

# LAND INFORMATION MEMORANDUM

LIM REPORT

[lims@hcc.govt.nz](mailto:lims@hcc.govt.nz)



**Hamilton**  
City Council  
Te kaunihera o Kirikiriroa





## Information in a LIM includes:

### Building Consents Licenses and Requisitions

- Building Permits/Consents issued on the property.
- Any outstanding works, Code Compliance Certificates for consents issued since 1993.
- If a compliance schedule has been issued for the building and when the related Warrant of Fitness expires.
- Any other notice, order, or requisition affecting the land or any building on the land previously issued by Council.
- The status of the land in relation to the contamination of soil by hazardous substances.
- Whether the property has a licence relating to the sale of food, the sale of liquor or other licence (under Health Act 1956).

### Rates

- Current rating valuation.
- Annual rates levy.
- Penalties charged during the year.
- Outstanding amounts for current instalment period.
- Rates arrears.
- Water charges (commercial only).

### District Plan information

- Zoning of the property as defined by Operative and/or Proposed District Plans.
- Environmental Protection Overlay.
- Whether the site is listed as a Heritage Item, Heritage Precinct or Archaeological, Historic or Cultural.
- Registered historic and notable trees on the site.
- All Resource Consents approved in relation to property.
- Notified Resource Consents in process at the subject site and adjoining properties.

### Public works

- Any proposed public works that may directly affect the property, where it is known.

### Drainage/water

- Information on public stormwater and wastewater pipelines on the property as shown on Council's log plans.
- Water toby location.

### Special features

- Such as erosion, subsidence, filling, flooding avulsion, falling debris, slippage, alluvion, or inundation and soil report in relation to the property, where Council has such information available.

## Information NOT included in a LIM

- For information in relation to State Highways please contact New Zealand Transport Agency.
- Plans for and/or activities for any parks and/or reserves in the vicinity of the property – contact the Parks and Open Spaces Unit on 07 838 6622.
- Hamilton City Council does not hold any information concerning electricity and gas and telephone connections. Information may be obtained from the relevant companies.
- Non-notified Resource Consent applications in process on the subject site.
- Any decisions on adjacent property.

# LIM Report

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**Property Address:** 32 Aberfoyle Street Hamilton

**Legal Description:** Pt Lot 1 and Lot 32 DP S2437

**Applicant:** Rosalie Jean Boleyn

**Date of Issue:** 13 May 2025

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Thank you for your application for a Land Information Memorandum on the above property. This report is a result of a detailed clerical search of Hamilton City Council's records.

Please note, no physical inspections have been carried out in relation to your request. If you require a physical inspection of the property, you will need to obtain the services of a qualified person from the private sector.

The information contained in this report is given without prejudice and is valid at the date of issue only. Hamilton City Council reserves the right to serve requisitions at any time should the need become apparent.

**Customer Services - LIMs**  
**260 Anglesea Street, Hamilton**  
**Phone 07 838 6699**  
**Email: [lims2@hcc.govt.nz](mailto:lims2@hcc.govt.nz)**

**PLEASE NOTE:**

*This Land Information Memorandum has been prepared for the purposes of Section 44A of the Local Government Official Information and Meetings Act 1987 and contains all the relevant information relating to the land held by Council. It is based on a search of Council's property records and there may be other information relating to the land which has not been specifically recorded against this property or known to the researcher. Other organisations may hold information relevant to this property, for example Waikato Regional Council and network utilities companies for electricity, gas and telephone information.*

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## City Waters Information

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### **Public Water & Waste Services:**

A water connection is showing as serving the property.

The water supply is logged as being 3.5m from the right hand boundary.

No stormwater connection is shown on the log plan as serving the property.

Council records do not show where the sewer connection is for this property.

A public sanitary sewer pipeline is shown as passing through the property. Conditions will be imposed on any building consent, including the approval of Water and Waste Services, which shows building over or adjacent to the pipeline. Note: No building is permitted to be constructed over a Hamilton City Council manhole or over a connection to the public main. Further, Council has no record of the trench compaction for the public pipeline within the property. It is advised that an investigation of the trench backfill, by a suitably qualified engineer, be undertaken prior to foundation design for any structure over or adjacent to the pipeline.

**Refuse Collection Day:** Friday

### **Trade Waste:**

No information in relation to the discharge of Trade Waste are currently held in respect to this property/business premises.

### **Inundation/Flooding:**

Flood data relevant to this property is shown on the map.

This flood data is the best available information Council holds for this property at this time.

People with an interest in the property should note the limitations below and obtain independent advice from a suitably qualified professional as to the suitability of the land for their purposes.

Our flood mapping information is updated from time to time and these updates can be found on the Floodviewer tool <http://hamilton.govt.nz/floodviewer>, along with other flood types and rainfall scenarios, full definitions of these flood types, and supporting information.

Our flood data is based on models that vary in age and levels of accuracy, which means the current data may have some limitations that affect its suitability for use for building or development design.

Properties in an earthworks area may have had changes made to the land after flood modelling was completed, which means the mapped flood hazards and extents may differ from what is shown.

Prospective purchasers should note the limitations disclosed above and obtain independent advice from a suitably qualified professional as to the suitability of the land for their purposes.

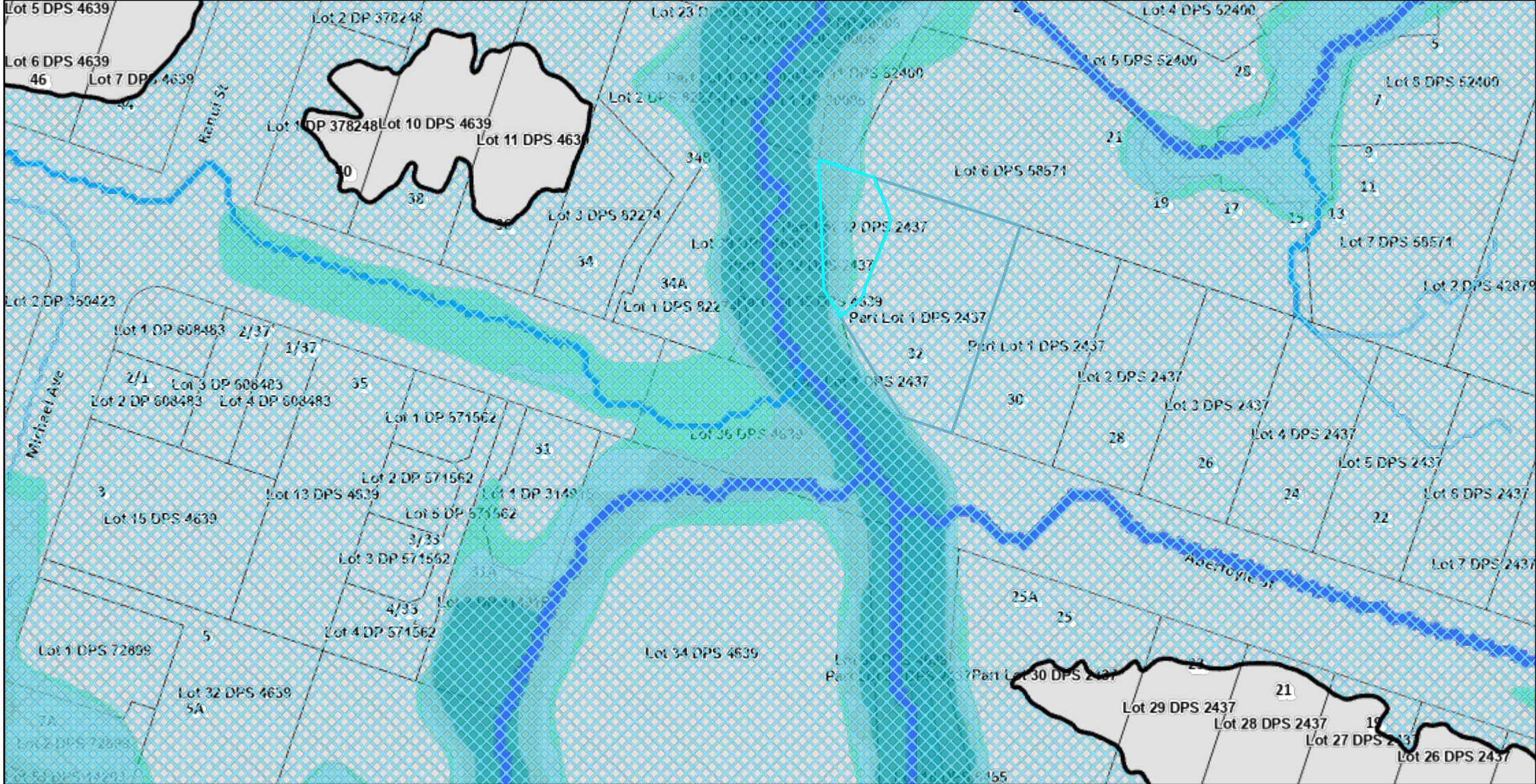
**Special Features:** None recorded for this property (Information on slips etc)

**Please Note:** Levels, locations and dimensions of drainage/water works shown on plans may not be accurate, due to circumstances not notified to Council. A physical check should be made on all levels, locations and dimensions before starting design or works.



















