



**Office Use Only**  
Application Number: \_\_\_\_\_

**APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT**

**(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))**  
**(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)**

*Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.*

**1. Pre-Lodgement Meeting**

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? **Yes / No**

**2. Type of Consent being applied for (more than one circle can be ticked):**

- Land Use
- Extension of time (s.125)
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) \_\_\_\_\_
- Fast Track Land Use\*
- Change of conditions (s.127)
- Change of Consent Notice (s.221(3))
- Subdivision
- Discharge

**\*The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

**3. Would you like to opt out of the Fast Track Process? Yes / No**

**4. Applicant Details:**

Name/s: \_\_\_\_\_

Electronic Address for Service (E-mail): \_\_\_\_\_

Phone Numbers: \_\_\_\_\_ Home: \_\_\_\_\_

Postal Address: \_\_\_\_\_  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

**5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).**

Name/s: Carine Andries

Electronic Address for Service (E-mail): Action Point Planning Ltd  
Carine@actionpointplanning.nz

Phone Numbers: Work: 022 421 9902 Home: \_\_\_\_\_

Postal Address: \_\_\_\_\_  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

**All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.**

**6. Details of Property Owner/s and Occupier/s:** *Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)*

Name/s: Katie Keller

Property Address/  
Location

**7. Application Site Details:**

Location and/or Property Street Address of the proposed activity:

Site Address/  
Location: 23 Du Fresne Place, Russell

Legal Description: Lot 32 DP 61183 Val Number: \_\_\_\_\_

Certificate of Title: NA16C/927  
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

**Site Visit Requirements:**

Is there a locked gate or security system restricting access by Council staff? **Yes / No**

Is there a dog on the property? **Yes / No**

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. **This is important to avoid a wasted trip and having to re-arrange a second visit.**

Please contact Kelly prior to undertaking a site visit to ensure the day/time is suitable - 022 535 9875

**8. Description of the Proposal:**

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

To add a new deck and balustrade to the first floor whilst also extending the eaves of the roof.

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

**9. Would you like to request Public Notification** **Yes/No**



#### 14. Important Information:

##### Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

##### Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

##### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, [www.fndc.govt.nz](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

**Declaration:** The information I have supplied with this application is true and complete to the best of my knowledge.

Name: [REDACTED] (please print)

Signature: [REDACTED] (signature)

Date: 19 February 2024

(A signature is not required if the application is made by electronic means)

##### Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council) **Please provide payment details asap**
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

*Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.*

**Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:**

**UNBOUND**

**SINGLE SIDED**

**NO LARGER THAN A3 in SIZE**

**10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):**

- Building Consent (BC ref # if known)       Regional Council Consent (ref # if known)
- National Environmental Standard consent       Other (please specify)

**11. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:**

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)       yes  no  don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).       yes  no  don't know

- Subdividing land       Changing the use of a piece of land
- Disturbing, removing or sampling soil       Removing or replacing a fuel storage system

**12. Assessment of Environmental Effects:**

*Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.*

**Please attach your AEE to this application.**

**13. Billing Details:**

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write all names in full)

Email:

Postal Address:

Phone Numbers:

**Fees Information:** An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20<sup>th</sup> of the month following invoice date. You may also be required to make additional payments if your application requires notification.

**Declaration concerning Payment of Fees:** I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: \_\_\_\_\_ (please print)

Signature: \_\_\_\_\_ (signature of bill payer – mandatory)

Date: \_\_\_\_\_





ACTION  
POINT  
PLANNING



Planning Report  
26 February 2024

Katie Keller  
23 Du Fresne Place, Russell

**Address for service**

All correspondence in relation to this application should be addressed to:

Action Point Planning Ltd

Attention: Carine Andries

Email: [carine@actionpointplanning.nz](mailto:carine@actionpointplanning.nz)

**Report prepared by**



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Carine Andries – Planning & Resource Management Consultant

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- 1 Record of Title
- 2 Proposed building plans
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## INTRODUCTION

### 1.1 Overview

The applicant proposes to add a new 12m<sup>2</sup> deck and balustrade on the first floor while at the same time extending the eaves to provide some protection from the weather. The proposal infringes the sunlight rule along the boundary with the adjacent Department of Conservation (DOC) reserve. DOC has provided written approval to the proposal.

It is noted that there is an existing non-compliance already to the legally established residential unit.

The assessment of environmental effects has established that the proposal requires to be considered as a **Discretionary Activity**, and concludes that any adverse effects are less than minor on the wider environment, and that no persons, other than DOC, are adversely affected by the proposal.

The proposal accords with all relevant objectives and policies of the various statutory documents, and does not offend any matters outlined in Part 2 RMA.

Overall, it is submitted that consent can be granted.

### 1.2 Property details

Applicant/s	Katie Keller
Landowner/s	Katie Adams Keller
Address	23 Du Fresne Place, Russell
Legal description, record of title and title areas	Lot 32 DP 61183 (RT NA16C/927) – 827m <sup>2</sup> more or less Interests: Nil A copy of the record of title is enclosed in Appendix 1.
Zone	Operative: Coastal Residential Proposed: General Residential
DP Notations	Operative: Nil Proposed: Coastal Environment
Other Notations	Nil
Other consents or approvals required	Building Consent (PIM EBC-2024-270/0)

### 1.3 Processing requests

1. Prior to finalising the decision, please forward any proposed conditions of consent to Action Point Planning for review.

## 2 THE SITE AND SURROUNDING ENVIRONMENT

### 2.1 The site

The subject site is situated at 23 Du Fresne Place, Tapeka Point, a coastal settlement about 1km north (as the crow flies) of the Russell township. The property is located to the east of Du Fresne Place, and adjoins the Department of Conservation (DoC) reserve to the west. Figure 1 is a visual representation of the site's location.

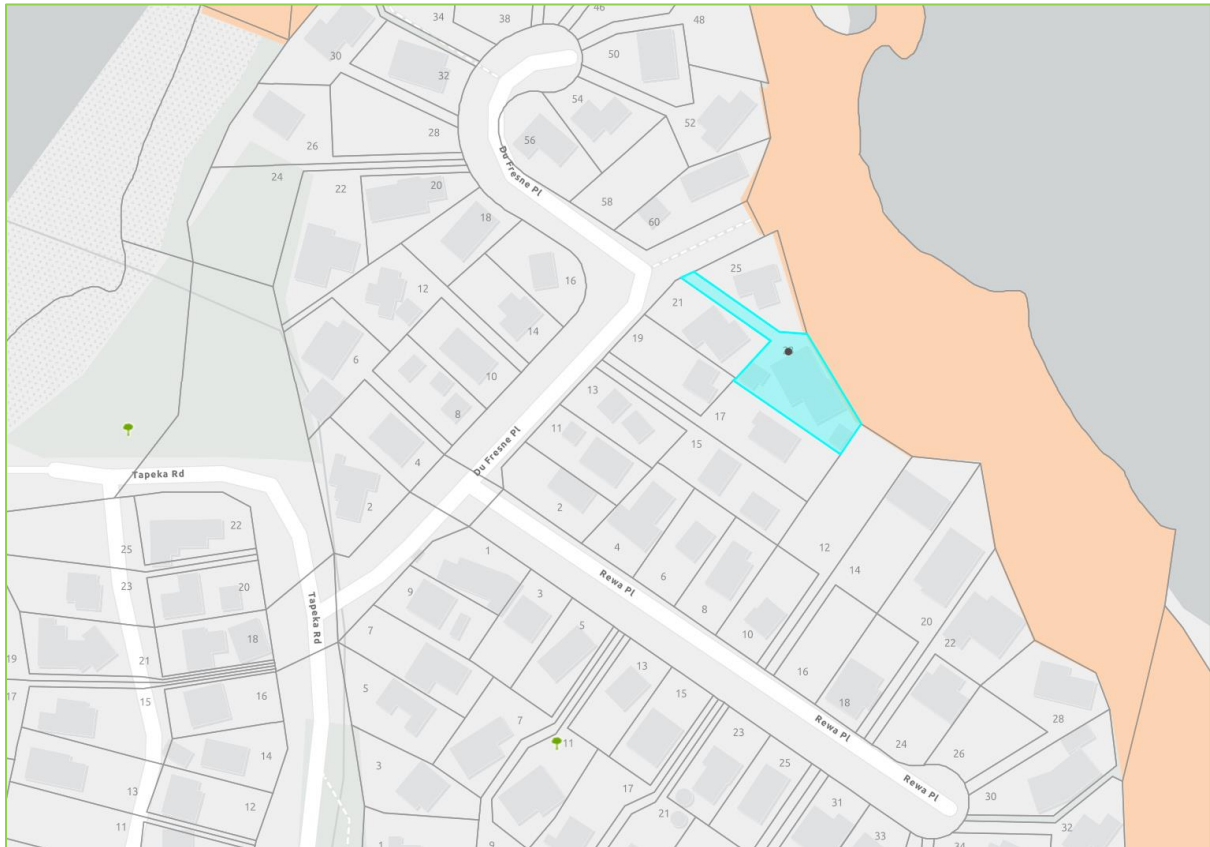


Figure 1 – location map (extracted from Far North Maps)

Access to the site is via a long driveway which rises reasonably steeply from Du Fresne Place in an easterly direction. The remainder of the property is reasonably flat, being on the top of a coastal ridgeline. The north-eastern boundary appears to be aligned with the edge of the ridge where the DoC reserve begins. The reserve land slopes downwards, quite steeply, towards the coastal edge.

Built form on the site consists of a residential unit situated in close proximity to the north-eastern boundary. An accessory building is located in the western corner of the site, while a small shed also features in the southern corner of the site.

On-site vegetation consists mainly of lawn along the north-eastern boundary and western corner, with some hedging along the western boundary and shrubs/trees along the south-western boundary.

