

Resource Consent Application for
M and K Lewin
28 Gilbert Mair Rise, Te Wahapu



Resource Consent Application – M and K Lewin

Application Details

| | |
|------------------------------|---|
| Applicant: | Mike and Kerri Lewin |
| Location: | 28 Gilbert Mair Rise, Te Wahapu |
| Legal Description: | Lot 15 Deposited Plan 72018 |
| Proposal: | Retrospective land use consent under the Operative Far North District Plan for a minor infringement of Rule 10.7.5.1.6 Stormwater Management. |
| Zoning and Resources: | ODP - Coastal Living with no resources PDP – Settlement Zone with Coastal Environment overlay |
| Application Status: | Restricted Discretionary Activity |

Attachments

| | |
|---------------------|--|
| Attachment A | Building plans |
| Attachment B | Certificate of Title |
| Attachment C | Resource consent 2070397-RMALUC |
| Attachment D | District Plan maps |

Address for Service



Alister Hartstone BREP (Hons) MNZPI
Set Consulting Limited
Ph 0277555607
E-mail alister@setconsulting.co.nz

1.0 The Proposal and Background

- 1.1 The application seeks retrospective consent for an infringement of impermeable surfaces located on a property at 28 Gilbert Mair Rise, Te Wahapu.
- 1.2 As background to this matter, the site was subject to a resource consent 2070397-RMALUC granted on the 16th January 2007 (see Attachment C). That consent provided for the addition of *'...a new wing to existing dwelling, breaching the Visual Amenity and Earthworks rules in the Coastal Living Zone.'* As part of the building consent approved for the works (FNDC ref BC2007351), the Council required stormwater attenuation which is recorded as *'no net increase in peak flow from the site to be shown by utilizing a portion of the second storage tank for detention storage as per the design from Haigh Workman report dated 19 January 2007.'* By virtue of a Code of Compliance Certificate being issued for the work on the 29th November 2010, this attenuation was provided and is understood to remain in place on site at the present time.
- 1.3 Subsequently, a soldier pile wall was constructed on part of the site, with a Certificate of Acceptance issued by the Council on 2 February 2017 (where no building consent had been sought for the wall but was otherwise required).
- 1.4 Plans provided in support of both the resource consent and certificate of acceptance illustrate the extent of sealed impermeable surfaces consisting of both access and driveway and building areas, equating to 445m² in total. The plans did not illustrate a vehicle parking area adjoining the eastern boundary that is understood to have been in gravel at the time. This would have required consideration as part of any impermeable surface calculation at the time of both the resource consent and certificate of acceptance being assessed. That area of approximately 35m² is now identified on the plan provided at Attachment A. It should be noted that the current property owners were not the property owners at the time of these previous developments being undertaken.
- 1.5 The applicant has commenced construction of a boat shed structure on the site in the location of the identified 35m² gravelled area. This has been subject to abatement notices issued by the Council (reference ABATE-2025-60 to 62). Two of those abatement notices have since been cancelled. However, the abatement notice as it relates to an infringement of Rule 10.7.5.1.6 Stormwater Management remains in place at this time, and is now intended to be addressed by way of this application.
- 1.6 In addition, a small (approx. 20m²) area of property adjoining the road boundary located in the middle of the loop driveway has been recently landscaped and metalled, and may be partially paved or sealed in the future. It is considered appropriate to include that additional area of impermeable surfaces in the application as well and is identified on the plan in Attachment A as such.

2.0 Site and Surrounding Environment

- 2.1 The subject site (Lot 15 Deposited Plan 72018) is a residential property containing 4074m² of land located at 28 Gilbert Mair Rise, Te Wahapu. The site is occupied by an existing building and garage

with concreted loop driveway and two crossings onto Te Wahapu Drive. The property occupies a ridge with the majority of the property being bush-clad and falling to the northeast. The existing dwelling occupies the ridge with all concreted and metalled areas gently falling towards Gilbert Mair Rise.

- 2.2 The property owner has been granted consent for an additional vehicle crossing permit for an extension of the existing eastern crossing to provide direct access to the existing gravelled parking area.
- 2.3 The surrounding area consists of a pattern of properties similar to the subject site with lot sizes of around 4000m², bush clad slopes, and roads and dwellings generally on or near elevated ridgelines. The resulting land use is dominated by built development close to the roads which results in a rural-residential type environment.
- 2.4 A copy of the record of title is provided in Attachment B. There are no relevant interests registered on the title.

Aerial photo illustrating site location (highlighted).



3.0 District Plan Rules

- 3.1 The subject site is located in the Coastal Living Zone in the Operative District Plan. No resources are identified that affect the site.

- 3.2 An assessment of the relevant provisions of the District Plan as they relate to the activity follows, noting that no buildings or structures form part of the application.

Coastal Living Zone

| Rule | Compliance | Activity Status |
|--|---|--------------------------|
| 10.7.5.1.1 Visual Amenity | N/a | Permitted |
| 10.7.5.1.2 Residential Intensity | N/a | |
| 10.7.5.1.3 Scale of Activities | N/a | |
| 10.7.5.1.4 Building Height | Complies – see plans | Permitted |
| 10.7.5.1.5 Sunlight | Complies – see plans | Permitted |
| 10.7.5.1.6 Storm water Management | The total area of impermeable surfaces is 500m ² of impervious surfaces existing on the site, or 12.3%, but will comply with the restricted discretionary standard of 15% specified under Rule 10.7.5.3.8 Stormwater Management. | Restricted Discretionary |
| 10.7.5.1.7 Setback from Boundaries | N/a | Permitted |
| 10.7.5.1.8 Screening For Neighbours Non-Residential Activities | N/a | |
| 10.7.5.1.9 Transportation | N/a | |
| 10.7.5.1.10 Hours Of Operation Non-Residential Activities | N/a | |
| 10.7.5.1.11 Keeping of Animals | N/a | |
| 10.7.5.1.12 Noise | N/a | |
| 10.7.5.1.13 Helicopter Landing Area | N/a | |

- 3.3 In summary the application requires consent as a restricted discretionary activity on the basis of infringement of Rule 10.7.5.1.6 Stormwater Management where the total impermeable surfaces on the site will exceed the permitted standard. Total impermeable surfaces will be 500m² of impervious surfaces existing on the site, or 12.3%.

Proposed Far North District Plan

- 3.4 The Far North District Council released its proposed District Plan on the 27th July 2022. The majority of rules have no legal effect at the time of notification, while consideration of and weighting to be given to objectives and policies in the proposed Plan is required under Section 104(1)(b)(iv) when determining a decision.
- 3.5 A review of the relevant rules that have immediate legal effect has been undertaken in relation to the proposed activity. The site is located within the Settlement Zone and is subject to the Coastal Environment overlay. On the basis that no building or structure is proposed as part of the works, and the consent seeks retrospective consent for existing impermeable surfaces, none of the Proposed Plan rules are engaged.

NES Requirements

- 3.6 The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (the 'NES') is not relevant to the application as none of the triggers for consideration of the NES apply at this time.
- 3.7 No other National Environmental Standards are required to be assessed as part of the proposal.

4.0 Section 95A – 95G Assessment

- 4.1 The following assessment addresses those matters considered relevant under Section 95, Section 104, and the Fourth Schedule of the Act.

The matters listed under Section 95A are addressed as follows.

- None of the requirements under Section 95A(3)(a) – (c) apply, noting that the applicant is not requesting public notification.
- The activity is not precluded from public notification under Section 95A(5)(a) or (b).
- The activity is not subject to any rule or standard that requires public notification under Section 95A(8)(a)
- An assessment of effects as required under Section 95A(8)(b) is provided further in this report. That assessment has been undertaken in accordance with Section 95D and concludes that any adverse effects of the proposal will be less than minor in all respects.
- No special circumstances are considered to exist that warrant public notification as per Section 95A(9).