**Flood Map - 32 Aberfoyle Street**

-  Flood Depressions 100yr Rainfall
-  Earthworks Area
- 100-year Flood Hazard**
  -  Low
  -  Medium
  -  High
- 100-year Flood Extent**
  -  100-year Flood Extent
- Overland Flowpaths 2019 - Category**
  -  Major
  -  Moderate
  -  Minor
  -  No Flood Data Mask

Flood data relevant to this property is shown on the map. This flood data is the best available information Council holds for this property at this time. People with an interest in the property should note the limitations below and obtain independent advice from a suitably qualified professional as to the suitability of the land for their purposes. Our flood mapping information is updated from time to time and these updates can be found on the Floodviewer tool ([hamilton.govt.nz/floodviewer](http://hamilton.govt.nz/floodviewer)), along with other flood types and rainfall scenarios, full definitions of these flood types, and supporting information. Our flood data is based on models that vary in age and levels of accuracy, which means the current data may have some limitations that affect its suitability for use for building or development design. Properties in an earthworks area may have had changes made to the land after flood modelling was completed, which means the mapped flood hazards and extents may differ from what is shown.





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## Building Information

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With effect from 31<sup>st</sup> March 2005 Section 363 of the Building Act 2004 makes it an offence, in respect of any building intended for public use, to use or permit a person to use any part of that building that is affected by building work for which no building consent was obtained, or where a building consent was obtained, but no code compliance certificate was issued.

### Building Consents on File:

Year	Number	Description	Issued	Code Compliance Certificate
1998	2669	New Pt Roofed Pergola Over Terrace	22/12/1998	5/05/1999
2010	24353	New Construction Retaining wall	10/06/2010	23/08/2011

Plumbing and drainage is incorporated in the above consent.

*Please Note: Building, Plumbing and Drainage Permits prior to 1993 will not have been issued with a Code Compliance Certificate, as this requirement did not come into effect until 1993.*

**Building Consents issued by Private Certifier:** None recorded for this property.

**Building Exemptions on file:** None recorded for this property.

**Certificate of Acceptance on file:** None recorded for this property.

**Notices and Requisitions:** None recorded for this property.

**Information provided to Council under section 362T(2) of the Building Act 2004:**

None recorded for this property.

**Information held under Section 124 of the Weathertight Homes Resolution Services Act 2006:**

None recorded for this property.

**General Information:** None recorded for this property.

**Record of Fill:** Copy attached ☒

**Legal File / Bonds / Encumbrances:** Please see documents dated 23/09/1977, 06/11/2008 & 24/11/2005

Copies attached ☒

**Earthquake Risk:** None recorded for this property.



**CODE COMPLIANCE CERTIFICATE NO: 98/2669****COUNCIL FILE COPY**

Section 43(3), Building Act 1991

ISSUED BY

HAMILTON CITY COUNCIL

BUILDING CONSENT NO: 98/2669

(Insert a cross in each applicable box. Attach relevant documents.)

PROJECT		PROJECT LOCATION
All	<input checked="" type="checkbox"/>	Street Number:
Stage No of: of an intended stages		MR/S D.J & R.J BOLEYN
New or relocated building	<input type="checkbox"/>	32 ABERFOYLE ST
Alteration	<input type="checkbox"/>	HAMILTON
Intended use(s) (In detail):		LEGAL DESCRIPTION
NEW PERGOLA		Property Number: D1065598000
Intended Life:		Valuation Roll Number: 04052-04500
Indefinite, but not less than 50 years	<input checked="" type="checkbox"/>	Lot: PT LOT 1 DP: S.2437
Specified as years		Section: Block:
Demolition	<input type="checkbox"/>	Survey District:

This is:

- ☒ A final code compliance certificate issued in respect of all of the building work under the above building consent
- ☐ An interim code compliance certificate in respect of part only, as specified in the attached particulars, of the building work under the above building consent
- ☐ This certificate is issued subject to the conditions specified in the attached .....page(s) headed "Conditions of Code Compliance Certificate No. ...." (being this certificate).

The Council charges payable on the uplifting of this code compliance certificate, in accordance with the attached details, are: \$ 0.00

Receipt No:

Signed for and on behalf of the Council: *P. Martens*Name: PETER MARTENSPosition: DEPUTY DIRECTOR Date: 6 / 5 / 99

**Code Compliance Certificate**  
**Building Consent Number 2010/24353**  
Section 95, Building Act 2004



Te kaunihera o Kirikiriroa

Private Bag 3010  
Hamilton 3240  
New Zealand

Phone 07 838 6699  
Fax 07 838 6599

info@hcc.govt.nz  
www.hamilton.co.nz

**Building Work**  
**Issued by Hamilton City Council**

**The Building**

**Street Address of Building:** 32 Aberfoyle Street HAMILTON 2001

**Legal Description of Land where building is located:** Pt Lot 1 DP S2437

**Building Name:** Information not Available

**Location of building within site / block number:** Information not Available

**Level / Unit Number:** Information not Available

**Current, lawfully established, use:** Residential

**Year First Constructed:** 2011

**The Owner**

**Name of Owner:** Donald James Sinclair Boleyn

**Landline:** 07 847 2949

**Contact Person:** Donald James Sinclair Boleyn

**Mobile:** 0274 840 818

**Mailing Address:** 32 Aberfoyle Street  
Dinsdale

**Daytime:** 07 847 2949

**Afterhours:** Information not  
Available

Hamilton 3204

**Facsimile:** Information not  
Available

**Email:** donarosa@xtra.co.nz

**Street Address:** 32 Aberfoyle Street HAMILTON 2001

**Website:** Information not  
Available

**Code Compliance**

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

- a) The building work complies with the building consent; and
- b) The specified systems in the building are capable of performing to the performance standards set out in the building consent.

**Attachment**

Information not Available

**First point of contact for communication with the BCA.**

Signed for and on behalf of the Hamilton City Council:

Name:

A handwritten signature in black ink, appearing to be 'Phil Saunders'.

23 August 2011

Phil Saunders  
Position: Authorised Officer  
Building Control Unit

Building



# Mark T Mitchell Ltd

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Consulting Geotechnical Engineers

1150 Victoria Street  
P O Box 9123  
Hamilton, New Zealand  
Facsimile 07 839 3125  
Telephone 07 838 3119  
email: [mtm@geocon.co.nz](mailto:mtm@geocon.co.nz)

Ref: W- 8366.2  
14 June 2011

## SCHEDULE TO ACCOMPANY:

### PRODUCER STATEMENT – PS4 – CONSTRUCTION REVIEW

**Project:** Timber Pole Retaining Wall – No.32 Aberfoyle Street, Hamilton

**Scope:** Bored Pile Hole & Retaining Wall Construction Inspections

**Reference:** Geocon Soil Testing Site Investigation & Remedial Works Recommendations  
Reference: W – 8366.1 and dated 7 March 2008.  
Mark T Mitchell Retaining Wall Design  
Reference: W - 8366.8 and dated 30 July 2010.  
Mark T Mitchell Completion Letter Report, Reference W - 8366.2 and dated 7 May 2011

**PS-4 Producer Statement Issue date:** 14 June 2011

#### **Part of Works Covered by PS-4:**

Period covered: 1 November 2010 to 24 March 2011

#### **1. Anchor and Bored Pile Hole Inspections (1 November 2010 to 6 December 2010)**

- All anchor and bored pile holes were pre-drilled within the locations shown on the As-Built Plan, Drawing No. 8633-60
- Inspection of the bored pile excavations were periodically carried out to assess and confirm that the foundation construction works were being carried out in accordance with the details as specified in the Mark T Mitchell design, Drawing Nos. 8366-40 to 56.
- The depth and base of each holes was checked by the contractor prior to pouring of concrete to ensure all soft soils were removed prior to the installation of the H4 treated timber poles.

#### **2. Retaining Wall Construction Inspections (18 November 2010 to 22 December 2010)**

Inspection of the anchor and retaining wall construction was carried out to confirm that the construction works were being carried out in accordance with the details as specified on the Mark T Mitchell Design Drawings. 8366-40 to -56, including

- Timber rail construction.
- Anchor tieback including galvanized reidbar and waler construction.

### 3. Pit Sand Backfill and Compaction Inspections (13 January 2011 to 24 March 2011)

- Several inspections were then completed to confirm that the pit sand backfill placed behind the constructed retaining wall was adequately compacted.
- The pit sand backfill layers were tested using a 0.9 metre Scala Penetrometer Probe that with results exceeding 4 blows per 100mm penetration.
- These records and test results indicate that the pit sand backfill is adequately compacted.

