



# APPLICATION FORM FOR A RESOURCE CONSENT

PLEASE FILL IN ALL THE FIELDS

## Application details

I/We

(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

I opt out of the fast-track consent process: ☐ Yes ☐ No

(only applies to controlled activities under the district plan, where an electronic address for service is provided)

Brief description of the proposed activity:

Have you applied for a Building Consent? ☐ Yes, Building Consent Number ABA  ☐ No

## Site location/description

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

Street address of site:

Legal description:

Certificate of Title:

## Contact details

Name:  ( ☐ applicant ☒ agent (tick one))

Address:

Postcode:

Phone (daytime):

Email:

**Chosen contact method** (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service (tick one): ☒ Email ☐ Post ☐ Other:

## Ownership of the site

Who is the current owner of the site?

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

Address:

Postcode:

Phone (daytime):

Email:



## Planning Application Fees Payment Details (Who are we invoicing)

**THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.**

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email [planning@dcc.govt.nz](mailto:planning@dcc.govt.nz)

### Deposit Payment Payee Details:

Full Name of Deposit Payee (Person or Company): Paul Napier

Mailing Address of Deposit Payee (please provide PO Box number where available):

7 Rowland Street, Osborne, 9081

Email Address of Deposit Payee:

Daytime contact phone number:

**Important Note:** *The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.*

### Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. A current fees schedule is available on [www.dunedin.govt.nz](http://www.dunedin.govt.nz) or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

### Development contributions

Your application may also be required to pay development contributions under the Council's Development Contributions Policy. For more information please ring 477 4000 and ask to speak to the Development Contributions Officer, or email [development.contributions@dcc.govt.nz](mailto:development.contributions@dcc.govt.nz).

### Occupation of the site

Please list the full name and address of each occupier of the site:

Paul Napier

### Monitoring of your Resource Consent

To assist with setting a date for monitoring, please estimate the date of completion of the work for which Resource Consent is required. Your Resource Consent may be monitored for compliance with any conditions at the completion of the work. (If you do not specify an estimated time for completion, your Resource Consent, if granted, may be monitored three years from the decision date).

(month and year)

Monitoring is an additional cost over and above consent processing. You may be charged at the time of the consent being issued or at the time monitoring occurs. Please refer to City Planning's Schedule of Fees for the current monitoring fee.

### Detailed description of proposed activity

Please describe the proposed activity for the site, giving as much detail as possible. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide proposed site plans and elevations.

See attached report.

### Description of site and existing activity

Please describe the existing site, its size, location, orientation and slope. Describe the current usage and type of activity being carried out on the site. Where relevant, discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also provide plans of the existing site and buildings. Photographs may help.

See attached report.

*(Attach separate sheets if necessary)*

### District plan zoning

What is the District Plan zoning of the site? Township and settlement

Are there any overlaying District Plan requirements that apply to the site e.g. in a Landscape Management Area, in a Townscape or Heritage Precinct, Scheduled Buildings on-site etc? If unsure, please check with City Planning staff.

Archaeological alert mapped layer  
No DCC Reticulated Wastewater Mapped Area

### Breaches of district plan rules

Please detail the rules that will be breached by the proposed activity on the site (if any). Also detail the degree of those breaches. In most circumstances, the only rules you need to consider are the rules from the zone in which your proposal is located. However, you need to remember to consider not just the Zone rules but also the Special Provisions rules that apply to the activity. If unsure, please check with City Planning staff or the Council website.

See attached report.

### 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:

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](http://www.mfe.govt.nz). Schedule 4 of the Resource Management Act 1991(RMA) provides some guidance as to what to include.

See attached report.

The following additional Resource Consents from the Otago Regional Council are required and have been applied for: ☐ Yes ☐ No  
☐ Water Permit ☐ Discharge Permit ☐ Coastal Permit ☐ Land Use Consent for certain uses of lake beds and rivers ☐ Not applicable

### Assessment of Objectives and Policies

In this Section you need to consider and assess how your application proposal aligns with the relevant objectives and policies in the District Plan relating to your activity. If your proposal is a discretionary or non-complying activity under the District Plan more attention to the assessment will be necessary as the objectives and policies of the District Plan may not always be in support of the proposed activity.

See attached report.

### 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 (tick one):

*LK Hayes*

Date: 02/02/2023

## 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 Māori or disclosing location of waahi tapu

## What happens when further information is required?

If an application is not in the required form, or does not include adequate information, the Council may reject the application, pursuant to section 88 of the RMA. In addition (section 92 RMA) the Council can request further information from an applicant at any stage through the process where it may help to a better understanding of the nature of the activity, the effects it may have on the environment, or the ways in which adverse effects may be mitigated. The more complete the information provided with the application, the less costly and more quickly a decision will be reached.

## Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

## City Planning Staff can be contacted as follows:

**IN WRITING:** Dunedin City Council, PO Box 5045, Dunedin 9054

**IN PERSON:** Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

**BY PHONE:** (03) 477 4000

**BY EMAIL:** [planning@dcc.govt.nz](mailto:planning@dcc.govt.nz)

There is also information on our website at [www.dunedin.govt.nz](http://www.dunedin.govt.nz)

## Information requirements

- ☒ Completed and Signed Application Form
- ☒ Description of Activity and Assessment of Effects
- ☒ Site Plan, Floor Plan and Elevations (where relevant)
- ☐ Written Approvals
- ☒ Payee details
- ☐ Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))
- ☒ Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)
- ☐ Forms and plans and any other relevant documentation signed and dated by Affected Persons

In addition, subdivision applications also need the following information:

- ☐ Number of existing lots
- ☐ Number of proposed lots
- ☐ Total area of subdivision
- ☐ The position of all new boundaries

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information. A full list of the information required for resource consent applications is in the Information Requirements Section of the District Plan.

## OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? ☐ Yes ☐ No

Application: ☐ Received ☐ Rejected

Received by: ☐ Counter ☐ Post ☐ Courier ☐ Other:

Comments:

*(Include reasons for rejection and/or notes to handling officer)*

Planning Officer:

Date:

## **APPLICATION FOR RESOURCE CONSENT – EARTHWORKS**

Earthworks consent is being sought for the earthworks being undertaken at 12 Annie Street, Osborne and the adjoining Bradley Road and Annie Street legal road reserve. This is a retrospective application done on behalf of the land owner to gain consent for the work that has already been undertaken and allow them to complete the site works.