For the purposes of Section 95B:

- There are no protected customary rights groups or affected customary marine title groups.
- The proposal does not fall under the criteria specified in Section 95B(6).
- The proposal does not involve a boundary activity or prescribed activity as specified in Section 95B(7).
- Consideration has been given to the extent of adverse effects on any person on land located adjacent to the proposal. Taking into account the matters that discretion is restricted to and the minor extent of infringement, it is considered that no persons will be adversely affected to a minor or more than minor extent by the proposal in accordance with Section 95E.
- No special circumstances are known to exist that warrants notification of the application to any other persons as per Section 95B(10).

- 4.2 Given the above, it is respectfully considered that the application should proceed on a non-notified basis.

5.0 Assessment of Effects – Section 95D

- 5.1 The following assessment of effects is undertaken in accordance with Section 95D. For the purpose of Section 95D(a), the effects on the following persons who occupy or own adjacent land must be disregarded:

- 22 Gilbert Mair Rise (Lot 16 DP 72018)
- 32 Gilbert Mair Rise (Lot 14 DP 72018)

No other properties are considered to be adjacent to the land on which the activity will occur.

- 5.2 Section 95D(b) and Section 104(2) provide for consideration of the permitted baseline, being activities that *'...a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.'* The permitted baseline includes any activities that are lawfully established on the site at the time any application is made. The site is occupied by an existing dwelling with services and access which has been legally established, with total impermeable surfaces equating to 445m² or 10.9%. This is the existing environment that the effects of the proposal must be assessed against.
- 5.3 As Rule 10.7.5.1.6 Stormwater Management limits the extent of impermeable surfaces, it is not possible to undertake further building development or creation of impermeable surfaces without consent. Therefore, there is no permitted baseline that readily assists in assessing the extent of adverse effects.
- 5.4 There are no known granted but as yet unexercised resource consents associated with the site or surrounding area that are relevant to the proposal.
- 5.5 Section 95D(c) is relevant as the proposal is for a single infringement requiring consideration as a restricted discretionary activity. Therefore, any adverse effect that does not relate to a matter of discretion listed under the relevant District Plan rule must be disregarded.
- 5.6 Section 95D(d) is not relevant to the application.
- 5.7 No written approvals are provided in support of the application that require consideration under Section 95D(e).
- 5.8 The following assessment addresses the matters of discretion listed under Rule 10.7.5.3.8 Stormwater Management.

(a) the extent to which building site coverage and Impermeable Surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment;

The extent of proposed additional impermeable surfaces (55m²) is considered to be negligible in terms of effects on the existing catchment impermeability, noting the site is located near the top of the catchment and on-site attenuation is already provided for the buildings. Currently, stormwater is directed from the site into a small swale running within Gilbert Mair Rise which enters a catchpit outside 22 Gilbert Mair Rise and discharges on the southern side of Gilbert Mair Rise into a bush covered natural overland flow path discharging onto Te Wahapu Road. This system is not identified on any Council asset maps but is presumed to be a Council system where it is located within Gilbert Mair Rise and Te Wahapu Road.

(b) the extent to which Low Impact Design principles have been used to reduce site impermeability;

No low impact design is considered necessary to manage stormwater generated from an additional 55m² of impermeable surface.

(c) any cumulative effects on total catchment impermeability;

The extent of additional impermeable area is not considered large enough to have any effect on total catchment impermeability

(d) the extent to which building site coverage and Impermeable Surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water;

The additional impermeable surfaces already exist and have no impact on any natural contours or drainage patterns.

(e) the physical qualities of the soil type;

This is not considered relevant to the proposal.

(f) any adverse effects on the life supporting capacity of soils;

This is not considered relevant to the proposal.

(g) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites;

This is not considered relevant to the proposal.

(h) the extent to which paved, Impermeable Surfaces are necessary for the proposed activity;

The proposed activity consists of additional on-site parking and a minor improvement to existing access. It is not possible to provide additional parking or improve the useability of the existing access without increasing impermeable surfaces.

(i) the extent to which landscaping and vegetation may reduce adverse effects of run-off;

This is not considered relevant to the proposal.

(j) any recognised standards promulgated by industry groups;

This is not considered relevant to the proposal.

(k) the means and effectiveness of mitigating stormwater runoff to that expected by permitted activity threshold;

The proposal will increase the extent of impermeable surfaces on the site by 55m². The stormwater collection and disposal system currently being utilised by way of overflow being discharged to Gilbert Mair Rise is considered adequate to mitigate any potential off-site effects associated with any additional discharge.

(l) the extent to which the proposal has considered and provided for climate change.

This is not considered relevant to the proposal.

- 5.9 The above assessment is based on the position that the additional impermeable areas sought under this application have existed for a considerable amount of time. There have been no actual off-site adverse effects generated by the discharge of stormwater from these areas to the stormwater system on Gilbert Mair Rise, and no potential adverse off-site effects are anticipated. No engineering report has been provided to address stormwater management associated the additional 55m² on this basis. It is therefore considered that any adverse effects associated with additional impermeable surfaces is considered to be negligible.
- 5.10 Based on the above assessment, it is considered that any adverse effects arising from the proposal on the wider environment will be less than minor. Public notification is therefore not required under Section 95A(8)(b).

6.0 Section 95E Assessment – Affected persons

- 6.1 In undertaking an assessment of the effects of the proposal, due consideration has been given to the extent of actual and potential adverse effects on adjacent landowners.
- 6.2 Section 95E(2)(a) prescribes that a consent authority ‘...*may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect;*’. A permitted baseline has been assessed as part of the effects assessment above, noting that the extent of infringement equates to an additional 55m² of impermeable surfaces.
- 6.3 With regard to any adverse effects on the identified adjacent owners (as directed by Section 95E(2)(b)), all stormwater captured on the site including that for which consent is now sought, is directed onto Gilbert Mair Rise, where it enters (what is assumed to be) the Councils roadside stormwater system. There is no evidence of any adverse effects arising from this discharge on any property, nor any adverse effects on the Councils stormwater system.
- 6.4 It is considered that no persons will be adversely affected to a minor or more than minor extent by the granting of consent to the proposal.

7.0 Section 104 Assessment

Assessment of Effects

- 7.1 Section 104(1)(a) requires consideration of any actual and potential effects on the environment of allowing the activity. An assessment of effects carried out in accordance with Section 95D has been provided above. That assessment and the conclusion that any adverse effects arising from the proposal will be less than minor informs an assessment of effects under Section 104(1)(a).
- 7.2 There will be some minor positive effects for the property owner in terms of providing additional parking and improving the usability of the existing loop access.

7.3 It is considered that the only condition of consent required is a 'general accordance' condition that references the site plan provided in Attachment A.

7.4 Overall, the effects associated with the proposal are considered to be acceptable within the receiving environment.

National and Regional Planning Documents

7.5 Given the minor nature of the infringement, there are no relevant national or regional planning documents that require consideration in this case.

Operative Far North District Plan

7.6 Section 104(1)(b)(vi) requires consideration of the relevant objectives and policies contained in any operative and proposed district plan. The relevant provisions contained in the Far North District Plan are contained within the Coastal Living Zone Chapter, noting that the more general Coastal Environment provisions are given effect to by the more specific Zone Chapter provisions.

7.7 It is considered that Objection 10.7.3.1 is relevant as it relates to allowing development to locate in coastal areas where adverse effects are avoided, remedied, or mitigated. Policy 10.7.4.2 addresses provision of adequate infrastructure and services and maintains and enhances amenity values and the quality of the environment, which is considered relevant to the issue of stormwater management.

7.8 For the reason previously expressed, the proposal is considered to be consistent with these provisions. The extent of the infringement is minimal, the additional impermeable surfaces are existing, and stormwater is discharged directly to Gilbert Mair Rise where it is managed through an existing system, and the provision of extra on-site parking is an amenity that avoids additional parking utilising the road verge.