### 3. Drawings Attached to this Schedule

- *Mark T Mitchell Ltd Drawing Nos. 8366-60 (As-Built Plan)*

Schedule prepared by:

**Mark T Mitchell Ltd**

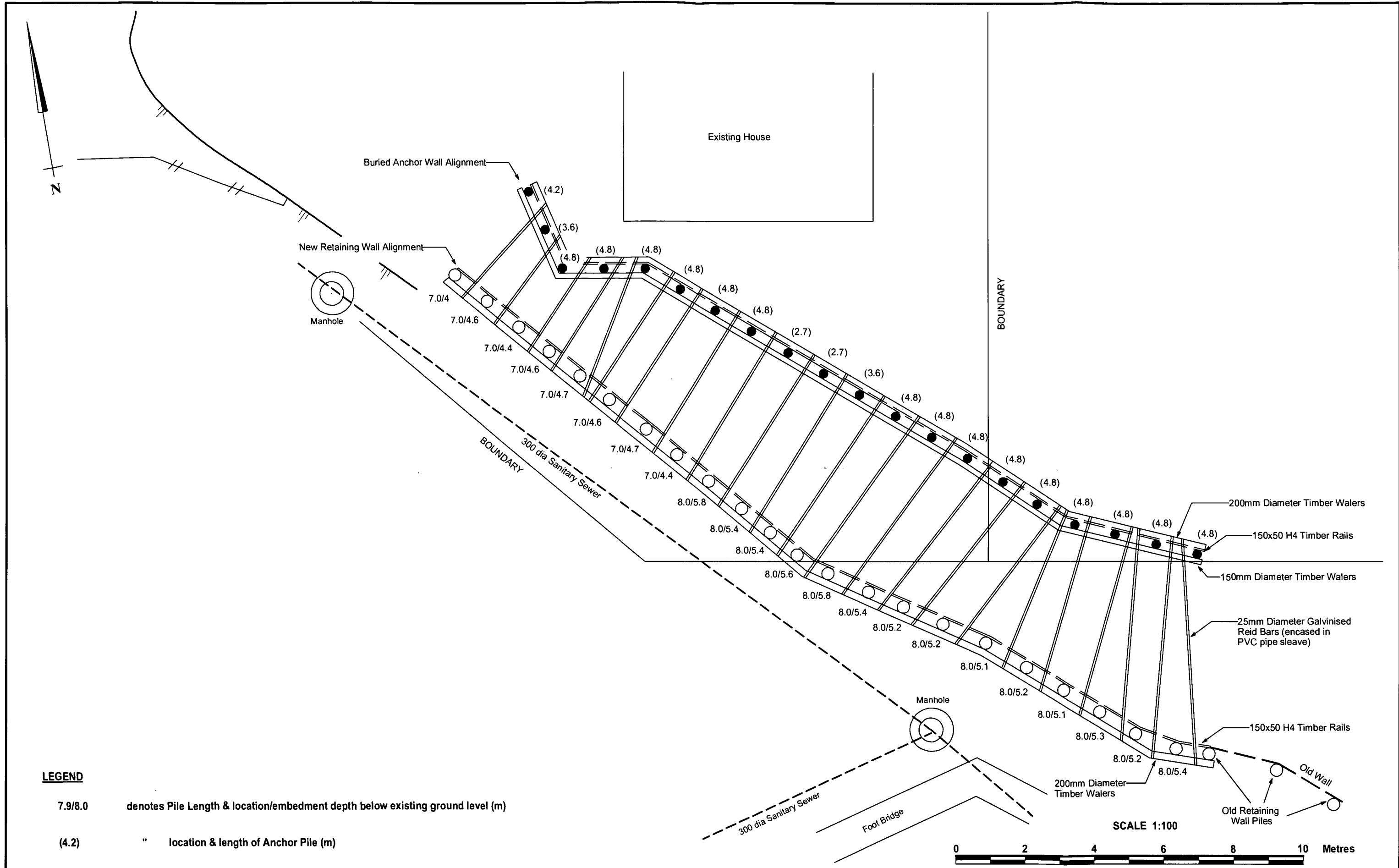
per




Mark T Mitchell  
Director







 <b>Mark T Mitchell Ltd</b> Consulting Geotechnical Engineers 1150 Victoria Street, P.O. Box 9123, Hamilton	<b>D &amp; R BOLEYN</b>	<b>TIMBER RETAINING WALL</b>  <b>AS-BUILT DETAILS</b>	<b>DRAWING No. 8366-60</b>
	<b>Timber Pole Retaining Wall</b> <b>No. 32 Aberfoyle Street, Hmailton</b>		<b>DATE June 2011</b> <b>ISSUE One</b>

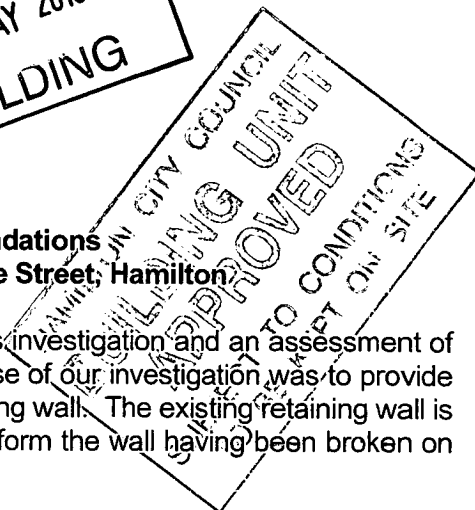
# Mark T Mitchell Ltd

Consulting Geotechnical Engineers

1150 Victoria Street  
P O Box 9123  
Hamilton, New Zealand  
Facsimile 07 839 3125  
Telephone 07 838 3119  
email: [mtm@geocon.co.nz](mailto:mtm@geocon.co.nz)

Ref: W – 8366  
7 March, 2008

Mr & Mrs D & R Boleyn  
32 Aberfoyle Street  
Hamilton



Dear Mr & Mrs Boleyn,

**Re: Site Investigation and Remedial Works Recommendations  
Failed Retaining Wall at Access to No. 32 Aberfoyle Street, Hamilton**

In accordance with your request we have carried out a soils investigation and an assessment of the soil conditions at the above referenced site. The purpose of our investigation was to provide recommendations and design for a new replacement retaining wall. The existing retaining wall is in a state of poor repair, with some of the timber poles that form the wall having been broken on account of over-stress.

**1. Background**

Aberfoyle Streets runs west from Rifle Range Road to Ellicott Road. The middle section of the road is what is termed a "paper road" that has never been constructed and is currently a gully reserve. Both sections of Aberfoyle Street terminate in cul-de-sacs at the reserve.

The subject site is located on the eastern side of the gully and north of the paper road. The retaining wall has been constructed inside the paper road to allow driveway access from the eastern cul-de-sac to No. 32 Aberfoyle Street. The retaining wall then continues into No. 32 Aberfoyle Street.

The location of the retaining wall is shown on the attached Site Plan Drawing No. 8366-01.

It is noted that the primary and only access to the house at No. 32 Aberfoyle Street is supported by the existing timber pole wall.

**2. Existing Retaining Wall Details**

**2.1 Design Details**

The existing retaining wall was constructed in the early 1980's. Mr & Mrs Boleyn have provided our office with a typical wall cross-section of the wall, that has been obtained from the Hamilton City Council property file. These documents indicate that the wall was engineer designed, although there are no markings that identify the designer. A copy of that cross-section is attached.



The cross-section indicates that the original embankment sloped at approximately 40 degrees to the horizontal and was to be benched during the construction. Timber poles, 200 to 250mm diameter were to be placed at metre centres to retain up to 2.5 metres with 3 metres of filling.

The detail also indicates that anchors were to be secured to the poles at a depth of 0.6 metres below the driveway level.

## 2.2 Construction Details

As part of our investigation a detailed measure-up of the retaining wall was carried out. This is shown on the Wall Elevation Drawing No. 8366-02.

That drawing shows that the posts are generally 200mm diameter, however some 175mm diameter posts have also been used. The retained height is up 3 metres and the anchors are typically 0.3 to 0.4 metres below the driveway level.

Rails are typically 50mm thick and inclined, but in one part, coloursteel sheets have been used in place of rails.

It has not been possible to determine the embedment depth of the vertical poles, nor of the anchor construction.

Near the base of the retaining wall, a Council sewer has been constructed, with part being 150mm diameter and part 300mm diameter. The sizes of these pipes indicate that the sewer services a significant area of residential properties. The location of this sewer pipe is shown on Drawing Nos. 8366-02 to -05.

## 2.3 Failure Mode of Retaining Wall

A number of the anchored posts have snapped about 0.5 to 1.0 metres above the ground surface. The remaining anchored posts have severely bowed and will eventually snap. The unanchored posts (Post nos. 1 & 2) have overturned.

However the anchors have supplied sufficient restraint to the tops of the posts and have not moved with respect to the wall. However it is possible that the wall and the anchors have moved outwards together and that a void occurs behind the anchor-head location.

Some cracking of the driveway surface has occurred, and this may be in part, related to movement of the anchor-head. But it is also likely to be a result of settlement of the wall backfill material settling as the lower part of the posts moved outwards.

## 3. Field Investigation

The site was investigated by drilling two machine-auger and one hand-auger borings together with Scala Penetrometer probes at the locations shown on the Site Plan. The Bore Holes are designated Nos. 1 to 3, with the Bore Hole logs and associated test results presented on Fig. A-1 to A-3.



Representative Ground Profiles were surveyed using a hand held clinometer and tape measure at the time of investigation. The resulting Ground Profiles A-A to C-C are presented on the attached Drawing Nos. 8366-03 to -05.

The purpose of the borings and associated tests was to provide guidance as to the general subsurface soil profile, variability and relative density of the soils within around the retaining wall. Actual ground conditions may vary across the site however, and may differ slightly from those as described below.

#### **4. Soil Conditions**

The near-surface soil conditions, as revealed by Bore Hole No. 1 consist of loose and medium dense Sand, with some low strength Silt layers also present.

Bore Hole No. 2 revealed uncompacted Filling to 4.6 metres depth, at which depth Silt was encountered. Scala Penetrometer Probes below the base of the 5.0 metre deep bore hole indicate the soils are of variable strength to a depth of 9.7 metres where there is a significant strength increase.