## 2.2 The surrounding environment

The surrounding area is characterised by urban style development on lot sizes similar to the subject site. This local neighbourhood, known as Tapeka Point, is a residential settlement within a coastal setting. Tapeka Point properties are serviced by Council reticulated sewer, but do not enjoy Council reticulated water supply. The settlement is surrounded by the ocean in all directions apart from the south. The landmass to the south of Tapeka Point is rural in nature and mainly characterised by native bush.

## 3 THE PROPOSAL

The applicant proposes to add a new 12m<sup>2</sup> deck and balustrade on the first floor while at the same time extending the eaves to provide some protection from the weather. The proposed alterations will infringe the sunlight rule, although there is an existing non-compliance already to the legally established residential unit.

Appendix 2 contains the building plans drawn by Architectural Services Northland Ltd which depict the proposed changes and infringement.

## 4 RULES ASSESSMENT

### 4.1 Operative District Plan

The table below provides an assessment of the relevant Environment Provisions as set out in Part 2 of the Plan, as well as the relevant District-wide provisions.

Chapter 10 – Section 10.8 Coastal Residential Zone		
Description	Status	Comment
10.8.5.1.1 – Relocated Buildings	N/A	Proposal does not comprise a relocated building.
10.8.5.1.2 – Residential Intensity	N/A	The property contains an existing dwelling.
10.8.5.1.3 – Scale of activities	N/A	Proposal is associated with a residential activity only.
10.8.5.1.4 – Building Height	N/A	The existing height of the residential unit will not change
10.8.5.1.5 and 10.8.5.2.4 – Sunlight	<b>Discretionary Activity</b>	The proposed addition will result in parts of the dwelling projecting beyond a 45-degree recession plane as measured inwards from a point 3m vertically above ground level on the northern-eastern boundary.  Please note there is an existing non-compliance although the residential unit has full sign-off, and hence has been legally established.
10.8.5.1.6 – Stormwater Management	Permitted	Proposal complies with the requirements.
10.8.5.1.7 – Setback from Boundaries	Permitted	No part of the proposed alterations will encroach into the 1.2m required setback.
10.8.5.1.8 – Screening for neighbours non-residential activities	N/A	Proposal is for a residential activity only.
10.8.5.1.9 – Outdoor Activities	N/A	No outdoor activities are proposed.
10.8.5.1.10 – Transportation	N/A	The residential use of the site is existing and the proposal will not result in any changes relating to parking, access and/or traffic movements.
10.8.5.1.11 – Site intensity – non-residential activities	N/A	Proposal is for a residential activity only.
10.8.5.1.12 – Hours of Operation - non-residential activities	N/A	Proposal is for a residential activity only.
10.8.5.1.13 – Keeping of animals	N/A	Proposal is not associated with the keeping animals.
10.8.5.1.14 – Noise	Permitted	Proposal will comply with noise limits during the construction phase.
10.8.5.1.15 – Helicopter Landing Area	N/A	Proposal does not involve a helicopter landing area.
10.8.5.1.16 – Building Coverage	Permitted	Proposal complies with the requirements.



Based on the above assessment, the proposal requires resource consent as a **Discretionary Activity**.

## 4.2 Proposed District Plan

There are no rules with immediate effect relating to the subject site's General Residential Zone or Coastal Environment Overlay. No further assessment of the rules is therefore required. For reasons of completeness, I note that the proposal would be considered as a Restricted Discretionary Activity under the Proposed District Plan.

## 4.3 National Environmental Standards

### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

We have considered this Regulation in the context of the current proposal, and comment as follows:

The subject site is a residential site, and has been used for this purpose for a number of decades, with the title dating back to 1969. The proposal does not constitute a change in use, and as such, the NES is not considered to apply in this instance, and no further consideration of the Regulation is necessary.

## 4.4 Conclusion on rules assessment

Based on the above assessment, the proposal requires consideration as a **Discretionary Activity** overall.

# 5 ENVIRONMENTAL EFFECTS ASSESSMENT

## 5.1 Receiving Environment

The surrounding environment has been described earlier in section 2.2 of this application. For the purposes of assessing the environmental effects, it is helpful to ascertain the 'receiving' environment, referring to the current state of the environment as it is able to be modified to the extent possible by permitted activities, and unimplemented resource consents where these are likely to be implemented. In other words, placing the proposal in the context of what the 'future' environment may look like.

In terms of unimplemented resource consents, we are not aware of any resource consents in this instance that have been granted in the area, but have yet to be given effect to.

## 5.2 Permitted baseline

The District Plan permits the construction of one dwelling per 800m<sup>2</sup> provided the dwelling can connect to Council reticulated wastewater, and can comply with the relevant bulk and location requirements.

In the context of the subject site, the existing residential unit is connected to Council's wastewater infrastructure, has been lawfully established, and forms part of the permitted baseline.

### 5.3 Effects Assessment

The proposed addition of a small 12m<sup>2</sup> deck, balustrade and eave extension is minimal in scale when compared to the size and scale of the existing dwelling. Therefore, when seen from the wider environment, including the coastal waters, any adverse effects of the proposal will be minimal and less than minor.

The infringement only occurs along the boundary with the DOC reserve. As noted earlier, there already is an existing non-compliance with regard to the sunlight rule.

DOC's representative and Operations Manager, Bronwyn Hunt, has provided written approval to the proposal. This has been included in Appendix 3 of this report, together with the original email request. On that basis, and in accordance with section 95E(3), this person (DOC) is not an affected person in relation to this application for resource consent.

No other persons will be adversely affected by the proposed alterations as no neighbouring residents will experience a loss of sunlight, daylight or privacy, nor will they be overshadowed as a result of the proposed additions and alterations.

Overall, any adverse effects associated with the proposal are less than minor, and no persons are adversely affected by the proposed changes and additions to the residential unit.

## 6 NOTIFICATION

### 6.1 Public notification

Pursuant to Section 95A of the RMA, we advise the following:

#### *Step 1*

- a) The applicant does not request public notification.
- b) We believe all relevant information has been enclosed with this application and do not envisage the need for a request for further information or the commissioning of a report.
- c) The application is not made in conjunction with an application to exchange recreation reserve land.

Therefore, public notification is not mandatory.

#### *Step 2*

- a) The application is for an activity not subject to a rule or national environmental standard that precludes public notification.
- b) The application is for an activity of discretionary status, but not a boundary activity.

Therefore, the application is not precluded from public notification, and Step 3 does not apply.

#### *Step 3*

- a) The application is for an activity not subject to a rule or NES that requires public notification.
- b) The application is not assessed as resulting in adverse effects that are more than minor, as outlined above.

#### *Step 4*

There are not considered to be any special circumstances surrounding this proposal that would warrant the application to be notified to any parties, as there is nothing unusual or exceptional about the proposal, as demonstrated in the effects assessment undertaken in Section 5.3 of this report.

## 6.2 Limited notification

In accordance with section 95B of the RMA, the following assessment is made:

### *Step 1*

- a) There are no affected protected customary rights groups or customary marine title groups. The proposed activity is not on, or adjacent to, and will not affect land that is the subject of a statutory acknowledgment.

Therefore, there are no relevant parties to be notified.

### *Step 2*

- a) The proposed activity is not subject to a rule or NES that precludes limited notification; nor is it a controlled activity.

Therefore, the proposal is not precluded from limited notification.

### *Step 3*

- a) The proposed activity is not a boundary activity.
- b) Given that the proposal is for any other activity, it needs to be determined whether any person is an affected person in accordance with section 95E.

Based on the rule the proposal infringes, and taking into account the assessment of effects undertaken in section 5 of this report, and pursuant to Section 95E(3) of the RMA, we conclude that there are no parties adversely affected as a result of this proposal.

### *Step 4*

There are not considered to be any special circumstances surrounding this proposal that would warrant the application to be notified to any parties.

## 6.3 Consultation

The applicant has consulted with the single party who stood to be adversely affected by the proposal. This party has provided their written approval to the application.

The assessment of effects, undertaken in section 5 above, confirms that no further consultation with any other persons is necessary in this instance.

## 6.4 Conclusion

The above assessment has concluded that the proposal need not be notified, either publicly or limited. Those parties who are potentially adversely affected by the proposal have provided their written approval, and as such, they cannot be considered affected persons for the purposes of notification, pursuant to Section 95E(3) of the RMA.

## 7 SECTION 104 ASSESSMENT

### 7.1 Actual or potential effects on the environment

An assessment of effects has been undertaken in section 5 of this application. This assessment concluded that the adverse effects of the proposal are less than minor. This assessment is considered relevant in evaluating the actual and potential effects of the proposal on the environment, in accordance with section 104(1)(a).

The subject site contains an existing lawfully established residential unit that is proposed to be altered by adding a new 12m<sup>2</sup> deck and balustrade and extended eaves - a proposal that is minimal in size, scale and extent when compared to the existing residential unit. The level of development in the surrounding area is such that the proposed addition will not look out of place, and will therefore be in keeping with current levels of development.



Overall, the proposed development will result in actual and/or potential effects that are acceptable in this instance.

## 7.2 Operative Far North District Plan

### 7.2.1 Operative District Plan

The following is an assessment of the relevant objectives and policies of the applicable District Plan chapters.

#### Coastal Environment - Objectives

- 10.3.1 *To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.*
- 10.3.2 *To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:*
- (a) the natural character of the coastline and coastal environment;*
  - (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
  - (c) outstanding landscapes and natural features;*
  - (d) the open space and amenity values of the coastal environment;*
  - (e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council).*
- 10.3.3 *To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.*
- 10.3.4 *To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Maori cultural values, and public health and safety.*

#### Coastal Environment - Policies

- 10.4.1 *That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:*
- (a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and*
  - (b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and*
  - (c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and*
  - (d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and*
  - (e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and*
  - (f) recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and*

- (g) *where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and*
- (h) *gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.*

10.4.11 *To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.*

10.4.12 *That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:*

- (a) *the siting of buildings relative to the skyline, ridges, headlands and natural features*
- (b) *the number of buildings and intensity of development;*
- (c) *the colour and reflectivity of buildings;*
- (d) *the landscaping (including planting) of the site;*
- (e) *the location and design of vehicle access, manoeuvring and parking areas.*

Comment:

The proposal is considered to be consistent with the objectives and policies of the Coastal Environment for the following reasons:

- The application relates to an existing dwelling with existing services on a residential site that does not contain any ecological or natural character values. The proposed extension will not impede public access in any way.
- The proposal will be in keeping with surrounding development in terms of scale and intensity, and as such will sit comfortably within the existing environment.
- The proposal will give effect to the NZCPS and the RPS.

