

19 January 2015

Percy Charles Wong

Dear Sir

RE: CONSENT FOR DRAINAGE WORKS THROUGH YOUR PROPERTY (33 Barrack Road) BY 19B Banks Road, Mount Wellington. E/ELG/2014/527

The owners of 19B Banks Road are proposing to undertake a subdivision development. They are required to adequately service the proposed development in terms of wastewater and stormwater disposal. While wastewater is not an issue, they are having difficulty in finding a suitable disposal point for stormwater.

The nearest public stormwater system as per council's record is on Barrack Road. It is proposed to connect to this system and extend the public stormwater line through your property (33 Barrack Road) and 13 Banks Road, into 19B Banks Road.

The feasibility to connect to the public system has been investigated by the owners. We have also assessed the option in detail. From our investigation, we believe that this option may be most suitable to service the proposed development at 19B Banks Road.

I am writing to you under the provisions of the Local Government Act where Council is empowered to find a suitable solution to drainage issues of this nature. I would like to discuss the option further with you.

We prefer to meet on site and discuss the options in detail. To arrange a time for this meeting, please contact me on telephone (09) 353 9386. This meeting will also give us the opportunity to hear your concerns to the proposal, if any. We would appreciate your response by 19 February 2015 .

Yours Sincerely



Ahad Khan
Development Engineering

26 March 2015

Percy Charles Wong

Dear Sir or Madam

RE: CONSENT FOR DRAINAGE WORKS THROUGH YOUR PROPERTY (33 Barrack Road) BY 19B Banks Road, Mount Wellington. E/ELG/2014/527

Further to my letter dated 19 January, 2015, I would be appreciative if you could give me a call on 353 9386 or my cell phone 027 243 7629 to discuss further.

I am writing to you under the provisions of the Local Government Act where Council is empowered to find a suitable solution to drainage issues of this nature. I would like to meet with you and discuss the option further.

Please get back to me within five days of receipt of this letter or by the 25 July 2011. The next stage will involve a notice being served to you.

Yours Sincerely



Ahad Khan
Development Engineering

17 April 2015

Percy Charles Wong

Dear Sir

RE: CONSENT FOR DRAINAGE WORKS THROUGH YOUR PROPERTY (33 Barrack Road) BY 19B Banks Road, Mount Wellington. E/ELG/2014/527

Further to our phone conversation, earlier last month (March), I unfortunately misplaced your phone number and email address. Can you please once again forward me your email address so I can send you the relevant documents in terms of process that will follow on from here.

Generally, once consent for drainage through land is decline in the first instance, Council will serve a formal notice under section 460 of the Local Government Act to the affected land owner/s.

The owner/s of the properties whose land the drain is proposed to go through is then given 30 days to either reconsider their initial objection or continue to object. Objection results in a hearing before Council's Hearing Committee for a decision.

All affected parties are then required to appear before the committee to present their case.

Yours Sincerely



Ahad Khan
Development Engineering
Ph: 3539386
Mobile: 027 243 7629
ahad.khan@aucklandcouncil.govt.nz



5 June 2015

Dear Sir

RE: CONSENT FOR DRAINAGE WORKS THROUGH YOUR PROPERTY (33 Barrack Road) BY 19B Banks Road, Mount Wellington. E/ELG/2014/527

The owners of 19B Banks Road are proposing to undertake a subdivision development. They are required to adequately service the proposed development in terms of wastewater and stormwater disposal. While wastewater is not an issue, they are having difficulty in finding a suitable disposal point for stormwater.

I have been corresponding with Athol Birchenough on the matter, however I need a response from you.

The nearest public stormwater system as per council's record is on Barrack Road. It is proposed to connect to this system and extend the public stormwater line through your property (33 Barrack Road) and 13 Banks Road, into 19B Banks Road.

The feasibility to connect to the public system has been investigated by the owners. We have also assessed the option in detail. From our investigation, we believe that this option may be most suitable to service the proposed development at 19B Banks Road.