Bore Hole No. 3 was drilled below the retaining wall and encountered Filling to 2.2 metres depth. Soft, Silt and loose, Sand was encountered below the Filling to the base of the 4.0 metre deep Bore Hole.

Groundwater was not encountered at the time of the site investigation, although soils were noted to be wet near the base of Bore Hole No. 3.

#### **5. Discussion**

The existing retaining wall failure has primarily been caused by undersized poles and with the anchors located near the top of the wall, rather than at a lower level. The anchor lengths are also too short in relation to the wall height.

One option for the wall replacement would be to construct a new wall that is completely to the outside of the existing wall. However the poles in that situation would need to be very close to the sewer line and the procedure necessary for the installation of the poles could result in damage to the sewer pipe.

Also the height of soil to be retained for that option would be higher than for the other options described below and this would necessitate a double row of anchors. This is also necessary on account of the sloping ground, which is comprised of poor quality Filling.

The alignment of the sewer pipe is also uncertain. We have been able to locate one manhole (R15 034), but the downstream manhole (R15 044) is buried and could not be located. The pipe alignment shown on the Plan drawing is therefore based on sighting the line of the pipe from the known manhole. However it is noted that this alignment differs slightly from the Hamilton City Council As-Built records.

Building downslope of the manhole would require the path leading to the foot bridge over the gully is realigned.



Option 2, with the new wall located to the inside of the existing wall is therefore the recommended wall location.

If the vertical poles for this wall are to be steel H piles, the wall construction would be easier as the timber rails for this type of wall are able to be inserted in-between the steel columns, with the rails being able to be installed without any major excavation required.

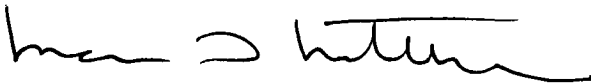
The alternative would be to use timber poles, with the rails being constructed behind the poles. This option will require a trench to be excavated behind the row of new poles to a depth of about 3.5 metres. A trench to that depth will required shoring.

A further complication is that the test bore hole results indicate that low-strength soils occur for several metres below the sewer pipe invert level. While the poles will require only about 2 metre depth of concrete surround to the poles below the pipe invert level, the bearing support to the poles at this depth is low, based on the soil test results. Therefore longer pole lengths will be required in order to provide adequate vertical load-bearing capacity for these poles.

The design for the remedial wall will follow.

Yours faithfully

**Mark T Mitchell Ltd**



Mark T Mitchell  
Director



GRAPHIC LOG	BORE HOLE LOG No. 1	DEPTH (metres)	GEOLOGICAL FORMATION	VANE SHEAR STRENGTH - kPa (In-situ/Remoulded)	SCALA PENETROMETER (blows/100mm)	PIEZOMETER / WATER LEVEL
SOIL DESCRIPTION					1 2 3 4 5 6 7 8 9 10	
	FILLING: Mixture of brown, SANDS and SILTS.	1				
		2				
		3				
		4				
	SAND: fine grained, loose to medium dense, greyish brown, moist, silty.	5				
	Borehole Completed 11/07/07 <span style="float: right;">↑</span>	6				
		7				
		8				
		9				
		10				
		11				
		12				
<b>NOTES</b> - The stratification lines represent the approximate boundary between soil types and the transition may be gradual.						

JOB NAME: BOLEYN RESIDENCE  
 JOB LOCATION: No. 32 Aberfoyle Street, Hamilton  
 JOB NUMBER: W-8366

DRILL METHOD: Machine Auger  
 RIG: Hilux  
 DRILLER: AJ


LOGGED: SH/AJ    PLOTTED: ACJ  
 DATE: 11/07/07  
 CHECKED: KH

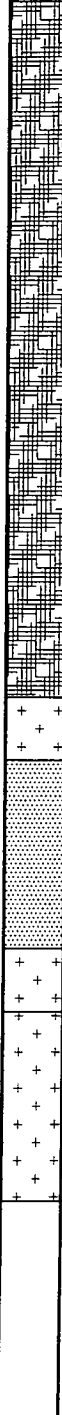

**GEOCON SOIL TESTING LTD**  
 Geotechnical Engineers  
 1150 Victoria Street, P.O. Box 9123, Hamilton

BORE HOLE LOG

**BORE HOLE No. 1**  
 LOCATION: Refer Site Plan    RL (m):  
 SHEET: 1 OF 1    Fig. No. A-1



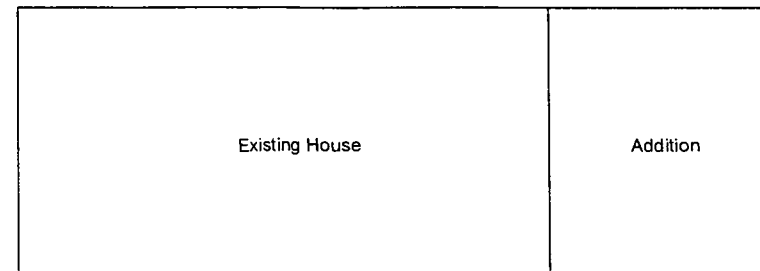
GRAPHIC LOG	BORE HOLE LOG No. 2		DEPTH (metres)	GEOLOGICAL FORMATION	VANE SHEAR STRENGTH - kPa (In-situ/Remoulded)	SCALA PENETROMETER (blows/100mm)										PIEZOMETER / WATER LEVEL
	SOIL DESCRIPTION					1	2	3	4	5	6	7	8	9	10	
<div style="background-color: #cccccc; width: 100%; height: 100%; position: relative;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; background: repeating-linear-gradient(45deg, transparent, transparent 2px, #000 2px, #000 4px);"></div> </div>	TOPSOIL.															
	SAND: fine to medium grained, loose, brown, moist, silty. Becoming medium dense @ 1.1metres															
	SILT: very soft, pale grey, moist, fine sandy.															
	SAND: fine to medium grained, medium dense, greyish brown, moist, silty.															
	SILT: firm, pale grey, moist, fine sandy.															
	SAND: fine to medium grained, medium dense, brown, moist, silty.															
	SILT: firm, pale grey, moist, fine sandy.															
Borehole Completed 11/07/07																
<b>NOTES</b> - The stratification lines represent the approximate boundary between soil types and the transition may be gradual.																
JOB NAME: <u>BOLEYN RESIDENCE</u> JOB LOCATION: <u>No. 32 Aberfoyle Street, Hamilton</u> JOB NUMBER: <u>W-8366</u>			DRILL METHOD: <u>Machine Auger</u> RIG: <u>Hilux</u> DRILLER: <u>AJ</u>			LOGGED: <u>SH</u> PLOTTED: <u>ACJ</u> DATE: <u>11/07/07</u> CHECKED: <u>KH</u>										
 <b>GEOCON SOIL TESTING LTD</b> Geotechnical Engineers 1150 Victoria Street, P.O. Box 9123, Hamilton		BORE HOLE LOG		<b>BORE HOLE No. 2</b> LOCATION: <u>Refer Site Plan</u> RL (m): SHEET: 1 OF 1 Fig. No. A-2												

GRAPHIC LOG	BORE HOLE LOG No. 3		DEPTH (metres)	GEOLOGICAL FORMATION	VANE SHEAR STRENGTH - kPa (In-situ/Remoulded)	SCALA PENETROMETER (blows/100mm)										PIEZOMETER / WATER LEVEL
	SOIL DESCRIPTION					1	2	3	4	5	6	7	8	9	10	
	FILLING: mixture of dark brown TOPSOIL and medium to coarse SAND.															
	FILLING: Dark yellowish brown, medium to coarse SAND, wet.															
	FILLING: Mixture of dark yellowish brown, medium to coarse SAND & TOPSOIL.															
	FILLING: Mixture of Topsoil and medium to coarse SAND.															
	FILLING: Dark yellowish brown, medium to coarse SAND.															
	+ + + + + + SILT, soft, light grey, moist to wet.															
	SAND: fine to medium grained, loose, light grey and orangy brown (iron stained), moist to wet.															
	+ + + + + + SILT: coarse grained, loose, light grey, saturated.															
	+ + + + + + + + + + + + + + SILT: soft to firm, light grey, wet, clayey. Containing thin (10-20mm) Organic SILT layers from 3.6 to 3.8 metres.															
<b>NOTES</b> - The stratification lines represent the approximate boundary between soil types and the transition may be gradual.  - Vane shear values shown are as-recorded in the field, to which a calibration factor of 1.60 should be applied to attain Undrained Shear Strength (kPa).																
JOB NAME: <u>BOLEYN RESIDENCE</u> JOB LOCATION: <u>No. 32 Aberfoyle Street, Hamilton</u> JOB NUMBER: <u>W-8366</u>		DRILL METHOD: <u>Hand Auger</u> RIG: _____ DRILLER: <u>MT</u>		LOGGED: <u>MT</u> PLOTTED: <u>MT</u> DATE: <u>14/09/05</u> CHECKED: <u>KH</u>												
 <b>GEOCON SOIL TESTING LTD</b> Geotechnical Engineers 1150 Victoria Street, P.O. Box 9123, Hamilton		BORE HOLE LOG		<b>BORE HOLE No. 3</b> LOCATION: <u>refer Site Plan</u> RL (m): _____ SHEET: <u>1 OF 1</u> Fig. No. <u>A-3</u>												

NOTE: All measurements taken by Mark T Mitchell Ltd Staff are not surveyed.  
All features shown have some degree of error and are subject  
to Survey by a Registered Surveyor.