7.9 On the basis of the above, it is considered that the proposed development on the site will be appropriate and consistent with the relevant District Plan provisions.

Proposed Far North District Plan

7.10 The proposed Far North District Plan ('proposed Plan') was released for submissions on the 27th July 2022 and is now progressing through the hearing process. No recommendations have been issued by the Hearings Panel at the time of preparing this application. The subject site is identified as being in the Settlement Zone, with Coastal Environment overlay. While only specific rules have been identified as having immediate legal effect, the objectives and policies of the proposed Plan must be considered in accordance with Section 104(1)(b)(vi).

7.11 The Settlement Zone rules include RSZ-R2 Impermeable Surface Coverage, which sets a permitted standard of 600m² or 35% for any site in the zone. On this basis, the proposal would be a permitted activity under this rule and therefore would be entirely consistent with the relevant objectives and policies in that respect.

Weighting to be given to Proposed District Plan

- 7.12 Having determined that the proposal is consistent with both the Operative and proposed District Plans, no weighting assessment of the proposed District Plan provisions is required. The relevance of the permitted activity status is addressed further under Section 104(1)(c) below.

Other Matters

- 7.13 While the application is sought based on an infringement under the Operative District Plan, it is considered relevant and reasonably necessary in this case to record that the proposal would not require resource consent under the proposed District Plan. Further, a review of the submissions, further submissions, and Section 42A reports presented at hearing/s to date indicates (as best can be determined) that neither the zoning as it relates to this area of Te Wahapu nor the impermeable surfaces rule in this case have been directly challenged. It is acknowledged that submissions have been made regarding the interpretation and wording of the rule more generally.

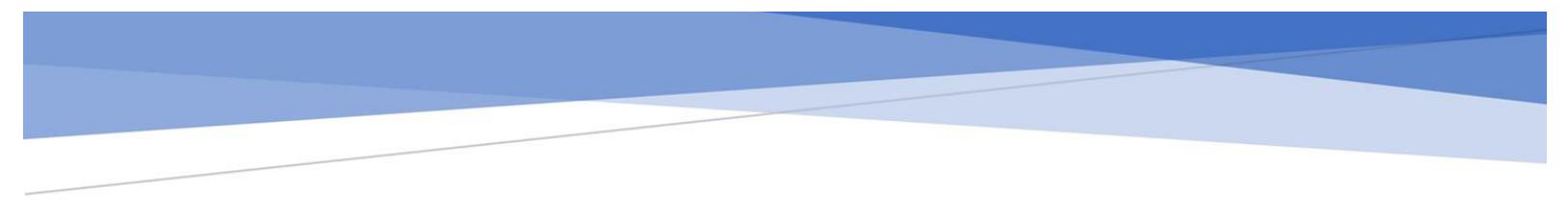
8.0 Part 2 Assessment

- 8.1 As per current case law¹, an assessment of matters under Part 2 is only required where there is invalidity, incomplete coverage or uncertainty in the planning provisions. The Operative Plan contains provisions that are relevant to the proposal, and there is no evidence to suggest the relevant provisions are invalid, incomplete or present uncertainty in making any decision. No assessment of the Part 2 provisions is therefore required.

9.0 Conclusion

- 9.1 The application provides for retrospective consent for an infringement of impermeable surfaces located on a property at 28 Gilbert Mair Rise, Te Wahapu. The infringement arises from an existing 55m² of gravelled parking and access located on the site, and requires consent as a restricted discretionary activity.
- 9.2 An assessment of the provisions under Section 95A and 95B has determined that public and limited notification is not required and the application meets the relevant provisions under Section 104 of the Act. Therefore, consent can be granted pursuant to Section 104 and 104C on the basis of the information provided with this application.
- 9.3 It is respectfully suggested that the condition of consent required pursuant to Sections 108 for any approval is a 'general accordance' condition recording the extent of the impermeable surfaces as illustrated on the plan provide din Attachment A.

