

BEFORE THE HEARINGS COMMITTEE – PALMERSTON NORTH CITY COUNCIL

IN THE MATTER

Of a notice of objection under section 357B of the
Resource Management Act 1991

AND

IN THE MATTER

An objection to the charges claimed for the processing
of a Resource Consent **SUB 4384** at 52 Johnstone Drive,
Palmerston North.

BY

Mr Les Fugle on behalf of Aokautere Land Holdings Ltd
(ALHL)

**STATEMENT OF EVIDENCE OF
SIMON MORI (HEAD OF PLANNING SERVICES)**

Dated: 23 March 2021

1 INTRODUCTION

- 1.2 My name is Simon Mori and I am the Head of Planning Services at the Palmerston North City Council. I have been directly involved throughout the processing of subdivision consent SUB 4384 and the section 223/224 processing.
- 1.3 This statement of evidence is intended to assist the Hearings Committee in making a decision on Aokautere Land Holdings Limited's ("ALHL") objection to charges for SUB 4384 under section 357B the Resource Management Act 1991 ("RMA").

2 BACKGROUND

- 2.2 On 1 December 2020, Simon Mori sent an email to Les Fugle (on behalf of ALHL) which included all outstanding invoices payable by ALHL in relation to SUB 4384. ALHL was directed to pay all invoices prior to the issue of the section 223/224 certificates (Appendix A).
- 2.3 On 1 December 2020, Les Fugle responded to Simon Mori objecting to all Council's invoices in the 1 December 2020 email (Appendix A). While the email stated that it was an objection pursuant to the 357B RMA, no reasons for the objection were provided.
- 2.4 On 2 December 2020, a letter from ALHL's solicitor, Dewhirst Law, was sent to Simon Mori and CR Law (Appendix B). This letter expounded on ALHL's 1 December 2020 objection and indicated that the invoices would be paid under duress. The invoices were subsequently paid.
- 2.5 On 11 December 2020, CR Law, on behalf of Council, wrote to Dewhirst Law seeking clarification of what invoices were being objected to, the reasons for the objection and the relief sought (Appendix C).
- 2.6 On 16 December 2020, CR Law received a response from Dewhirst Law (Appendix D) sustaining the objection and providing reasons.
- 2.7 On 18 December 2020, after considering the objection,¹ Simon Mori wrote to Les Fugle (Appendix E) explaining that Council does not agree that ALHL's objection be upheld, providing reasons.
- 2.8 Mr Fugle subsequently requested a hearing be set for the objection.

3 STATUTORY FRAMEWORK

- 3.2 Section 36 enables Council to charge applicants for carrying out statutory functions under the RMA, such as receiving, processing, granting consents;² and for administering, monitoring and supervising consents.³ Administrative charges are identified as either fixed charges or additional charges.

¹ RMA, section 357C(4).

² RMA, section 36(1)(b)

³ RMA, section 36(1)(c).

- 3.3 Fixed charges are those fixed under section 36 and are either specific amounts or determined by reference to scales or other formulae. The Council has set fixed charges, following the procedure in section 36(3), which are published in the document "Planning Services Fees and Charges" (the "**Fees Schedule**"). Council has set and published its Fees Schedule for the 2018/19, 2019/20 and 2020/21 financial years.
- 3.4 Additional charges may be charged where a fixed charge is, in any particular case, inadequate to enable Council to "*recover its actual and reasonable costs in respect of the matter concerned*".⁴ For reasons outlined in sections 6 and 7 of this statement of evidence, the actual and reasonable costs of processing the 223/224 certificates exceeded the fixed charge specified in the Fees Schedule. Additional charges were therefore invoiced to ALHL to recover these costs.
- 3.5 Section 36AAA states that the sole purpose of a charge (whether it be additional or fixed) is to recover the reasonable costs incurred by the local authority in respect of the activity to which the charge relates.
- 3.6 Section 36AAB gives Council absolute discretion to remit the whole or any part of any charge of a kind imposed under section 36 that would otherwise be payable. The applicant has not specified the extent of fees sought to be remitted for the processing of the 223/224 certificates or the variation to SUB 4384.
- 3.7 Section 357B(b) provides a right of objection for a person who has been required by a local authority to pay an additional charge under section 36(5). There is no right of objection to a fixed charge set under section 36.⁵
- 3.8 ALHL has objected to the additional charge and now, on the hearing the objection, the Hearings Committee may:⁶
- (a) Dismiss the objection; or
 - (b) Uphold the objection in whole or in part; or
 - (c) Remit the whole or any part of the additional charge over which the objection was made.

4 SCOPE OF THE OBJECTION

- 3.1 The scope of this objection is limited to:
- 3.1.1 Invoices that were objected to within the 15 working day timeframe for lodging objections under section 357C(1), which states "*an objection under section 357, 357A, or 357B must be made by notice in writing not later than 15 working days after the decision or requirement is notified to the objector, or within any longer time allowed by the person or body to which the objection is made*";
- 3.1.2 The additional charge portion (not the fixed portion) of invoices pursuant to s 36(7), which states "*sections 357B to 358 (which deal with rights of objection*

⁴ RMA section 35(5).

⁵ RMA, section 35(7).

⁶ RMA, section 357D(1).

and appeal against certain decisions) apply in respect of the requirement by a local authority to pay an additional charge under subsection (5)."

- 4.2 Despite Les Fugle objecting to all invoices in Simon Mori's email of 1 December 2020 (Appendix A), there are only two invoices within the 15 working day timeframe that could be objected to and the Hearings Panel make a decision on.⁷
- 4.3 The first is invoice no. 1123018 dated 27 November 2020 (Appendix F), which is for the variation to SUB 4384. The total cost of processing the variation was \$2,843.95. A deposit of \$1,000 was paid and the outstanding amount is \$1,843.95. The fixed charge amount in the Fees Schedule for a variation is \$1,350. Therefore, there are additional charges of \$1,493.95 which can be objected to.
- 4.4 The second invoice is no. 1123682 dated 1 December 2020 (Appendix G), which is for the section 223/224 processing. The total cost of the 223/224 processing was \$48,940.95. No deposit was paid. The fixed charge amount in the fees schedule for subdivision inspections for more than 20 lots is \$4,800. Therefore, there are additional charges of \$44,140.95 which can be objected to.

5 BREAKDOWN OF COSTS INVOICED

- 5.2 Appendix H contains the following breakdown of the consultant hours spent on the variation to SUB 4384.
- 5.3 Appendix I contains the breakdown of the planners' time to sign off the section 223 and 224 certificates.
- 5.4 Appendix J contains the breakdown of the PNCC City Networks/Infrastructure officers' time in processing the section 223 approval.
- 5.5 Appendix K contains the breakdown of the PNCC City Networks/Infrastructure officers' time in processing the 224 approval.
- 5.6 Appendix L contains the breakdown of the GHD consultants time for processing the section 223 and 224 certificates.

6 THE OBJECTION

- 6.2 In Mr Fugle's 1 December 2021 email (Appendix A), no reasons were provided for the objection. Through CR Law Council sought clarification on what invoice is being objected to, the reasons for the objection and the relief sought (Appendix C).
- 6.3 A response from Dewhirst Law was provided on 16 December 2020 (Appendix D). This response put forward the following summarised grounds for objection:

- (a) ALHL contend there is no lawful basis upon Council can delegate its functions to GHD.*
- (b) The charges imposed are not commensurate with the nature and extent of work undertaken. There is a suggestion that significant duplications,*

⁷ The Council has declined to extend this period of time to accept objections to invoices outside this timeframe.

redundancies, errors, processing inefficiencies and operational inadequacies have occurred.

(c) Charges fixed were not in a manner which was compliant with the Local Government Act/RMA.

7 CONSIDERATION

7.2 In relation to (a), the Fee Schedule, under the hearing "Consultant Charges" at page 4 (Appendix M), states:

"Consultants and Solicitors fees associated with all work types, including the processing of a consent or certificate including specialist technical or legal advice where a consent involves creating legal instruments) and new notice of requirements, heritage orders, designation alterations, removal of designations and District Plan changes."

7.3 In this case, Council has engaged GHD consultants to help process the engineering component of the section 223/224 processing for SUB 4384. It is common practice for Council to engage consultants to process applications on its behalf and then on charge the consultants costs.

7.4 It was necessary to obtain engineering advice in this case to resolve disagreements between ALHL and Council regarding certification of infrastructure. For example, engineering advice would be obtained to clarify (and resolve disagreement) whether infrastructure plans submitted by ALHL complied with required engineering standards.

7.5 With regard to (b), ALHL has not provided any detail explaining why the additional charges are not commensurate the nature and extent of work undertaken. In the breakdowns by Council officers and consultants provided in my Appendices it is clearly evident that many hours were spent processing the section 223/224 component of the subdivision.

7.6 They are Council's actual and reasonable costs of processing the section 223/224 component of SUB 4384 and were incurred as a result of ALHL varying SUB 4384 and considering various infrastructure plans submitted by ALHL.