The earthworks have been undertaken in order to construct a more usable road access along Annie Street for the benefit of both the applicant (12 Annie Street) and their neighbours (13 – 17 Annie Street).

The existing access to properties on Annie Street and Bradley Road was via a metal access that curved through the eastern corner of 12 Annie Street to 17 Annie Street and then a switchback along Annie Street within the road reserve to 13 Annie Street.

The existing access is believed to have been constructed sometime in the 1970s when 13 or 15 Annie Street was first built on. Seemingly the existing access was constructed to follow the topography and minimise earthworks. As a result, the access has been constructed largely on the applicant's private land, 13 Annie Street.

The applicant has constructed a second access that is closer to being within the road reserve, so that they can close a portion of the existing access on their private property. This new access is still mostly within their private property as it leads south. To construct access entirely within the legal road reserve would require significant vegetation removal, earthworks and engineering thus was not considered possible.

TL Survey Services became aware of the earthworks when they were approached by the applicant to help complete resource consent aspects required by the Dunedin City Council.

Earthworks consent is required due to the earthworks breaching the small scale thresholds listed in tables 8A.5.1.4 and 8A.5.1.5 under the 2GP in relation to maximum area for earthworks and maximum volume of combined cut and fill for the site which is zoned a Significant Natural Landscape – Purakanui and Orokonui. The earthworks completed is assessed as a restricted discretionary activity under the 2GP.

**Prepared by: TL Survey Services Ltd**

**Applicant: Paul Napier**

**Address for Service: TL Survey Services Ltd  
PO Box 901  
DUNEDIN**

## **APPLICATION DETAILS**

Current Registered Owners: Paul Napier

Current Legal Description: Lot 1 DP 397319

Certificate of Title reference: RT 388398 (copy attached).

Locality: The site is located at 12 Annie Street, Osborne, Dunedin and the adjoining Annie Street and Bradley Road reserve intersection.

Zone: The land is zoned Township and Settlement under the 2GP. Archaeological Alert Layer Mapped Area. Landscape Overlay Zone Purakanui and Orokonui SNL

## **DESCRIPTION OF EARTHWORKS ACTIVITY**

Earthworks consent is required for the earthworks associated with the construction of the new access road cut into the existing surroundings, see attached plans 01- 03.

Approximately 70m<sup>3</sup> of crushed concrete fill sourced from Hall Brothers has been used to form the access from the northern end to past the existing concrete driveway serving 17 Bradley Road and most of the new access. This crushed concrete is 300mm deep and intended to be a base layer that will be compacted further and then have a layer of AP20 compacted on top.

Metal was also sourced from Palmers for the portion of the new access that joins with the existing access as it runs south, referred to as the ramp by the applicant.

The existing stormwater runoff is managed by an open drain running along the western side of the existing access until it reached the existing culvert and then under the new access via a new 250dia culvert to the existing watercourse.

The new access stormwater runoff is being managed by means of an informal drain that directs it around the toe of the cut and then under the new access via a new 250dia culvert to the existing watercourse.

The site is partially included in the archaeological alert layer mapped area in the 2GP District Plan maps, however there are no scheduled archaeological sites in the area of works.

Further landscaping works are planned by the applicant. The applicant intends to place large rocks downhill of the southern portion of the new access near 13 Bradley Road.

The applicant intends to complete a retaining wall along the western side of the new access at the southern end where the largest cut has been made exceeding the permitted 1h:1v ratio. The applicant has been advised by TL Survey that building consent would be required for the new retaining wall and to seek design from a qualified engineer.

There is a telecom dome located between the existing access to be closed and new access, see Sheet 01 Site Plan attached, that the applicant intends to have removed so that the batter and the ramp widened. The applicant will confirm with Spark whether this will be possible.

The applicant intends to divert the open drain beside the existing access at his road frontage boundary to the new 250dia culvert.

### **CONSTRUCTION METHODOLOGY**

The earthworks were undertaken before TL Survey Services Ltd became aware of the work.

Construction began in October 2021.

#### Earthworks Details:

- |                                             |                                   |
|---------------------------------------------|-----------------------------------|
| • Approximate area excavation covers:       | 374m <sup>2</sup>                 |
| • Estimated maximum depth of excavation:    | 1.3m                              |
| • Approximate volume of material excavated: | 134m <sup>3</sup>                 |
| • Where surplus material was excavated to:  | Applicant's property              |
| • Maximum slope of cut batters:             | 0.7h:1v                           |
| • Hard fill was sourced from:               | Hall Brothers and Palmers         |
| • Hard fill material:                       | Crushed concrete and metal        |
| • Estimated maximum depth of hard fill:     | 0.3m                              |
| • Volume of hard fill placed on site:       | 70m <sup>3</sup> crushed concrete |

Due to the construction occurring before TL Survey Services became aware of the project the extent of construction has had to be estimated. A topographical survey was undertaken on 5 October 2022 to measure the surface levels of the construction that had occurred. TL Survey Services have estimated the original ground level based on the terrain outside the construction area. Two surface models have been used to calculate the extent of the work (see attached plans 01 - 03).

### **AFFECTED PERSONS**

There are multiple parties affected as they used the existing track for vehicular access to their residential properties:

- 21 Bradley Road
- 19/19A Bradley Road
- 17 Bradley Road
- 13 Annie Street
- 15/17 Annie Street

No formal consultation was undertaken.

### **EFFECTS ON THE ENVIRONMENT**

The earthworks involved shaping of the land in order to construct more convenient access for all parties.

The earthworks have already been undertaken so we are unsure of how they were managed to mitigate such things as noise, vibration, stormwater runoff and dust.

The immediate surrounding area is made up of residential properties between dense native vegetation.

The track constructed is intended for the use of all the surrounding residential properties, including the applicant.

The southern portion of the new access has been constructed to avoid the removal of any native vegetation.

There are no known archaeological sites in this area.

### **ATTACHED DOCUMENTS**

These documents are:

- Application Form for a Resource Consent
- Earthworks Resource Consent Checklist
- Copy of the Certificate of Title
- Site photos
- 01                Site Plan
- 02                Plan of cut volumes
- 03                Sections

Application prepared by:

Lena Hayes  
BSurv  
Licensed Cadastral Surveyor, TL Survey Services Ltd

Caution: Aerial Imagery has significant spatial distortion of elevated features and should not be scaled - use as an approximate visual guide only.