¹ R J Davidson Family Trust v Marlborough DC [2017] NZHC 52

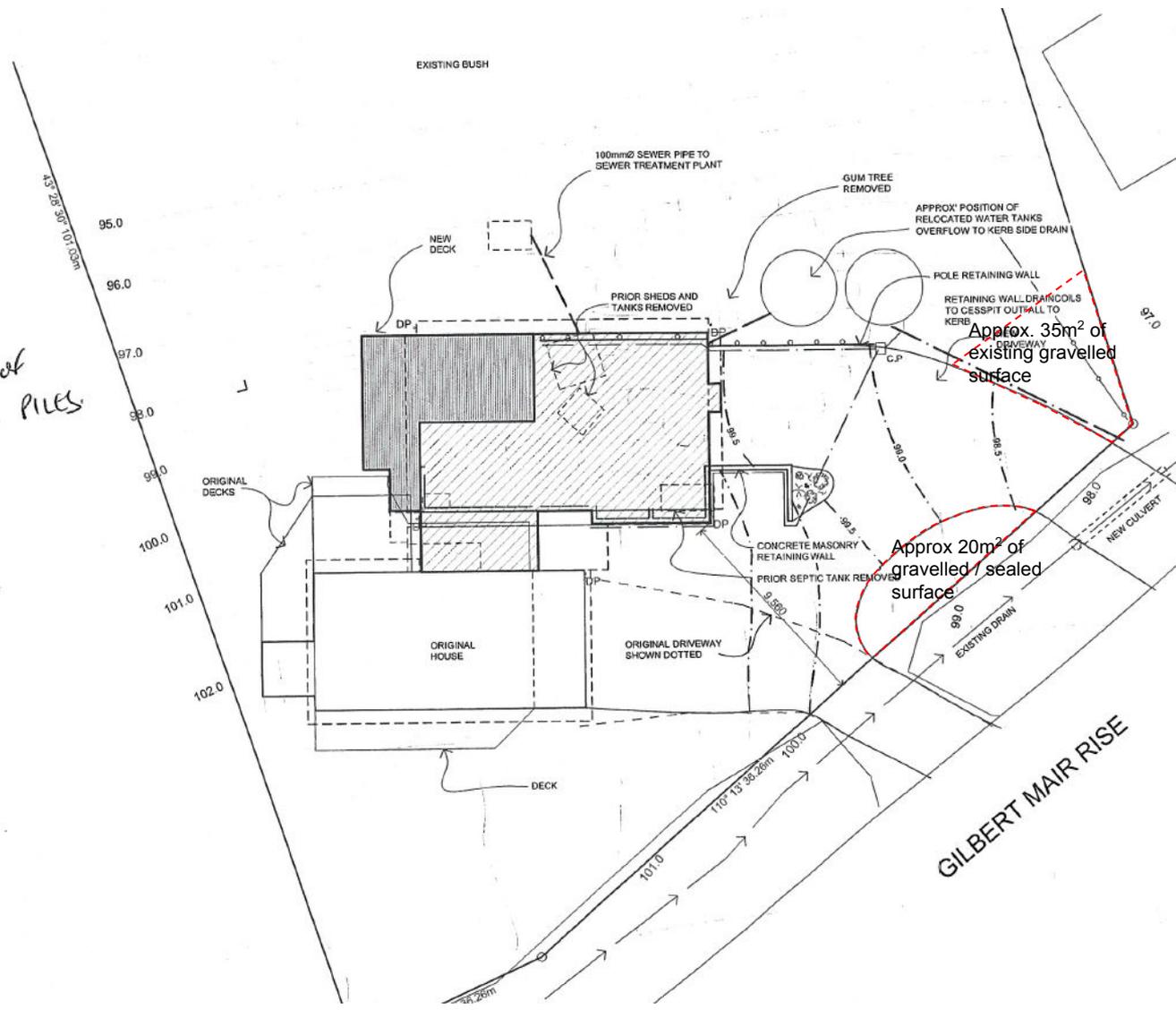


Attachment A

Site plan

M and K Lewin - Existing impermeable surfaces plan

EA of
-DIEE PILES

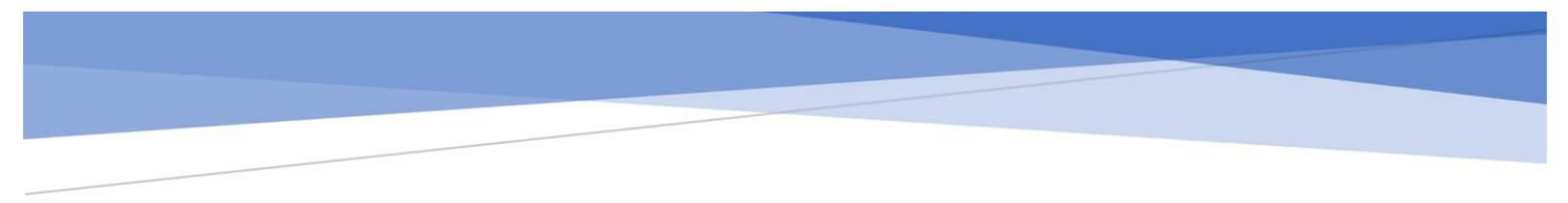


Certificate of Acceptance
 BC 2017-1025 Date 12/1/17
 District Plan Granting Officer [Signature]
 Building Granting Officer [Signature]
 Special conditions may apply

- NOTES
1. Drawing based upon Otto Suri 2006 drawings ref 06 095
 2. 0.5m contour interval
 3. 'Original' and 'prior' refers to development prior to the 2006 extensions. 'New' refers to the 2006 extensions

LEGAL DESCRIPTION
 LOT 15
 DP 72018
 AREA 4078m²

E
D
C
B



Attachment B

Certificate of Title



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




R. W. Muir
Registrar-General
of Land

Identifier NA38A/441
Land Registration District North Auckland
Date Issued 21 March 1977

Prior References
NA28B/876

Estate Fee Simple
Area 4074 square metres more or less
Legal Description Lot 15 Deposited Plan 72018

Registered Owners
Michael Allan Lewin and Kerri Anne Lewin

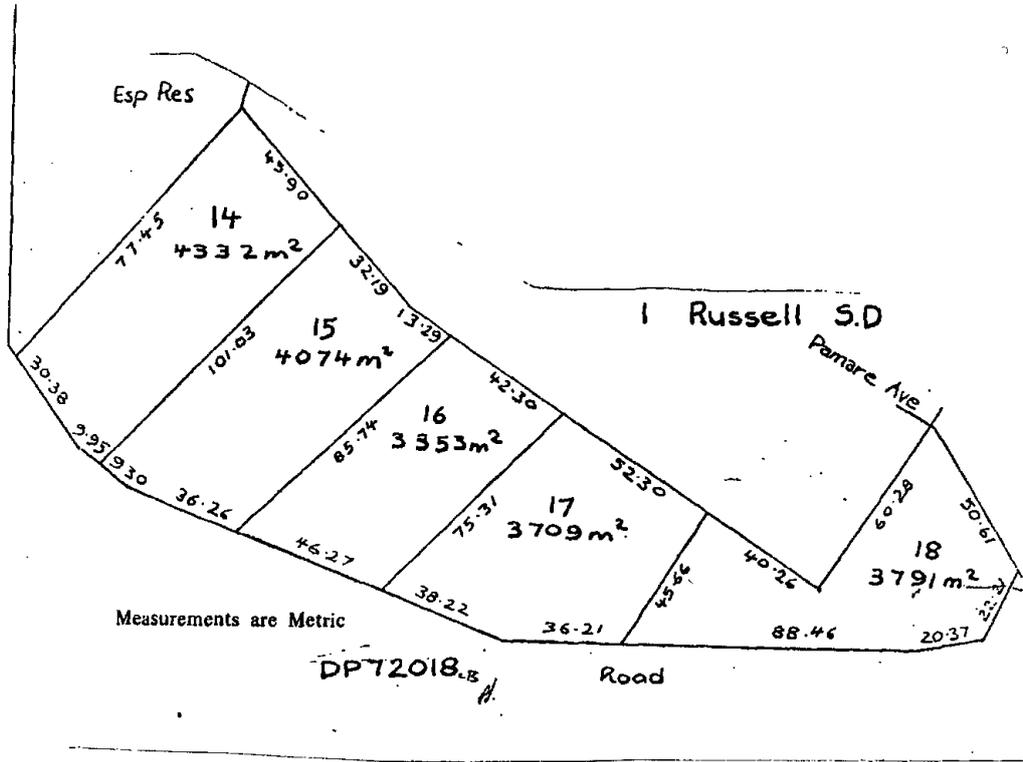
Interests
Land Covenant in Transfer 316441.1

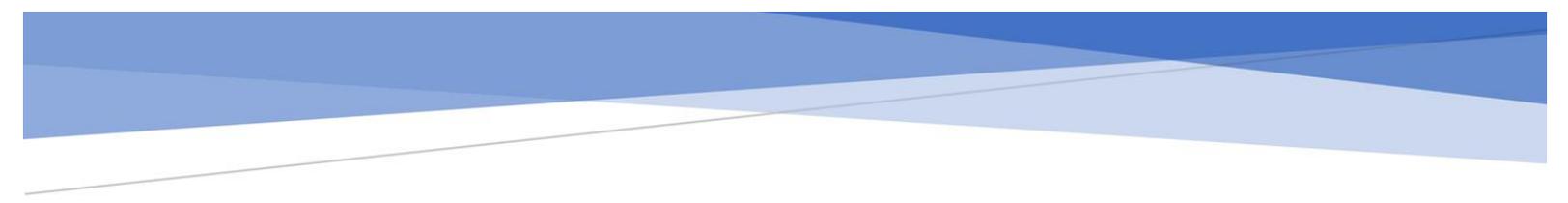
Title Diagram

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Attachment C

Resource consent 2070397-RMALUC

FAR NORTH DISTRICT COUNCIL
FAR NORTH TRANSITIONAL DISTRICT PLAN
[Bay Of Islands Section]
AND
FAR NORTH PROPOSED DISTRICT PLAN

IN THE MATTER OF
The Resource Management Act 1991

AND

IN THE MATTER OF
an application for Resource Consent
under the aforesaid Act by

Brian Lewis Wells

FILE NUMBER: RC-2070397-RMALUC

That pursuant to Sections **104 B** and **108** of the Resource Management Act 1991, the Council grants its consent to Brian Lewis Wells, to add a new wing to existing dwelling, breaching the **Visual Amenity and Earthworks rules in the Coastal Living zone** at 28 Gilbert Mair Rise, Russell being more particularly described as Lot 15 DP 72018 Blk I Russell SD contained in NA-38A/441 (North Auckland Registry) subject to the following conditions:

1. The development shall be carried out in accordance with the approved plans prepared by **Otto Suri Architecture**, referenced **06-095**, dated **24/08/06** and attached to this consent with the Council's "Approved Plan" stamp affixed to them.
2. All works shall be conducted in strict accordance with the recommendations of the Engineering Report for Cut batters and Silt control prepared by **Haigh Workman Civil & Structural Consultants Ltd.**, submitted with the application and attached with this consent with Council's approved stamp affixed to it.
3. The exterior of buildings shall be finished in the following colours, approved as part of this consent with Council's Approved Stamp" affixed to them;

| | |
|---------------------------------------|-------------------------------|
| Exterior walls | Resene Bazaar (RV: 29) |
| Roof – corrugated colour steel | Seaweed (RV: 10) |
4. Within 2 months of receipt of this consent, the Consent Holder shall provide to Councils satisfaction a landscaping plan. The landscaping plan shall be prepared by a suitably qualified professional, detailing the means of reducing the visual impact of the buildings, associated structures and earthworks, by way of suitable plantings. The plan is to identify the species of plants to be used, their numbers and locations on the site, and the means of maintaining these plants for a minimum of one further planting season or one year, whichever is the longer.