7.7 With regard to (c) the Fees Schedule was set in accordance with the requirements of the RMA (including the rates for additional charges) and it is not within scope of this objection, which is restricted to additional charges charged to ALHL.

7.8 In my opinion, the invoices charged for processing the variation to SUB4384 and the processing of the 223/224 certificate represent actual and reasonable costs; and the sole purpose for charging ALHL is to recover those reasonable costs. The breakdown of time provided in Appendices G, H, I J and K represents all of the time spent processing and approving the variation and the 223/224 certificates.

7.9 Additional time (and therefore additional charges) was required to process the variation to SUB 4384, for the following reasons:

(a) The nature of the variation involved and number of changes that required consideration and assessment beyond a typical variation. The variation

was to provide for two additional residential lots, and the creation of one additional reserve lot (to vest in Council). This required changes to the general accordancy condition, consent notice condition and the vesting of assets condition.

- (b) As a result of the new reserve layout existing right of way easements needed to be cancelled.
- (c) A consent notice condition removal was sought in relation to two lots regarding vehicle access.

I consider that the time spent to process the variation was fair and reasonable in light of the reasons above.

7.3 Additional time (and therefore additional charges) was required to process the section 223/224 certificates, for the following reasons:

- (a) PNCC engaged GHD consultants to assess the open drain proposal submitted by Pirie Consultants, which then had to be endorsed by NZET's Stu Clark. After further correspondence with NZET on the open drain proposal it became apparent that the proposal was not acceptable to PNCC and it was requested that the stormwater discharge be piped.
- (b) Numerous proposed pipe designs followed with the developer proposing to use a smaller diameter pipe downstream of the pipes in Johnstone Drive. This complicated the design and lead to months of correspondence between Council, ALHL's technical representative and GHD consultants on the design requirements. The engineering plans were finally approved on the 3rd of September 2020.
- (c) During the construction phase the developer then decided to change the design. This required months of correspondence with amended engineering plans being approved on 13 November 2020. Time for work on the amended engineering plans is recorded in the 224 worksheet (Appendix K).

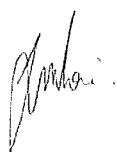
8 CONCLUSION

8.2 Additional time was required to process the variation and section 223/224 certificates. This time has been accurately recorded as evidenced in Appendices G, H, I, J and K.

8.3 I consider this time and cost charged is actual and reasonable.

9. RECOMMENDATION

That there is no reduction to the additional charge component of invoice no. 1123018 (the additional charge being \$1,493.95) and invoice no. 1123682 (the additional charge being \$44,140.95) for the processing of the variation to SUB 4384 and for the section 223/224 processing.



Simon Mori
HEAD OF PLANNING SERVICES

Appendix A.

Simon Mori

From: Simon Mori
Sent: Wednesday, 2 December 2020 4:27 PM
To: Hanna Braddock
Subject: FW: SUB 4384 - 223/224 fees

Hi

Please load this objection

Cheers
Si

From: Les Fugle <fugle@xtra.co.nz>
Sent: Tuesday, 1 December 2020 6:04 PM
To: Simon Mori <simon.mori@pncc.govt.nz>
Cc: Phil Pirie <phil@pirieconsultants.co.nz>; Tony McGlynn <tony.mcglynn@pncc.govt.nz>; Chris Dyhrberg <chris.dyhrberg@pncc.govt.nz>
Subject: Re: SUB 4384 - 223/224 fees

Hello Simon.

Pursuant to the Resource Management Act 1991 section 120 and 357B and 357C Aokautere Land Holdings Limited hereby objects to Council fees imposed attached to this email. Please have this matter set down for consideration before Council's Hearing Committee at member's earliest convenience.

Submission will be tabled prior to hearing. Please have fixture date provided.

Should Council require further information then please do not hesitate to contact me.

Regards
Les Fugle
On behalf of
Aokautere Land Holdings Limited

Sent from my iPad

On 1/12/2020, at 5:09 PM, Simon Mori <simon.mori@pncc.govt.nz> wrote:

Hi Les

Please find attached all outstanding invoices that need to be paid prior to 223/224 certificate being issued.

- \$965.50 – Interim processing for 4384
- \$7827.50 – final 4384 processing
- \$330 – monitoring
- \$1843.95 – variation to 4384

- \$170 – additional inspection
- \$48940.48 – 223/224 processing

Total to pay = \$60077.43

Please also find attached the breakdowns relating to the 223/224 processing.

Regards

SIMON MORI | Head of Planning Services

Palmerston North City Council | Private Bag 11034 | Palmerston North
P: +64 (6) 3568199 | F: +64 (6) 3514471 | www.pncc.govt.nz

From: Les Fugle <fugle@xtra.co.nz>

Sent: Tuesday, 1 December 2020 4:30 PM

To: Simon Mori <simon.mori@pncc.govt.nz>; Chris Dyhrberg <chris.dyhrberg@pncc.govt.nz>;
stu@nzet.net.nz; Phil Pirie <phil@pirieconsultants.co.nz>

Subject: Re: SUB 4384 - 223/224 approval

This is first have heard of this fee (have seen no breakdown) please provide urgently

Sent from my iPad

On 1/12/2020, at 3:40 PM, Simon Mori <simon.mori@pncc.govt.nz> wrote:

Hi Les

We are ready to issue the 223/224 certificates once the outstanding processing fees of \$45,000 have been paid.

Once it has been confirmed that the \$45,000 has been paid we will issue the certificates immediately.

Regards

SIMON MORI | Head of Planning Services

Palmerston North City Council | Private Bag 11034 | Palmerston North
P: +64 (6) 3568199 | F: +64 (6) 3514471 | www.pncc.govt.nz

Simon Mori
Head of Planning Services



Palmerston North City Council
Te Marae o Hine – 32 The Square
Private Bag 11034, Palmerston North 4442

06 356 8199

pncc.govt.nz

DewhirstLaw

Appendix B

2 December 2020

Cooper Rapley
Lawyers
PO Box 1945
Palmerston North 4440

Attention: Nicholas Jessen
By email: njessen@crlaw.co.nz

AOKAUTERE LAND HOLDINGS LIMITED – SUB4384 – 223/224 FEES

1. We hold instructions in behalf of Aokautere Land Holdings Limited.
2. Our client developer has placed us with a copy of correspondence between Mr Mori, and Mr Fugle, in behalf of our client company, dated 1 December 2020, pertaining to processing fees and associated charges levied by Council, sought to be recovered prior to the release of the 223/224 certificates.
3. Our client developer has instructed us to record, that whilst it will attend to payment of the fees demanded, it does so under protest; our client considers that the fees and charges which have been accrued, are in no way commensurate with the complexity of the work undertaken, and in particular questions the extensive reliance upon external consultants for matters which ought probably be constrained within the Council's processing functions. In making that observation we are cognisant of correspondence received from your offices, by which PNCC purports to appoint GHD in that regard; we are unclear on the legislative basis for that appointment.
4. We ask, pursuant to the Local Government Official Information and Meetings Act, that your client provide us with a copy of all documentation, in any way pertaining to the quantification, calculation, for all works said to have been undertaken in the furtherance of the processing of 4384 to the extent that such charges are encapsulated within the fees now sought. We ask that this request is treated as a matter of urgency.

Yours faithfully
DEWHIRST LAW



Greg Woollaston
greg@dewhirstlaw.co.nz

cc: Simon Mori, Head of Planning Services, PNCC

Appendix C

11 December 2020

Dewhurst Law
478 Main Street
PALMERSTON NORTH 4410

Attention: Greg Woollaston
By email: greg@dewhurstlaw.co.nz

RE: ALHL JOHNSTONE DRIVE STAGE 6F7 – OBJECTION TO FEES

1. We refer to the email of Les Fugle (on behalf of Aokautere Land Holdings Limited (“ALHL”)) dated 1 December 2020 and your letter of 2 December 2020.
2. Mr Fugle’s email states that he “objects to Council fees imposed” for the invoices attached to the email of Mr Simon Mori dated 1 December 2020, which include:
 - \$965.50 – Interim processing for 4384 (dated 14 May 2018);
 - \$7,827.50 – final 4384 processing (28 June 2018);
 - \$330 – monitoring (dated 15 January 2020);
 - \$1,843.95 – variation to 4384 (dated 27 November 2020);
 - \$170 – additional inspection (dated 5 November 2020); and
 - \$48,940.48 – 223/224 processing.
3. All invoices, with the exception of the invoice for section 223/224 processing (\$48,940.48) and for the variation to 4384 (\$1,854.95), were previously issued to ALHL and remain unpaid. The Council does not accept these objections because 15 working days have passed since those invoices were notified to ALHL.¹
4. To the extent the objection is relevant to the section 223/224 processing invoice and the additional charge for the variation to 4384 (\$493.95),² Mr Fugle did not provide reasons for the objection as required by s 357C(2) of the Resource Management Act 1991 (“RMA”). The 2 December 2020 letter relates to Mr Fugle’s objection but does not provide “reasons for the objection” on behalf of ALHL, as required.
5. Please clarify:
 - a. Whether an objection is being made to the invoice for section 223/224 processing;

¹ Resource Management Act 1991, s 357C(1).