I am writing to you under the provisions of the Local Government Act where Council is empowered to find a suitable solution to drainage issues of this nature. I would like to discuss the option further with you.

My contact details are ahad.khan@aucklandcouncil.govt.nz phone (09) 353 9386 and mobile 027 243 7629.

We would appreciate your response by 17 June 2015.

Yours Sincerely

Ahad Khan
Development Engineering

Ahad Khan

From: Ahad Khan
Sent: Monday, 15 June 2015 3:01 p.m.
To: Paul Wong
Subject: RE: Neighbours Consent 19B Banks Road

Hi Paul

12-1.00 is fine. If you get busy, I can also meet with yourself from 5-6pm.

From: Paul Wong [mailto:|
Sent: Friday, 12 June 2015 4:32 p.m.
To: Ahad Khan
Subject: RE: Neighbours Consent 19B Banks Road

Hi Ahad,

I have selected the 12pm to 1pm timeslot. See you next Thursday.

Regards,

Paul Wong

From: Ahad Khan [mailto:Ahad.Khan@aucklandcouncil.govt.nz]
Sent: Friday, 12 June 2015 1:47 PM
To: Paul Wong
Subject: RE: Neighbours Consent 19B Banks Road

Hi Paul

I have suggested two time slots. Please pick one.

Ahad

From: Paul Wong [mailto:|
Sent: Friday, 12 June 2015 3:11 p.m.
To: Ahad Khan
Subject: RE: Neighbours Consent 19B Banks Road

Hi Ahad,

I am thinking an hour or so anytime on next Thursday for our meeting. Can you return with the your selected time and meeting address?

Regards,

Paul Wong

From: Ahad Khan [<mailto:Ahad.Khan@aucklandcouncil.govt.nz>]
Sent: Thursday, 11 June 2015 11:27 AM
To: Paul Wong
Subject: RE: Neighbours Consent 19B Banks Road

Hi Paul

That will be awesome. Would it be appropriate to invite the other affected neighbour, Alan Taylor to the meeting. The reason I am suggesting this is, the issues would be exactly the same for him as it would be for you. Just a suggestion, if you think it will not work, I am totally fine with it.

Thanks

Ahad

From: Paul Wong [<mailto:>]
Sent: Thursday, 11 June 2015 1:10 p.m.
To: Ahad Khan
Subject: RE: Neighbours Consent 19B Banks Road

Hi Ahad,

It turns out that I will be in Auckland on business late next week. Maybe we can meet to talk about this face to face - I will call you after my meeting times a fixed.

Regards,

Paul Wong

From: Ahad Khan [<mailto:Ahad.Khan@aucklandcouncil.govt.nz>]
Sent: Thursday, 11 June 2015 8:35 AM
To: Paul Wong
Subject: RE: Neighbours Consent 19B Banks Road

Hi Paul

Thank you for getting back to me so quickly. For clarification purpose, under section 460 of the Local Government Act 1974, Council has the right to enter any private land and lay drains.

However, from a process perspective, we do not in the first instance serve formal notice on affected neighbours that we are coming in to lay a drain. We try and negotiate right of entry instead of forcing it. The main aim of the negotiation process to try and answer and/or clarify the on matters, such as

- where the drain would be laid,
- who would pay for it,
- who would reinstate the land at who would pay for the reinstatement,
- how would this affect my future development potential
- And any other questions related to the process and physical works.

Generally, if the land and dwelling is not considered to be detrimentally affected as a result of the proposed drainage works, consent for right of entry is given by the affected land owner whose land the drain is proposed through. In the event a settlement is not achieved as part of the negotiation process, it is at that stage that Council will exercise its powers under the local government act and serve a notice to the affected landowners. The Notice will say Council is coming in to lay a drain in your land. However, this would not happen straight away. You will be given a 30 day period to either reconsider your initial objection and grant consent or to continue to object to it. Continuing to object will at the end of 30 days trigger a hearing before a committee of Council who will after listening to all affected parties take a decision on the matter.

I hope I have provided you clarification on the process, however if you still have question or require further clarification, please do not hesitate to give me a call or respond to this email.