The approved landscaping is to be provided within 12 months of the landscape plan approval date, and is to be maintained for the duration of the consent. Any plants that are removed or damaged are to be replaced as soon as possible, or within the next planting season (1st May to 30th September).

5. Prior to the issue of a Code Compliance Certificate under the Building Act, provide evidence that **condition 4** above has been fully met.
6. The Consent Holder shall ensure that the following conditions are met for Earthworks;
 - (a) Retain all existing vegetation cover down slope of the proposed earthworks to facilitate the filtering of silt from the stormwater runoff.
 - (b) Re-establish vegetation cover on all exposed cut surfaces.
 - (c) Complete the earthworks and associated stormwater and silt control measures in accordance with the Engineers report prepared by Haigh Workman and submitted with the application.
7. The Consent Holder shall ensure that all stormwater overflow and impervious area catchment is managed adequately to prevent erosion of the steep site.

After consideration of the application under Section 104, the following reasons are given for this decision pursuant to Section 113 of the Act:

- A. Consideration was given to both the Transitional District Plan (Bay of Islands Section) and the Far North Proposed District Plan (Revised July 2003). Particular consideration was given to Chapter 10 and the associated appendices of the Proposed District Plan. The proposal was also assessed against the relevant District Wide Provisions outlined in Volume 2 of the Proposed Plan.
- B. The principal issues that were in contention were the 'Visual Amenity' and 'Earthworks' rules in the Revised Proposed District Plan.
 - An Assessment of Environmental Effects addressing the outstanding matters was provided, highlighting potential adverse effects on the environment and proffering measures to reduce the negative impact of the activity. The measures proposed to mitigate these adverse effects are considered adequate and overall, the resulting effects on the environment are considered no more than minor.
 - Council's Utilities department was concerned with the management of stormwater overflow and impervious area catchment to prevent erosion of the steep site; a condition of consent has been imposed to this effect.
 - An Earthworks Permit No. 207076 has also been issued in conjunction with this consent, to guide the management and control of earthworks on-site.
 - Neither the local Iwi nor the Historic Places Trust was consulted as they were not considered affected by the proposal; an archaeological advice note, however, has been included as part of this consent.

- Overall, it is not anticipated that there will arise any cumulative adverse effect as a result of the proposed development.
- C. Written approval from adjoining owners and interested parties to the proposed activity has not been sought, as the Council is of the opinion that no one will be adversely affected by the granting of consent to the proposal.
- D. The imposed conditions will ensure that the effect of the consent will be compliance with the relevant provisions of the applicable District Plans; and that such conditions will adequately avoid, or mitigate to a minor impact level, the expected adverse effects on the environment.
- E. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the two relevant District Plans.

STATUTORY INFORMATION / ADVICE NOTES

The following matters are noted as being relevant to the land, and possibly requiring additional action for statutory or code compliance. The applicant and any prospective purchasers should be aware of these matters; and hence the information will be placed on the property file and will be cited in any related Project or Land Information Memorandum that may be issued by the Council.

- A. If during the course of undertaking the site works there is a discovery made of any archaeological find, or suspected find, the work on that portion of the site should cease immediately and the NZ Historic Places Trust and a representative of the relevant local Iwi contacted. It is unlawful to modify, damage or destroy an archaeological site without prior authority from the Trust under the Historic Places Act 1993
- B. The Consent Holder is advised that all earthworks carried out onsite are in general accordance with the conditions of **Earthworks Permit No 207076**. issued in conjunction with this consent.

DECISION PREPARED BY: Victoria Araba, Assistant Resource Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:


 _____ **RESOURCE CONSENTS MANAGER**
 Pat Killalea

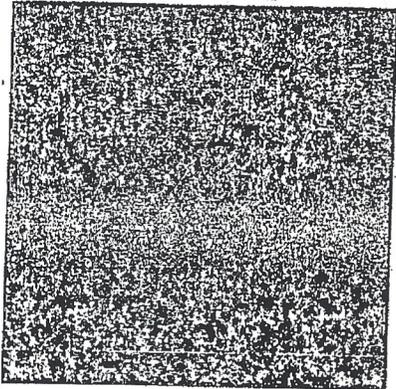
16th January 2007 DATE
 RC-2070397-RMALUC

APPROVED PLAN

PLANNER

RC. 2070397 Date 14/12/06

Colour swatches online



[Swatch download](#)
[Instructions](#)

This colour is a representation only. Please refer to the actual paint or product sample. Resene testpots are available for ordering online.

Colour Name: **Resene Bazaar**

Total Colour Code: BR61-023-024

Chart Colour Code: 5R070

Tone: Pastel

Colour Palette: Brown

RGB: 143 119 119

Converted LAB 59.96 8.51 3.75

Reflectance Value: 29

Colour Pencil Recipe: (133) (191) 177 270

Colour Chart/Range: Multi-Finish (2006)

Complementary Colours: Resene Redwood
Resene Spanish Green
Resene Friar Grey

Colour Notes: Resene Bazaar is a wild mushroom pink tasty with cream.