Legend:

- Existing access to be retained
- Existing access to be closed
- New access constructed

DO NOT SCALE - IF IN DOUBT, ASK

100  
90  
80  
70  
60  
50  
40  
30  
20  
10  
0

ORIGINAL SIZE A3



Attribution:  
Boundary Layer:  
Sourced from LINZ Data Service  
<https://data.linz.govt.nz/layer/50772-nz-primary-parcels/> and licensed by  
LINZ for re-use under the Creative Commons Attribution 4.0 International  
Licence

Background Aerial Image:  
Sourced from LINZ Data Service  
<https://data.linz.govt.nz/layer/52118-dunedin-010m-urban-aerial-photos-2018-2019/>  
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International Licence

File Ref:

Prepared For:

Paul Napier

| No. | Amendments | Drawn | Date |
|-----|------------|-------|------|
|     |            |       |      |
|     |            |       |      |
|     |            |       |      |
|     |            |       |      |
|     |            |       |      |

12 Annie Street  
Osborne, DUNEDIN

Site Plan  
Retrospective Earthworks Consent

|                       |                 |
|-----------------------|-----------------|
| Project No.:<br>22138 | Surveyed:<br>LH |
| Scale:<br>1:350 @ A3  | Designed:<br>-  |
| Date:<br>Oct 2022     | Drawn:<br>LH    |
| Sheet:<br>01          | Checked:<br>MG  |



Surveying  
Consultants

TL Survey Services Limited

P.O. Box 901 DUNEDIN  
Phone (03) 477 1133

Existing driveway  
to #12

Lot 1  
DP 363203  
#21

Part Lot 9  
Block IV  
Deeds 149  
#19

Part Lot 9  
Block IV  
Deeds 149  
#17

Existing concrete  
driveway  
to #17

Section A -A'

Existing culvert

New culvert

Section B - B'

Existing acces  
to #13

Lot 1 DP 397319  
#12

Existing acces  
to #15

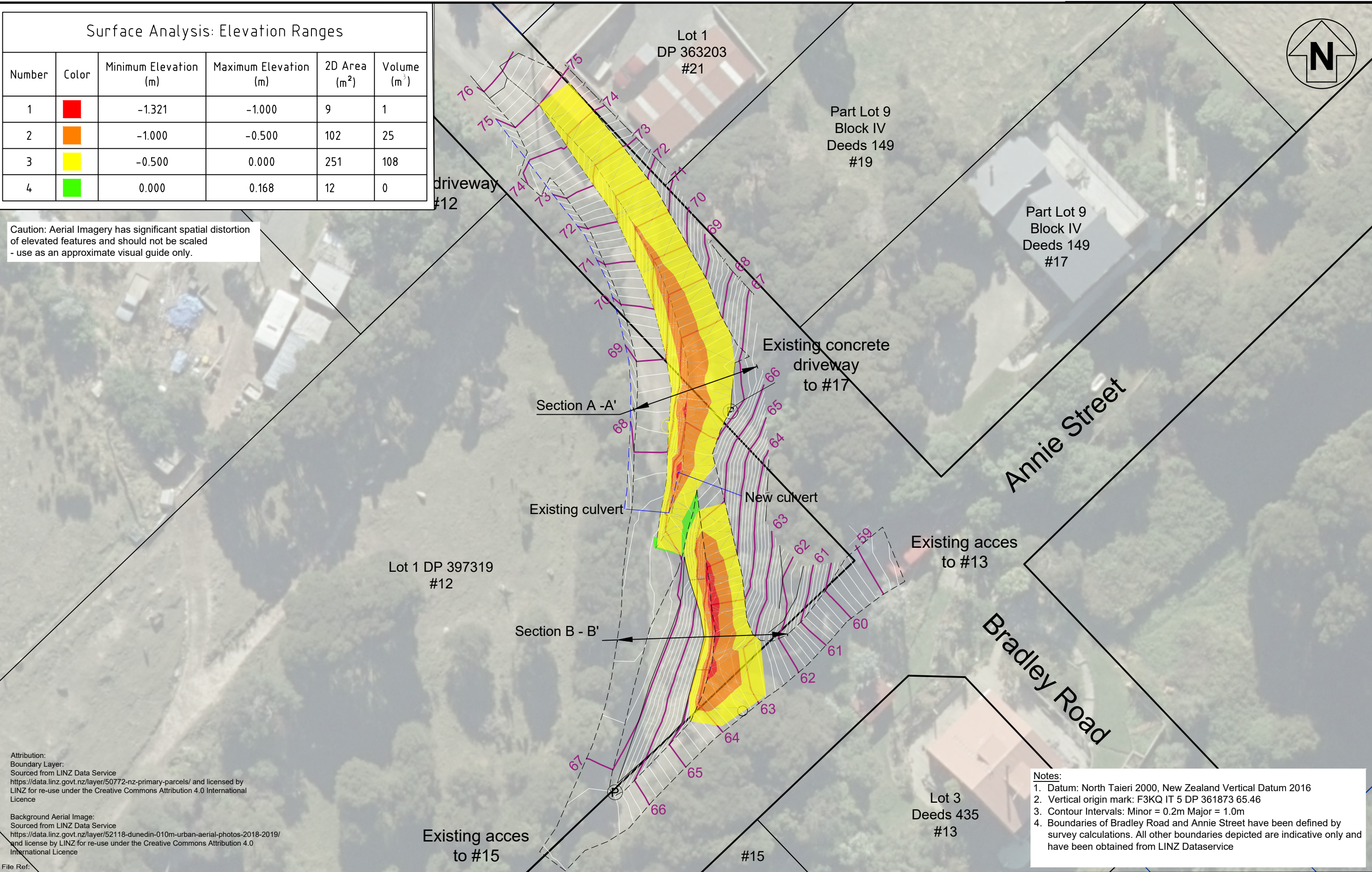
Lot 3  
Deeds 435  
#13

#15

- Notes:
1. Datum: North Taieri 2000, New Zealand Vertical Datum 2016
  2. Vertical origin mark: F3KQ IT 5 DP 361873 65.46
  3. Contour Intervals: Minor = 0.2m Major = 1.0m
  4. Boundaries of Bradley Road and Annie Street have been defined by survey calculations. All other boundaries depicted are indicative only and have been obtained from LINZ Dataservice

| Surface Analysis: Elevation Ranges |        |                       |                       |                           |                          |
|------------------------------------|--------|-----------------------|-----------------------|---------------------------|--------------------------|
| Number                             | Color  | Minimum Elevation (m) | Maximum Elevation (m) | 2D Area (m <sup>2</sup> ) | Volume (m <sup>3</sup> ) |
| 1                                  | Red    | -1.321                | -1.000                | 9                         | 1                        |
| 2                                  | Orange | -1.000                | -0.500                | 102                       | 25                       |
| 3                                  | Yellow | -0.500                | 0.000                 | 251                       | 108                      |
| 4                                  | Green  | 0.000                 | 0.168                 | 12                        | 0                        |

Caution: Aerial Imagery has significant spatial distortion of elevated features and should not be scaled  
- use as an approximate visual guide only.