² There is no right of objection to a fixed charge: *Schwartzfeger v Northland Regional Council* [2016] NZEnvC 96. The fixed charge for a variation is \$1,350. Therefore, the objection can only be for the charge additional to the fixed charge of \$493.95 (\$1843.95 - \$1,350).

- b. The reasons for the objection; and
 - c. The relief sought, for example, the amount that ALHL says the invoices should be reduced.
6. A breakdown for the section 223/224 invoice, previously provided to Mr Fugle on 1 December 2020, is **attached** to this letter.

Yours faithfully

CR LAW



Nicholas Jessen / Elliot Maassen

Partner / Solicitor

njessen@crlaw.co.nz / emaassen@crlaw.co.nz

DewhirstLaw

16 December 2020

Appendix D

Cooper Rapley
Lawyers
PO Box 1945
Palmerston North 4440

Attention: Elliot Maassen / Nick Jessen
By email: emaassen@crlaw.co.nz; njessen@crlaw.co.nz

AOKAUTERE LAND HOLDINGS LIMITED – PNCC – STAGE 6F7 – 223/224 CERTIFICATES

1. We refer to our earlier correspondence, note your letter correspondence of 11 December 2020.
2. You have sought clarification as to the grounds upon which our client contends that the 223/224 processing invoicing is amenable to objection.
3. We thank you for your correspondence in that respect; by way of clarification, our client's grounds of objection are, inter alia:
 - (a) ALHL contends that there is no lawful basis upon which the delegation to GHD, of its statutory functions reserved to Council pursuant to the schema of the Resource Management Act 1991 has been undertaken, or where undertaken, it says that the same was undertaken in a manner that was not compliant with the requisites for such delegations pursuant to the Act's schema.
 - (b) Our client developer further says that the charges which have been imposed are not commensurate with the nature and extent of the work properly undertaken, or which ought properly have been undertaken in the furtherance of the 223/224 processing, including by way of the same entailing significant duplications, redundancies, errors, processing inefficiencies, and operational inadequacies. The quantum, and the work product underscoring the quantum of such fees is challenged in its entirety.
 - (c) ALHL further says that the charges fixed or purported to have been fixed by your client Council, were not fixed in a manner which was compliant with the requisites of the Local Government Act/Resource Management Act, and that the same are therefore ultra vires its functioning and invalid ab initio.

4. Our client company requests the matter be placed before the determination of the Council, and that leave be reserved to it to be heard in these regards.

Yours faithfully
DEWHIRST LAW



Greg Woollaston
greg@dewhirstlaw.co.nz

18 December 2020

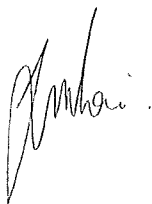
Attention: Les Fugle

SUB 4384

Email: fugle@xtra.co.nz

CONSIDERATION OF OBJECTION TO FEES SUB 4384 – 52 JOHNSTONE DRIVE, PALMERSTON NORTH

1. This letter records the Palmerston North City Council's (the "**Council**") decision in response to the Aokautere Land Holdings Limited's ("**ALHL**") objection dated 2 December 2020 and further correspondence provided by Dewhirst Law dated 16 December 2020.
2. On 2 December 2020 Council received an email from Les Fugle objecting to the fees for the processing of subdivision consent SUB 4384.
3. On 11 December 2020, CR Law on behalf of the Council asked for clarification regarding the objection via email from Les Fugle dated 2 December 2020.
4. On 16 December 2020 CR Law received a response from Dewhirst Law.
5. In accordance with s 357C(3)(a), the Council has considered the objection and the grounds stated. The Council does not agree that the objection should be upheld.
6. Please confirm in writing whether ALHL wishes to pursue the objection further. If the objection is pursued, a Council hearing for the objection will be arranged.
7. Council can only accept the objection insofar as it is within the statutory time period¹ and is an additional charge.² ALHL's assertion that the charges fixed is ultra vires is acknowledged. However, a right of objection applies only in respect of a requirement to pay an additional charge.³
8. If the objection is sustained, only the invoices for section 223/224 processing (\$48,940.48) and to the additional charge component for the variation to 4384 (\$493.95) can be put to the hearings panel.



Dated: 18 December 2020

Simon Mori

Head of Planning Services

Palmerston North City Council

¹ Resource Management Act 1991, section 357C(1).

² RMA, sections 36(7) and 357B(a).

³ As above.

Appendix F

TAX INVOICE

GST REGISTRATION NO. 11-213-081

AOKAUTERE LAND HOLDINGS LIMITED
5 COUTTS WAY
FITZHERBERT
PALMERSTON NORTH 4410

Invoice No: 1123018
Date: 27 Nov 2020
Your Reference: 4384*01

DETAILS

QTY UNIT AMOUNT

RESOURCE CONSENTS APPLICATION

Site Address: 52 JOHNSTONE DRIVE – Palmerston North

Consent Description: Variation to Stage from 4 lots to 5 lots in stage 6F7 with 2 lots being vested

Administration	0.75	114.00	85.50
Checking Report & Documentation	0.75	215.00	161.25
Vetting & Allocation	0.75	197.00	147.75
External Consultant – BECA see attached	1.00		2265.45
Internal Technical Advice - Infrastructure	1.00	184.00	184.00

Less deposits paid
2020 348232 1,000.00

EFT: (Internet) Payments only to:
PNCC Bank Account: 030726-0330770-00
Customer # and Invoice # are essential for allocation purposes
Remittance by email: remittance@pncc.govt.nz or fax to: 06 351 4311

Payment due:	INVOICE TOTAL	1,843.95
	This includes G.S.T of	240.51
	TOTAL NOW DUE	1843.95

REMITTANCE ADVICE: Please detach and return with your payment:

PNCSI0797782020001012301810000184395

Palmerston North City Council
Private Bag 11034
PALMERSTON NORTH



Did you know
you can now
pay ON LINE
@pncc.govt.nz

CUSTOMER:

CONSENT: 4384*01

INVOICE NO: 1123018

TOTAL DUE: \$1843.95

PAYMENT
MADE: \$

TAX INVOICE

GST REGISTRATION NO. 11-213-081

AOKAUTERE LAND HOLDINGS LIMITED 5 COUTTS WAY FITZHERBERT PALMERSTON NORTH 4410	Invoice No: 1123682
	Date: 01 Dec 2020
	Your Reference: 4384*

DETAILS

QTY UNIT AMOUNT

RESOURCE CONSENTS APPLICATION**Site Address:** 52 JOHNSTONE DRIVE – Palmerston North**Consent Description:** 38 residential lots & road to vest. Earthworks and access non-compliance. (Connected to LU 4400)

Administration	0.25	117.00	29.25
Assessment & Referrals	1.75	190.00	332.50
223 & 224 Certificate Preparation	0.25	190.00	47.50
Issue 223 & 224 Certificate	0.25	190.00	47.50
Assessment & Referrals	3.00	221.00	663.00
Internal Technical Advice – Infrastructure 18/19	47.88	178.00	8522.64
Internal Technical Advice – Infrastructure 19/20	28.25	184.00	5198.00
Internal Technical Advice – Infrastructure 20/21	52.25	190.00	9927.50
Retic Manager CCTV Review	1.000		925.22
External Charges - GHD	1.000		23247.37

EFT: (Internet) Payments only to:

PNCC Bank Account: 030726-0330770-00

Customer # and Invoice # are essential for allocation purposes

Remittance by email: remittance@pncc.govt.nz or fax to: 06 351 4311

Payment due:	INVOICE TOTAL	48,940.48
	This includes G.S.T of	6,383.56
	TOTAL NOW DUE	48940.48

REMITTANCE ADVICE: Please detach and return with your payment:

PNCSI0797782020001012368210004894048

Palmerston North City Council
Private Bag 11034
PALMERSTON NORTHDid you know
you can now
pay ON LINE
@pncc.govt.nz**CUSTOMER:**

CONSENT: 4384*

INVOICE NO: 1123682
TOTAL DUE: \$48940.48
PAYMENT \$
MADE:

Appendix H

Task Name	EVC Name	Transaction Date	Description	Hours/Qty	Effort
SUB 4384-01 52 Johnstone Drive	David Forrest	12/5/2020	Assess and read application history and consider effects of changes proposed.	2.75	471.08
		20/5/2020	Discuss with Simon Email Kathy Dever-Todd for confirmation of written approval	0.5	85.65
		21/5/2020	Preparation of planners report	3.25	556.73
		22/05/2020	Complete report Email Adam for Street Numbers Proof Read Report	5	856.50
SUB 4384-01 52 Johnstone Drive Total (excl GST)				11.50	1,969.96

Appendix I

SUB 4384 52 Johnstone Drive 223/224 Cert PNCC Planning Team Charges Breakdown							
Consent #	Date	Time Spent	Hourly Rate	Amount Charged	Type	Description	Staff Member
4384	11-Nov-20	0.25	\$117.00	\$29.25	Administration	load 223/224 cert, allocate payment, save application	Hanna Braddock
4384	1-Dec-20	1.75	\$190.00	\$332.50	Assessment & Referrals	Drafting consent notices, meeting with Tony and Simon about fulfillment of conditions, review of updated schedule 2A & consent notices	Eamon Guthrie
4384	1-Dec-20	0.25	\$190.00	\$47.50	223 & 224 Certificate Preparation	prepared certificate	Eamon Guthrie
4384	1-Dec-20	0.25	\$190.00	\$47.50	Issue 223 & 224 Certificate	issued certificate	Eamon Guthrie
4384	27-Nov-20	1.5	\$221.00	\$331.50	Assessment & Referrals	going through conditions and consent notice check	Simon Mori
4384	30-Nov-20	0.5	\$221.00	\$110.50	Assessment & Referrals	condition sign off and 2A cert email to Stu Clark	Simon Mori
4384	1-Dec-20	1	\$221.00	\$221.00	Assessment & Referrals	final checks, review of amended 2A schedule	Simon Mori
Total Planning Team Hours				\$1,119.75			

Appendix J

PNCC CITY NETWORKS ROADING & DEVELOPMENTS TEAM JOB COSTING BREAKDOWN RECORDING SHEET

, DL – Dora Luo, HL – Heather Liew, PB – Phil Burt , RB – Reiko Baugham; , TM – Tony McGlynn,

Note: Time recorded includes travel, time on-site, emails, phone calls and recording file notes.