Resene

whites & neutrals

APPROVED PLAN

PLANNER

RC 14/12/06

Amara
PC 2070397
Date

Alabaster™ N96-006-099

Black White™ N93-005-100

Soapstone™ N93-008-081

Bianca™ Y96-012-090

N92-005-100

Rice Cake™ G94-010-092

Travertine™ G90-020-091

Black Haze™ N92-006-101

Wheatfield™ Y89-023-088

Vista White™ N91-004-046

Merino™ Y91-009-076

APPROVED PLAN

PLANNER *Carver*

PC 2070397 Date 11/12/06

8021 SHEET

WORK SPACE

ENTRY

EXISTING GARAGE

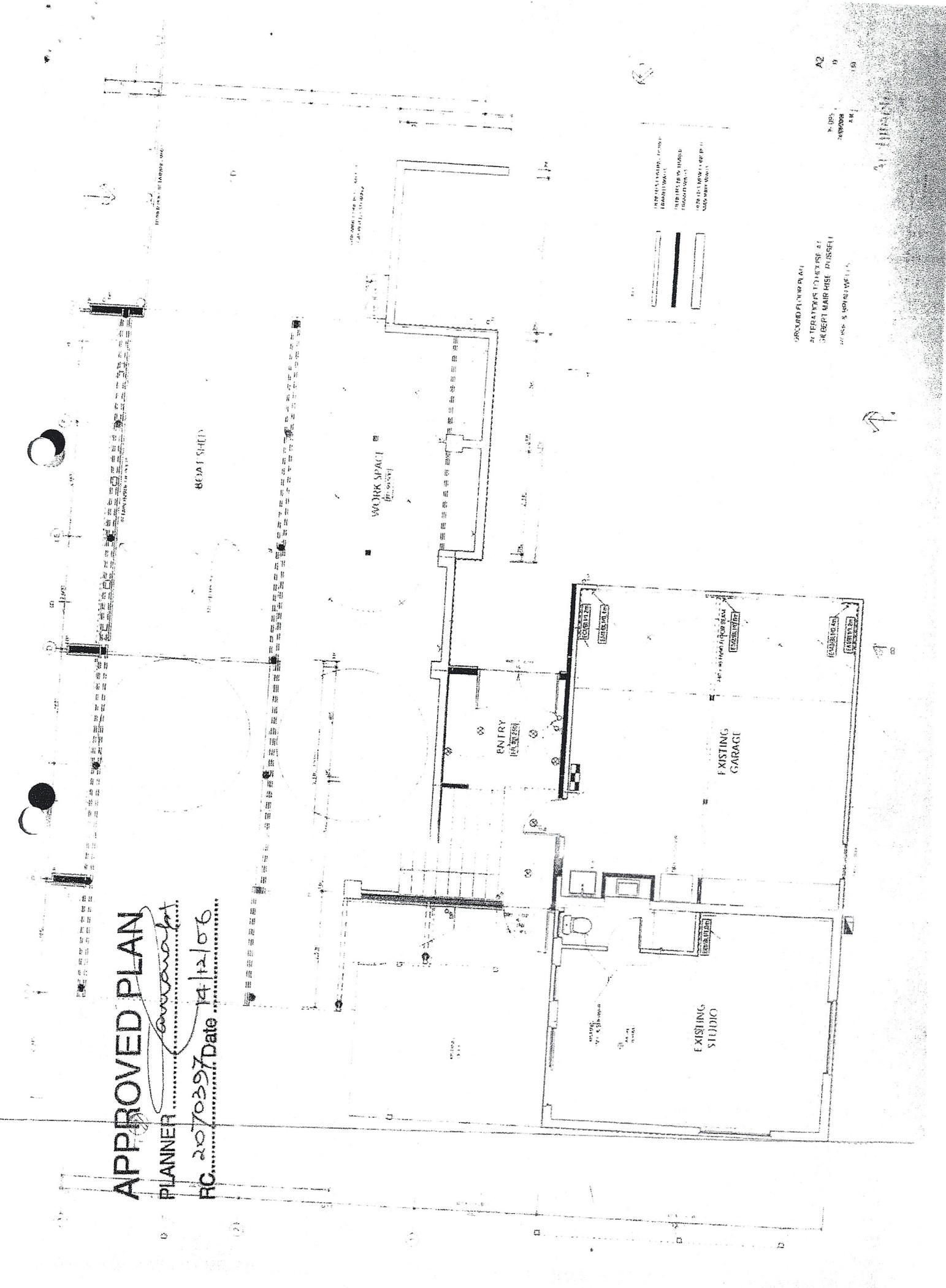
EXISTING STUDIO

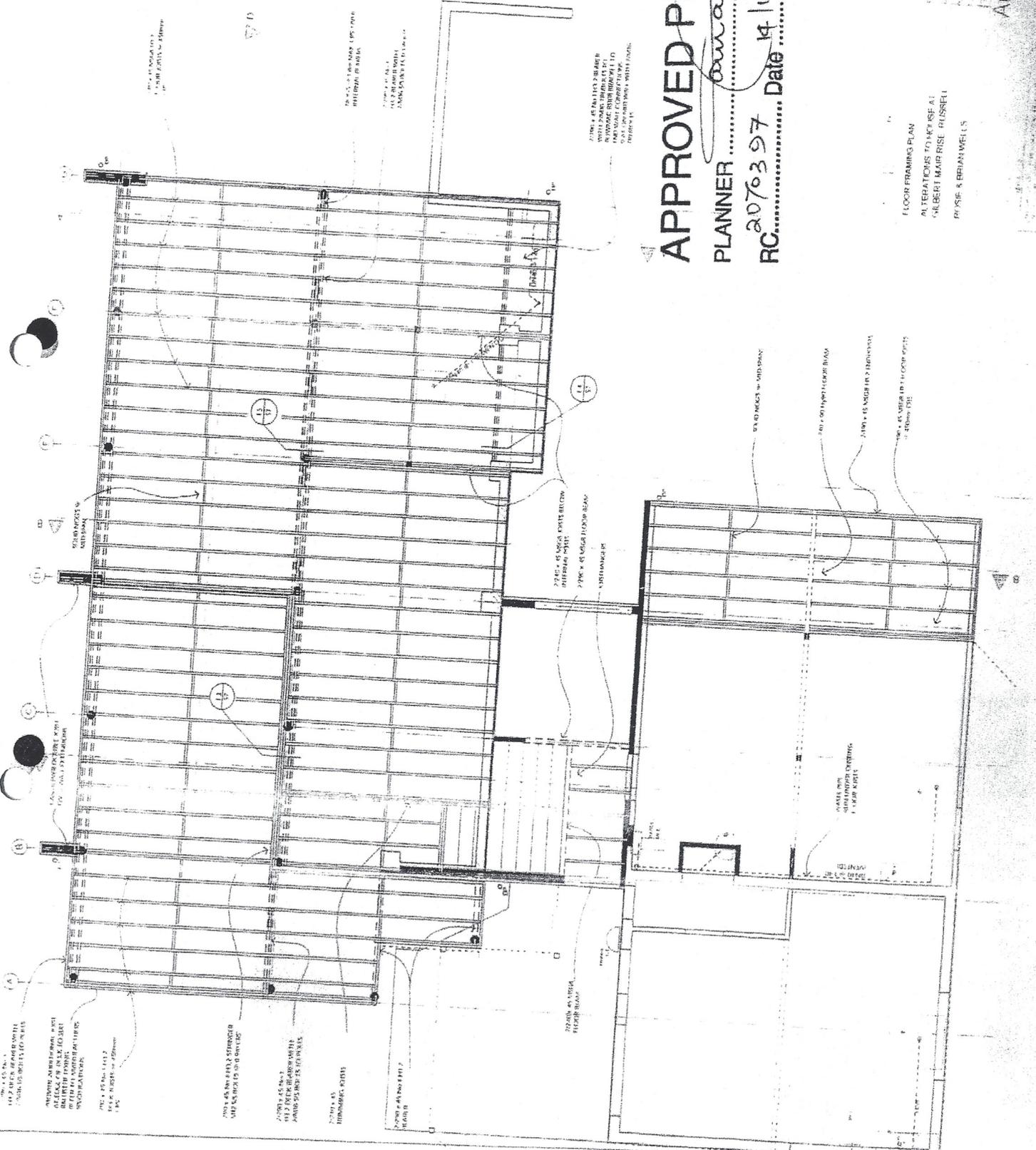
- INTERIOR WALLS
- EXTERIOR WALLS
- GLASS WALLS
- GLASS PARTITIONS
- GLASS DOORS
- GLASS WINDOWS
- GLASS PARTITIONS
- GLASS DOORS
- GLASS WINDOWS

GROUND FLOOR PLAN
 AT TERRACE DRIVE, WYCKOFF, NJ
 ARCHITECT: ROBERT MARISE ARCHITECTURE
 1000 8th Street, Suite 100
 Jersey City, NJ 07310
 TEL: 201-734-1111
 FAX: 201-734-1112
 WWW: www.marise.com

