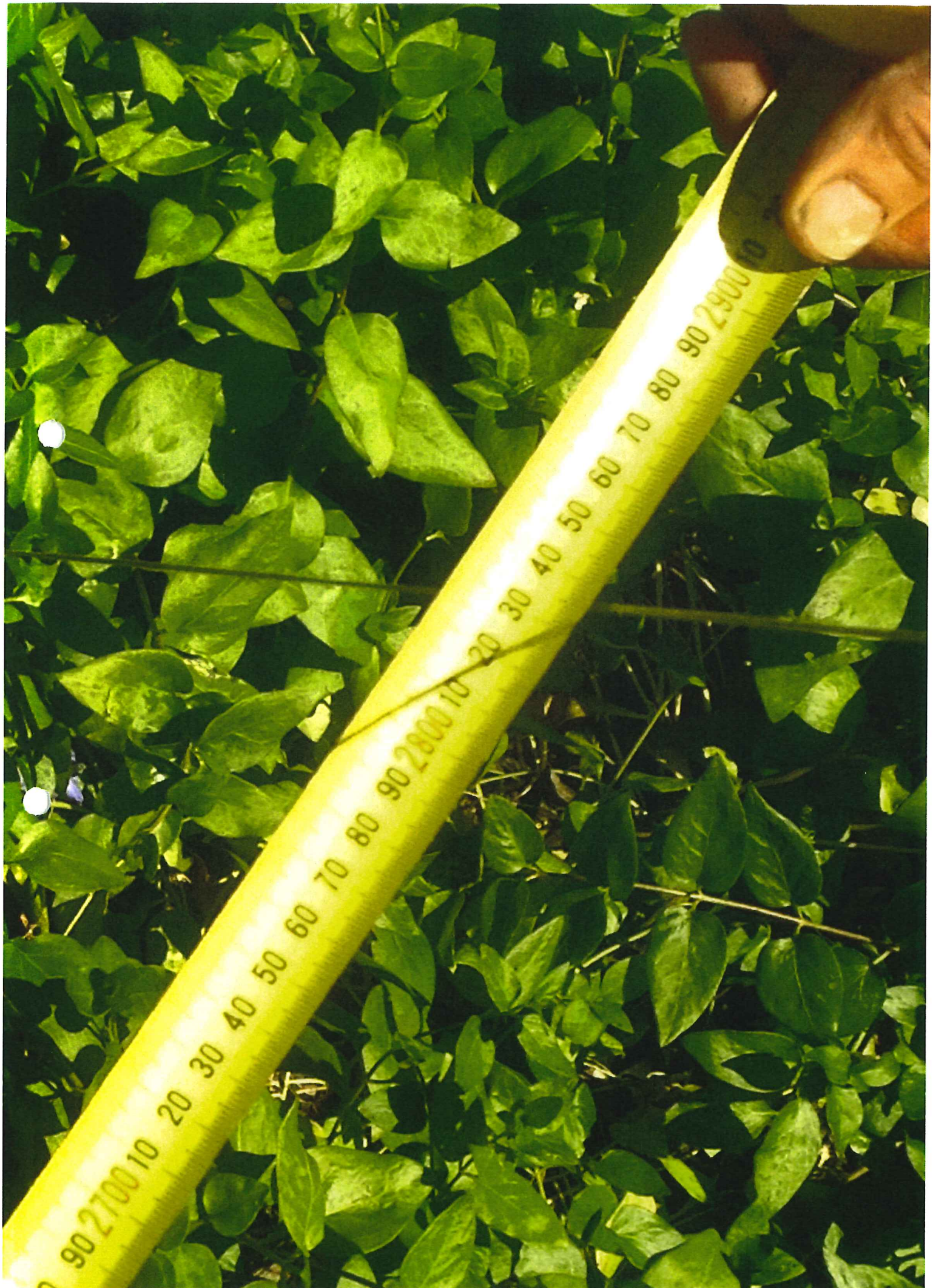
Level 1

326 Moray Place, Dunedin 9016

PO Box 235, Dunedin 9054

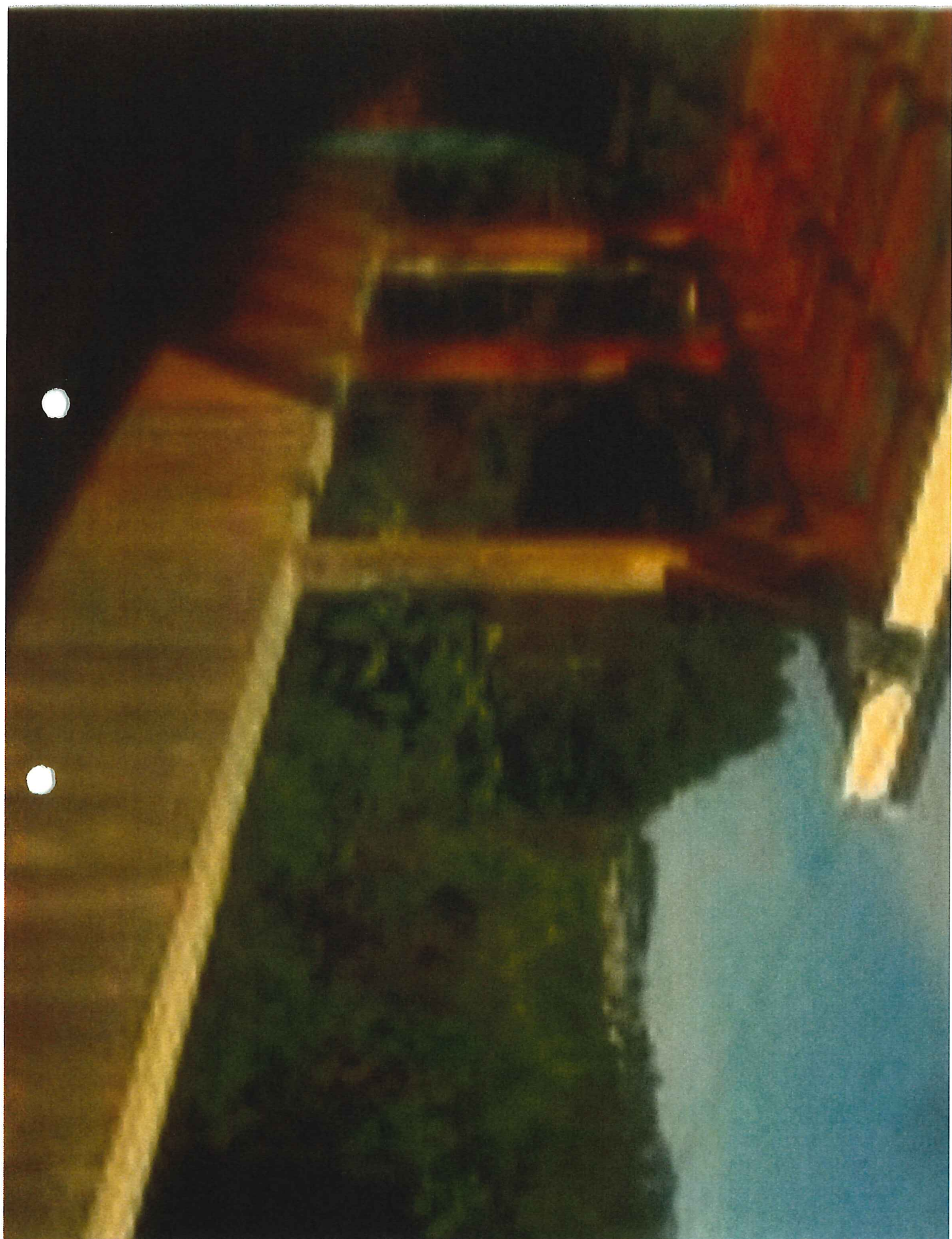
Terramark

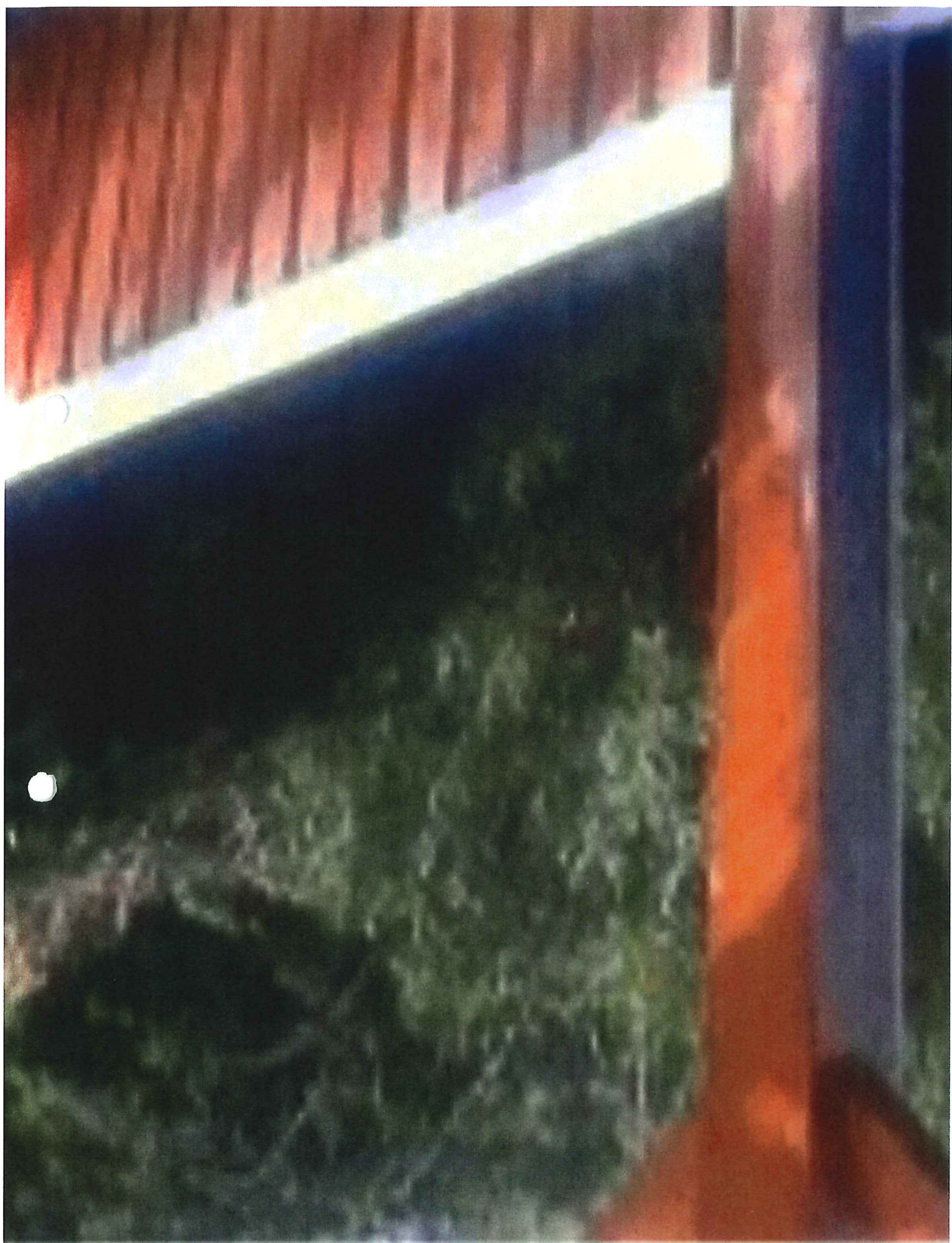