Coastal Residential Zone - Objectives

10.8.3.1 *To enable the development of residential activity in and around existing coastal settlements.*

10.8.3.2 *To protect the coastline from inappropriate subdivision, use and development.*

Coastal Residential Zone - Policies

10.8.4.1 *That standards in the zone enable a range of housing types and forms of accommodation to be provided, recognising the diverse needs of the community and the coastal location of the zone.*

10.8.4.3 *That residential activities have sufficient land associated with each household unit to provide for outdoor space and sewage disposal.*

10.8.4.4 *That the portion of a site covered in buildings and other impermeable surfaces be limited to enable open space and landscaping around buildings and avoid or mitigate the effects of stormwater runoff on receiving environments*

10.8.4.5 *That provision be made for ensuring sites have adequate access to sunlight and daylight.*

10.8.4.7 *That provision be made to ensure a reasonable level of privacy and amenity for inhabitants of buildings.*

Comment:

The proposal is considered to be consistent with the objectives and policies of the Coastal Residential Zone for the following reasons:

- The proposal is for alterations to an existing dwelling in an existing coastal settlement which are not inappropriate within this setting.

- The proposed alterations serve to provide an outdoor area on the first floor by adding a deck in order to ensure adequate access to sunlight and daylight.

### **7.2.2 Proposed District Plan**

#### General Residential Zone (GRZ)

The proposal is entirely consistent with the provisions of the GRZ insofar as the alterations will result in development that is consistent with the scale, character, design and amenity of the surrounding residential environment. The new deck and eave extension will provide for additional outdoor area without creating a potential for shadowing. The proposal also does not compromise the privacy of adjoining sites.

#### Coastal Environment

The subject site is located within the Coastal Environment of the Proposed Plan. The proposal is considered consistent with the provisions of the Coastal Environment as it constitutes the consolidation of development, providing for some additions/alterations to a single residential unit only, thereby preserving the visual qualities, character and integrity of the coastal environment. The subject site is not located within an ONL or ONC area, and the proposal, being minimal in scale and size, will not detract from the natural character of the adjacent Natural Open Space Zone.

Overall, the proposal is consistent with the provisions of the Proposed Plan relating to the Coastal Environment.

### **7.2.3 Weighting exercise – ODP v PDP**

The Proposed District Plan was formally notified in 2022 with submissions closing on 21 October 2022. After analysis, further submissions were called for, covering the period 7 August to 4 September 2023. Hearings will start taking place in mid-2024.

From this timeline, it is noted that no decisions have yet been made in relation to the Proposed District Plan. On that basis, the provisions of the PDP still carry minimal weight, with the provisions of the ODP retaining substantial weighting.

## **7.3 Regional Policy Statement for Northland**

The Northland Regional Policy Statement (NRPS) regulates the management of natural and physical resources across the Northland Region. The provisions within the NRPS provide guidance on significant regional issues.

There are no issues of regional significance relevant to the proposal.

## **7.4 Other provisions**

#### New Zealand Coastal Policy Statement (NZCPS)

Given the proposed dwelling is located within the Coastal Environment, as identified in the NRPS map, the provisions of the NZCPS are considered relevant, and need to be assessed.

The proposal is located within an existing coastal settlement and is considered 'consolidation' of development. The subject site is located adjacent to an esplanade reserve area, and as such, will not impede public access to the coast; nor will it adversely affect the natural character or the amenity values of the coastal environment. The proposal is, therefore, consistent with the NZCPS provisions.

There are no other National Environmental Standards (other than the NES assessed earlier in this application), National Policy Statements or other regulations that contain provisions relevant to this application.



## 7.5 Other matters

There are no other matters relevant in the consideration of this application.

## 7.6 RMA Part 2 assessment

An assessment of Part 2 matters is not required unless there is invalidity, incomplete coverage or uncertainty in the planning provisions (R J Davidson Family Trust v Marlborough DC [2017] NZHC 52). In this instance, there is no evidence to suggest invalidity, incomplete coverage or uncertainty among the relevant planning provisions. Therefore, no further assessment of the Part 2 provisions is required, noting also that the application does not trigger any Section 8 matters, to our knowledge.

## 8 CONCLUSION

The application is for the alteration and extension of an existing residential unit by adding a new deck and balustrade on the first floor, while also extending the eaves of the roof. The assessment of effects undertaken in Section 5.3 of this report, concludes that any adverse effects are less than minor; while the person who may potentially be adversely affected has provided a written approval.

The proposed alterations and resulting dwelling are considered entirely appropriate within the context of the site and surrounding area as it is in keeping with existing levels of development.

Sections 7.2 and 7.3 demonstrate the proposal is in accordance with the policy direction of the operative Far North District Plan and the RPS, while Section 7.4 outlines the proposed development is consistent with the provisions of the NZCPS.

Overall, it is considered that the proposal is in keeping with the purpose and principles of the RMA, and that the application can be approved, and consent issued.



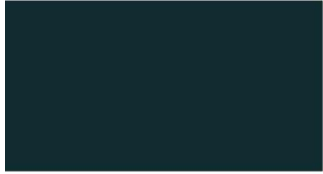
# Appendix 1

Record of Title



## Appendix 2

Proposed building plans




## Appendix 3

Written approval -  
Department of Conservation



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA16C/927  
**Land Registration District** North Auckland  
**Date Issued** 17 July 1969

**Prior References**  
NA15A/754

---

**Estate** Fee Simple  
**Area** 827 square metres more or less  
**Legal Description** Lot 32 Deposited Plan 61183  
**Registered Owners**  
Katie Adams Keller

---

**Interests**



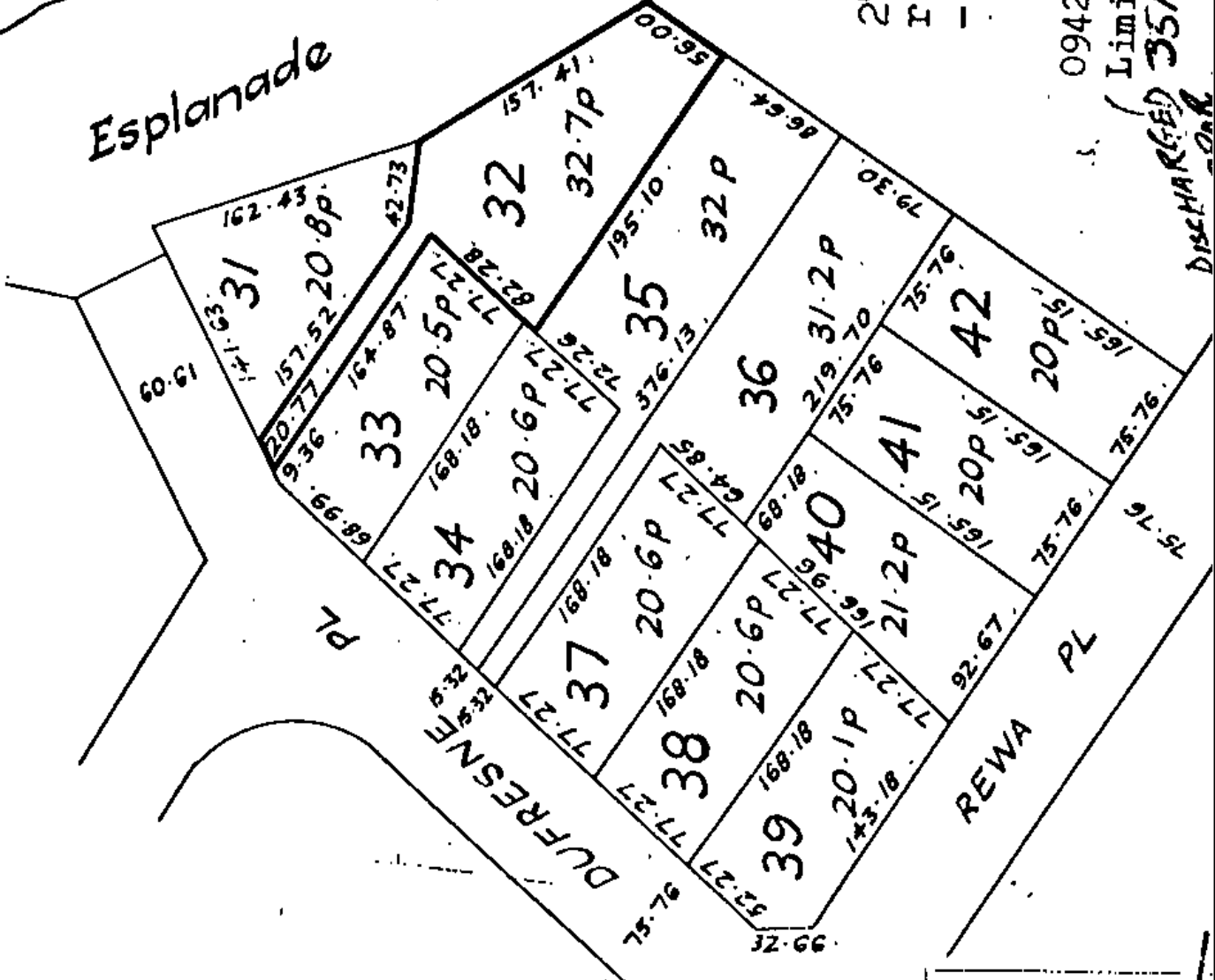
Bay of Islana.