Attribution:  
Boundary Layer:  
Sourced from LINZ Data Service  
<https://data.linz.govt.nz/layer/50772-nz-primary-parcels/> and licensed by LINZ for re-use under the Creative Commons Attribution 4.0 International Licence

Background Aerial Image:  
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Prepared For:

Paul Napier

| No. | Amendments | Drawn | Date |
|-----|------------|-------|------|
|     |            |       |      |
|     |            |       |      |
|     |            |       |      |
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|     |            |       |      |

12 Annie Street  
Osborne, DUNEDIN

Cut Volumes  
Retrospective Earthworks Consent

|                       |                 |
|-----------------------|-----------------|
| Project No.:<br>22138 | Surveyed:<br>LH |
| Scale:<br>1:350 @ A3  | Designed:<br>-  |
| Date:<br>Oct 2022     | Drawn:<br>LH    |
| Sheet:<br>02          | Checked:<br>MG  |



Surveying Consultants

TL Survey Services Limited

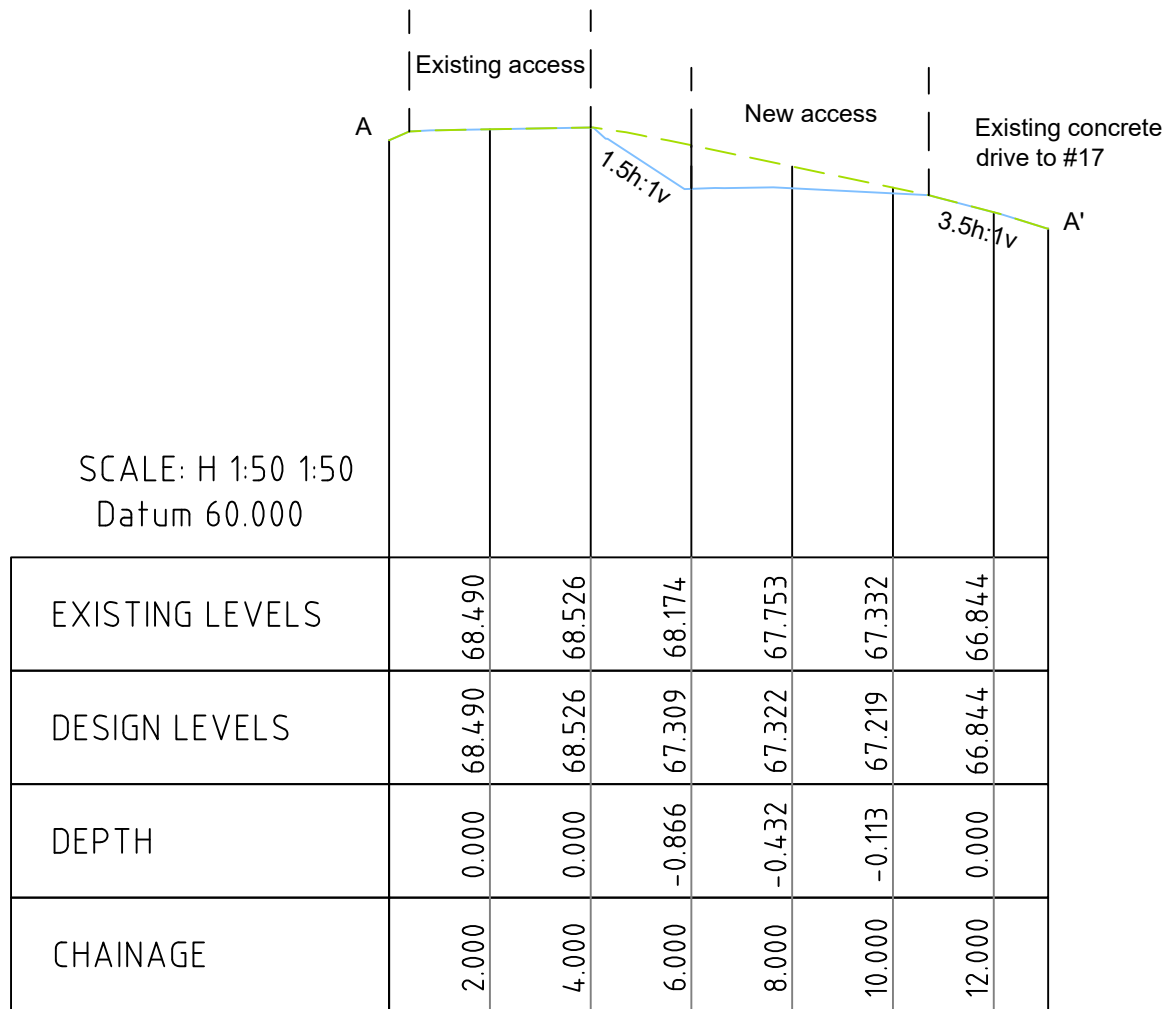
P.O. Box 901 DUNEDIN  
Phone (03) 477 1133