Boundary check with Stefan Box

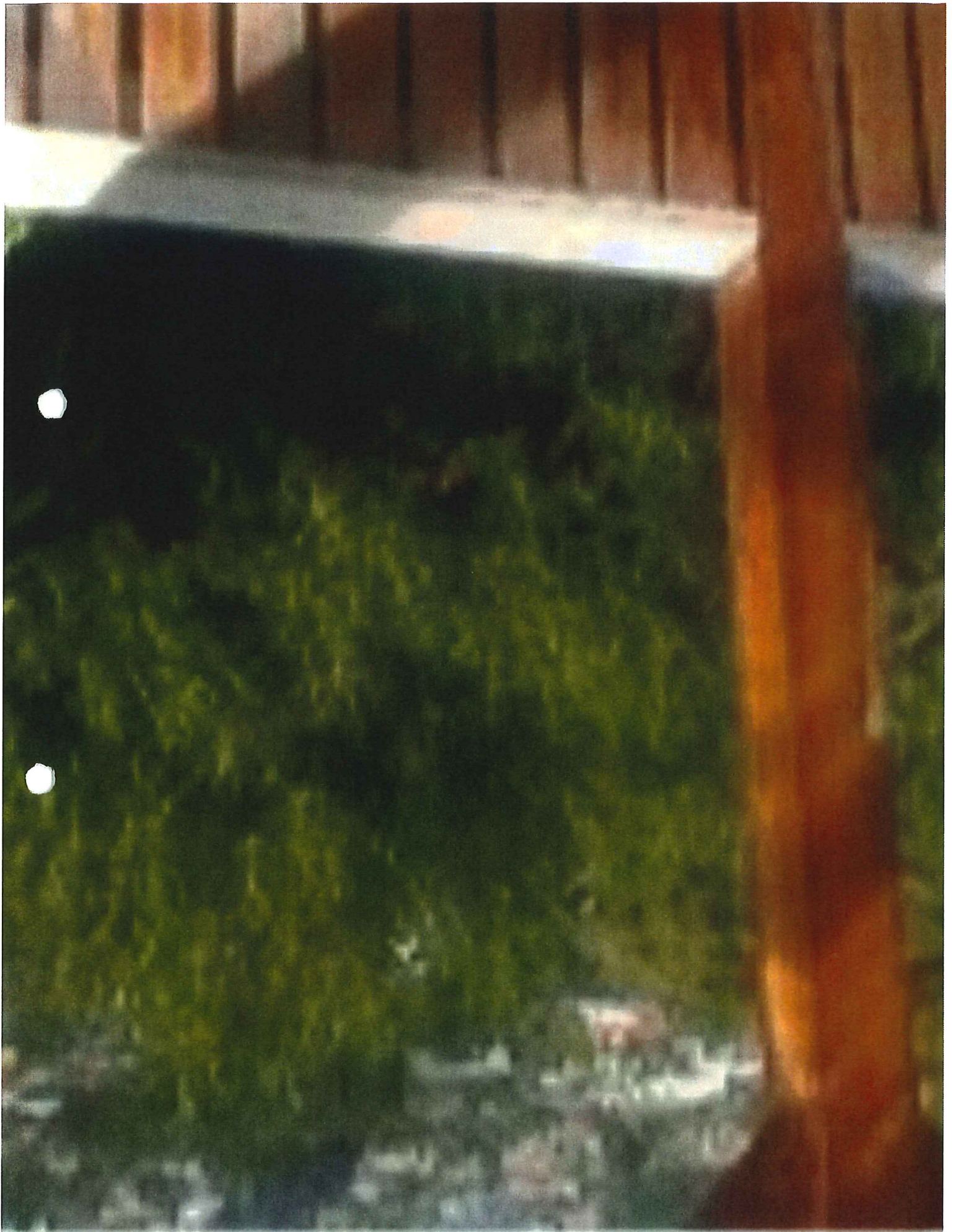


Site measure with Stefan Box

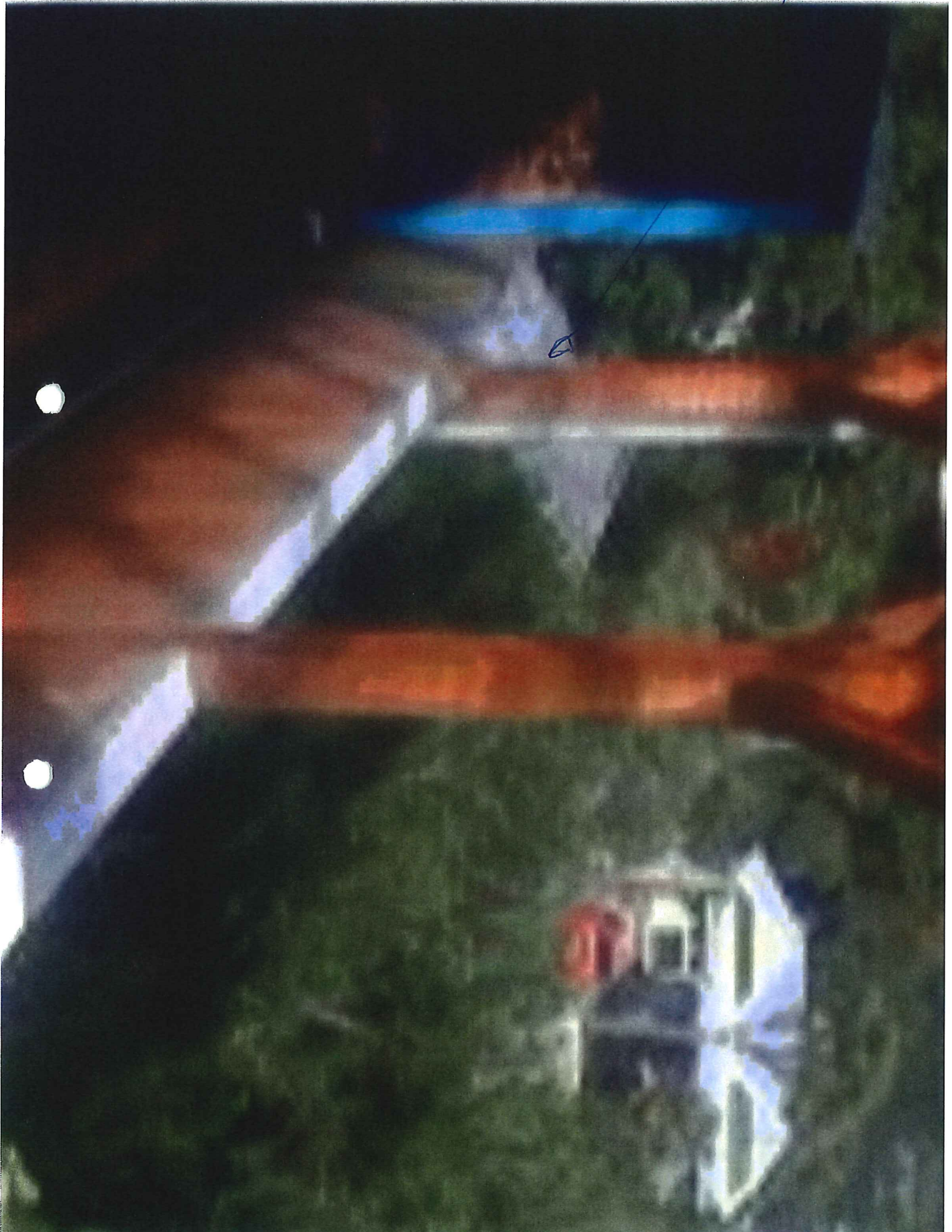