Job: SUB 4384 Johnstone Drive Stage 6F7

Site inspection (s)				Description
Date	Officer	Time Spent		
		223	224	
18/10/18	TM	2		Received engineering plans, printed plans and prepared for processing. Checked plans and passed on to asset managers for assessment. Stormwater proposed open drain forwarded to GHD In Wellington for assessment.
26/10/18	RB	0.5		v1 of the engineering plans submitted. Passed on to GHD 25 October 2018 for review. GHD review completed 2 November 2018. Email of response items provided 8 November 2018.
5/11/18	RB	1		GHD review of engineering plans
6/11/18	RB	8.2		GHD review of engineering plans
7/11/18	RB	0.75		GHD review of engineering plans
8/11/18	RB	0.25		GHD review of engineering plans
9/11/18	TM	1		Collated response from asset managers and emailed request for amendments to NZET Stu Clark.
10/12/18	TM	1		Received response to 9/11/2018 email. Response only covered stormwater open drain issues and none of the other amendments required. Sent email to NZET regarding other items that required amendments. Stormwater open drain response sent to GHD in Wellington for reassessment.
11/12/18	RB	0.5		v2 of the engineering plans submitted with calculations. Calcs updated and open drain size adjusted to suit. GHD review completed 13 December 2018.
12/12/18	RB	1.25		v2 of the engineering plans submitted with calculations. Calcs updated and open drain size adjusted to suit. GHD review completed 13 December 2018.
13/12/18	RB	0.75		v2 of the engineering plans submitted with calculations. Calcs updated and open drain size adjusted to suit. GHD review completed 13 December 2018.
13/12/18	TM	1		Received amended plans for other items not responded to email 9/11/2018. Printed of plans and prepared for reassessment.
17/12/18	TM	0.25		Received email from NZET (Phin) requesting comment on alternatives for open drain. Discussed this with asset managers.
18/12/18	TM	0.25		Checked with 3 Waters team, staff required away on sick leave. Sent email advising NZET.
21/12/18	TM	0.25		Received email from NZET enquiring on updates. Email arrived after 12 noon. Council had shut down for Christmas holiday.
8/01/19	TM	1		Discussed alternatives with Robert van Bentum. Responded to email (21/12/18) and advised that a temporary system was not acceptable!
8/01/19	TM	0.5		Received email from NZET (Stu Clark) Responded to Stu's email advising a permanent

				pipework must go all the way to the gully.
14/01/19	TM	0.5		Received email from Stu Clark, stating that the pipework will be difficult to construct. Met with Robert van Bentum and discussed email.
15/02/19	RB	0.5		Review proposed piped design
15/01/19	TM	0.5		Responded to Stu Clark email advising that while the construction may be difficult a permanent system is still required.
12/02/19	TM	1		Received email from NZET (Phineas) with revised engineering plans. Printed plans and discussed with Robert Van Bentum.
13/02/19	TM	0.5		Composed response email and sent to NZET (Phineas) also requested why it appeared on PNCC 's GIS aerial photography that work had been carried out.
14/02/19	TM	0.5		Received emails from NZET (Phineas). One email requesting justification on pipe sizing. The second email advising that Les Fugle advised that ALHL had carried out earthworks. Discussed these emails with Robert van Bentum and agreed that proposed engineering plans be reviewed by Reiko Baugham (GHD Consultant)
15/02/19	TM	0.25		Forwarded NZET email (Phineas 14/02/19) to Reiko Baugham for review.
18/02/19	TM	0.25		Email to NZET (Phineas Burke) requesting stormwater Calc's to support proposal.
19/02/19	TM	0.25		Response email from NZET (Phineas Burke) agreeing to provide Calc's and requesting justification for PNCC not allowing nexus Pipe!
20/02/19	TM	0.25		Email to NZET (Phineas Burke) advising that Nexus pipe is not considered to be a permanent pipe!
25/02/19	TM	0.25		Email from NZET (Phineas Buke) Suggesting that if development did not occur within 5 years, the consent holder would then replace Nexus pipe with a permanent pipe.
25/02/19	TM	0.25		Email from NZET (Phineas Burke) regarding the road reserve, stating that the width of 17m has been shown on all plans since development began. The intention is for the road to widen out again once over the gully.
5/03/19	TM	1		Email from NZET (Phineas Burke) submitting engineering plans. Stating that plans were being submitted under protest and that Council should have advised on not accepting a temporary system earlier. Discussed this email with Robert van Bentum.
6/03/19	TM	0.25		Emails from NZET (Phineas Burke) recalling email of the 5/03/19 and resending same email with correction! Forwarded email for comment to Robert van Bentum.
6/03/19	TM	2		After discussing email (6/3/19) it was decided to engage Council's lawyers CRLaw to review response. Met with Nick Jessen and Tom Gilchrist at CRLaw offices and discussed response.
6/03/19	RB	0.75		v3 of the engineering plans submitted, with the open drain removed. Queries on the above were therefore not addressed, and the open drain design was not completed and therefore

				not approved.
7/03/19	RB	1.25		v3 of the engineering plans submitted, with the open drain removed. Queries on the above were therefore not addressed, and the open drain design was not completed and therefore not approved.
8/03/19	RB	2.5		Email from Reiko Baugham with review of Stage 6F Rev 3, v3 of the engineering plans submitted, with the open drain removed. Queries on the above were therefore not addressed, and the open drain design was not completed and therefore not approved.
12/03/19	TM	1		Finalised response to email (6/03/19) and emailed NZET (Phineas Burke).
18/03/19	TM	1		Emails from NZET (Phineas Burke) email one requesting Reiko to call him once she returns from her conference. Email two Phineas advised that he had been speaking to the client and he wants to explore options for an alternative discharge location. Would I be able to give you a call to discuss this tomorrow to see what PNCC would allow?
21/03/19	TM	0.25		Phone conversation with Phineas Burke NZET regarding alternative proposal for stormwater discharge. I advised that any proposals be put in writing and submitted for consideration.
26/03/19	TM	1		Email from NZET (Phineas Burke) proposing alternative discharge point for stormwater. Forwarded email to Reiko Baugham and Robert van Bentum.
28/03/19	TM/RB	2		Received response email from Reiko Baugham, discussed response and emailed response to NZET (Phineas Burke).
28/03/18	RB	0.5		Review of new concept design to reserve
2/04/19	TM	0.25		Email from Chris Dyhrberg Hi guys Apparently Les Fugle has an application pending relating to some engineering issue with a Johnston Drive subdivision. I believe it was lodged last year sometime. Can you please find out for me who has this and what the status is? I have a meeting with Les on Monday. _____ I responded to Chris with email below. Hi Chris, I believe Les is referring to Johnstone Drive stage 6F7 and is waiting for engineering plan approval. We received the engineering plans in October 2018 and have been working with his consultants NZET (Upper Hutt) to resolve issues with stormwater design.