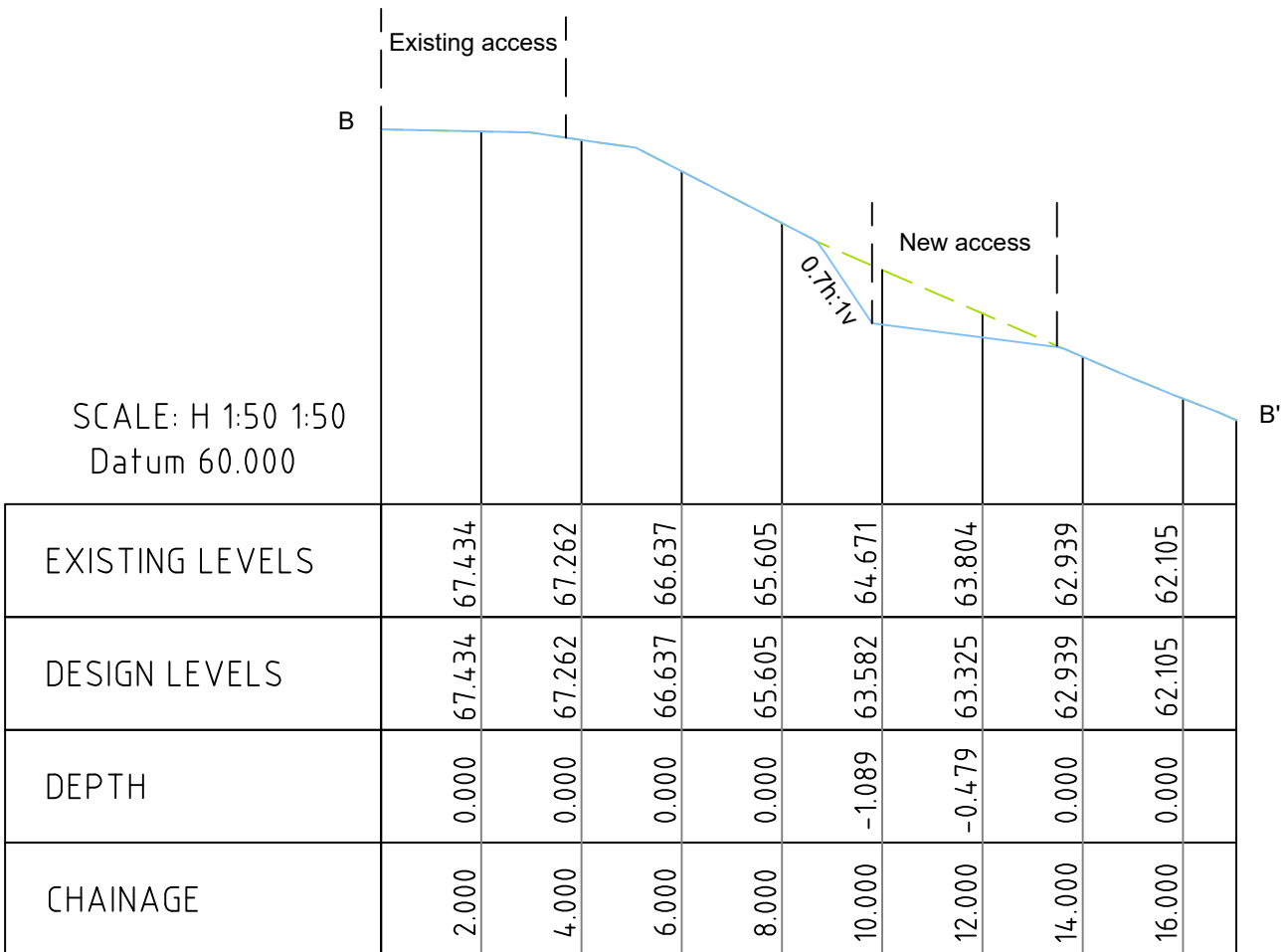
DO NOT SCALE - IF IN DOUBT, ASK

100  
90  
80  
70  
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30  
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ORIGINAL SIZE A3



A - A' LONG SECTION



B - B' LONG SECTION

File Ref:

Prepared For:

Paul Napier

| No. | Amendments | Drawn | Date |
|-----|------------|-------|------|
|     |            |       |      |
|     |            |       |      |
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12 Annie Street  
Osborne, DUNEDIN

Section Views  
Retrospective Earthworks Consent

|                       |                 |
|-----------------------|-----------------|
| Project No.:<br>22138 | Surveyed:<br>LH |
| Scale:<br>1:350 @ A3  | Designed:<br>-  |
| Date:<br>Oct 2022     | Drawn:<br>LH    |
| Sheet:<br>03          | Checked:<br>MG  |

 **Surveying Consultants**

TL Survey Services Limited

P.O. Box 901 DUNEDIN  
Phone (03) 477 1133

Show Historical View

GRIP TITLE INFORMATION  
PREVIEW  
Freehold



**Identifier** 388398  
**Land Registration District** Otago  
**Date Issued** 28 January 2008

**Prior References**  
[268343](#) [232967](#)

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**Estate** Fee Simple  
**Area:** 4047 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 397319

**Registered Owners**  
Paul James Napier

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**Interests**  
7694857.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 29.1.2008 at 9:00 am  
8468999.6 Mortgage to ANZ Bank New Zealand Limited - 3.2.2017 at 3:52 pm

*Disclaimer: This preview provides an indication of the likely content of Record of Title 388398, it is not a substitute for an authoritative Record of Title. For an authoritative Record of Title of 388398 please contact Land Information New Zealand. This content of this preview has been generated using data sourced from LINZ Data Service on 27/01/2023*





















## EARTHWORKS RESOURCE CONSENT CHECKLIST

Applicant's Name: Paul Napier

Site Address: 12 Annie Street, Osbourne

This check list has been produced to assist you in the preparation and lodgement of your earthworks resource consent application. The provision of correct and accurate information will enable the effective processing of your application and will ensure that delays are kept to a minimum.

Tick each box that is relevant as you compile the information. If it is not relevant, please write NA across the box.