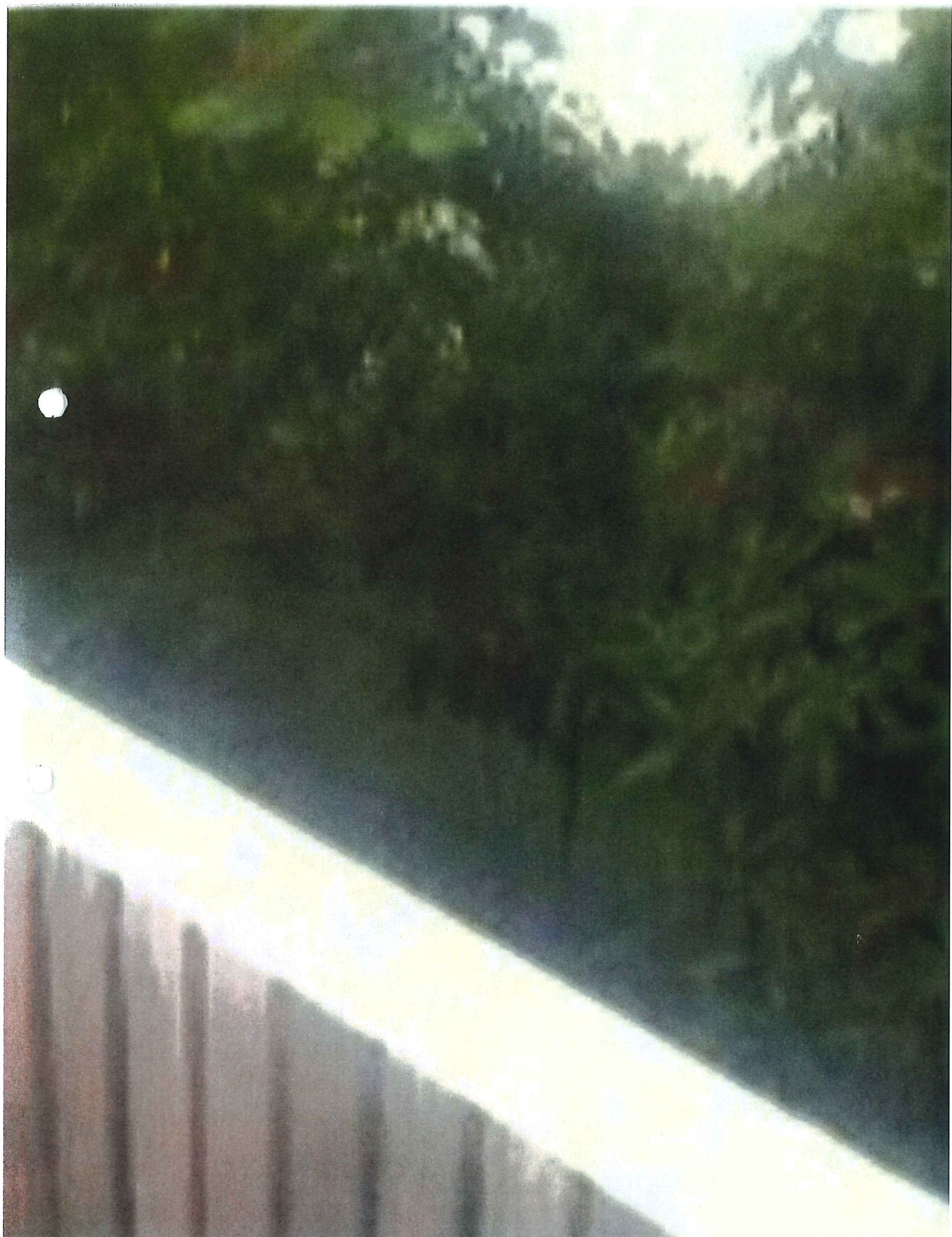






Neighbours Roof,







**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier OT279/68
Land Registration District Otago
Date Issued 12 October 1936