Esplanade

Reserve

273890.3 TI  
real estate  
- 19.12.197

094248 DISCHARGED  
Limited Liability  
35/100.3  
DISCHARGED



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E. owenjones1@gmail.com

CLIENT:  
**KATIE ADAMS KELLER**

PROJECT:  
**PROPOSED  
ALTERATION &  
ADDITIONS TO  
EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE,  
TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
**HIGH WIND ZONE  
EXPOSURE ZONE D**

DO NOT SCALE. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. THIS DRAWING AND THE DESIGN IT COVERS SHALL REMAIN THE PROPERTY AND COPYRIGHT OF THE DESIGNER

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DRAWN BY: KM

ENGINEER: #Engineer

CHECKED BY: Owen Jones

ISSUE TYPE:

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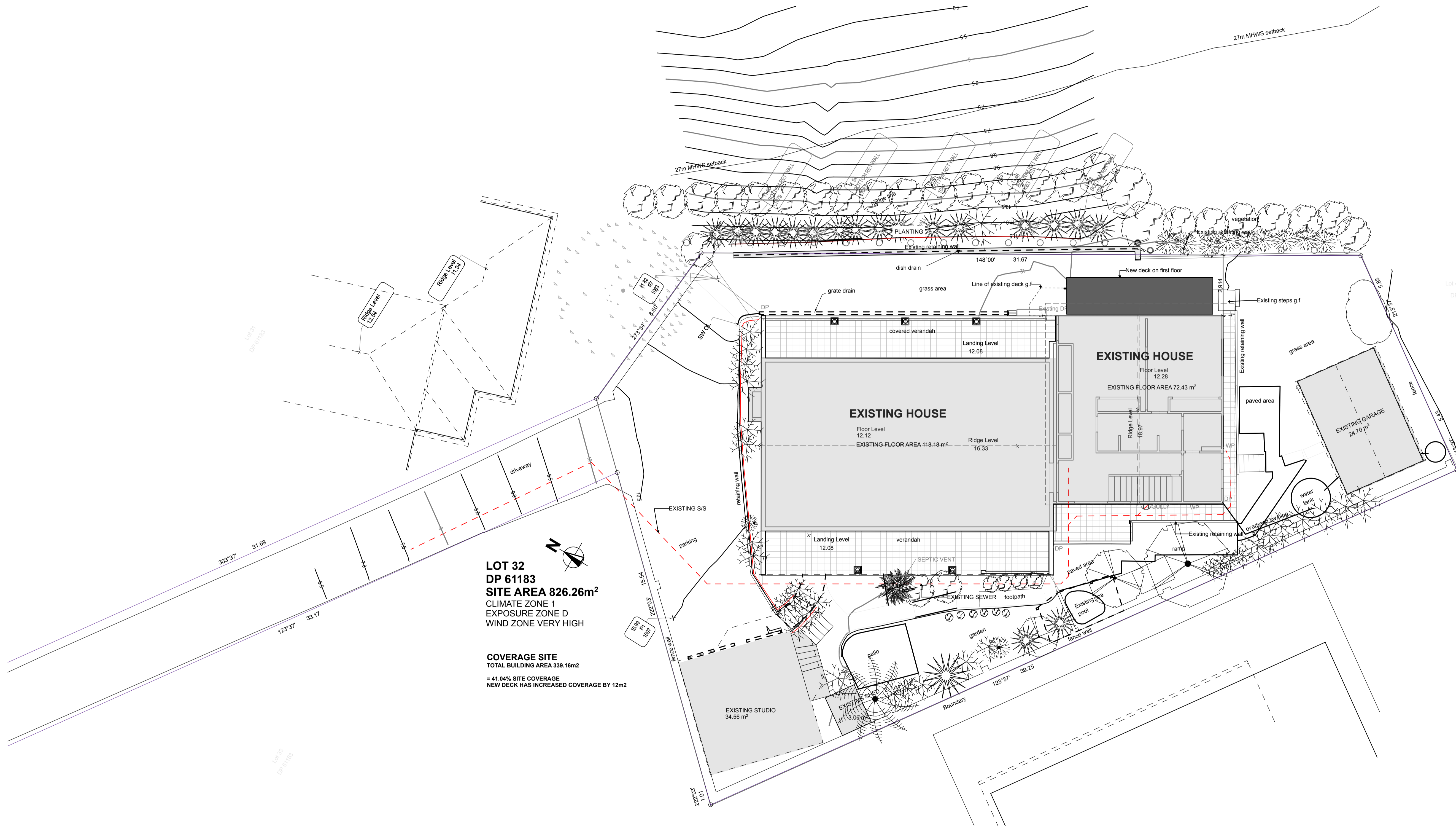
**R/C**

DATE:  
Tuesday, 13 February 2024

DRAWING TITLE:  
**SITE PLAN**

SCALE:  
**A1 ORIGINAL**

DRAWING: **1 OF 8** REVISION:



**LOT 32  
DP 61183  
SITE AREA 826.26m<sup>2</sup>  
CLIMATE ZONE 1  
EXPOSURE ZONE D  
WIND ZONE VERY HIGH**

**COVERAGE SITE  
TOTAL BUILDING AREA 339.16m<sup>2</sup>  
= 41.04% SITE COVERAGE  
NEW DECK HAS INCREASED COVERAGE BY 12m<sup>2</sup>**

SITE PLAN 1:100

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TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
**HIGH WIND ZONE  
EXPOSURE ZONE D**

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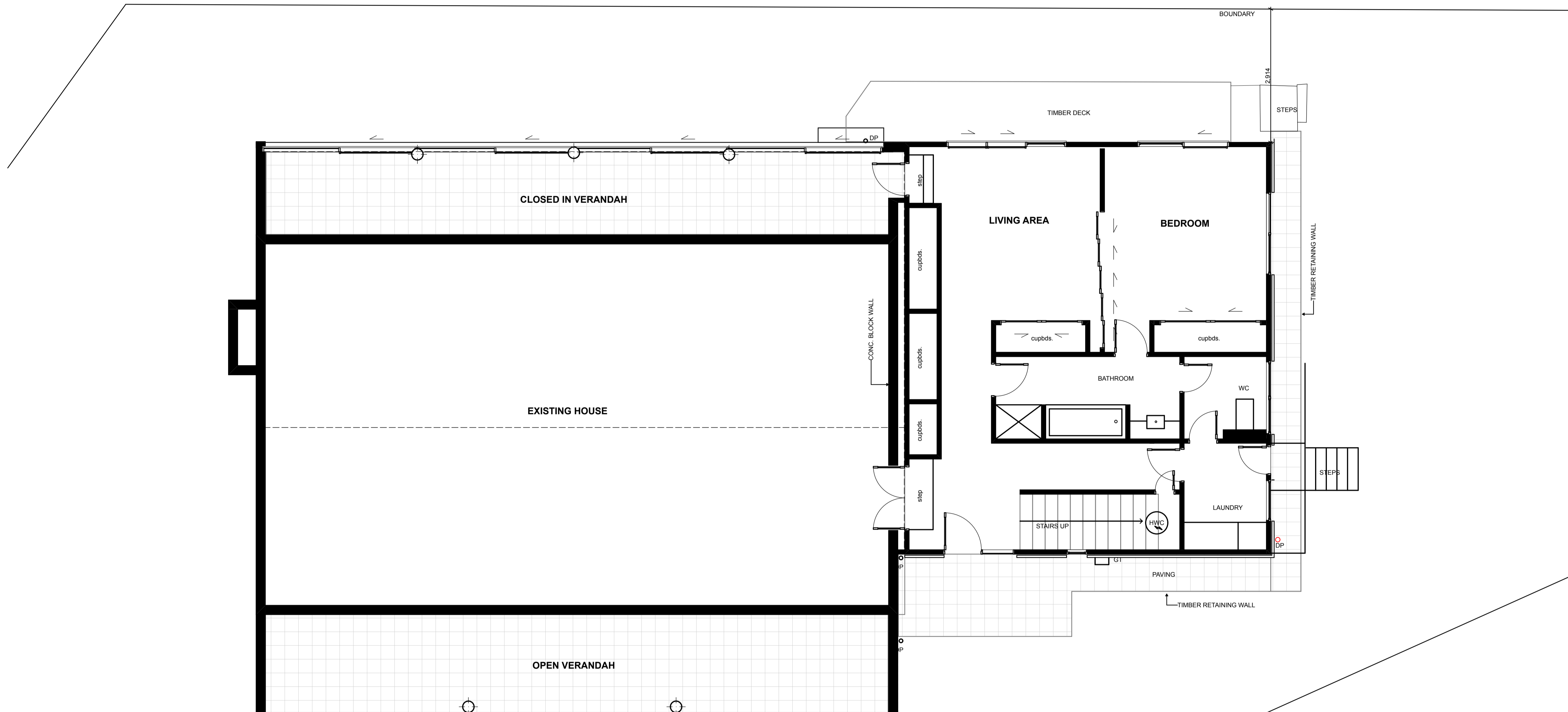
DATE:  
Tuesday, 13 February 2024

DRAWING TITLE:  
**EXISTING GROUND FLOOR  
PLAN**

SCALE:  
**A1 ORIGINAL**

DRAWING: REVISION:

**2 OF 8**



EXISTING GROUND FLOOR PLAN 1:50

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CLIENT:  
**KATIE ADAMS KELLER**

PROJECT:  
**PROPOSED  
ALTERATION &  
ADDITIONS TO  
EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE,  
TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
**HIGH WIND ZONE  
EXPOSURE ZONE D**