Please consult our front counter staff for additional guidance if you are not sure what is relevant to your resource consent application.

| Customer Use                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Office Use Only          |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <b>Application Form:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Completed, signed and dated application form;</li> <li><input type="checkbox"/> Full description of the proposal.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <b>Certificate of Title:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Copy of current Certificate of Title (max 3 months old) from Land Information New Zealand or Copy of Sale and Purchase Agreement where Certificate of Title not yet issued;</li> <li><input type="checkbox"/> Copy of any relevant restrictions on the Certificate of Title (such as consent notices, covenants, encumbrances, building line restrictions).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> |
| <input type="checkbox"/>            | <b>Application Fee/Deposit:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Fees payable as per the Planning Fees and Charges for the current financial year. Cash, cheque or EFTPOS only; no Credit Cards accepted.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <b>Description of Earthworks Activity including (where relevant):</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Description of earlier earthworks that have been carried out on-site within the previous 2 year period (detailing the volume of earthworks, change in ground level and purpose of the earthworks);</li> <li><input type="checkbox"/> Description of the proposed earthworks, the intended methodology and what the proposed earthworks are for;</li> <li><input type="checkbox"/> Name of designer/engineer used to design the proposed earthworks and comment on whether they will supervise the work;</li> <li><input type="checkbox"/> Name of contractor to be used to carry out the earthworks;</li> <li><input type="checkbox"/> Length of time to complete earthworks (start date and finish date) and length of time to carry out any rehabilitation measures;</li> <li><input type="checkbox"/> Statement as to whether building consent has already been obtained, is being sought or will be sought in addition to resource consent;</li> <li><input type="checkbox"/> Answers to the following questions: <ul style="list-style-type: none"> <li>- What area does excavation cover?</li> <li>- What will be the maximum depth of the excavation?</li> <li>- What volume of soil is to be excavated?</li> <li>- Where is surplus excavated soil and rock to be disposed?</li> <li>- What is the maximum slope of cut batters?</li> <li>- Where will hard fill be sourced from?</li> <li>- What is the area to be hard filled?</li> <li>- What will the maximum depth of fill be?</li> <li>- What volume of hard fill is to be placed on site?</li> <li>- What is the maximum slope of fill batters?</li> <li>- Whether engineered fill is to be placed in accordance with New Zealand Standard NZS 4431:1989 <i>Code of practice for earth fill for residential development</i>;</li> </ul> </li> <li><input type="checkbox"/> What measures will be used to avoid effects on neighbours (such as not removing support next to the boundary and avoiding filling against fences and hedges)?</li> <li><input type="checkbox"/> Will the work interfere with any watercourse? If so, in what way?</li> <li><input type="checkbox"/> How will dust, mud and falling rubble be controlled whilst the work is being carried out?</li> <li><input type="checkbox"/> How will noise be controlled while the work is being carried out?</li> <li><input type="checkbox"/> How will stormwater and general runoff be controlled, whilst the work is being carried out and once the work has been completed?</li> <li><input type="checkbox"/> How are the excavated cut slopes and fill embankments to be stabilised following the earthworks?</li> <li><input type="checkbox"/> Location of vehicle access for transport of material and estimated type and number of vehicle movements.</li> </ul> | <input type="checkbox"/> |

**Assessment of Environmental Effects including (where relevant): [also see the separate guide and related District Plan provisions]**

Earthworks that require resource consent are normally controlled or restricted discretionary activities. This means that the Council's control or discretion is restricted to certain matters only, depending on what rules are breached. The assessment of effects only needs to consider the relevant matters.

- Earthworks not complying with Minimum Setback Distances of Cuts from Property Boundaries and of Earthworks from Existing Building Foundations and Cliff Tops or Toes (Rule 17.7.3(i))
  - Design and engineering of retaining structures and earthworks;
  - Effects on the stability of land and buildings;
  - Effects on the surface flow of water and on flood risk;
  - Effects on underground utilities.
- Earthworks not complying with Minimum Setback Distances of Fill from Property Boundaries (Rule 17.7.3(ii))
  - Adverse effects on the amenity of neighbouring properties;

For earthworks that were not granted an earthworks permit prior to 1 July 2010 and that do not form part of a project that was granted building consent on or after 1 July 2010, also need to assess:

  - Design and engineering of retaining structures and earthworks;
  - Effects on the stability of land and buildings;
  - Effects on the surface flow of water and on flood risk;
  - Effects on underground utilities.
- Earthworks not complying with Scale Thresholds in Rule 17.7.3(i) but complying with conditions in Rule 17.7.4(iii)
  - Need to provide a copy of any granted archaeological authority, any required archaeological assessment and the results of consultation with tangata whenua. Also need to cover:
  - Effects from noise, dust and vibration;
  - Effects on any archaeological or cultural site;
  - Effects from the release of sediment beyond site boundaries, including transport of sediment by stormwater systems;
  - Visual effects.

For earthworks that were not granted an earthworks permit prior to 1 July 2010 and that do not form part of a project that was granted building consent on or after 1 July 2010, you also need to assess:

  - Design and engineering of retaining structures and earthworks;
  - Effects on the stability of land and buildings;
  - Effects on the surface flow of water and on flood risk;
  - Effects on underground utilities.
- Earthworks not complying with Scale Thresholds in Rule 17.7.3(i) **nor** complying with conditions in Rule 17.7.4(iii)
  - Adverse effects on the amenity of neighbouring properties;
  - Effects on visual amenity and landscape;
  - Effects on any archaeological site and/or any cultural site;
  - Effects on the transportation network, caused by the transport of excavated material or fill;
  - Effects from the release of sediment beyond site boundaries, including transport of sediment by stormwater systems;
  - Cumulative effects relating to any of these matters.

For earthworks that were not granted an earthworks permit prior to 1 July 2010 and that do not form part of a project that was granted building consent on or after 1 July 2010, you also need to assess:

  - Design and engineering of retaining structures and earthworks;
  - Effects on the stability of land and buildings;
  - Effects on the surface flow of water and on flood risk;
  - Effects on underground utilities.
- Earthworks close to Natural Surface Water Bodies and Mean High Water Springs (Rule 17.7.3(iii))
  - Sedimentation of the nearby surface water body/bodies or coastal water;
  - Inundation or erosion of land caused by the alteration of the direction, rate or depth of flow of the nearby surface water body/bodies.
- Earthworks within Groundwater Protection Zones (Rule 17.7.3(iv))
  - The nature and extent of the proposed work and the degree to which it may disturb the protective mantle over the Groundwater Protection Zone as identified on District Plan maps;
  - The extent to which the proposed works may increase the risk of groundwater contamination.
- Earthworks close to Water and Waste Infrastructure (Rule 17.7.3(v))
  - Effects on the integrity of water, stormwater and/or foul sewer reticulation.
- Earthworks close to High Voltage Transmission Lines and Support Structures (Rule 17.7.3(vi))
  - Any effects on the integrity of the transmission line;
  - Volume, area and location of the works, including temporary activities such as stockpiles;
  - Timing of the works;
  - Site remediation;
  - The use of mobile machinery near the transmission line which may put the line at risk;