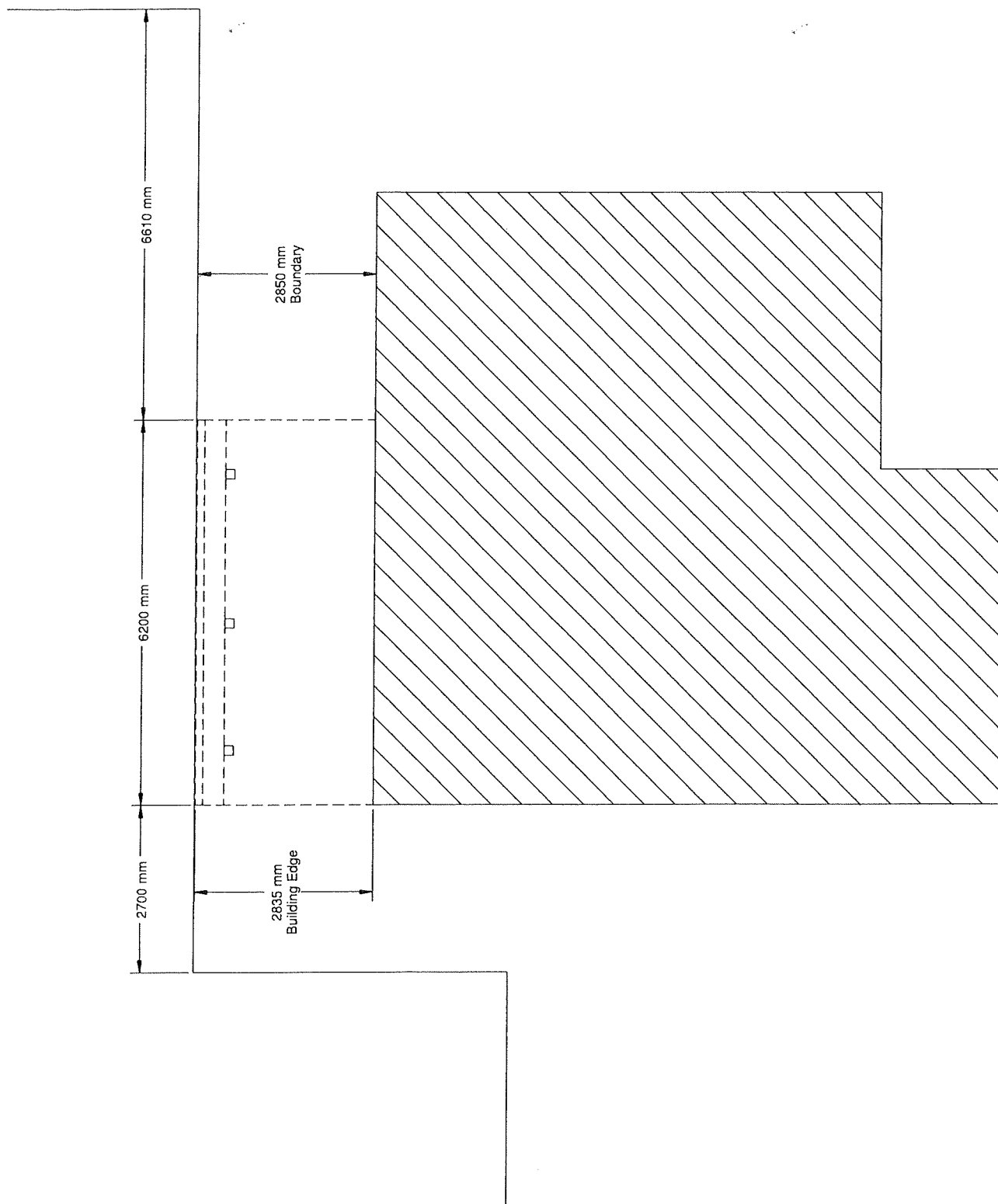
Prior References
OT266/220

Estate	Fee Simple
Area	631 square metres more or less
Legal Description	Lot 2 Deposited Plan 4763

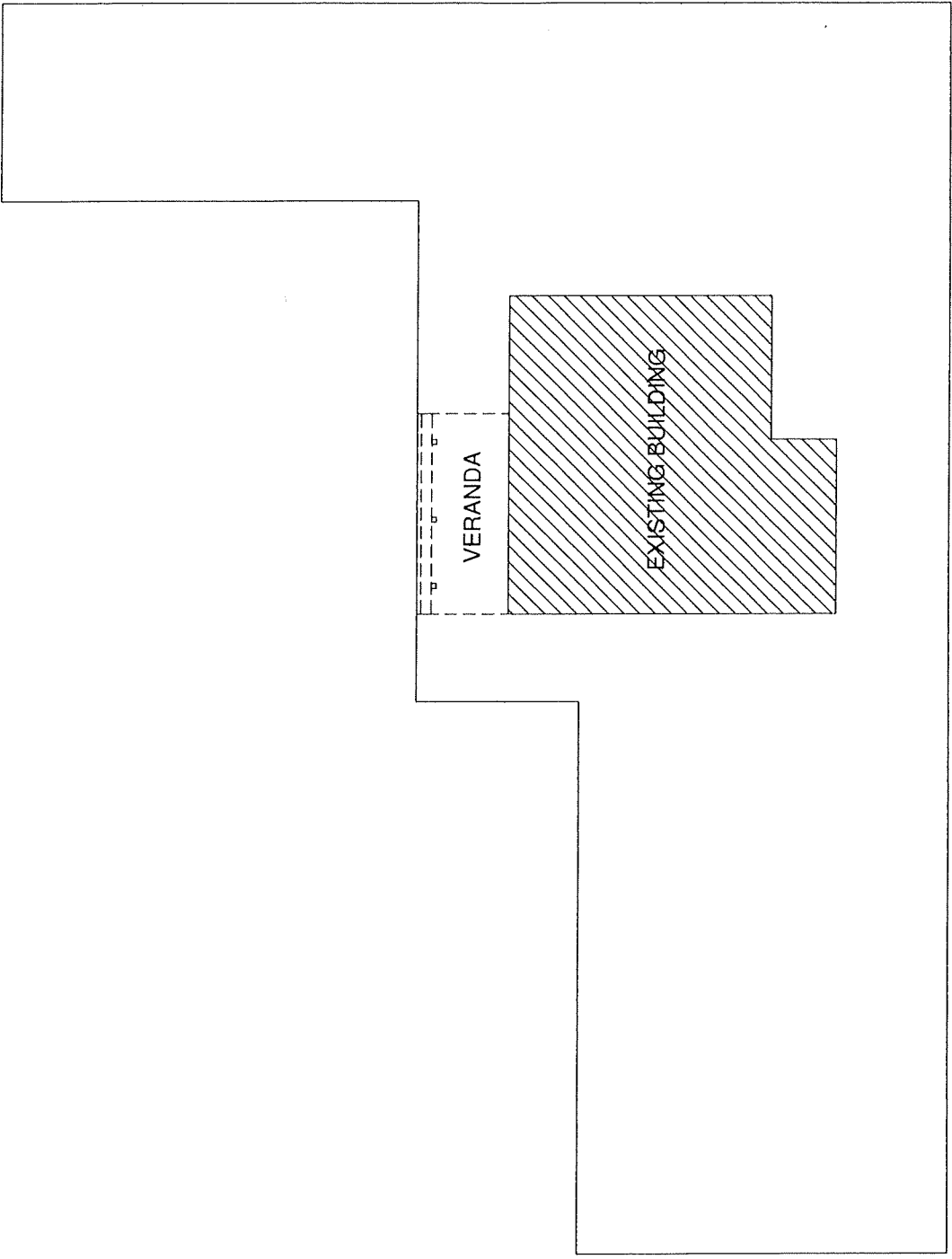
Proprietors
Derek Ross Parkes and Julie Elizabeth Mador