Lot 1 DPS 2437  
(LINZ PARCEL ID 4489247)



Existing House

Addition

Lot 1 DPS 2437  
(LINZ PARCEL ID 4567982)  
Owner - Boleyn

Edge of Driveway

Gate

Manhole R15 044  
(Approximate - not physically located)

Lot 1 DPS 2437  
(LINZ PARCEL ID 4567979)  
Owner - HCC

Top of Slope

Fence

Lot 32 DPS 2437  
(LINZ PARCEL ID 4489248)  
Owner - Boleyn

Lot 32 DPS 2437  
(LINZ PARCEL ID 4332344)  
Owner - HCC

# LEGEND

- denotes Bore Hole locations
- " Ground Profile locations
- " Existing Retaining Wall location
- " Approximate location of Top of Gully Slope  
(As shown on original Wall Plan)

C

B1

Bore Hole No. 1

Bore Hole No. 2

Bore Hole No. 3

Manhole R15 034

Manhole R15 074

Foot Path

150 dia Sanitary Sewer

300 dia Sanitary Sewer

Foot Bridge

B1

RECEIVED  
06 MAY 2010  
BUILDING

ABERFOYLE STREET (PAPER ROAD)

HAMILTON CITY COUNCIL  
BUILDING UNIT  
APPROVED  
SUBJECT TO CONDITIONS  
TO BE KEPT ON SITE

SCALE 1:200

0 4 8 12 16 200 Metres

ISSUE DATE: 01/05/08

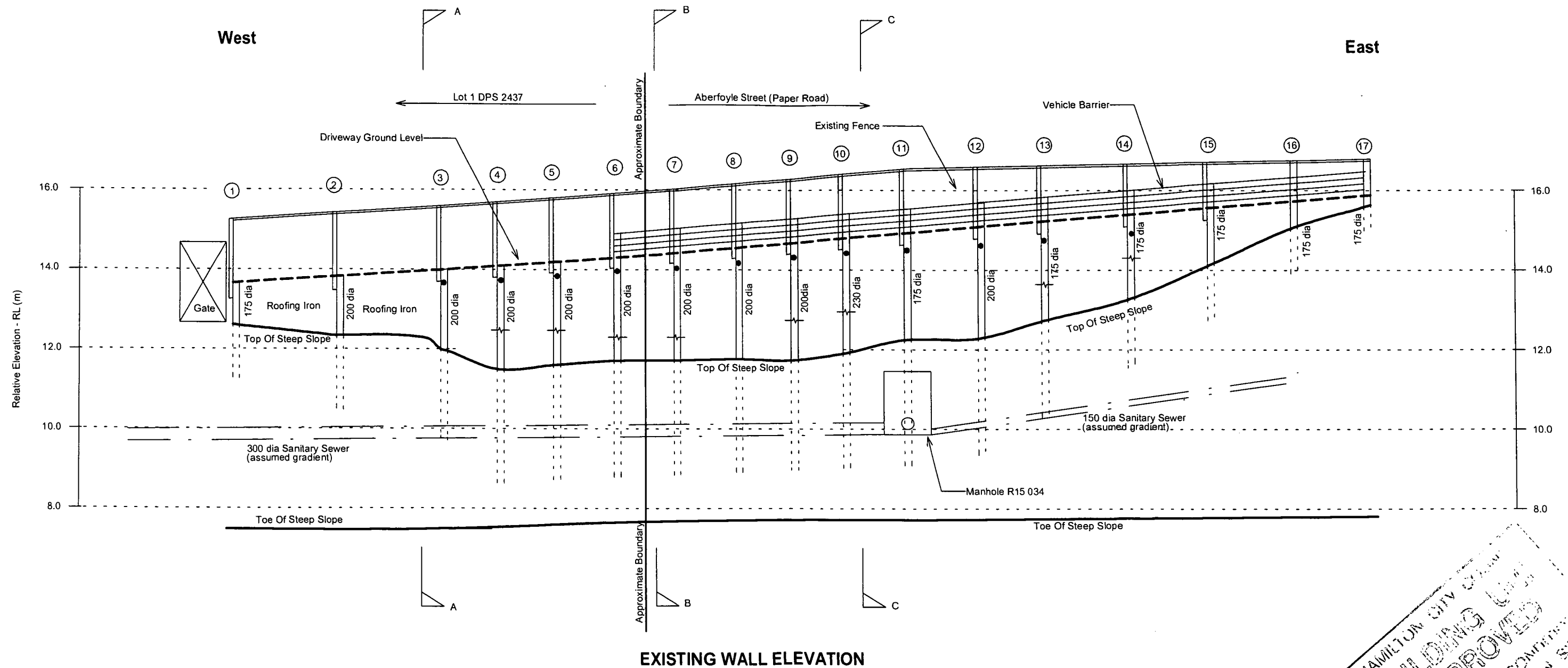
**Mark T Mitchell Ltd**  
Consulting Geotechnical Engineers  
1150 Victoria Street, P.O. Box 9123, Hamilton

**BOLEYN RESIDENCE**  
Investigation for Proposed Retaining Wall  
32 Aberfoyle Street, Hamilton

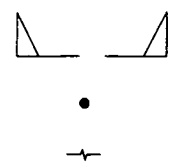
**SITE PLAN  
(EXISTING)**

DRAWING No. 8366-01  
DATE October 2007  
ISSUE One

Note: Sewer gradients and depth subject to survey



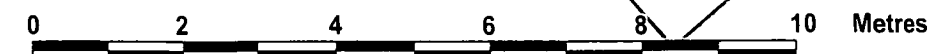
# LEGEND



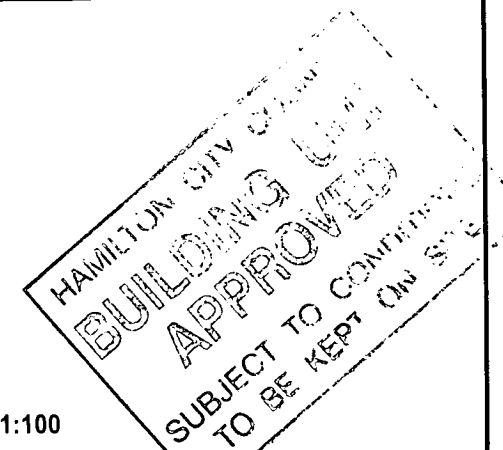
denotes Cross Section locations  
 " Anchor locations  
 " Snapped Pole locations

Poles 1-2 - No Anchors  
 Poles 3-14 - Have Anchors  
 Poles 15-17 - Have previously been replaced without Anchors  
 Timber Rails used between Poles 3 to 17