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                          |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                     | <ul style="list-style-type: none"> <li>- Compliance with the NZ Electrical Code of Practice for Electrical Safe Distances 34:2001.</li> <li>□ Earthworks within Conservation Areas (Rule 16.5.5(iii) and Rule 16.6.2(ii)) <ul style="list-style-type: none"> <li>- The cumulative effect of the incremental loss or modification of areas of indigenous vegetation and habitats of indigenous fauna;</li> <li>- The necessity of the proposed activity for the purpose of maintaining or enhancing the conservation values of the area;</li> <li>- The sensitivity of the area of significant conservation value to the actual and potential adverse effects of the proposed activity in terms of the likelihood of, and projected time frame for, complete recovery from any such effects.</li> </ul> </li> <li>□ Earthworks involving High Class Soils (Rule 6.5.3(viii)) <ul style="list-style-type: none"> <li>- Extent to which high class soils will be taken out of production.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                          |
| <input checked="" type="checkbox"/> | <b>Locality Plan or Aerial Photograph:</b> <ul style="list-style-type: none"> <li>□ Showing the physical location of the subject site.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <b>Site Plan showing (where relevant):</b> <ul style="list-style-type: none"> <li>□ Certificate of Title boundary lines and dimensions;</li> <li>□ Foundations of any existing or proposed buildings;</li> <li>□ Existing ground contours/levels and proposed ground contours/levels;</li> <li>□ Top or toe of any cliff (i.e. existing slope with an average gradient of over 63° or 1 to 2 horizontal to vertical ratio);</li> <li>□ Extent of cut and extent of fill (including location of toes and crests, and depth and volume) and including specification of distance of work from site boundaries;</li> <li>□ Extent of engineered fill to be placed in accordance with New Zealand Standard NZS 4431:1989 <i>Code of practice for earth fill for residential development</i>;</li> <li>□ Known geological features (including any areas of instability);</li> <li>□ Depth to bedrock;</li> <li>□ Areas of known site contamination;</li> <li>□ All existing and proposed retaining walls, indication of whether they support fill or a cut, and wall heights;</li> <li>□ Existing and proposed fencing, including fence type and height (especially in Residential zones);</li> <li>□ All underground services (both public and private) including any effluent disposal systems;</li> <li>□ Proposed field drains;</li> <li>□ Proposed sediment and erosion control features;</li> <li>□ All surface water courses, including catchment orientation and secondary flow paths;</li> <li>□ On-site catchment boundaries and offsite sources of runoff;</li> <li>□ Mean High Water Springs mark where next to coast;</li> <li>□ Groundwater Protection Zone location as shown on the District Plan Maps;</li> <li>□ Areas of existing vegetation to be retained and areas of proposed vegetation to be planted;</li> <li>□ Protected trees (including the canopy spread) on the site or adjoining sites;</li> <li>□ Any areas of indigenous vegetation and fauna defined by the District Plan within the Rural and Rural-Residential zones;</li> <li>□ Archaeological sites.</li> </ul> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <b>Typical Elevations/Cross Sections through the site showing (where relevant):</b> <ul style="list-style-type: none"> <li>□ Certificate of Title boundary lines;</li> <li>□ Existing buildings and retaining walls;</li> <li>□ Extent of proposed earthworks, showing areas of cut and fill (including depth and volume), slopes of cut and fill batters, and existing and proposed ground profiles;</li> <li>□ New retaining walls;</li> <li>□ Existing and proposed fences (particularly for Residential zones);</li> <li>□ Areas of existing vegetation to be retained and areas of proposed vegetation to be planted;</li> <li>□ Physical details of retaining walls, back fill and foundations.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> |
| <input type="checkbox"/>            | <b>Written Approvals:</b> <ul style="list-style-type: none"> <li>□ "Affected Person(s) Consent Form" completed;</li> <li>□ Site plan, and any other relevant documentation, signed and dated by affected person(s).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> |

**This is a preliminary checklist only. It is general in nature and does not cover all possible information requirements, nor is all of the information relevant to all types of application.**

**Please check with a planner at the Council if you are unsure of the information requirements for your particular application.**

**Please also note that the detailed technical review of your application once lodged may reveal the need for you to supply further information, in which case you will be advised as soon as possible.**

Paul Napier  
7 Rowland Street  
Osborne, Dunedin

## Geotechnical Assessment of Recent Earthworks 12 Annie Street, Osborne, Dunedin

Dear Paul,

### Introduction

In accordance with our Agreement dated 30 September 2024 we have undertaken a geotechnical assessment of the earthworks that have been carried out recently at the above property. Our investigation has comprised a visual site inspection and desktop review of existing information.

We understand that an informal accessway has been in place for several decades which passes over the eastern side of 12 Annie Street for access to three residential properties at 13, 15 and 17 Annie Street. Around January 2021, earthworks were carried out on the subject property to create a new accessway east and downslope of the existing one, which resulted in some unretained steep slopes. Following this, an application for resource consent to carry out the earthworks was placed with DCC approximately two years ago. DCC then issued a Request for Further Information (RFI) dated 8 February 2023 which includes a request for a geotechnical assessment of the earthworks carried out on 12 Annie Street, specifically to ascertain whether any stability issues have been created or exacerbated by the completed earthworks.

### Site Observations

The recent earthworks have created a track approximately 3 m in width located roughly 1-4 m east of the existing track. The track appears to have been formed primarily through a cut-to-waste method, with the excavated soils disposed of elsewhere on site. The cuts are primarily less than 1.3 m in depth, with a maximum depth of approximately 1.7 m. Batters have been formed at an average gradient of approximately 60°.

The stratigraphy apparent in the cuts typically consists of firm to stiff **uncontrolled fill** (grey and brown clayey SILT with minor gravel and trace cobbles), underlain by very stiff **colluvium** (clayey SILT with trace gravel and cobbles). Both soil types are of low plasticity and were observed to be moist in condition. The recent cuts have been formed in both colluvium and uncontrolled fill soils.