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ENGINEER: #Engineer

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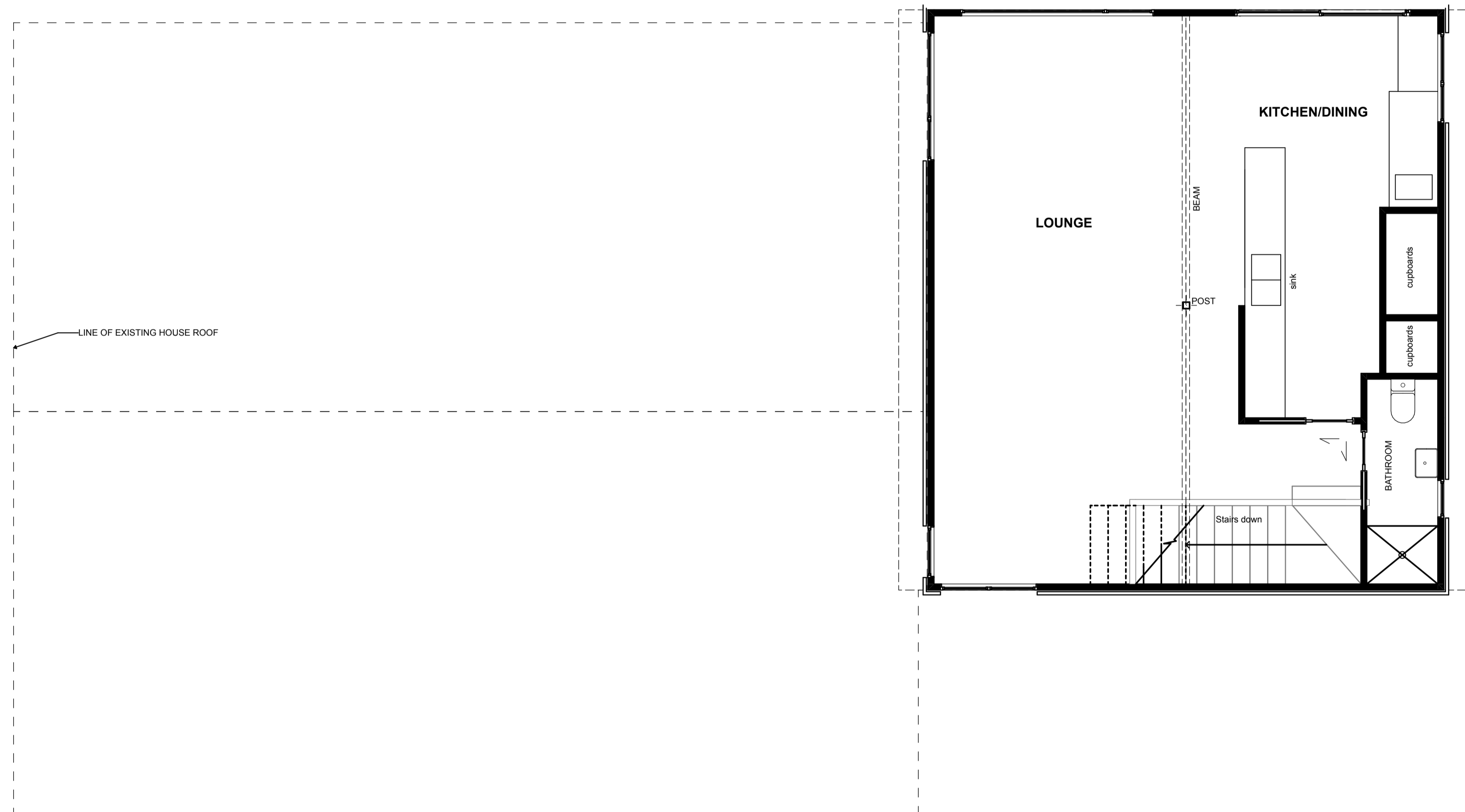
DATE:  
Tuesday, 13 February 2024

DRAWING TITLE:  
**EXISTING FIRST FLOOR**

SCALE:  
**A1 ORIGINAL**

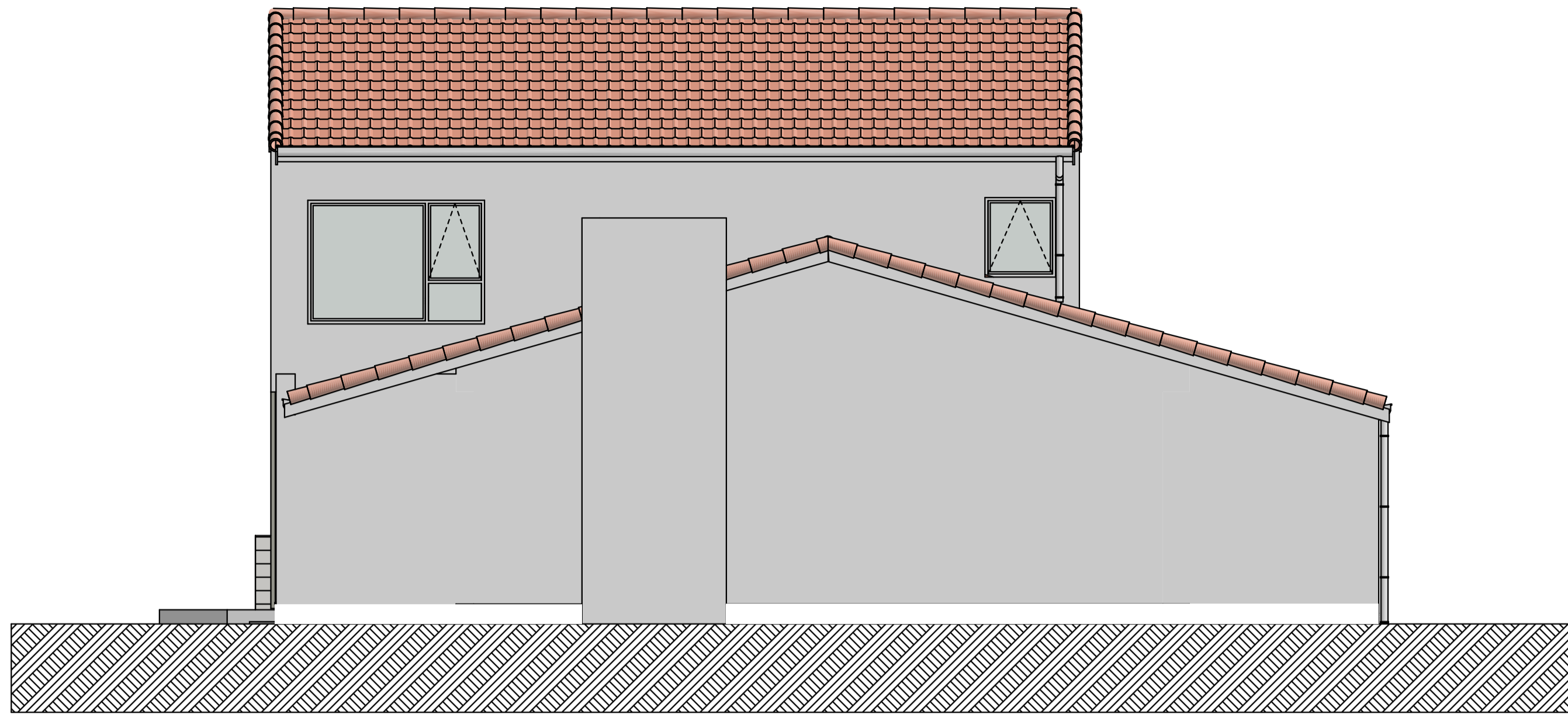
DRAWING:  
**3 OF 8**

REVISION:



Existing First floor plan 1:50

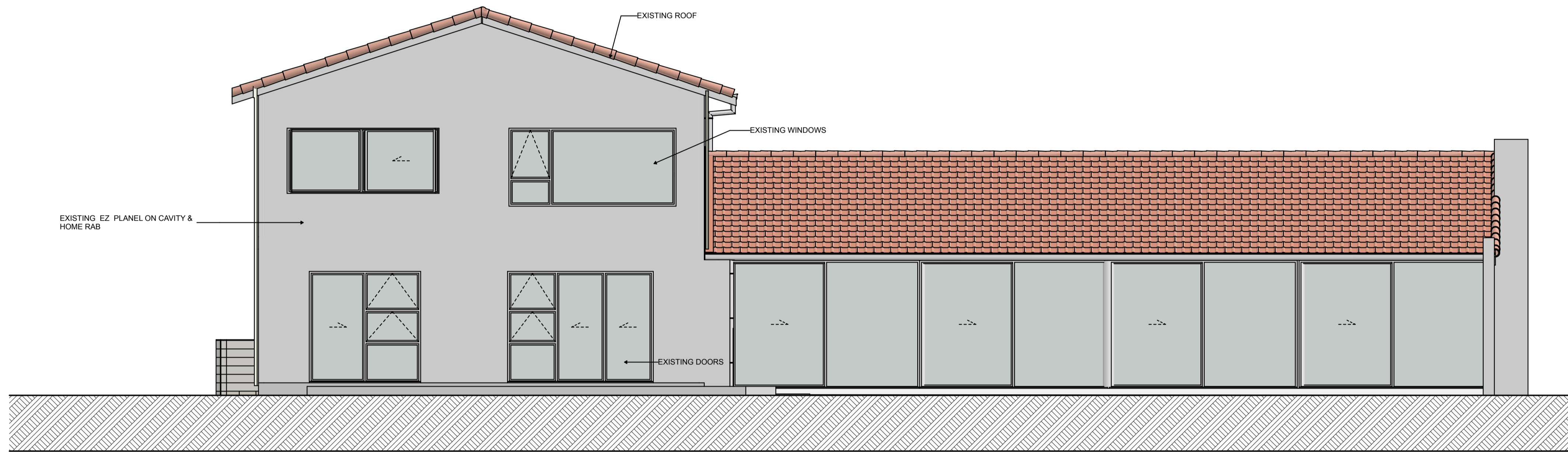




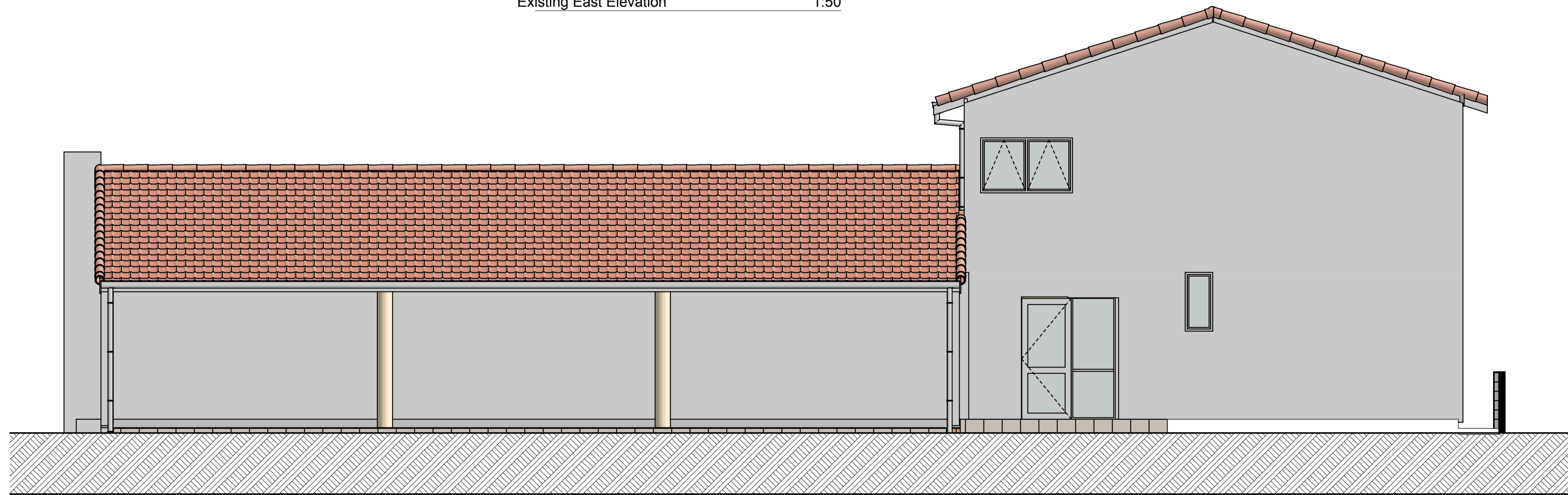
Existing North Elevation 1:50



Existing South Elevation 1:50



Existing East Elevation 1:50



Existing West Elevation 1:50

**ARCHITECTURAL SERVICES NORTHLAND LTD**



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CLIENT:  
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PROJECT:  
**PROPOSED ALTERATION & ADDITIONS TO EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE, TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
HIGH WIND ZONE  
EXPOSURE ZONE D

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**R/C**  
DATE:  
Tuesday, 13 February 2024

DRAWING TITLE:  
**EXISTING ELEVATIONS**

SCALE:  
**A1 ORIGINAL**

DRAWING: **4 OF 8** REVISION:



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CLIENT:  
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PROJECT:  
**PROPOSED ALTERATION & ADDITIONS TO EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE, TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
**HIGH WIND ZONE EXPOSURE ZONE D**

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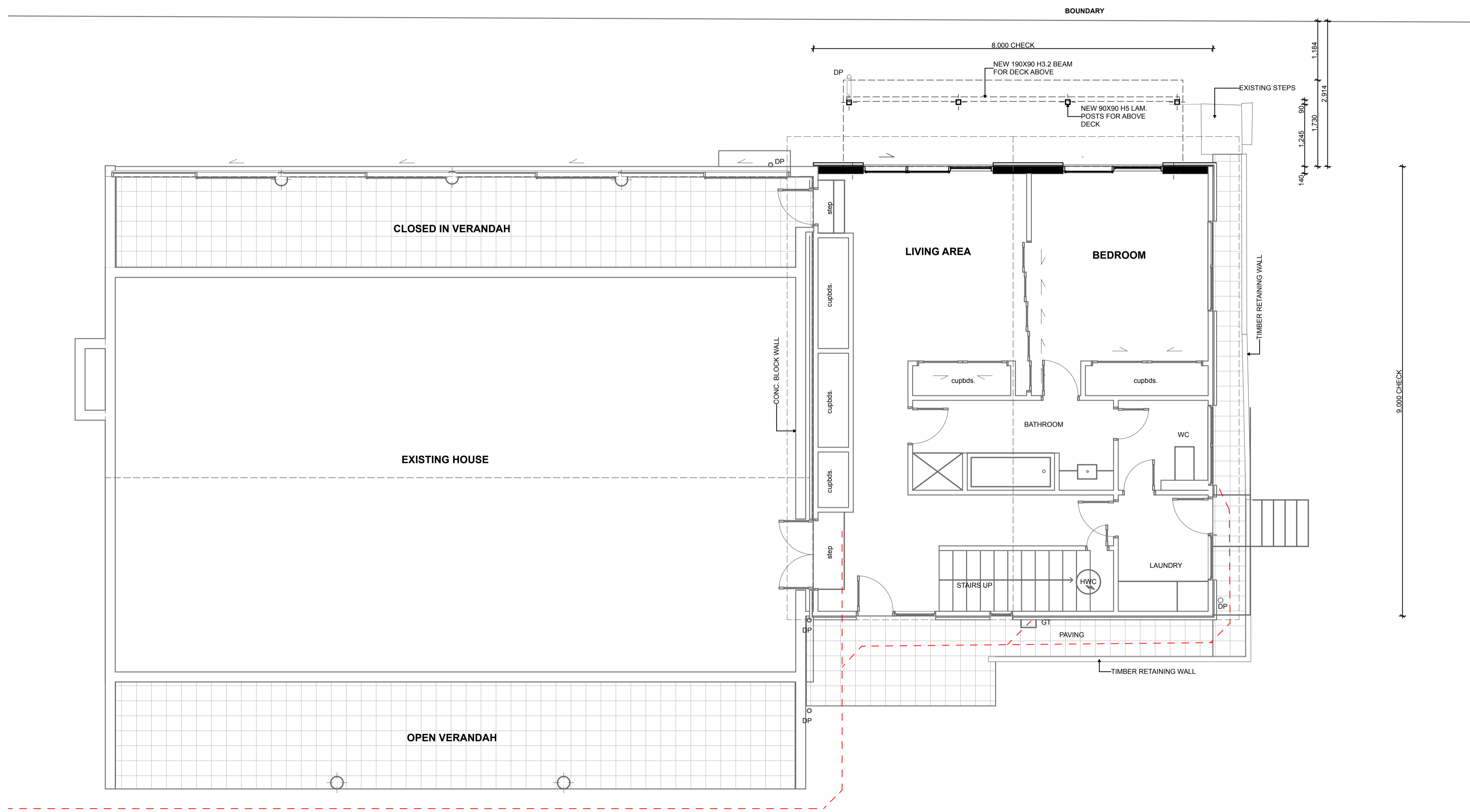
DATE:  
 Tuesday, 13 February 2024

DRAWING TITLE:  
**Proposed ground Floor Plan**

SCALE:  
**A1 ORIGINAL**

DRAWING: REVISION:

**5 OF 8**



FLOOR PLAN 1:50

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E. owenjones1@gmail.com

CLIENT:  
**KATIE ADAMS KELLER**

PROJECT:  
**PROPOSED  
ALTERATION &  
ADDITIONS TO  
EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE,  
TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
**HIGH WIND ZONE  
EXPOSURE ZONE D**

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ENGINEER: #Engineer

CHECKED BY: Owen Jones

ISSUE TYPE:

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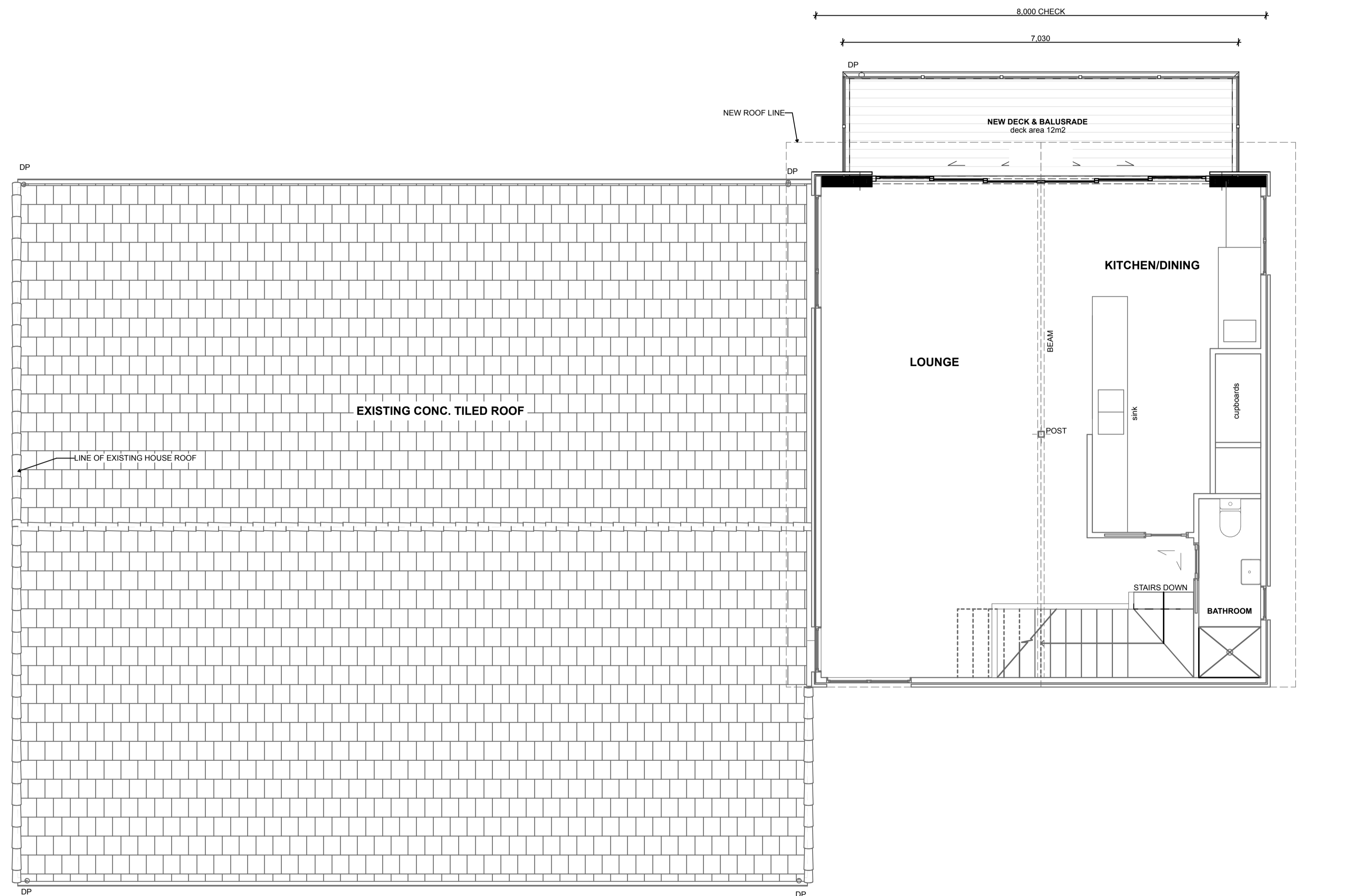
**R/C**