Many thanks and once again, thank you for getting back to me.

Thanks

Ahad

From: Paul Wong [mailto:paul.wong@ Auckland Council]
Sent: Tuesday, 9 June 2015 4:42 p.m.
To: Ahad Khan
Subject: RE: Neighbours Consent 19B Banks Road

Hi Ahad,
Development Engineering,
Auckland Council.

Re: E/ELG/2014/527: 19B Banks Road, storm water drainage.

I have received your correspondence today and have read it. As I have no prior experience on such issues/requests, I am unsure what response you wish from me.

You indicated that you wish to discuss the request/option with me? I would be please if you could clarify whether or not

- a. you are asking for my permission or
- b. are you simply informing me that you will put through this work in any case.

Looking forward to you reply.

Regards,

Paul Wong

From: Ahad Khan [<mailto:Ahad.Khan@aucklandcouncil.govt.nz>]
Sent: Monday, 8 June 2015 9:32 AM
To: Paul Wong
Subject: Neighbours Consent 19B Banks Road

Hi Paul

Please find attached letter for drainage through your land at 33 Barrack Road, Mt Wellington Auckland.

Many thanks

Ahad Khan

Development Engineer (Central)
Natural Resources and Specialist Unit
DDI: 09 3539386 | Fax: 09 3539186 |
Email: Ahad.Khan@aucklandcouncil.govt.nz
Web: www.aucklandcouncil.govt.nz



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Ahad Khan

From: Ahad Khan
Sent: Monday, 13 July 2015 9:37 a.m.
To: Junior Singh
Subject: RE: Banks road

Hi Junior

I have received some correspondence from the other neighbour.

Please have a read and see what you think about it.

Thanks

Ahad

Ahad

Many thanks for explaining to me the neighbour's request and the process that normally takes place.

I have had discussions with Mr Taylor regarding Mr Singh's request. So while it is early days, it appears that both Mr Taylor and myself are at that stage of life where we are open to look at exit strategies in regards to our sections, but one thing that we are sure on is that we should be mindful that if we do something with Mr Singh that it does not limit or de-value our own opportunities in developing or selling our sections.

In this regard, in the first instance, we have discussed the subject of exploring opportunities ourselves that a developer might be interested in the combined sections of 33 Barracks Rd and 13 Banks Rd, which will be an over 2 acres "L" shaped block with 2 street accesses, and part of which will have an elevation with views. We think that 1 and 1 might equal 3 in such a merge.

Of course, our priority would be to explore the above potential first, before doing anything with Mr Singh that may limit such a future option for us. Perhaps Mr Singh might be interested to join his section to ours to expand the potential even more?

By the way, in your line of work, no doubt you are aware of companies interested in this magnitude of development – we would be grateful for some names. Of course, this would also provide a resolution for you on Mr Singh's request.

Regards,

Paul Wong

To: Ahad Khan
Subject: Re: Banks road

I was told sending the letters out and all was a 3 month process, and should be a lot further on. Going through the process is one thing I understand but seems like the council have taken this route as slow as they can.

Who else can I speak to about this as I feel this is way too slow and know other people who have done a S460 with people not replying and still had answers faster than what I have got.

Sent from my iPhone

> On 19/02/2015, at 8:22 am, Ahad Khan <Ahad.Khan@aucklandcouncil.govt.nz> wrote:
>
> Hi Junior
>
> The second set of letters were sent out but we still haven't heard back from them. As per the process, we have to send out one final letter before we can issue any formal notice. I did a site visit but could get anyone at home.
>
> Thanks
>
> Ahad
>
>
>
> -----Original Message-----
> From: Junior Singh [mailto:]
> Sent: Wednesday, 18 February 2015 9:53 p.m.
> To: Ahad Khan
> Subject: Banks road
>
> Hi Ahad
>
> I have called you a few times and emailed you on Monday and still have no reply from you. Would it be possible for you to tell me what is going on! It's been in your hands since mid November.
>
> Regards Junior
>

>
> Sent from my iPhone
> [Auckland Council]

>
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