				<p>They have not yet designed a system that satisfies PNCC's requirements.</p> <p>Regards Tony</p>
8/04/19	TM /	1+		Received Grievances Letter to Les Fugle from NZET via email from Chris Dyhrberg.
10/04/19	RB	0.75		Phone call with Phineas of NZET discussing concept design and agreement of a best way forward.
10/04/19	TM/	0.5 +		Email from Reiko outlining her conversation with Phineas Burke on the stormwater design
15/04/19	TM	0.25		Email to Chris Dyhrberg regarding status of engineering plan approval. Chris forwarded this email to Les Fugle!
17/04/19	TM/RB	0.25 + 0.25		<p>Email from Chris Dyhrberg requesting I call NZET to clear up misunderstanding on who is waiting for information.</p> <p>Reiko Baugham emailed Phineas to check if NZET were waiting on any information from her.</p>
18/04/19	TM	0.25		<p>Email from Chris Dryhberg to check were things are at. I replied advising that I have phoned Phineas, but got no reply. His answer service requested a text message, so I have sent a text message requesting an update on the design! Email response from Phineas, Hi Tony</p> <p>I am not quite either but we are not waiting on anything extra from PNCC at this stage. We are currently progressing the design and will have something to Reiko and yourself on Wednesday to look at, not a full design but it will have a general outline of what we are proposing, including the treatment option, trenching details down the slope and an outfall structure. We would be looking for PNCC opinions and thoughts on this before progressing to a full design with detailed plans and calculations and an updated version of the Subdivision Design Report.</p> <p>Before progressing with this, could you please confirm the engineering reasons of why the temporary solution was rejected? The current reason I have been provided with is that PNCC will not accept any temporary solution, but no technical explanation of why, has been given.</p> <p>Cheers</p> <p>Phin</p> <p>Email from Les Fugle,</p> <p>Afternoon Tony, I note your below comment to Phin. It is simply nonsense to suggest future development cannot be guaranteed given the land is zoned Residential and, over size services already installed for future stage.</p> <p>I'm I correct that there is no engineering rationale for not allowing a temporary discharge</p>

				<p>pipe (reasons why such is asked is already before you) ? If council is concerned about access to the line once vested then simply answer is easement. Council holds additional confidence given they can impose a condition that line is permanent come next stage. Please reply. Rgds</p> <p>Sent from my iPhone</p>
19/04/19	TM	0.25		<p>Email from Chris Dyhrberg, Hi</p> <p>I think we need to talk about offering Les paying a bond with a temporary solution. Les says he is prepared to pay a bond that would be the sum of paying for the full cost of upgrading the temporary solution to a permanent one. I really don't see how we can reasonably not consider that option...</p> <p>Can we please have a chat about this ASAP?</p> <p>Email from Tom Williams, OTY - to discuss with Chris.</p> <p>My 2 cents - if the bond would really cover the cost of implementing a permanent solution then I feel it would be acceptable</p>
24/04/19	TM/RB	0.25		<p>Email from NZET Gerard Malan to Reiko Baugham. Hi Reiko,</p> <p>Hope you are well?</p> <p>As per your's and Phin's telephone conversation we have progressed the stormwater discharge design proposal to an intermediary design. Please find attached the latest.</p> <p>The design used the following documents/specifications:</p> <ul style="list-style-type: none"> • Trenching NZS 4404-2006 • Energy dissipator: HEC 14 (Chapter 12) (Stilling Well) • Erosion Control: TP 10 • Thrust Block based on first principles (Rough Calculation on approximate size) (Based on the pressure of 30m and FOS of 1.5 was incorporated) • Stormwater Treatment System: Down Stream Defender according to the Hynds website should be adequate for removing settleable solids, oil and general waste. • Anti-Scour Blocks: NZS 4404: 2006. <p>We hope this proposal is satisfactory and meets the requirements. Please let us know if anything needs to change. Upon your response, we will make any changes as required and produce the final design including all supporting documentation, calculations, finalised plans,</p>

				<p>revised design report etc.</p> <p>Enjoy the rest of your day.</p> <p>Best Regards Gerard Malan</p>
29/04/19	RB	0.46		<p>Progression of option 2 and further development of concept design submitted by NZET for review.</p>
30/04/19	RB	1.41		<p>Progression of option 2 and further development of concept design submitted by NZET for review.</p> <p>Email response from Reiko Baugham to NZET Gerald Malan, Hi Gerard,</p> <p>Thank you for the update. I was unfortunately sick at the end of last week, so I will look at the proposal today. We should have some comments back to you either this afternoon or early tomorrow.</p> <p>Thanks, Reiko</p> <p>Reiko forwarded NZET email to Killian Spain (GHD) in wellington for review.</p> <p>Email from Chris Dyhrberg,</p> <p>Thanks Tony</p> <p>FYI - David and I met with Les this afternoon to discuss a process to "co-create" the Abby Rd to Johnstone Dr connection. I think that conversation went quite well and Les has agree to follow the process we suggested - I'm actually feeling quite hopeful at this stage!</p> <p>He also asked whether there was any progress on the stormwater and I mentioned that you would be sending him an email shortly. I outlined in brief what this issues were (noting that he needed to wait and see you email). He got one of his engineers (Phineas' colleague) on the phone and I outlined to him what the view was. They are encouraged and thought they could work to that general plan as long as they had a very clear understanding on what our requirements would be. I noted that he should talk directly to you on that Tony.</p> <p>Cheers</p> <p>Chris</p> <p>Email from Les Fugle,</p> <p>Hello Tony. To avoid this going in circles further; \$10,000 cash bond in place for three years is on the table. The line shall follow the existing land</p>

				<p>contour i.e from the gravel carriageway down the embankment face and discharge at the bottom into the JD gully.</p> <p>Please confirm above in order design plan can be resubmitted.</p> <p>Rgds Les</p>
1/05/19	TM			<p>Email from Chris Dyhrberg,</p> <p>Hi Tony</p> <p>In response, I think we need to provide a more extensive outline of our requirements for the temporary solution and the bond conditions.</p> <p>Cheers</p> <p>Chris</p> <p>Email from Robert van Bentum,</p> <p>Hi Chris</p> <p>I have spoken with Tony and we are happy to prepare a more detailed response which sets out the requirements for a solution which meets an acceptable timeframe to Council circa 5 years as well as a bond amount which covers the cost of installing a permanent solution as well as an allowance for remediation. We will need to make use of consultancy resources to provide this information and we would be seeking to recover this cost from the applicant.</p> <p>I however do not feel it is appropriate or useful for Tony to meet with Les, given the matters are technical and ones in which Les has no expertise.</p> <p>We would however welcome the opportunity to meet with Les's Technical Representative NZET in order to ensure there is understanding of Council's requirements.</p> <p>Regards Robert</p> <p>Email from Chris Dyhrberg,</p> <p>Sounds good thanks Robert. I agree that there is no value in Tony meeting with Les. I think it's the engineer that wanted to connect to understand the requirements, not Les.</p> <p>Cheers</p>
3/05/19	RB	1.81		<p>Progression of option 2 and further development of concept design submitted by NZET for review.</p>
3/05/19	TM			<p>Email from Les Fugle,</p>

				<p>Morning Tony; I have been sent a video clip (can't seem to attach) taken during last week's rain that shows heavy sediment laden water discharging from the stage works which is waiting on council's consent out onto Johnstone Drive. To stop this reoccurring the stormwater pipes require installing - when will consent be issued?</p> <p>(will get video clip to you upon my return to Palmy early next week) Rgds</p> <p>Sent from my iPhone</p>
6/05/19	TM			<p>Email from Chris Dryhberg,</p> <p>Hi guys – FYI.</p> <p>What's the status?</p> <p>Cheers</p> <p>From: fugle@xtra.co.nz [mailto:fugle@xtra.co.nz] Sent: Sunday, 5 May 2019 8:14 PM To: Chris Dyhrberg <chris.dyhrberg@pncc.govt.nz>; ahlcontracting@gmail.com Subject: Fwd: Stage 6F7 RFI Reply</p> <p>Hello Chris below is that sent to Tony back in early Dec for the temporary discharge - as you will see full design & calculation had been submitted.</p> <p>Tony did email me (he coupled you in) on Tuesday to which I replied and have heard nothing since ?</p> <p>On Tuesday afternoon have meeting with Brevo's at which time gonna feel them out whether would support road link between Abby Rd & Johnson Drive - their support would be critical.</p> <p>They will no doubt ask when JD road is going to be finished as currently students need to enter school from long way around. They will no doubt remind me that they had been given assurance by Council/me JD road would be finished last year - holdup being consent.</p> <p>It would be helpful all round if I'm able to tell them when the consent will be out. I am likely to produce any reply at the meeting.</p> <p>Regards.</p>
6/05/19	TM			<p>Email from Les Fugle, in response to Councils request for NZET and consultant engineers to meet in person.</p> <p>Meeting is unnecessary (given engineer is wght based) any issue can be dealt via phone. Council is more than aware JD discharge is</p>

			<p>what we see (and have said thought out) is the most practical discharge point. All design and calculation for this has been provided - what exactly do you require.</p> <p>Sent from my iPhone</p> <p>On 6/05/2019, at 5:50 PM, Tony McGlynn <tony.mcglynn@pncc.govt.nz> wrote:</p> <p>Hi Phineas,</p> <p>Please see attached letter regarding proposed stormwater design options.</p> <p>Regards</p> <p>Tony</p>
7/05/19	TM		<p><i>Email from Chris Dyhrberg,</i></p> <p>Hi gents</p> <p>Just to keep you all in the loop. I know you're all working diligently on this but it would be good to close all this stuff out asap. It would be a shame to let the opportunity to put Johnstone Drive and the Abby Rd link road behind us slip away!</p> <p>Please let me know if there's anything I can do to help, particularly with managing the conversation with Les!</p> <p>Cheers</p> <p>Chris</p> <p>-----Original Message----- From: Chris Dyhrberg Sent: Tuesday, 7 May 2019 1:57 PM To: fugle@xtra.co.nz Subject: RE: Johnstone Drive</p> <p>Hi Les</p> <p>I've spoken to Tony - he does need to talk to your engineer, which was exactly what we discussed last week when we called him.</p> <p>I'll keep an eye on things at my end but the reality is that Tony needs to get a crystal clear agreement with your team on what will happen. I believe there have been issues at both ends so we all need to let the respective teams getting this sorted not. I believe there is good will on both sides for that to happen.</p> <p>Let's not throw the baby out with the bathwater here! I think we've made really good progress on all fronts in the last week.</p> <p>Cheers</p> <p>Chris</p>