SCALE 1:100



ISSUE DATE: 01/05/08



**Mark T Mitchell Ltd**

Consulting Geotechnical Engineers

1150 Victoria Street, P.O. Box 9123, Hamilton

**BOLEYN RESIDENCE**

Site Investigation for Proposed Retaining Wall  
 32 Aberfoyle Street, Hamilton

**WALL ELEVATION  
 (EXISTING)**

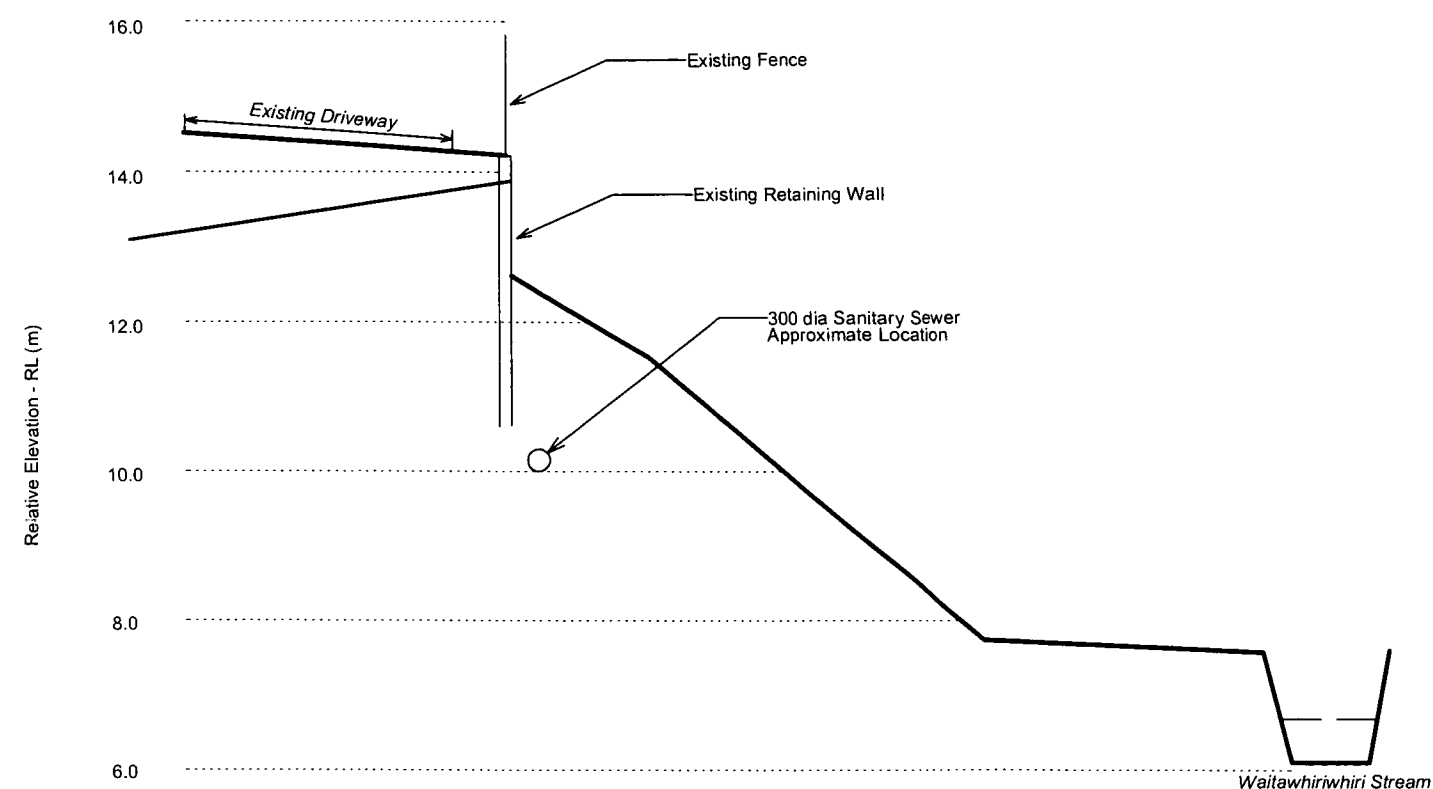
DRAWING No. 8366-02

DATE September 2007

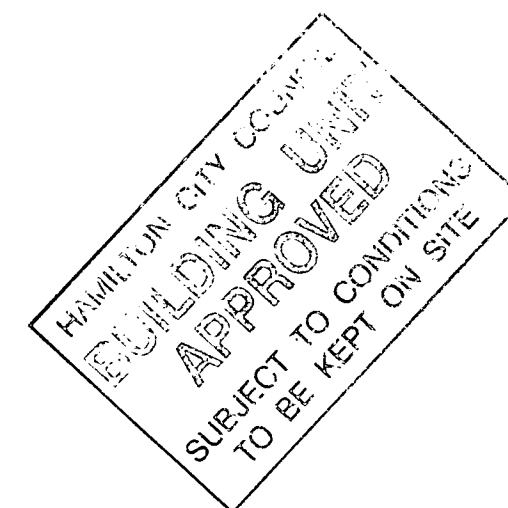
ISSUE One



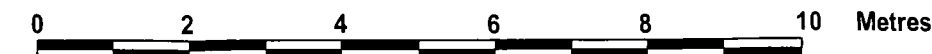
Note: Sewer location and depth subject to survey



TYPICAL CROSS SECTION A-A



SCALE 1:100



ISSUE DATE: 01/05/08



**Mark T Mitchell Ltd**

Consulting Geotechnical Engineers

1150 Victoria Street, P.O. Box 9123, Hamilton

BOLEYN RESIDENCE

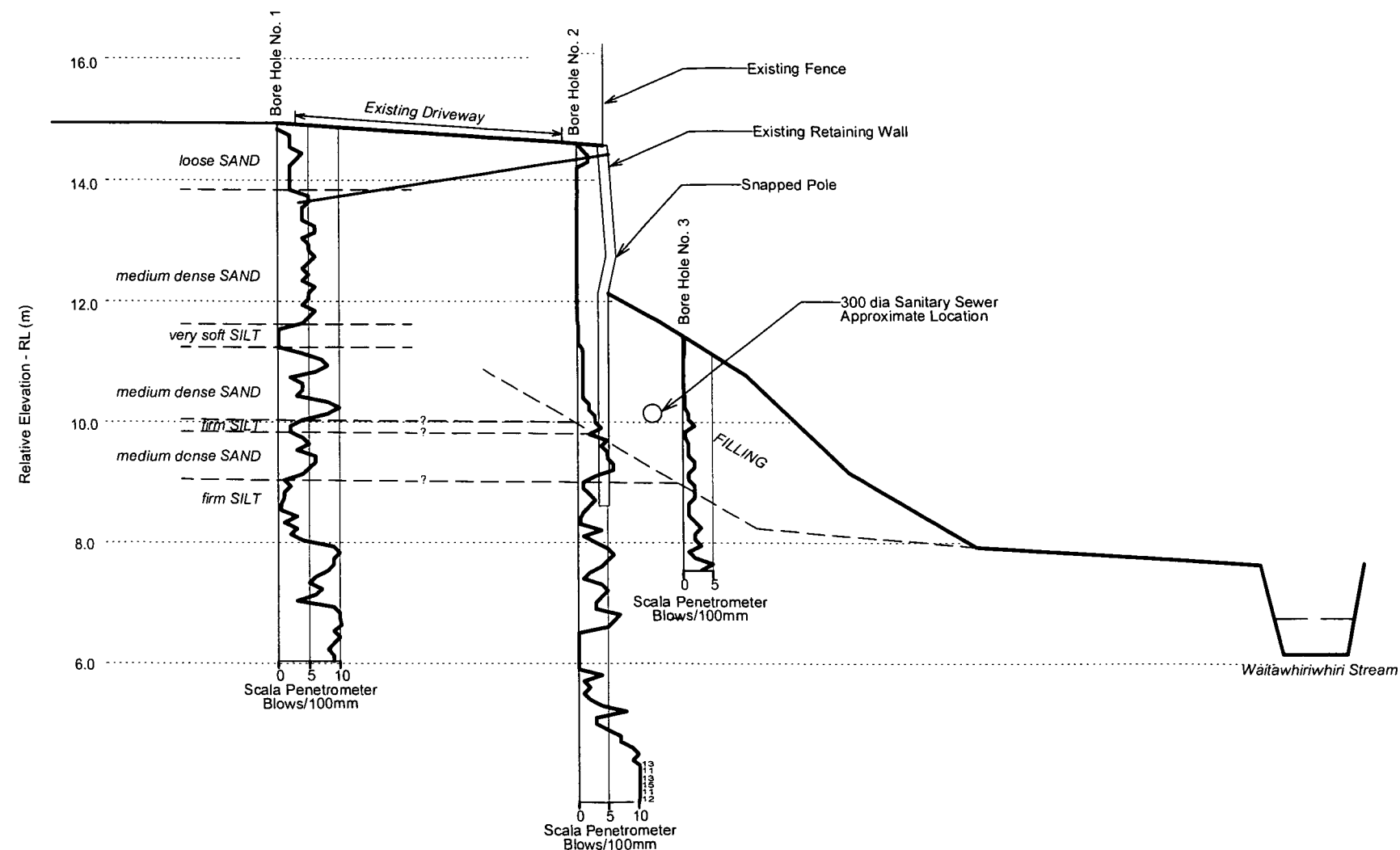
Site Investigation for Proposed Retaining Wall  
32 Aberfolye Street, Hamilton

**EXISTING WALL  
CROSS SECTION**

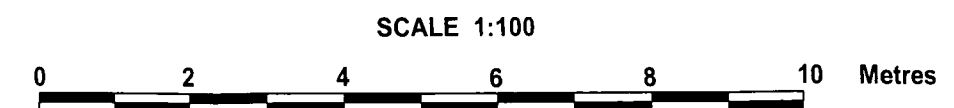
DRAWING No. 8366-03

DATE October 2007

ISSUE One



TYPICAL CROSS SECTION B1-B1



ISSUE DATE: 01/05/08

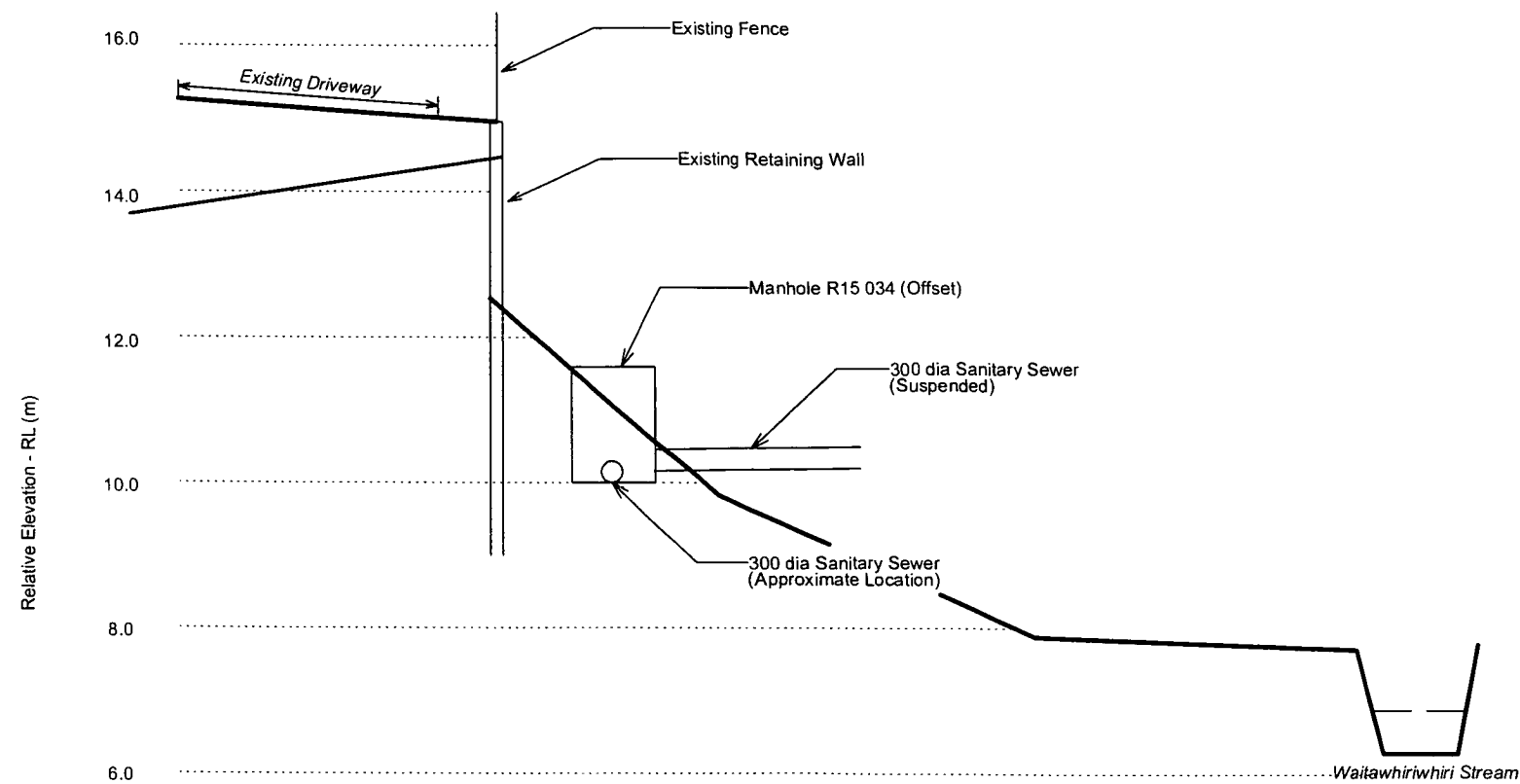
**Mark T Mitchell Ltd**  
Consulting Geotechnical Engineers  
1150 Victoria Street, P.O. Box 9123, Hamilton