Interests

4381 Order in Council imposing Building Line Restriction - 6.7.1936 at 10.00 am



ENLARGED SITE PLAN



SITE PLAN





Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

✓ We (full names): ROBERT FRANCIS SMITH + Penelope Jane Smith (TRUSTEES)
being the: ☐ Owner ☐ Occupier ☒ Owner and Occupier

of the property situated at (address and/or legal description of your property):

48 OATES ST KAIKORAI 9010

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

DEREK PARKER

to (description of proposed activity):

RETROSPECTIVE RESOURCE CONSENT FOR
VERANDA

on the following property (address of application site):

39 OATES ST, KAIKORAI

☒ I/we have read and understand the application.

☒ I/we have signed and dated the application and plans as attached. - and approve of the structure as built

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

☒ I am authorised to give written approval on behalf of all owners ~~and/or occupiers~~ (delete one) of this site.

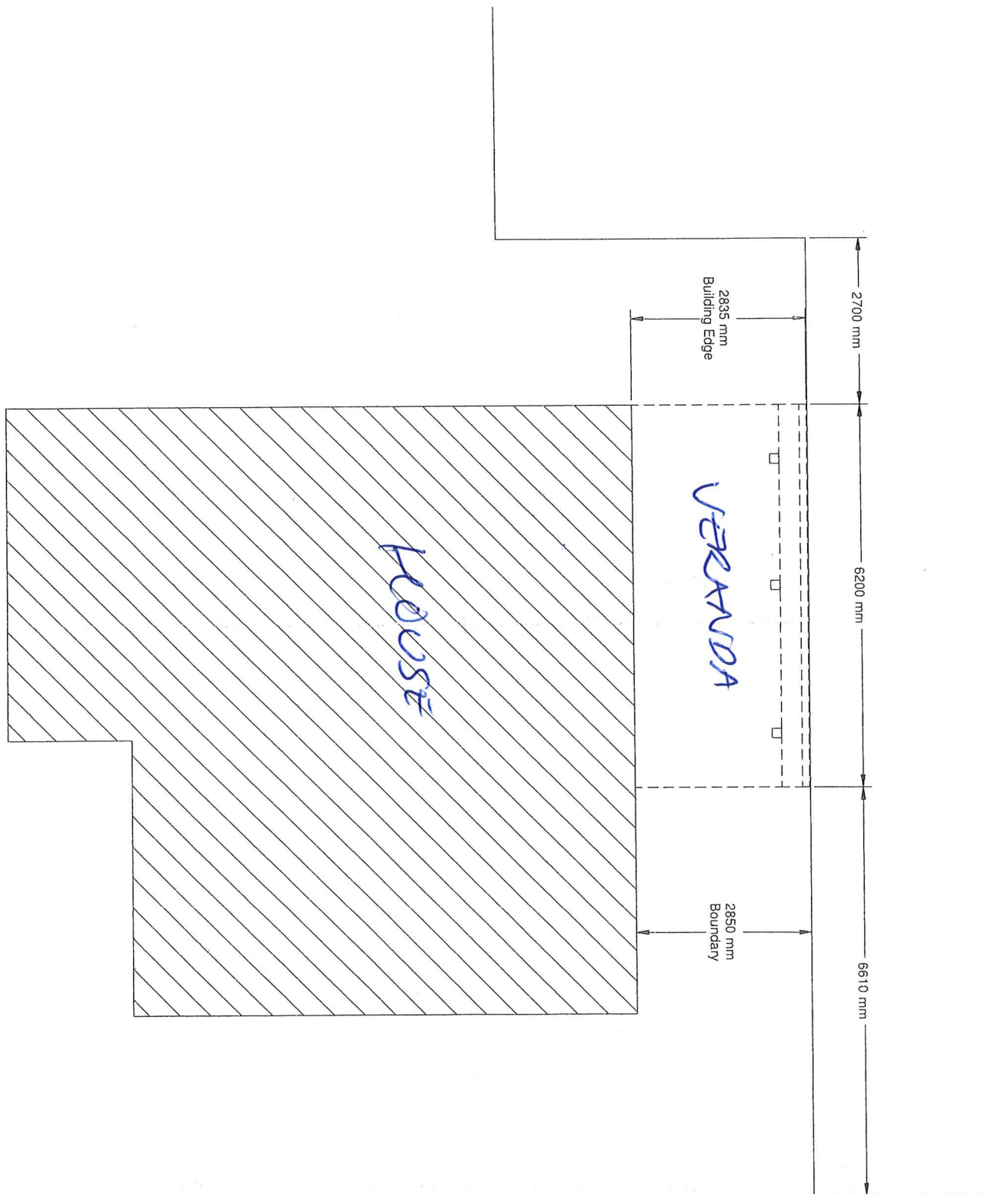
Signed: R.D. Smith + Penelope Smith

Date: 28/12/2016 Telephone: 027 - 4470969

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
Facsimile: 474 3451
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