Some side-cast fill was noted on the downslope side of the new track. This fill appears to overlie older existing uncontrolled fill blanketing the relatively steep slope. Pre-earthworks

LiDAR data suggests the slope was approximately 25° in this area, while now the slope averages 28-30°, with local maximum gradients of 35° across from the recent landslide discussed below. Based on this geometry, the depth of this fill (or fill + recent landslide debris) at its deepest point is approximately 0.5 m, averaging 0.3 m deep. Notably, the fill appears to have remained in place despite the recent storm event.

A landslide has occurred near the highest point of the cut slope, resulting in inundation onto the new track. The landslide debris has been mostly removed, though there is some residual material on the downslope shoulder of the track, which has created locally steeper track margins across from the landslide. The landslide measures approximately 5.5 m in width and is up to approximately 4 m in height. From our discussions on site, we understand the landslide occurred during the large storm event which recently affected Dunedin on 3-4 October 2024.

### Discussion and Recommendations

The landslide has occurred as a result of soil saturation caused by runoff from the upslope catchment area. Soil instability would have been exacerbated by the steep gradient of the earthworks cut in this area, and the existing steep gradient of the historical uncontrolled fill.

To promote long-term slope stability, we recommend the entire cut slope on the subject property from just past the first flax bush at its southern extents adjacent to Annie Street road reserve to the northern margin of the site adjacent Bradley Road is regraded to a more stable batter. **Very stiff colluvium should be re-formed to a maximum gradient of 1.5:1 (horizontal to vertical), while the overlying uncontrolled fill should be reformed to 2:1 (horizontal to vertical).** Re-battering these slopes will substantially reduce the old track width in some locations, depending on fill depth and slope geometry. Alternatively, these slopes could be retained to provide physical support. Any retaining wall proposed should be designed by a chartered professional engineer.

Additionally, the recent side-cast fill and any remaining landslide debris should be removed from the track margins, and no further side-cast fill should be placed on the track margins.

All soils removed during the re-contouring process should be disposed of elsewhere, ideally on a subhorizontal area, or on ground sloping less than 10° which has been stripped of topsoil prior to fill placement. Topsoil should be kept segregated from the underlying soils and re-spread on top of any newly placed fill. Fill certification is generally not required in yard areas but ideally a compaction methodology should be specified to minimise future settlement and landslide risk in areas where fill is placed.

While it appears stormwater runoff is generally controlled and disposed of adequately on the site, care must be taken to ensure no water flows are directed to these slopes. The existing drains must be maintained and cleared of any debris on a regular basis.

GeoSolve are able to inspect the site during construction to assist the earthworks contractor with distinguishing the various soils present on site, and confirm the above recommendations are implemented, if required.

**Applicability**

This report has been prepared for the sole use of our client, Paul Napier, with respect to the particular brief and on the terms and conditions agreed with our client. It may not be used or relied on (in whole or part) by anyone else, or for any other purpose or in any other contexts, without our prior review and written agreement.

Yours faithfully,



Rob Stuff  
Senior Engineering Geologist (CMEngNZ)  
GeoSolve Limited

cc: Abby Napier

Caution: Aerial Imagery has significant spatial distortion of elevated features and should not be scaled - use as an approximate visual guide only.

**Legend:**

Existing access to be retained

Existing access to be closed

New access constructed

DO NOT SCALE - IF IN DOUBT, ASK

100  
90  
80  
70  
60  
50  
40  
30  
20  
10  
0

ORIGINAL SIZE A3



Attribution:  
Boundary Layer:  
Sourced from LINZ Data Service  
<https://data.linz.govt.nz/layer/50772-nz-primary-parcels/> and licensed by LINZ for re-use under the Creative Commons Attribution 4.0 International Licence

Background Aerial Image:  
Sourced from LINZ Data Service  
<https://data.linz.govt.nz/layer/52118-dunedin-010m-urban-aerial-photos-2018-2019/> and license by LINZ for re-use under the Creative Commons Attribution 4.0 International Licence

File Ref:

Prepared For:

Paul Napier

| No. | Amendments                                              | Drawn | Date  |
|-----|---------------------------------------------------------|-------|-------|
| R1  | Road reserve excluded from site BDY, re-battering added | LH    | 11/24 |
|     |                                                         |       |       |
|     |                                                         |       |       |
|     |                                                         |       |       |
|     |                                                         |       |       |

**12 Annie Street**  
Osborne, DUNEDIN

Site Plan  
Retrospective Earthworks Consent

|                       |                 |
|-----------------------|-----------------|
| Project No.:<br>22138 | Surveyed:<br>LH |
| Scale:<br>1:350 @ A3  | Designed:<br>-  |
| Date:<br>Oct 2022     | Drawn:<br>LH    |
| Sheet:<br>01          | Checked:<br>MG  |



Surveying Consultants

TL Survey Services Limited

P.O. Box 901 DUNEDIN  
Phone (03) 477 1133

- Notes:**
- Datum: North Taieri 2000, New Zealand Vertical Datum 2016
  - Vertical origin mark: F3KQ IT 5 DP 361873 65.46
  - Contour Intervals: Minor = 0.2m Major = 1.0m
  - Boundaries of Bradley Road and Annie Street have been defined by survey calculations. All other boundaries depicted are indicative only and have been obtained from LINZ Dataservice

## Memorandum

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**DATE:** 21 January 2025

**SUBJECT:** **CHANGES TO THE SCOPE OF RESOURCE CONSENT APPLICATION LUC-2023-36 SINCE IT WAS SUBMITTED TO COUNCIL (12 ANNIE STREET, OSBORNE)**

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Land use consent is being sought retrospectively for earthworks undertaken, and further proposed earthworks, at 12 Annie Street, Osborne.

This resource consent application was lodged with Council on 2 February 2023. The application was on hold awaiting further information until 28 November 2024.

The application originally sought retrospective consent for earthworks done within the road reserves at Annie Street and Bradley Road, as well as within 12 Annie Street. On 21 November 2024, the applicant reduced the scope of the application. The application now only includes the retrospective earthworks and the remediation work to be done within the boundaries of 12 Annie Street and excludes the road reserves of Bradley Road or Annie Street. Additionally, the applicant has now stated that the retaining elements that were initially proposed will now be replaced by batters. A new site plan was submitted to define the new scope of the application. The new site plan shows where batter work will take place. The applicant has also confirmed an intention to establish a fence and locked gate along the site boundaries, stating that access will only be restricted to any parties except for emergency services.

Regards,



Elisabeth Boyle  
**Planner**