DATE:  
Tuesday, 13 February 2024

DRAWING TITLE:  
**FIRST FLOOR PLAN**

SCALE:  
**A1 ORIGINAL**

DRAWING: **6 OF 8** REVISION:



First floor plan 1:50

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 E. owenjones1@gmail.com

CLIENT:  
**KATIE ADAMS KELLER**

PROJECT:  
**PROPOSED ALTERATION & ADDITIONS TO EXISTING HOUSE**

SITE INFO:  
**23 DU FRESNE PLACE, TAPEKA POINT**

JOB NO:  
**2315**

NOTES:  
 HIGH WIND ZONE  
 EXPOSURE ZONE D

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ENGINEER: #Engineer

CHECKED BY: Owen Jones

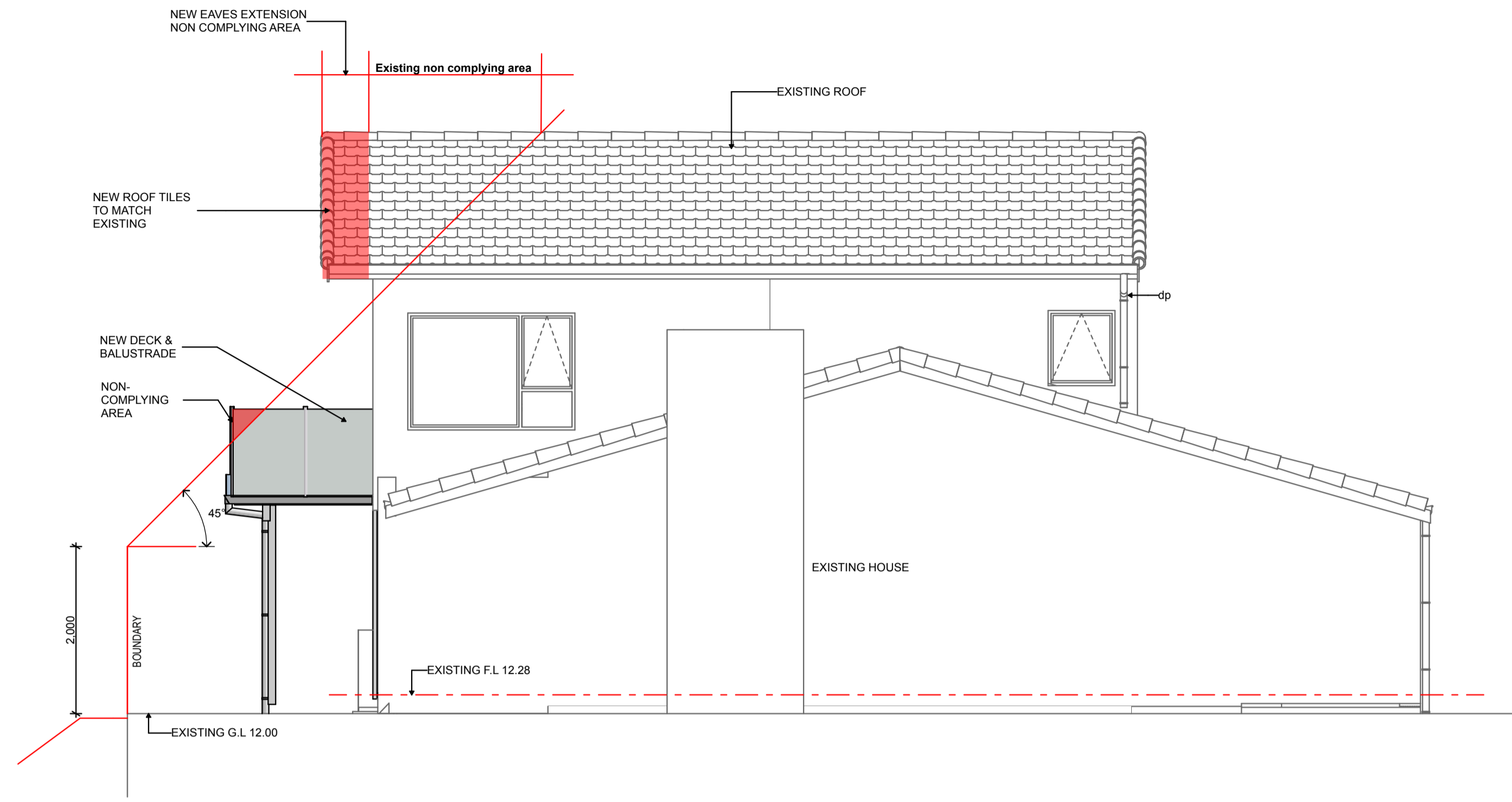
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**R/C**  
 DATE:  
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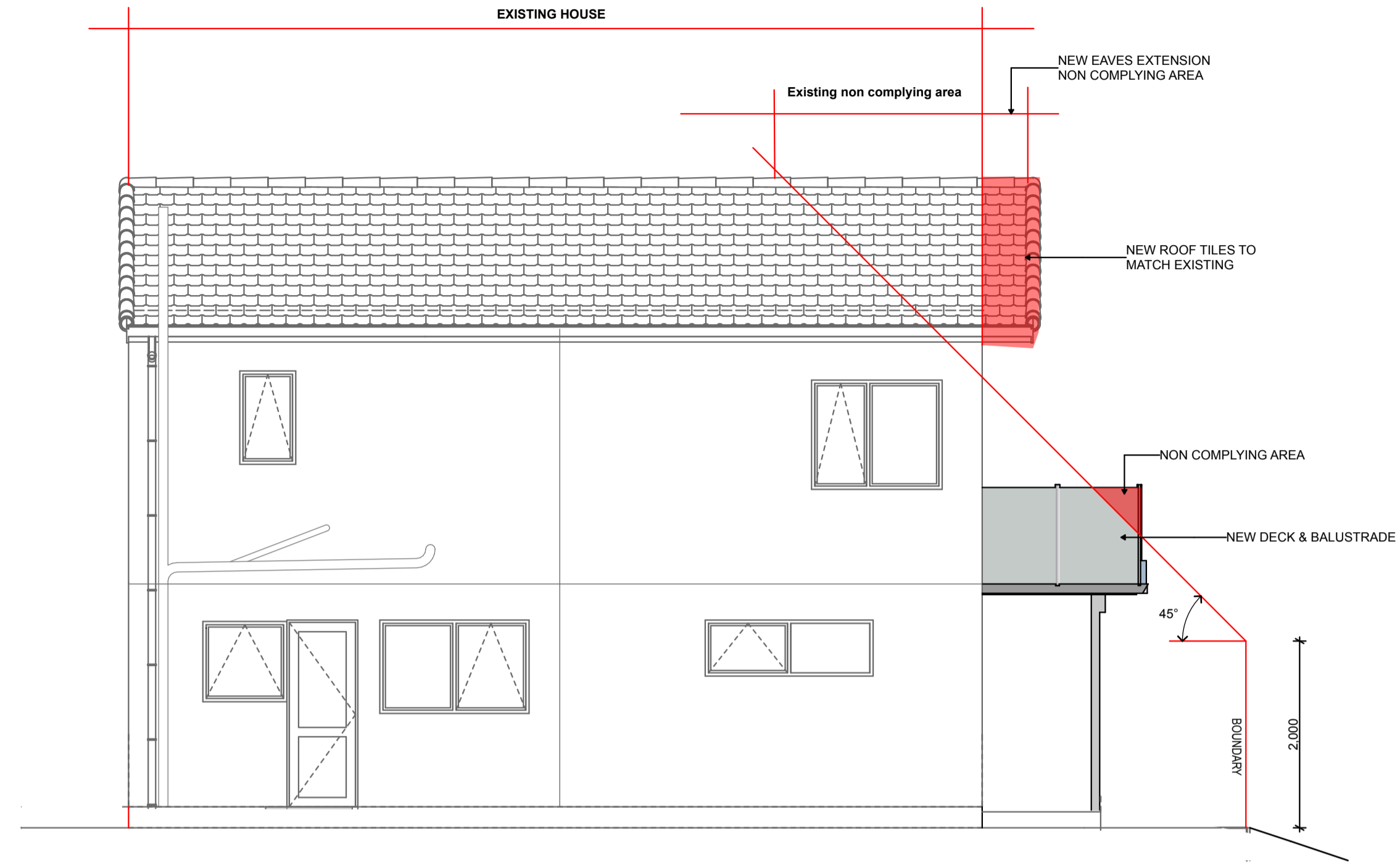
DRAWING TITLE:  
**ELEVATIONS**