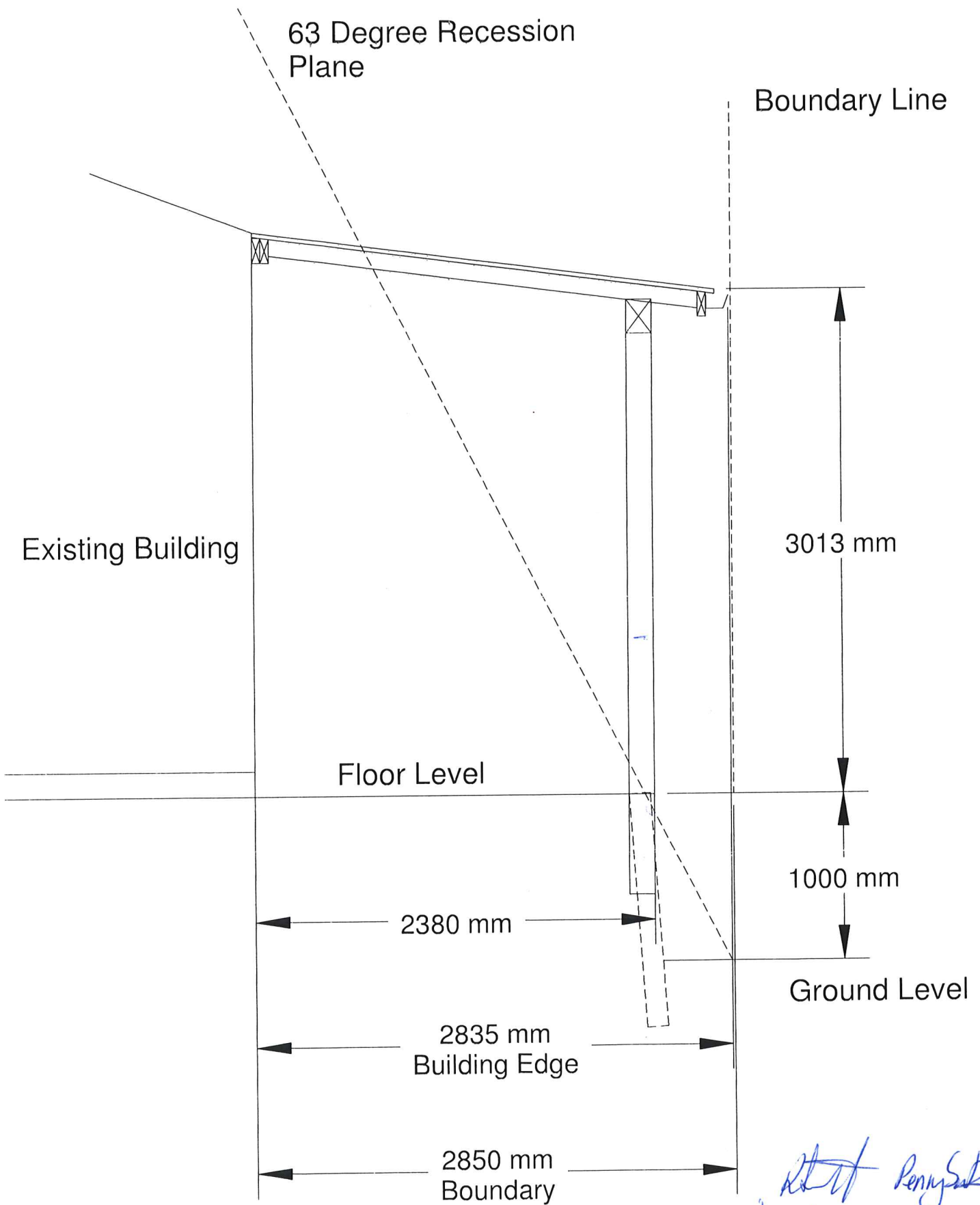
RESOURCE CONSENT FOR VERANDA AT
39 OATES ST - AFFECTED PARTY APPROVAL



ENLARGED SITE PLAN

RDS/H 28/12/16
PenySt

RESOURCE CONSENT FOR 39 OATES ST AFFECTED PARTY APPROVAL



[Signature]
28/12/16

Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): Heaghan Bennett & Greg Prudfoot

being the: ☒ Owner ☒ Occupier ☐ Owner and Occupier

of the property situated at (address and/or legal description of **your property**):

47 Oates Street

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

DEREK PARKER

to (description of proposed activity):

RETROSPECTIVE RESOURCE CONSENT TO
BUILD VERANDA AT 89

on the following property (address of **application site**):

39 OATES ST

☒ I/we have read and understand the application.

☒ I/we have signed and dated the application and plans as attached. AND APPROVE OF STRUCTURE
AS BUILT

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or
Tick the declaration box below:

☐ I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: Heaghan Bennett, Greg Prudfoot

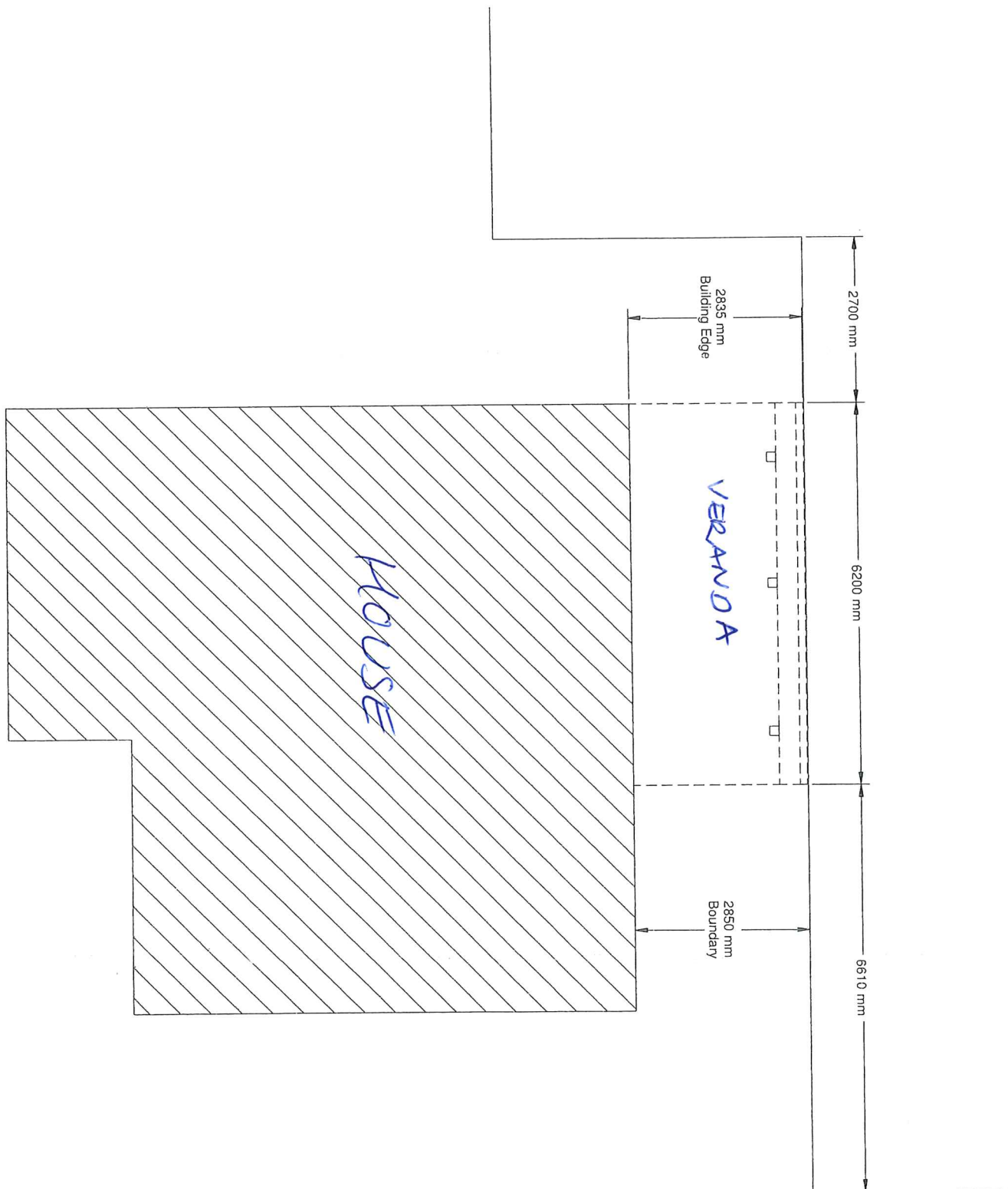
Date: 21/02/2010

Telephone: _____

If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
Facsimile: 474 3451
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