**BOLEYN RESIDENCE**  
Site Investigation for Proposed Retaining Wall  
32 Aberfolye Street, Hamilton

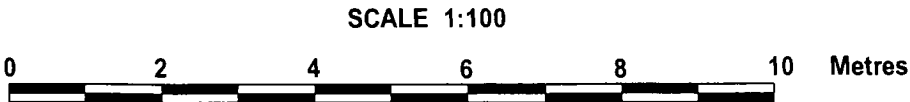
**EXISTING WALL  
CROSS SECTION**

DRAWING No. 8366-04  
DATE October 2007  
ISSUE One


Note: Sewer location and depth subject to survey



TYPICAL CROSS SECTION C-C



ISSUE DATE: 01/05/08



**Mark T Mitchell Ltd**

Consulting Geotechnical Engineers

1150 Victoria Street, P.O. Box 9123, Hamilton

BOLEYN RESIDENCE

Site Investigation for Proposed Retaining Wall

32 Aberfoyle Street, Hamilton

**EXISTING WALL**

**CROSS SECTION**

DRAWING No. 8366-05

DATE October 2007

ISSUE One

Phil Sanders

32 Aberfoyle - Retaining Wall.  
Searched the street file and found  
this memo giving permission for  
construction of the wall on road reserve.

No mention of maintenance, though.

Nick Bant



Mr Arthur

BRA:LEW

23 September 1977

290/A1

X Ref to 66/1075

X Ref. 270/3

Dear Sir

PROPERTY IN ABERFOYLE STREET

I understand that as a condition to granting Council permission to enter your property in Aberfoyle Street, being lot 32 DPS 2437 and Part 1 DPS 2437, to construct channel improvements to the Waitawhiriwhiri Stream that you require consent from Council to you constructing an access to your property within the road reserve.

I confirm that Council have no objection to you constructing such an access provided that the following requirements are met:

- 1) The proposed access must be designed so that it does not interfere with either the existing or proposed footbridges across the Waitawhiriwhiri Stream at Aberfoyle Street.
- 2) The design of the accessway must be approved by the City Engineer before work is commenced.
- 3) That all costs of constructing the access are to be borne by you.
- 4) Construction of the access must be to the satisfaction of the City Engineer.

With regard to the Waitawhiriwhiri Stream, I confirm that work will be confined to the area shown on the plan attached to your approval and that it is Councils intention to purchase the land effected by the channel improvements of about 11.4 perches.

Yours faithfully

M.G.G. GERRARD  
CITY ENGINEER

PER: 

Mr Arthur

23 September 1977

BRA:LEW

290/A1  
X Ref to 66/1075  
X Ref 270/3

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Yours faithfully

M.G.G. GURR  
CITY ENGINEER

FBR: 

COPY



013198

**Swarbrick Dixon**

BARRISTERS & SOLICITORS

24 November 2005

Norris Ward McKinnon  
DX GP20022  
HAMILTON

Vero House,  
127 Alexandra Street,  
Hamilton, N.Z.  
P.O. Box 19010.  
DX GP20027.  
Phone 0-7-839 5166.  
Fax 0-7-839 3439.  
Email [staff@swarbrickdixon.co.nz](mailto:staff@swarbrickdixon.co.nz)  
[www.swarbrickdixon.co.nz](http://www.swarbrickdixon.co.nz)

Attention: Michael Grayson

Dear Sir

<sup>32</sup>  
**RE: BOLEYN - ABERFOYLE STREET RETAINING WALL**

I have been asked by Hamilton City Council staff to assist them in responding to your clients request for contribution to the cost of reinstatement of the retaining wall which supports your clients access way.

I note that the retaining wall was apparently constructed at your clients request and for your client's benefit, to provide a practical form of vehicle access.

As you may be aware, Council staff have not been able to locate further documentation relating to the original construction of the retaining wall. Would you please obtain instructions on the following points from your clients:

1. Do they have any further documentation relating to the original construction of the retaining wall?
2. Where did your clients obtain the copies of documents that they have shown to Council staff?

If answers to these questions can be obtained, there may be a chance of finding further information about the construction of the retaining wall, including any commitments given b the Council or your client for ongoing maintenance or reinstatement of the wall in this type of event.

Yours faithfully

**SWARBRICK DIXON**

Per:

  
**P M LANG**

nrm - 569/46 27.10.5

Email: [pml@swarbrickdixon.co.nz](mailto:pml@swarbrickdixon.co.nz)

Direct Dial 834-6251

c.c

**Mr P Saunders**  
Building Unit  
Hamilton City Council

019751

# Memo



**Hamilton City Council**  
Te kaunihera o Kirikiriroa

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To: All Council Staff

From: Chief Building Officer

Subject: 32 Aberfoyle Street

Date: 6.11. 2008 File: Legal File

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All inquiries, Land Information Memorandum applications and any matter relating to the above property are to be referred to me in the first instance. In the event that I am not available then the inquiry shall be referred to Alister Arcus - Coordinator Building Review.

**This file is held with me or on the F: drive/legal files.**

**Under no circumstances is any information regarding this file to be made available for viewing or copying nor is it to be conveyed by any other means to any person without the express permission of one of the officers nominated above.**

*Yours faithfully*

*Phil Saunders*  
*Chief Building Officer*



**Wind Zone:** Low.

**Swimming Pool:** None recorded for this property.

**Building Warrant of Fitness:** Not applicable to residential properties.

***Important to Note:***

In line with Local Government Official Information and Meetings Act 1987 as of October 2015, we no longer included building consent or building/drainage permit plans within the LIM report. If you require more information, please contact Customer Services Centre at Hamilton City Council.

Prior to the Building Act 1991, Council was not required to keep detailed records for building permits issued. As such, limited information is held and, in some cases, we are unable to identify building permits for particular properties.

The information provided in this application is in accordance with Section 44A (2) of the Local Government Official Information and Meetings Act 1987 (LGOIMA). In addition, Hamilton City Council informs the applicant that historic information (limited to basic consent details- no plans held) may, or may not, be contained in the 'Historic Building Register'. These registers have been archived at the Central Library (Garden Place) and are open for inspection in accordance with sec. 15 (1) (a) of the LGOIMA 1987.

**If work has been carried out without a building consent:**

With the introduction of the Building Act 2004, the service of providing what has been commonly known as "Safe and Sanitary" inspection has been discontinued. There is no longer the ability to make an application to Council for this service.

The Building Act 2004 allows for any person to apply for a "Certificate of Acceptance" for any work that has been completed without a building consent. This is however only applicable to work carried out after the inception of the Building Act 1991 (1 July 1992). A "Certificate of Acceptance" must be applied for on the appropriate form.

For any work completed without a building consent and prior to 1 July 1992 there is no process available through Council for acceptance or qualification of this work. Where such building work is the subject of a condition for a building report in a sale and purchase agreement, then you will need to obtain the services of a qualified person from the private sector.

Council is bound by the Building Act 2004 and has a role to ensure the health and safety of the public with regard to buildings is always maintained. If you are aware of a situation that you believe compromises the health and safety of building users, then you need to refer the matter to Council at the earliest date.

For access to forms and further information, please visit our website: [www.buildwaikato.co.nz](http://www.buildwaikato.co.nz)

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# Planning Guidance Information

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## **1.0 Status of District Plans:**

### **Status of Hamilton City Operative District Plan**

- The Hamilton City District Plan became operative on 18 October 2017.