				<p>-----Original Message----- From: fuggle@xtra.co.nz [mailto:fuggle@xtra.co.nz] Sent: Monday, 6 May 2019 6:12 PM To: Chris Dyhrberg <chris.dyhrberg@pncc.govt.nz> Subject: Johnstone Drive</p> <p>Hello Chris - as you will have picked up from my last email to Tony (you copied in) I'm over this nonsense & delay. If consent not sorted out immediately then shall shut down JD which will also see an end to Abby discussions. It has been months and now Tony wants meeting !!! Sent from my iPhone</p>
7/05/19	RB	0.5		Timeline of reviews put together
8/05/19	TM			<p><i>Email from Les Fugle,</i> Chris, it's disappointing I need to continually disturb your valuable time over what is effectively a minor unresolved issue.</p> <p>Below is latest in from Tony that does no more than raise ones hair, My first grip, why is email on without prejudice. Second, full design and supporting calculating have been with Council for months. If your staff simply got on and process then point 1 would not require reference. The alternative design to discharge into Abby gully came about due to staff not accepting discharge into Johnstone gully but having alternative plans prepared that discharge point is not feasible. Thirdly, request for two quotes. I'm not going to abuse fellow contractors time/cost - Council can do that.</p> <p>Tony refers to ESLD - there is no requirement for alternative pricing. I also note that if required compliance with that document then we are back to square one ESLD does not permit a bond beyond six months.</p> <p>Putting a stormwater pipe down a bank is standard - it is not complex. The two design issues being a) suppose structure i.e pipe want move, and b) pipe size can handle water volume yet staff make out my want is something unusual and requires close review. To this extent staff have not said my engineer's design is wrong but rather simply say there is no guarantee pipe will be upgrade when time comes. I have repeatedly said this view is short of lateral thinking as council can force upgrade by not approving next stage. To suggest there is no assurance of further stage is equally shortsighted given the land is zone for urban expansion.</p> <p>I was reminded at yesterday's meeting that PNCC/ALHL have given WGT an assurance (via signed deed) JD would become a trough road by 31 Dec.2018. That breach is caused by Council staff mindset OTT wants,</p>

				<p>Happy to take a call should you require further information.</p> <p>Rgds</p> <p>> Hi Les, > > Thanks for your email. > > Without prejudice, to consider a bond, Council must have the following: > > 1. An acceptable design must be approved. > 2. Two (2) quotes for the proposed bonded work must be submitted. > > I have attached a copy of ESLD Clause 1.32 Bonds, for your information. > > Regards > > Tony</p>
9/05/19	RB	0.75		Timeline of reviews put together
5/07/19	RB	1.25		Meeting with Les Fugle
11/06/19	RB	0.75		Rev 4 review
18/06/19	RB	1.75		Site visit
19/06/19	RB	0.5		Meeting with NZET
4/07/19	RB	0.25		Review of farm track discharge (alignment only)
11/07/19	RB	0.25		Farm track revision 2 review (incl GPT req't)
15/07/19	RB	0.5		Farm track revision 2 review (incl GPT req't)
22/07/19	RB	0.5		Farm track revision 2 review (incl GPT req't)
23/07/19	RB	0.25		Farm track revision 2 review (incl GPT req't)
24/07/19	RB	1.25		Farm track revision 2 review (incl GPT req't)
25/07/19	RB	0.5		Farm track revision 2 review (incl GPT req't)
29/07/19	RB	0.5		Farm track revision 2 review (incl GPT req't)
30/07/19	RB	0.25		Farm track revision 2 review (incl GPT req't)
31/07/19	RB	0.5		Farm track revision 2 review (incl GPT req't)
5/08/19	RB	0.25		Revision C drawing review
9/08/19	RB	0.25		Revision C drawing review
				<i>Sub Total: 57.38</i>
				TOTAL

Appendix K

PNCC CITY NETWORKS ROADING & DEVELOPMENTS TEAM JOB COSTING BREAKDOWN RECORDING SHEET

DL – Dora Luo, GF – Garth Flores, , , RB – Reiko Baugham; RH – Regan Hunt, TM^oG – Tony McGlynn, TW – Tom Williams, MA – Michael Assenmacher, GM – Grygoriy Mikhyeyev, HS – Harman Sandhu, AM- Ariunaa Mendtsoo, SC - Stuart Cartwright

Note: Time recorded includes travel, time on-site, emails, phone calls and recording file notes.

Job: 224 SUB 4384 Johnstone Drive Stage 6F7

Date	Name	224	Description
11/09/2019	RG/MA	1	Site visit to inspect laying of Stormwater. Instructed connections into SWMH K need 2 x flexible joints. Sump outside lot 791 is acceptable as is. Line out of SWMH L to be confirmed with Tony McGlynn for Flexible joints. Instructed all PVC pipes require 2 x flexible joints into and out of chambers as per ESLD. Sump lead out of Sump 780 to be confirmed. This lead into SWMH M requires 2 x flexible joint. Instructed slip couplers are not acceptable and short pipes required.
11/09/2019	RH/TM	0.25	Discussed the 2 outlets and these were agreed to be acceptable.
11/09/2019	RH	0.25	<p>Email to Stu. Good Afternoon Stu,</p> <p>Just following up your conversation with Tony and my conversation on site. The existing joint set ups below are accepted to PNCC</p> <ul style="list-style-type: none"> - Out of the sump outside Lot 780 - Out of the sump outside Lot 791 - Outlet pipe for SWMH L (due to the short length and difficulty to rectify). <p>As discussed onsite the following will need to be rectified to double flexible joints (short/"rocker" pipes)</p> <ul style="list-style-type: none"> - Both pipes going into SWMH K (from sump outside Lot 791 & Pipe from SWMH L) - Pipe into SWMH M (from sump outside Lot 780) <p>Please ensure going forward that double flexible joints are installed as per PNCC ESLD standards using the short/"rocker" pipe not using slip couplers.</p> <p>Note if future lines are found to not follow these standards the work will need to be rectified.</p> <p>Regards</p> <p>REGAN HUNT Development Engineer Palmerston North City Council Private Bag 11034 Palmerston North P: +64 (6) 3569199 www.pncc.govt.nz</p>
12/09/2019	RH/MA	1	Site inspection of line between SWMH L & SWMH M – Line incomplete waiting for shorts to connect into MH's
12/09/2019	RH	0.25	Emailled Stu – Confirming request for second inspection of the day
12/09/2019	RH/MA	1	Site inspection of Line between SWMH M & SWMH Z – Line incomplete waiting for shorts to connect to MH. It was mentioned by Scott that the SW sump leads connecting to this MH required to be lifted
16/09/2019	RB	0.25	Review letter and formal variation for change of engineering plans
17/09/2019	RB	0.25	Review letter and formal variation for change of engineering plans
23/09/19	RH/MA	1.5	Site inspection, witnessing kerb and channel being poured. Air test on stormwater main witnessed and passed
1/10/2019	RB	0.75	Discuss current construction and proposal to not install pipe and meeting with lawyer
8/10/2019	RB	0.25	Review letter from lawyer
9/10/2019	RB	0.75	Outline open drain assessment