A2

11/12/06





APPROVED PLAN
 PLANNER *amaly*
 RC 2070397 Date 14/12/06

FLOOR FRAMING PLAN
 ALTERATIONS TO REF A1
 GILBERT MAIR RISE, RUSSELL
 RUSSELL & BRIAN WELLS

A4
 1:1
 1:1

Architectural
 1:1

2x10 @ 16" O.C. JOISTS
 WITH 1/2" MIN. GAPS BETWEEN JOISTS
 AND 1/4" MIN. GAPS BETWEEN JOISTS
 AND BEAMS

2x10 @ 16" O.C. JOISTS
 WITH 1/2" MIN. GAPS BETWEEN JOISTS
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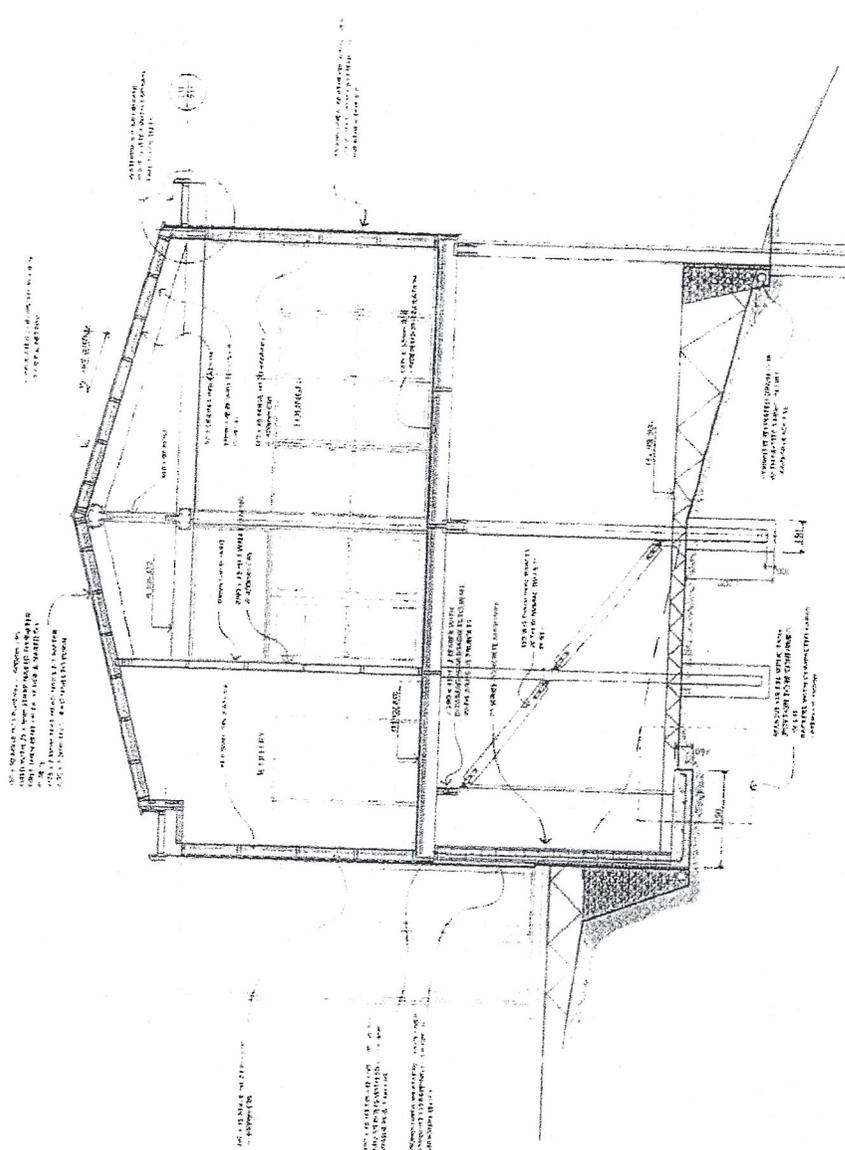
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 AND 1/4" MIN. GAPS BETWEEN JOISTS
 AND BEAMS

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 WITH 1/2" MIN. GAPS BETWEEN JOISTS
 AND 1/4" MIN. GAPS BETWEEN JOISTS
 AND BEAMS

APPROVED PLAN

PLANNER *Amorata*

RC 2070397 Date 14/12/06



CROSS SECTION A - A
Scale: 1/50

SECTION A
ALTERNATIVE TO HOUSE AT
101 BERRY ROAD RISE RUSSELL
BY BOB & BRIAN WELLS

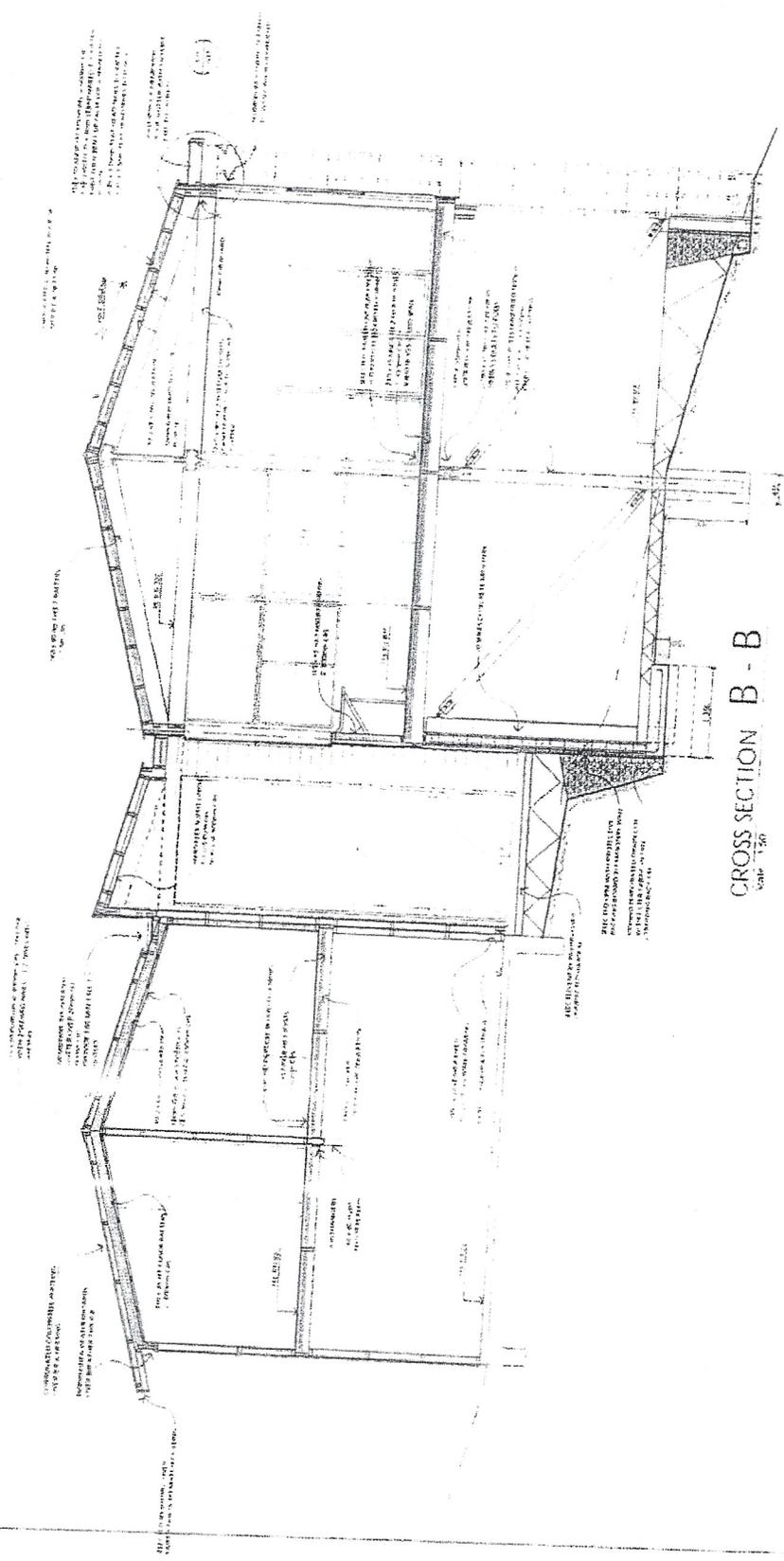
AS
17
130

AMORATA

APPROVED PLAN

PLANNER *Carroll*

RC..... 2070397 Date 14/12/06



CROSS SECTION B - B
Scale 1:50

SECTION E
RITZBAUER'S HOUSE AT
4 BEET MANDRICE HOUSE
MILAN & BERNA 1951/52

Architect

HAIGH WORKMAN
Civil & Structural Consultants Ltd
Land & Building Development
Water & Waste Management

12 Butler Road
PO Box 89
Kerikeri, NZ

APPROVED PLAN

PLANNER

RC..2070397

Date 14/12/07

Phone 09 4078327
Fax 09 4078378
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Fhrs 09 4078322

Email: phil@haighworks.co.nz
Web Site: www.haighworks.co.nz

Job No: 06 271

Brian & Rosie Wells
Proposed Alterations at Gilbert Mair Rise, Russell

Lot 15 DP 72018 Resource Consent – Engineering Issues

1. Introduction

It is proposed to construct alterations to an existing private dwelling on Lot 15 at Gilbert Mair Rise, Russell. The house site is located on elevated land which is predominantly rolling countryside. The construction will be concrete piled foundations with light weight claddings on both levels. There will be some minor reshaping of the natural contours during construction and an expected excavation less than 2000mm deep to allow for the ground level garaging and storage.