### **Where to find the District Plans**

To view the Hamilton City District Plan and Planning Maps on line go to  
<http://www.hamilton.govt.nz/operativedistrictplan>

## **2.0 District Plan details applicable to this property:**

### **Operative District Plan:**

**Zone:** General Residential Zone  
Natural Open Space Zone

#### **Features:**

- |   |                                     |
|---|-------------------------------------|
| • Significant Archaeological, Historic and Cultural Sites:                  | None recorded for this property     |
| • Natural Environment:  | None recorded for this property     |
| • Electricity Transmission Corridors:                                       | None recorded for this property     |
| • Natural Hazard Area:  | Waikato River and Gully Hazard Area |
| • Airport Protection Overlay:   | None recorded for this property     |
| • Areas:  | None recorded for this property     |
| • Other Features:   | Infrastructure Capacity Overlay     |
| • Designations on this Property:  | None recorded for this property     |
| • Alterations to Designations and Notices of Requirement for this property: | None recorded for this property     |

For further information regarding Alterations to Existing Designations, and Notices of Requirement for new Designations please contact the Planning Guidance Unit on 838 6699.

### **3.0 Resource Consents in regard to this property:**

**Resource Consents currently In Progress for this Property:** None recorded for this property

**Resource Consents granted for this Property:** None recorded for this property

### **4.0 Active complaints in relation to this property:**

None recorded for this property

### **5.0 Heritage New Zealand registered items in relation to this property:**

Heritage New Zealand Register Number

Description of Item: None recorded for this property

### **6.0 Information on land adjoining this property**

#### **Designations Adjoining this Property:**

**Existing Designations adjoining this property:**

Operative District Plan: None recorded for this property

**Alterations to Designations and Notices of Requirement adjoining this property:**

Operative District Plan: None recorded for this property

For further information regarding Alterations to Existing Designations, and Notices of Requirement for new Designations please contact the City Planning Unit on 838 6699.

#### **Notified Resource Consents currently in progress at adjoining Properties:**

**Notified Resource consent applications that are currently being processed at adjoining properties:** None recorded for this property.

### **COMMENTS**

The District Plan includes Flood Hazard overlays which identify Low, Medium and High Flood Hazard Areas, identified where applicable in Section 2.0 above under Natural Hazard Areas. This is based on flood data available at the time of development of the District Plan (notified to the public December 2012). In some cases, this may differ to that identified in the City Waters section of this LIM report which includes any relevant 'best available' flood data for this property.

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## Environmental Health Information

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Note:- No inspection of the subject business premises/property has been carried out as a result of this application.

**Information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by Council:**

No information in relation to consents, certificates, notices, orders or requisitions are currently held in respect of this business premises/property. This does not preclude the possibility of consents, certificates, notices, orders or requisitions being issued in the future.

**Likely presence of hazardous contaminants known to Council:**

Council holds records of properties where certain hazardous activity and industrial landuses (HAIL) that are considered likely to cause land contamination are known to be occurring, may have occurred, or have occurred in the past.

As at the date of issue of this LIM report Council holds no information for the land that is the subject of this LIM in relation to activities and industries that are considered likely to cause land contamination, or in relation to the likely presence of hazardous contaminants.

**Important notes:**

The absence of information does not necessarily mean that no hazardous activity or industrial landuse is occurring or has occurred on the land, or the absence of hazardous contaminants on the land, but simply means that no information is currently held by Council.

Council is concerned with human receptors only. You are advised to contact the Waikato Regional Council, who may or may not have further information in relation to HAIL activity and the likely presence of hazardous contaminants for this land, particularly in relation to ecological receptors.

**Disclaimer:**

Hamilton City Council accepts no liability for any inaccuracy in, or omission from, the information provided above, or for any consequence of that inaccuracy or omission.

Any person who wishes to make any commercial decisions that involves an assessment of whether the site is impacted by hazardous contaminants should make their own enquiries and decisions.

**Further information:**

More information on hazardous activities and industries that are considered likely to cause land contamination can be found at:- <https://environment.govt.nz/publications/hazardous-activities-and-industries-list-hail/>

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## City Transportation Information

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### Road Works:

Council has an ongoing programme of minor road works, and larger projects that can, from time to time, impact on access to properties and amenity. Generally, we will let neighbouring property owners know when we have work planned through a letter drop. If planned roadworks are of interest to you, information can be found as follows:

- Council regularly updates information on events, projects and major works requiring lane or road closures in Hamilton on its website. You can check this information on our 'Week on the street' page at <https://hamilton.govt.nz/your-council/news/on-the-move/week-on-our-streets>
- Council regularly updates information on minor roadworks on its website. These works require lane or road closures in Hamilton. You can check this information on our Minor Roadworks page at <https://hamilton.govt.nz/your-council/news/on-the-move/hamilton-city-minor-roadworks>

**Rights Of Way / Shared Access:** None recorded for this property.

### Vehicle Crossing:

For vehicle access it is necessary that this property is served by a properly formed vehicle crossing. If you are unsure as to the adequacy of the crossing, Please contact us as below. More information can be found at <https://hamilton.govt.nz/do-it-online/apply-for-it/apply-for-a-vehicle-crossing/>

### Road Resurfacing:

If the road this property is located on is surfaced with hotmix, the road may be resurfaced with chipseal when the current surfacing material reaches the end of its useful life. The end of its life will be when it no longer provides waterproof cover for the underlying pavement layers.

If you require more information on this, please contact the City Infrastructure Transportation Unit team (07) 838 6699.

**RATING UNIT DETAILS**

Rates number	7844	<a href="#">HCC website</a>
Valuation number	04052-045-00	<a href="#">Map</a>
Property address	32 Aberfoyle Street	
Rate category *	Residential General	
Separate parts (SUIPs) *	1	
Land value *	\$520,000	
Capital value *	\$980,000	

\* This is our current record and may have changed since rates were set.

**RATEPAYER POSTAL DETAILS**

Rosalie Jean Boleyn  
32 Aberfoyle Street  
Dinsdale  
Hamilton 3204

Legal description	Area (hectares)	Record of title
Part Lot 1 DPS 2437	0.0745	SA26D/1231

**RATES BALANCES**

Balance on 1 July 2024	\$0.00
2024/2025 annual rates	\$3,767.95
Rates penalties	\$0.00
Payments received	(\$2,825.96)
Balance to 30 June 2025	<b>\$941.99</b>

**AMOUNT NOW DUE** **\$941.99** *To the end of Instalment 4.*

**2024/2025 RATES INSTALMENTS**

Instalment	Instalment period	Due date	Instalment amount	Balance outstanding
1	1/7/2024 to 30/9/2024	5/9/2024	\$941.98	\$0.00
2	1/10/2024 to 31/12/2024	28/11/2024	\$941.99	\$0.00
3	1/1/2025 to 31/3/2025	20/2/2025	\$941.99	\$0.00
4	1/4/2025 to 30/6/2025	22/5/2025	\$941.99	\$941.99

**LAST TWO PAYMENTS**

11/2/2025	\$941.99	Bank transfer / automatic payment	25/11/2024	\$941.99	Bank transfer / automatic payment
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**DETAILS FOR PAYMENT**

Hamilton City Council bank account	02-0316-0030142-06	Particulars	Rates	Code	7844	Reference	32AberfoyleS
------------------------------------	--------------------	-------------	-------	------	------	-----------	--------------

Residential properties in Hamilton do not usually pay for water by meter.

Separate rates are set and invoiced by Waikato Regional Council— [waikatoregion.govt.nz/rates](http://waikatoregion.govt.nz/rates) [rates@waikatoregion.govt.nz](mailto:rates@waikatoregion.govt.nz)

Rates for any title to be cancelled must be paid in full to 30 June.

Landonline Notice of Change of Ownership (NoC) is our preferred method to receive changes of ownership.



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## Parks and Recreation Information

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If you require information on the use of the management, development and current and potential use of parks in the area please contact the Parks and Recreation Unit at [parksadmin@hcc.govt.nz](mailto:parksadmin@hcc.govt.nz)

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## Network Utility Operators

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Hamilton City Council does not hold any information concerning electricity, gas or telephone connections. Information may be obtained from the relevant companies.

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## Please Note:

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- Some categories of information are based on records supplied to Council by property owners or developers or trades people. This information may not be accurate.
- Persons intending to make decisions in relation to the property to which this land information relates are urged to take appropriate professional advice including legal, survey, engineering and land use planning advice.
- No inspection of the property has been made for the purpose of this memorandum; it deals only with those matters which it specifically addresses and is not a general warranty of fitness.

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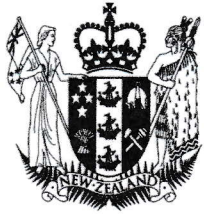
## Additional Information

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If you require further information about the content of the Land Information Memorandum, please contact Hamilton City Council.

Phone: 07 838 6699

Email: [lims2@hcc.govt.nz](mailto:lims2@hcc.govt.nz)



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **SA26D/1231**  
**Land Registration District** **South Auckland**  
**Date Issued** 18 May 1981

**Prior References**

SA1200/63      SA1408/31

---

**Estate** Fee Simple  
**Area** 1177 square metres more or less  
**Legal Description** Part Lot 1 and Lot 32 Deposited Plan South  
Auckland 2437

**Registered Owners**

Rosalie Jean Boleyn

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**Interests**

Appurtenant hereto is a right of way created by Easement Instrument 9493641.3 - 7.11.2013 at 3:24 pm