25/10/2019	RB	0.5	Follow up open drain assessment
6/12/2019	GM EK MS	3	Site visit to take water samples second time for testing as it failed for chlorine content in first time testing. 5 ROWs were done. - ROW Access Lot 15 - ROW Lot 16 - ROW (769 and 773) - ROW (between lots 776 and 779) - ROW for Access Lot 17 Pressure test on one of the pipes at ROW between lots 776 and 779.
13/12/2019	HS GM	1.5 1.5	Site visit to inspect 5X ROW connections and one lateral service connection to the water main on Johnstone Drive. Met Nick Pedley (approved contractor), Scott, Steve Cardiff and Kevin Pene on site. Steve and Kevin were there to switch off the water main. Nick carried out the physical works to connect the connections to the main. Following connections were inspected: - Service connection to lot 757 - ROW connection to main for Access Lot 15 - ROW connection to main for Access Lot 16 - ROW connection to main (between lots 769 and 773) - ROW connection to main (between lots 776 and 779) - ROW connection to main for Access Lot 17 Service Lines for ROW's were flushed post connection.
18/12/2019	RB	0.25	Go over comments from LF on proposed SW
19/12/2019	RB	0.5	Go over comments from LF on proposed SW
1/04/2020	RB	1.5	Review SMP
2/0/4/2020	RB	1.5	Review SMP
3/04/2020	RB	1	Review SMP
17/07/2020	RH GM	1 1	Site meeting with contractors and Japac Paul Haydock. Discussion on approval of design and construction of SW line and water line. Record of the meeting with signages was done with all details.
13/08/2020	TM	.5	Received amended engineering plan for stormwater discharge from Stu Clark. Checked plans and forwarded to Regan to Process.
17/08/2020	TM	1	Regan was seconded to the EOC on Friday 14 th August (I was on leave) and he did not have time to start processing the plans. I discussed the proposed plans with Veni Demado and it was agreed to have GHD (Reiko Baugham) review the plans. I also forwarded a second email with the Calcs sent to Regan on Friday the 14 August from Stu Clark.
17/08/2020	RB	1.25	Review revised engineering plans
18/08/2020	RB	4	Review revised engineering plans
18/08/2020	TM RB TB	1 1 1	Meet with Reiko to review and discuss the proposed amendments. Reiko advised that Thomas Biagioli (GHD Wellington Office) was reviewing the plans and calcs. Thomas had reviewed the previous approved plan.
19/08/2020	RB	1	Review revised engineering plans
19/08/2020	TM	1	Received response from Thomas Biagioli. Reviewed Thomas's email with Reiko and prepared response to Stu Clark. Response sent to Stu Clark.
24/08/2020	RB	0.5	Review revised engineering plans
20/08/2020	GM HS	0.5 0.5	Site Inspection on the installation of sewer manhole, connected to city main. Photos and video attached in folder.
25/08/2020	RB	1.25	Meeting with Stu Clark
25/8/2020	TM	1	Without prejudice meeting with Stu Clark (NZET) and Scott Stratford (ALHL) to discuss amended design of stormwater

	TS	1	discharge pipe and other sign off requirements for sign off stage 6F7.
28/08/2020	TM RB	1 1.25	Email request to inspect installation of a 460mm stormwater pipe. Emailed NZET advising that approval had not been issued for the the proposed amended engineering plans. Numerous emails were to follow.
31/08/2020	TM	.5	Read and forwarded latest email from Reiko Baugham to Stu Clark at NZET.
3/09/2020	RB	0.5	Review Rev D of drawings; review of Boss Pipe vs Eurflo Pipe
3/09/2020	TM	.5	Received amended engineering plans from Phineas Burke NZET. Sent email to Phineas Burke requesting confirmation that the 350mm pipes are Civil Boss N16.
4/09/2020	TM	.5	Received email from Phineas Burke NZET confirming that the 350mm pipes are Civil Boss N16. Forwarded email to Reiko At GHD to proceed with assessing the amended engineering plans. Rang Reiko to check that she was able to work on the assessment today. Reiko advised that she was reviewing the engineering plans but need to confirm the design with Thomas Biagioli (GHD) Thomas is now working from the USA and there are restraints due the time difference.
4/09/2020	RB	1	Review Rev D of drawings; review of Boss Pipe vs Eurflo Pipe
7/09/2020	RB	1.75	Review Rev D of drawings; review of Boss Pipe vs Eurflo Pipe
7/09/2020	TM	.5	Email from Reiko Hi Tony, Are you happy with his response about the grated lids? Monday is a holiday in the US, so Tom won't be able to look at it until early Wednesday. Do you want him to have a look? Otherwise it seems our queries were addressed, correct? Aside from the fact that the d/s pipe says "350 ID pipe to PNCC ESLD". As you know the ESLD doesn't mention civil boss so I'm not sure what they are trying to say. Thanks, Reiko
8/09/2020	TM	.5	Email exchange between NZET and myself.
9/09/2020	RB	3	Review Rev D of drawings; review of Boss Pipe vs Eurflo Pipe
9/09/2020	TM	1	Met and discussed design with Reiko. Prepared approval letter and emailed it to NZET. Emails from NZET re: work commencing.
11/09/2020	TM	.5	Emails from Scott Stratford arranging site inspections.
11/09/2020	GM	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
11/09/2020	HS	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
14/09/2020	AM	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
14/09/2020	GM	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
17/09/2020	GM	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
17/09/2020	AM	0.5	Site Inspection for SW discharge pipe and manhole installation. Photos of inspection are attached in folder.
21/09/2020	TM	2	Received email from Stu Clark requesting pre-seal inspections for RoW's. Reviewed request and found all Benkelman Beam tests to be out of date. Prepared and sent response email to Stu Clark.

24/09/2020	TM/RB	1	Liaise with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe change to accept pipe installed without approval.
25/09/2020	TM/RB	1	Liaise with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe
29/09/2020	RB	1.25	Design check of SN4 pipe
29/09/20	TM	.5	Liaise with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe
29/09/2020	RB	0.75	Discuss GHD support moving forward and technical review with TM
05/10/2020	TM/RB	1	Liaise with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe
06/10/2020	TM/RB	.5	Liaise with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe
08/10/2020	TM/RB	1	Meet with Reiko Baugham (GHD) re: response to NZET Phineas Burke on Stormwater discharge pipe
9/10/2020	GM/SC	1	Visual inspection of ROWs, patching
14/10/2020	GM/SC	1	Checking on the remedial works on the ROWs and main road patching. Inspection of the part of road being chip sealed. Inspection of the SW works material available on site, pipes type, manholes.
19/11/2020	GM	2.5	Final inspection on the development done. Record of the inspection and photos are attached in subdivision folder.
24/11/2020	GM	1	Completed site visit report, uploaded photos, final inspection report filled with notes and photos and uploaded to file and to the Oasis subdivision folder.
25/11/2020	TS	0.5	Upload CCTV to Retic Manager- two runs of footage were missing . Scott dropped it into pncc
26/11/2020	Retic Manager Invoice	\$925.22	http://oasis/otcs/llisapi.dll?func=ll&objaction=overview&objid=14820487 Receipt: 358695
26/11/2020	TM	1	Discussion around a bond agreement with internal staff and clients representative.
27/11/2020	GM	1.5	Johnstone Drive reinspection of the remedial works done. Photos and comments uploaded in subdivision folder.
30/11/2020	TS	0.25	Create bond document
1/12/2020	TM	0.5	Bond payment received. Had Robert counter sign document. Send completed bond document back to client .
			<i>Sub Total: 71 Hours + Retic Manager Invoice \$925.22</i>
TOTAL			



Appendix L

GHD Limited
GHD Centre Level 3 27 Napier Street Freemans Bay Auckland 1011
PO Box 6543 Wellesley Street Auckland 1141 New Zealand
T +64 9 370 8000

GST Registration No: 063-101-095

Tax Invoice

Attention: accounts@pncc.govt.nz
Palmerston North City Council
Private Bag 11034
Manawatu Mail Centre
PALMERSTON NORTH 4442
New Zealand

Invoice : 227-019918
Invoice Date : 27/10/2020
Due Date : 16/11/2020
Project : 12541171
Project Name : PNCC Engineering Support for RC
4384
Purchase Order # : 255759

GST : 063-101-095

For Professional Services Rendered Through 24/10/2020

Engineering support for Johnstone Drive subdivision. Includes review of engineering plans, site visits, and handling all correspondence.

DEL - Delivery

Labour breakdown: refer to backsheets for personnel.
Tasks include: correspondence with NZET and contractor;
review of Rev D engineering drawings; pre-seal inspection;
site inspections.

Expenses breakdown: Tom Biagioli design review - 2 hrs

Unit Rate Expense breakdown: mileage for site inspections

Rate Labor	8,562.50
Expenses	420.05
Unit Rate Expense	56.05
Total Expense	476.10

Current
Billings

9,038.60

Current Billings		9,038.60
NZ 15% GST	15.0000%	1,355.79
Amount Due This Bill	NZD	10,394.39

Payment via bank transfer to:

Bank name Westpac Banking Corporation
Branch Manukau City, Auckland, New Zealand
Account name GHD Limited
Account number 03-1506-0110332-000
BSB 031506
SWIFT Code WPACNZ2W

Please email remittance to:
accountsreceivableNZ@ghd.com

DEL - Delivery

Rate Labor

<i>Employee</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Reiko Baugham	12.25	225.00	2,756.25
Stuart Doidge	0.75	225.00	168.75
Stuart Cartwright	16.25	250.00	4,062.50
Clive Welling	5.25	300.00	1,575.00
Total Rate Labor			8,562.50

Expenses

<i>Account</i>	<i>Cost</i>	<i>Multiplier</i>	<i>Amount</i>
Subconsultants - International RP	420.05	1.000	420.05
Total Expenses			420.05

Unit Rate Expenses

<i>Account / Unit</i>	<i>Quantity</i>	<i>Rate</i>	<i>Amount</i>
Company Car Mileage Recharge			
Company Vehicles	35.00	0.95	33.25
Total Company Car Mileage Recharge			33.25
Employee - Mileage			
Mileage	24.00	0.95	22.80
Total Unit Rate Expenses			56.05

Total Bill Task: DEL - Delivery **9,038.60**

Total Project: 12541171 - PNCC Engineering Support for RC 4384

9,038.60



GHD Limited
 GHD Centre Level 3 27 Napier Street Freemans Bay Auckland 1011
 PO Box 6543 Wellesley Street Auckland 1141 New Zealand
 T +64 9 370 8000
 GST Registration No: 063-101-095

Tax Invoice

Attention: accounts@pncc.govt.nz
Palmerston North City Council
Private Bag 11034
Manawatu Mail Centre
PALMERSTON NORTH 4442
New Zealand

Invoice : 227-020587
Invoice Date : 1/12/2020
Project : 12541171
Project Name : PNCC Engineering Support for RC
 4384
Purchase Order # : 255759

Company Registration
GST : 063-101-095

For Professional Services Rendered Through 30/11/2020

Engineering support for Johnstone Drive subdivision. Includes review of engineering plans, site visits, and handling all correspondence.