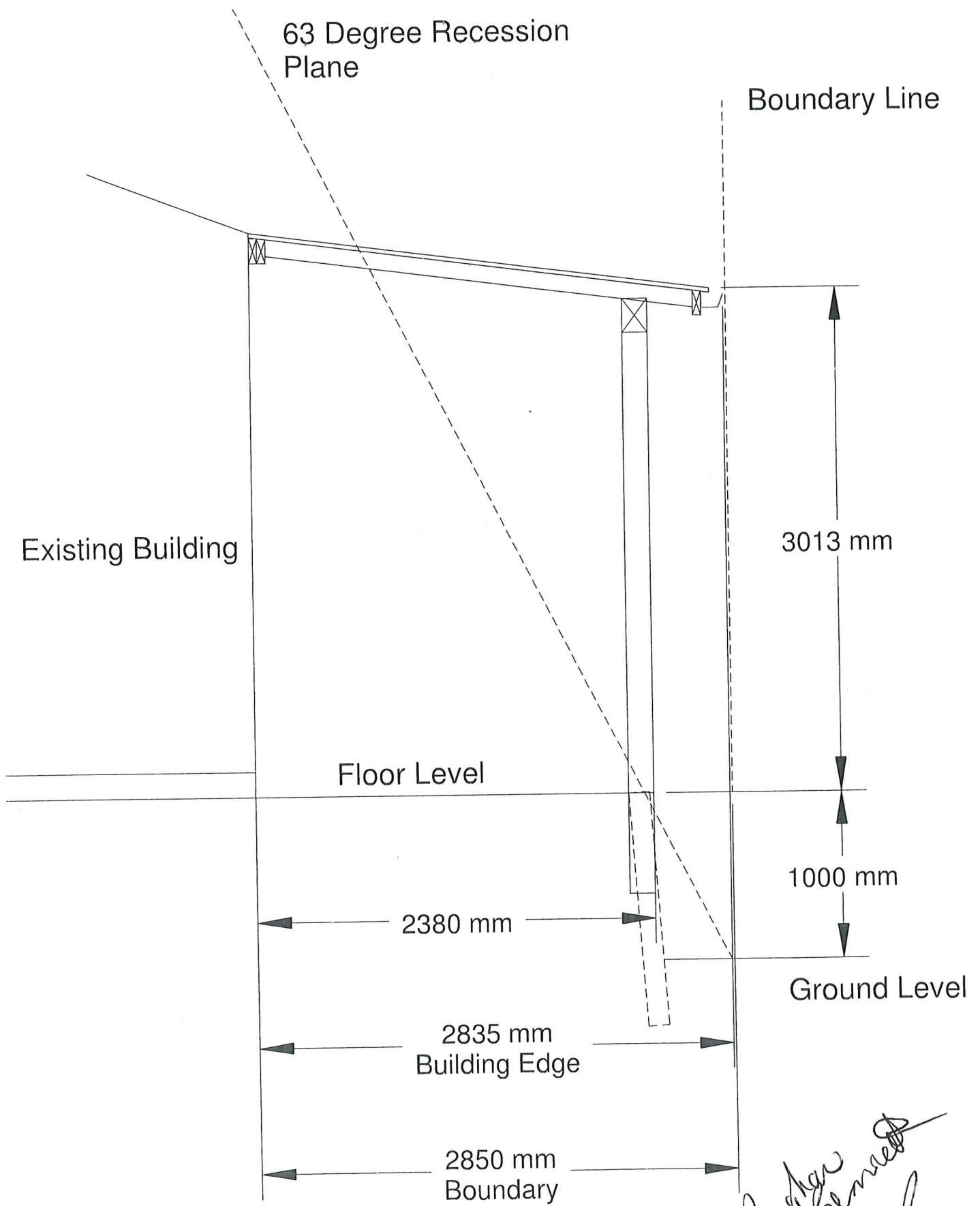
RESOURCE CONSENT FOR VERANDA AT
39 OATES ST.



ENLARGED SITE PLAN

Meaghan Bennett
[Signature]

RESOURCE CONSENT FOR VERANDA AT
39 OATES ST - AFFECTED PARTY APPROVAL



Meaghan Bennett

Affected Person(s) Written Approval Form

50 The Octagon, PO Box 5045, Moray Place, Dunedin 9058. Ph 477 4000

www.dunedin.govt.nz

IMPORTANT: Please read the back of this form to ensure you are aware of your rights.

Please be aware that these details are available to the public.

To: Resource Consents Team, City Planning, Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058

I/We (full names): Joanna Maria Verberne

being the: ☐ Owner ☐ Occupier ☒ Owner and Occupier

of the property situated at (address and/or legal description of **your property**):

85 Oates St, Roslyn, Dunedin

have read and understand the information on the reverse side of this page and written approval to the proposal by (name of applicant(s)):

DEREK PARKET

to (description of proposed activity):

RETROSPECTIVE RESOURCE CONSENT FOR
A VERANDA TO BE BUILT AT
39 OATES ST

on the following property (address of application site):

39 OATES ST

☒ I/we have read and understand the application.

☒ I/we have signed and dated the application and plans as attached. AND APPROVE OF THE STRUCTURE
AS BUILT

Where there are multiple owners or occupiers on a site, each party needs to individually sign the application documents and this form; or Tick the declaration box below:

☒ I am authorised to give written approval on behalf of all owners and/or occupiers (delete one) of this site.

Signed: [Signature]