SCALE:  
**A1 ORIGINAL**

DRAWING: **7 OF 8** REVISION:



North Elevation 1:50



South Elevation 1:50



East Elevation 1:50

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SITE INFO:  
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JOB NO:  
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NOTES:  
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EXPOSURE ZONE D**

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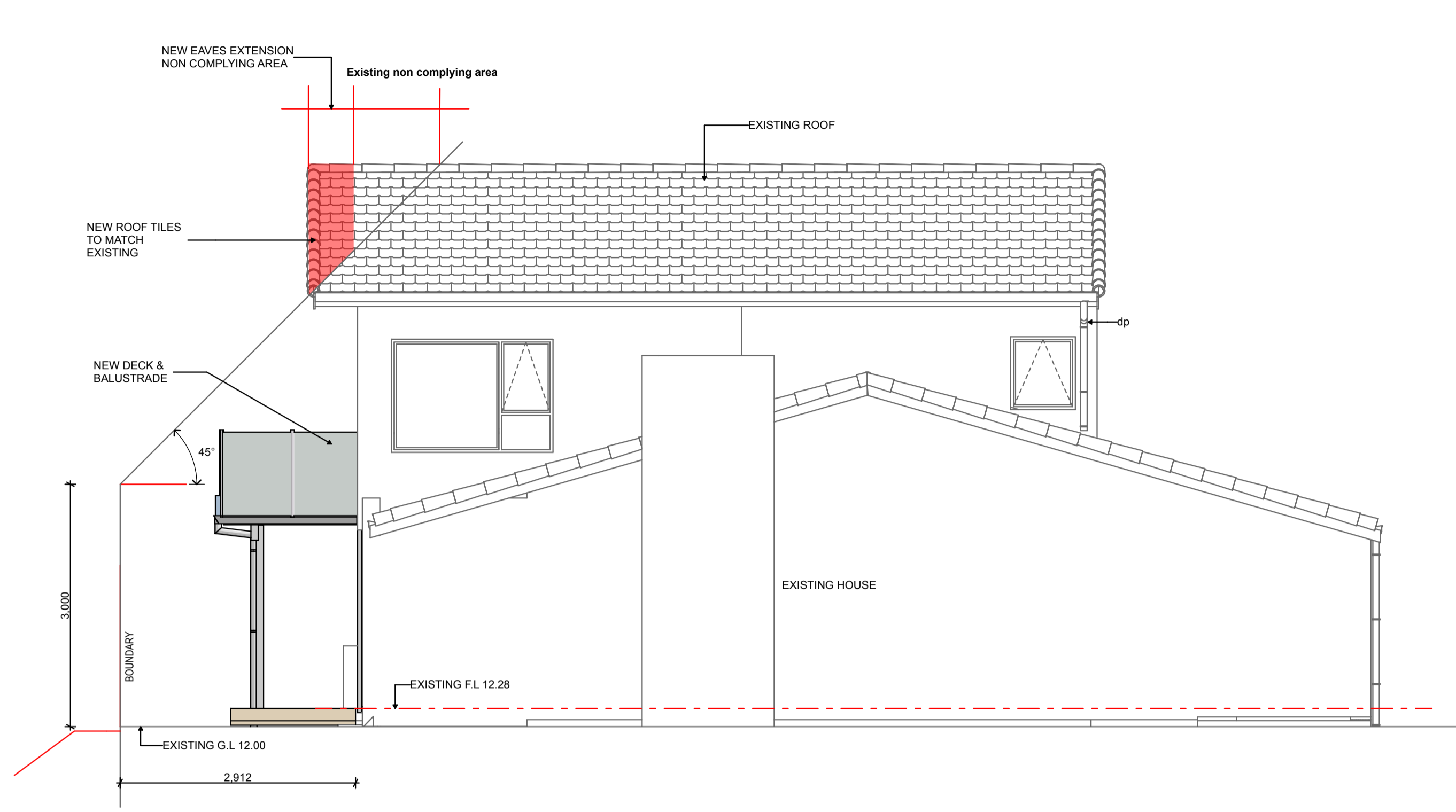
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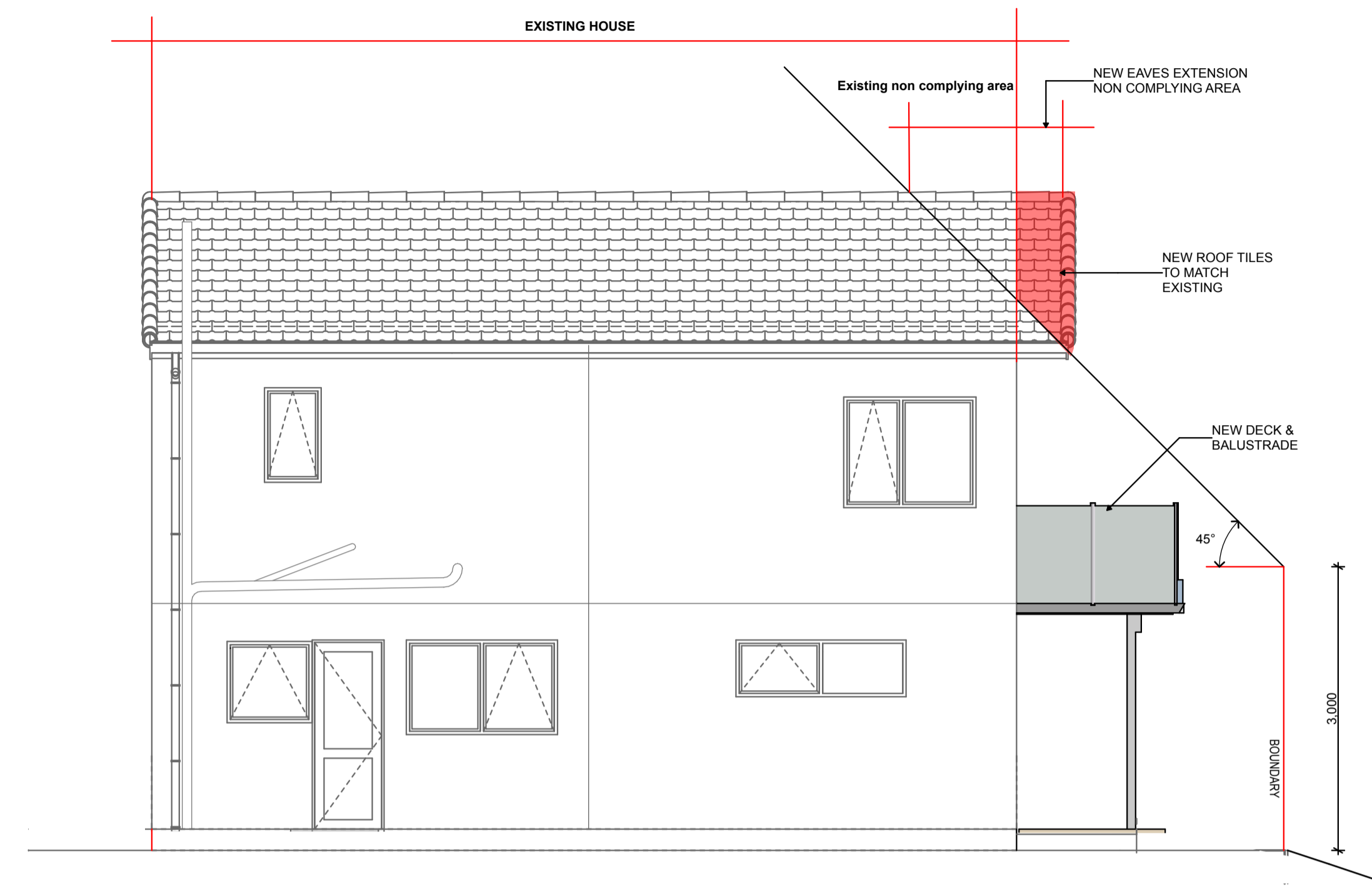
DRAWING TITLE:  
**ELEVATIONS**

SCALE:  
**A1 ORIGINAL**

DRAWING: **8 OF 8** REVISION:



North Elevation 1:50



South Elevation 1:50

**BOUNDARY LENGTH 31.67  
NON COMPLIANCE NOT TO EXCEED 25% OF BOUNDARY LENGTH  
NON COMPLIANCE = 29.6% OF BOUNDARY LENGTH**

**9.395 LENGTH OF NON COMPLIANCE**

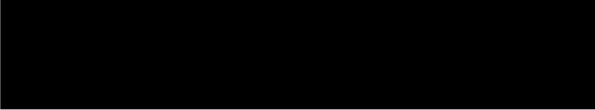


East Elevation 1:50



Our Ref: DOC- 7542990

22 January 2024



Dear Katie,

**Request for Approval: s95E Resource Management Act 1991  
Boundary setback encroachment, 23 du Fresne Place, Tapeka**

I have considered your request for approval in terms of s95E of the RMA and am pleased to advise that I grant my approval as an affected person.

My approval is granted on the basis that the proposal is as described, is for the purposes described, and will have the effects on the Department of Conservation (Department)'s interests as described in your application dated 8 December 2023.

This approval is limited to the likely adverse effects of the proposal on the Department's interests and should not be construed as approval to effects on the environment generally.

This approval is specific to the above application and is for the purposes of s95E of the RMA only. It is not indicative of any associated concession or other statutory approval which may be required from the Department in regard to this proposal.

This approval will be rendered null and void if the proposal to which it refers is changed between the date of this approval and its consideration by the consent authority without referral back to me for my further assessment.

Please be advised that the original of this letter has been sent to the consent authority for their records.





Department of Conservation  
*Te Papa Atawhai*

If you have any questions regarding this approval, please contact Lara McDonald at [lmcdonald@doc.govt.nz](mailto:lmcdonald@doc.govt.nz)

Yours sincerely



Bronwyn Bauer Hunt

Operations Manager  
Bay of Islands Office  
Pursuant to delegated authority.

cc Manager Consents  
Far North District Council