	Fee	Billings		
		To Date	Previous	Current
DEL - Delivery	20,215.10	20,215.10	9,038.60	11,176.50
Refer to attached breakdown				
Current Billings				11,176.50
NZ 15% GST			15.00%	<u>1,676.48</u>
Amount Due This Bill			NZD	12,852.98

Payment via bank transfer to:

Bank name Westpac Banking Corporation
Branch Manukau City, Auckland, New Zealand
Account name GHD Limited
Account number 03-1506-0110332-000
BSB 031506
SWIFT Code WPACNZ2W

Please email remittance to:
 accountsreceivableNZ@ghd.com



CLIENTS | PEOPLE | PERFORMANCE

Palmerston North City Council

PNCC Engineering Support for RC 4384

GHD Job Number: 12541171

PNCC Order Number: 255759

Invoice to: 27/11/2020

Employee / Vendor / Client	Transaction Date	Project Description	Bill	Bill Effort	Cost Basis	Effort Rate
Clive Welling	9/11/2020	working through Aokauetere 6F7 SW line inspection and first defender issue	1.00	300.00	Hours	300.0000
Clive Welling	11/11/2020	review email between ghd and tech for contractor	0.50	150.00	Hours	300.0000
Clive Welling	13/11/2020	review proposed acceptance tech docs	0.50	150.00	Hours	300.0000
Clive Welling	20/11/2020	review lawyers letter, discuss with Rieko	1.00	300.00	Hours	300.0000
Clive Welling	25/11/2020	Johnston Drive, review memos	0.50	150.00	Hours	300.0000
Reiko Baugham	25/10/2020	Invoicing	0.25	56.25	Hours	225.0000
Reiko Baugham	28/10/2020	Draft NZET response	1.50	337.50	Hours	225.0000
Reiko Baugham	30/10/2020	Respond to email from NZET	0.75	168.75	Hours	225.0000
Reiko Baugham	2/11/2020	Misc emails and phone calls regarding change in pipe diameter and inspection	0.50	112.50	Hours	225.0000
Reiko Baugham	3/11/2020	Queries and request for inspection; discuss outlet configuration	0.25	56.25	Hours	225.0000
Reiko Baugham	4/11/2020	Discuss site visit and implications; look into GPT query and previous emails noting requirement	0.50	112.50	Hours	225.0000
Reiko Baugham	5/11/2020	Respond to NZET email on GPT; mtg w/ PNCC to discuss GPT; respond to NZET on survey levels; respond to emails from ALHL	2.00	450.00	Hours	225.0000
Reiko Baugham		Phone call w/ NZET to discuss way forward; call maintenance contractor to discuss				
Reiko Baugham	9/11/2020	feasibility of cleaning deep GPT	0.75	168.75	Hours	225.0000
Reiko Baugham	10/11/2020	Timesheet	1.00	225.00	Hours	225.0000
Reiko Baugham	11/11/2020	E-mail to TM re. as-builts and missing info	0.50	112.50	Hours	225.0000
Reiko Baugham	12/11/2020	Review Rev E dwgs and emails; submit engineering plan approval with conditions	1.00	225.00	Hours	225.0000
Reiko Baugham	18/11/2020	Response to lawyer's letter	1.00	225.00	Hours	225.0000
Reiko Baugham	20/11/2020	Catch-up w/ CW re. leaving pipe in place	0.50	112.50	Hours	225.0000
Reiko Baugham	1/12/2020	Final invoicing	1.00	225.00	Hours	225.0000
Stuart Cartwright	28/10/2020	Assisting Reiko on review of intended correspondence to nzet	0.25	62.50	Hours	250.0000
Stuart Cartwright	2/11/2020	Site inspection - storm water discharge bot of gully & correspondence issues	2.00	500.00	Hours	250.0000
Stuart Cartwright	3/11/2020	correspondence with NZET bottom of gully stormwater issues / consult with Reiko / review PNCC standards	1.75	437.50	Hours	250.0000
Stuart Cartwright		Teams chat with client on direction, and instruction to NZET on stormwater				
Stuart Cartwright	4/11/2020	inspection halt / road compliance issues.	1.50	375.00	Hours	250.0000
Stuart Cartwright	5/11/2020	review / comment on various email correspondent	1.50	375.00	Hours	250.0000
Stuart Cartwright		review correspondence and meet Tony McGlynn to discuss issues relating to Johnstone				
Stuart Cartwright	18/11/2020	Drive	2.00	500.00	Hours	250.0000
Stuart Cartwright	19/11/2020	pre plans / site inspection / photo down load	3.25	812.50	Hours	250.0000
Stuart Cartwright		down load photo's / comment right up of site visit sightings / correspondence with Reiko. Separate site visit to conform photo's but Les Frugle was on site planting trees,				
Stuart Cartwright	20/11/2020	so returned to office.	4.00	1,000.00	Hours	250.0000
Stuart Cartwright	23/11/2020	write up site inspection report and submit to PNCC	3.00	750.00	Hours	250.0000
Stuart Cartwright		review final report sent to NZET, meet up with Tony McGlynn to discuss				
Stuart Cartwright	25/11/2020	correspondence protocol.	1.25	312.50	Hours	250.0000
Stuart Cartwright	26/11/2020	Correspondence with Tony McGlynn and Stu Clark & reporting back to parties.	2.50	625.00	Hours	250.0000
Stuart Cartwright	27/11/2020	site inspection and write up report	2.50	625.00	Hours	250.0000
Stuart Cartwright	2/11/2020	- site inspection	12.00	11.40	Units	0.9500
Stuart Cartwright	19/11/2020	Mileage for MBM873_Stuart Cartwright_19.11.2020	11.00	10.45	Units	0.9500
Stuart Cartwright	20/11/2020	Mileage for LQ5817_Stuart Cartwright_20.11.2020	12.00	11.40	Units	0.9500
Stuart Cartwright	27/11/2020	Mileage for MBM873_Stuart Cartwright_27.11.2020	12.00	11.40	Units	0.9500
Stuart Cartwright		Meeting with Tony McGlynn for final signoff, correspondence with Stu Clark, review				
Stuart Cartwright	30/11/2020	Stu Clark emails against PNCC standards	2.00	500.00	Hours	250.0000
Tom Biagioli	13/10/2020	Review of updated embedment calcs for pipes (developer updated the trench parameters). Comments and calculations returned.	1.00	206.4500	Hours	206.4500
Tom Biagioli		Further review of calcs and responses to council comments on developers plans,				
Tom Biagioli	15/10/2020	specifically manholes and compaction %	1.00	206.4500	Hours	206.4500
Tom Biagioli	19/10/2020	Discussion with and response to Clive's queries on the stormwater hydraulic design.	1.00	206.4500	Hours	206.4500
				11,176.500		

PLANNING SERVICES

Fees & Charges

CONSULTANT CHARGES

WORKTYPE	Rate Per Hour from 1 July 2020
Consultants and Solicitors fees associated with all work types, including the processing of a consent or certificate (including specialist technical or legal advice where a consent involves creating legal instruments) and new notice of requirements, heritage orders, designation alterations, removal of designations and District Plan changes.	At cost plus disbursements

CHARGES FOR HEARINGS

WORKTYPE	Rate Per Hour from 1 July 2020
Hearings for all applications, designations, notice of requirements private District Plan changes, development contributions and remittance fees and associated work by relevant staff	At cost of officers time per hour as per rates listed below
Production of Order Papers	At cost plus disbursements

The following hourly rates for Council Officers and Decision Makers will be charged for the processing of consents, hearings, designations etc. that do not have a fixed charge or where the fixed charge is inadequate to cover the actual and reasonable costs of the Council.

COUNCIL OFFICERS HOURLY RATES	Rate Per Hour from 1 July 2020
Planning Officers/Graduate Planning Officer	\$190
Monitoring and Enforcement Officer	\$170
Senior Planner	\$203
Head of Planning Services	\$221
City Planning Manager	\$221
Senior Business Support Officer	\$165
Administration/Committee Administration Staff	\$117
Technical and Professional Staff from all other Council units	\$190
General Manager	\$241
Commissioner	At cost plus disbursements
Hearing Committee Chair and Members	At cost (\$100 per hour for Chair & \$80 per hour for members) plus disbursements