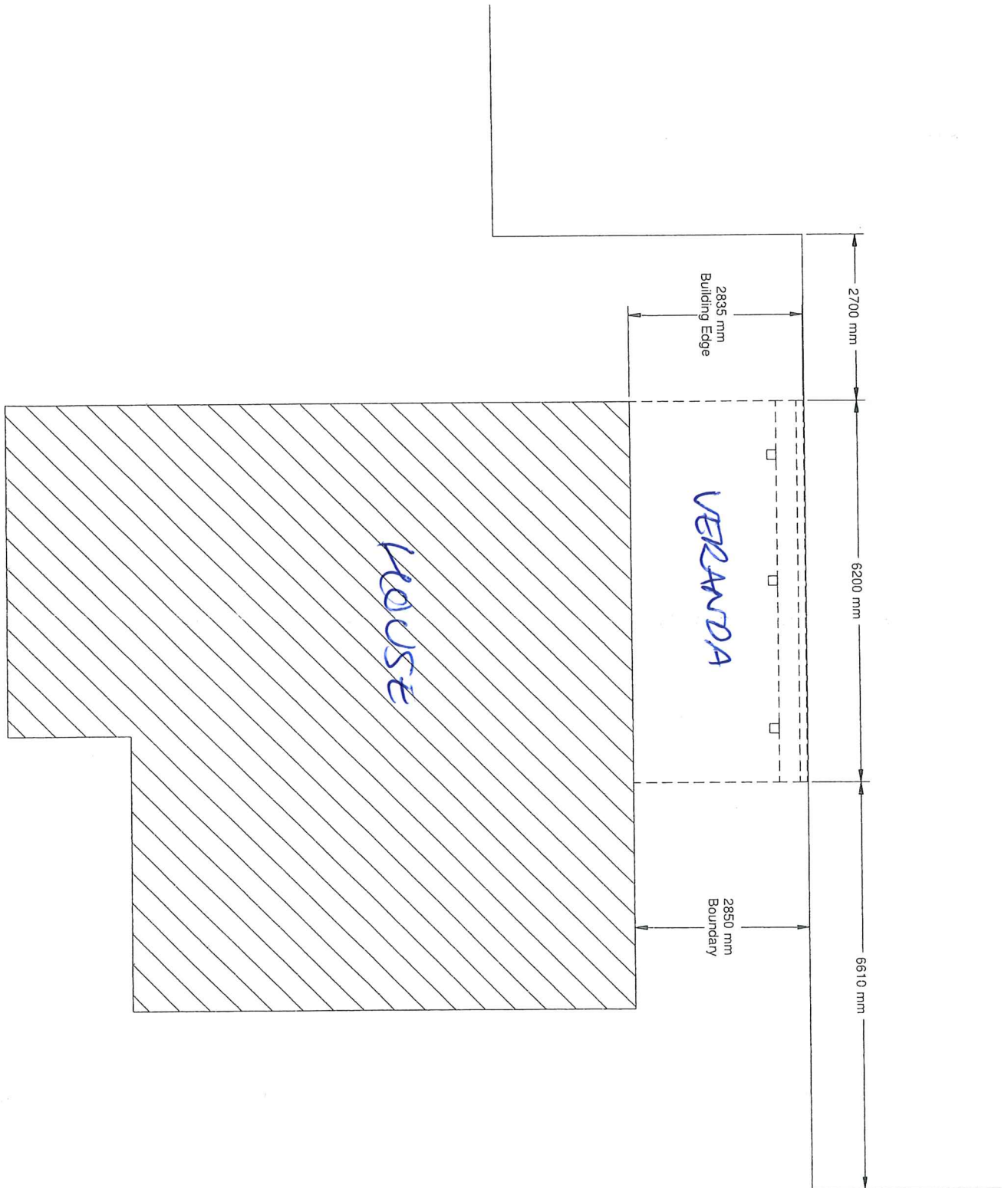
Date: 21/12/2016

Telephone: 0272006108

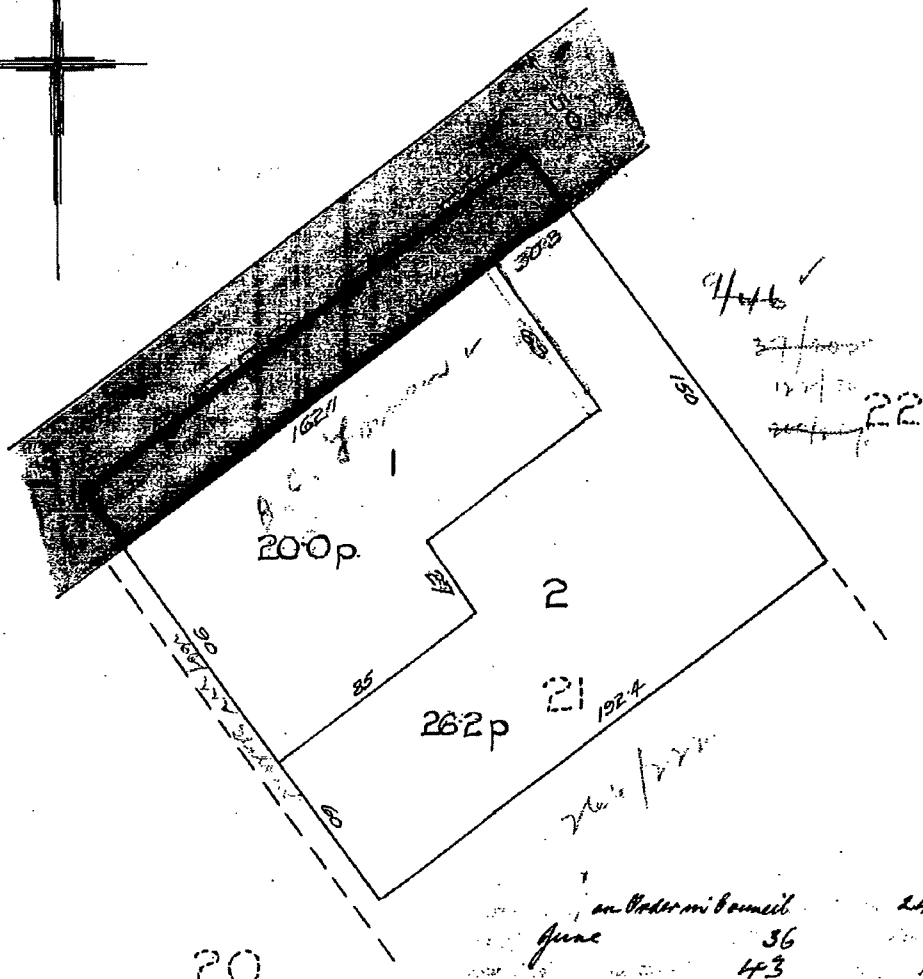
If you have any queries regarding the Resource Consent process and the role and rights of adversely affected person(s), please contact us before you complete and sign this form and the associated plans.

Resource Consents Team
City Planning Department
Dunedin City Council
Telephone: 477 4000
Facsimile: 474 3451
PO Box 5045, Moray Place, Dunedin 9058
www.dunedin.govt.nz

RESOURCE CONSENT FOR VERANDA AT 39 OATES
ST - AFFECTED PARTY APPROVAL



ENLARGED SITE PLAN



20

June 36
143
2nd July 1936

for Wm. Blount
14.7.36

Subdivision of
Part of Allotment 21
TOWNSHIP OF SUNNYSIDE

Scale ~ 50 links to an inch

Copy of P.W.D. 92 459

[Extract from N.Z. Gazette No. 43, 2nd July, 1936.]
Page 1257.

The South-eastern Side of Portion of Oates Street, in the City of Dunedin, exempted from the Provisions of Section 128 of the Public Works Act, 1928, subject to a Condition as to the Building-Line.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 24th day of June, 1936.

Present:

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, and of all other powers in any-wise enabling him in this behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the following resolution passed by the Dunedin City Council on the twenty-fifth day of May, one thousand nine hundred and thirty-six, viz.:—

"That the Dunedin City Council, being the local authority having control of the streets in the City of Dunedin, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to portion of the south-eastern side of Oates Street, in the said City of Dunedin, where such portion of street abuts on part of Allotment 21, Township of Sunnyside, as the said portion of street is more particularly shown on the plan annexed hereto and is thereon coloured brown and edged with red to its centre-line";

subject to the condition that no building or part of a building shall at any time be erected on the land fronting the south-eastern side of the portion of Oates Street (described in the Schedule hereto) within a distance of thirty-three feet from the centre-line of the said portion of street.

SCHEDULE.

THE south-eastern side of all that portion of street, situated in the Otago Land District, City of Dunedin, known as Oates Street, fronting part Allotment 21, Township of Sunnyside. As the same is more particularly delineated on the plan marked P.W.D. 92459, deposited in the office of the Minister of Public Works at Wellington, and thereon edged red.

G. A. JEFFERY,
Clerk of the Executive Council.

(P.W. 51/1415.)

266/no. m

43818

Order in Council

Particulars entered in the Register-book.

Vol. 266, pt. 220

the 6th day of July 1936

at 10 o'clock

W. H. Harrison
Deputy Land Registrar.

ⓔ

66

Noted on - Deeds Plan D.

4381

Not notified
11-7-36

7 7 36
B. H.

1 12 12 12
1 15 15 15
1 19 19 19
1 20 20 20
1 21 21 21

OATES STREET

6.10 BOUNDARY

12.87 BOUNDARY

29.37 BOUNDARY

15.51 BOUNDARY

5.03 BOUNDARY

2.86

2.85

2.17

2.70

17.10 BOUNDARY

19.82

11.47 BOUNDARY

DWELLING

9.04

PORCH

3.49

38.70 BOUNDARY



**D.G. HATFIELD
& ASSOCIATES**

SURVEYING & RESOURCE MANAGEMENT
DUNEDIN MOSGIEL BALCLUTHA

SITE PLAN
39 OATES STREET

No	AMENDMENTS			Initials	Date	ORIG. SCALE	JOB No.
						1:100	5899
						DATUM	PLAN No.
SURVEY	RAD	19.5.94	DRAWN	RAD	20.5.94		5899/1
LEVEL			TRACED				
DESIGN			CHECKED			L.B.	