2. Cut Batters

The soils revealed in the bore log indicate a greywacke and argillite soil composition. These soils are relatively firm and stable but very sensitive to storm water saturation.

Recommendations:

- Batters should be no steeper than 30° if left exposed during the building programme. Steep batters <45° for short term periods during construction are acceptable during the drier months but will slip if exposed to wet weather through the winter months.
- Batters of 45° or more during wet weather should be covered with polythene to avoid saturation and cut-off/intercepting drains provided above the excavation to eliminate concentrations of storm water entering the excavated slope.
- Extreme care should be exercised when working at the toe of steep excavations and after heavy rain construction work at the toe should be suspended for 2 days to allow ground water to drain.

3. Silt Control

The proposed earth works have a potential to contribute to erosion unless appropriate precautions are taken. Reduction to water quality however should be minor due to the small catchment above the site, the relatively short term nature of the disturbance, the large distance to natural water courses and recommended measures to avoid mobilisation of silt.

Recommendations:

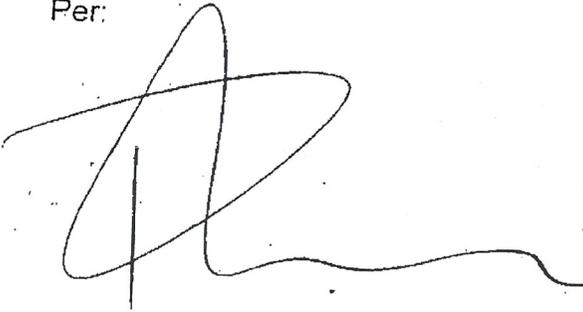
- Fill material should only be used on slopes 20° or less and a flat bench should be prepared before placement. Alternatively suitably designed retaining walls should be constructed to contain the fill. Re-grassing of exposed surfaces will also help prevent silt movement.
- A continuous line of hay bales should be staked firmly to the slopes following a natural contour below the construction site to intercept run off as drawn on the site plan.

4. Earthworks Volume

The volume of earthworks resulting from reshaping the natural contours is approximately 36m³. This material should be removed from the site unless the recommendations above are followed.

HAIGH WORKMAN

Per:



P H Workman

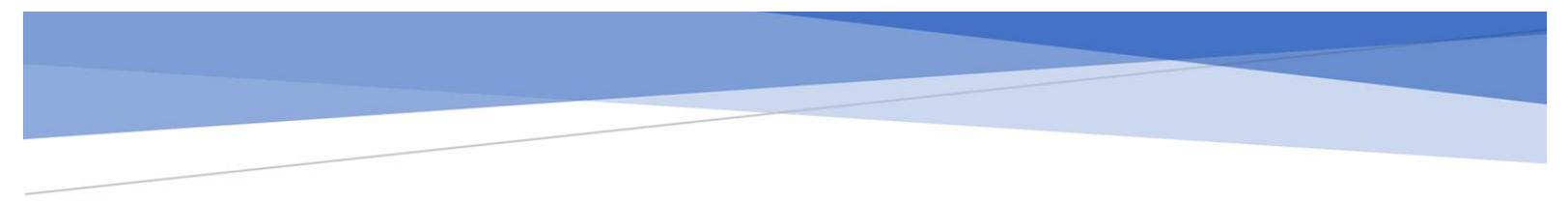
enclosures: nil

cc: nil

APPROVED PLAN

PLANNER *Carrots*

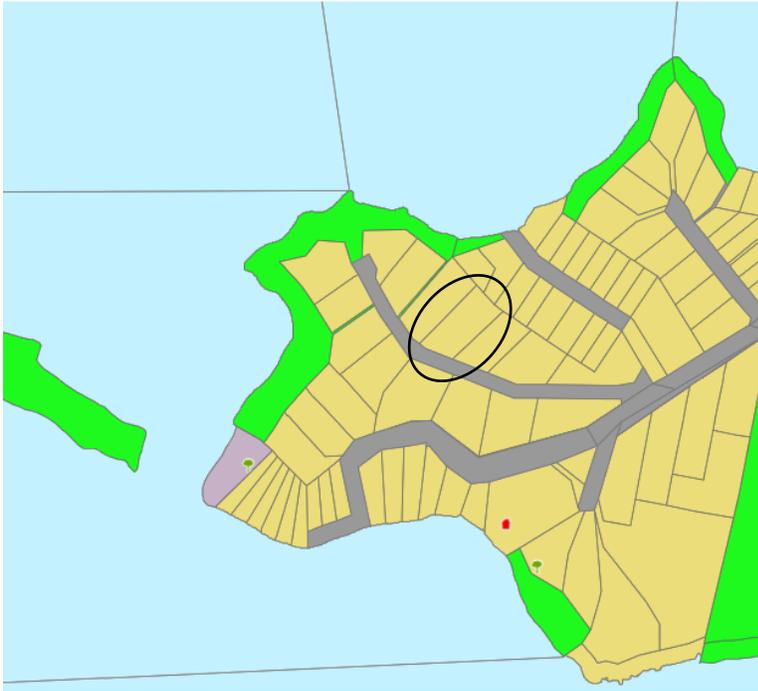
RC. 2070307 Date 14/12/06



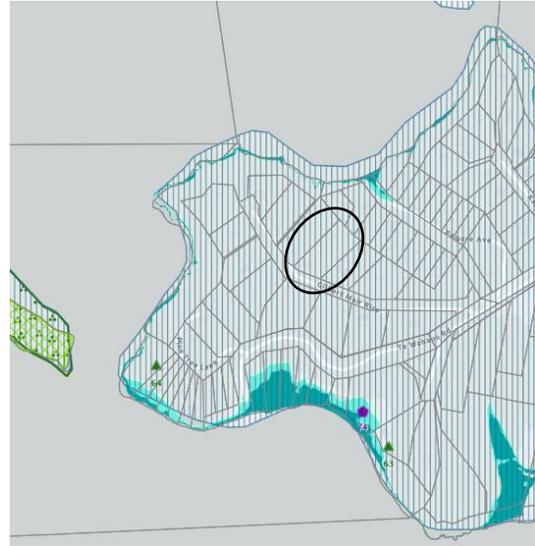
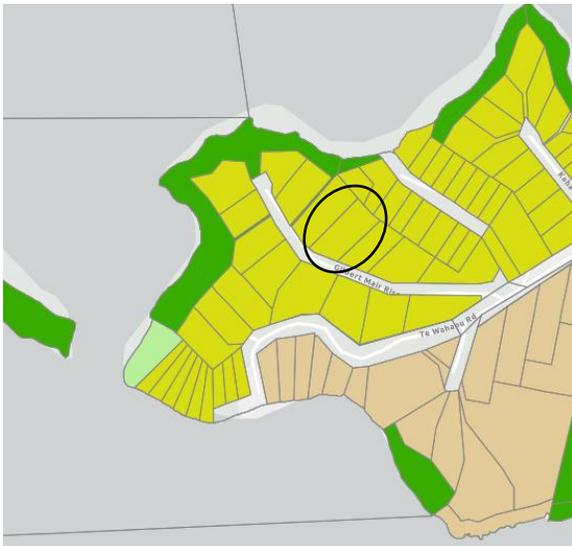
Attachment D

District Plan maps

Operative Far North District Plan



Proposed Far North District Plan





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R. W. Muir
Registrar-General
of Land

Identifier NA38A/441
Land Registration District North Auckland
Date Issued 21 March 1977

Prior References
NA28B/876

Estate Fee Simple
Area 4074 square metres more or less
Legal Description Lot 15 Deposited Plan 72018

Registered Owners
Michael Allan Lewin and Kerri Anne Lewin

Interests
Land Covenant in Transfer 316441.1

Title Diagram

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