



# **Application for change or cancellation of resource consent condition (S.127)**

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) 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 N  | Meeting                              |   |
|---|--------------------------------------|---|
| Yes No  | ncil Resource Consent reproken with? | resentative to discuss this application prior to lodgement?       |
| ,,  |                                      |   |
| 2. Type of Consent  | being applied for                    |   |
| Change of condition   | ons (s.127)                          |   |
| 3. Consultation:  |                                      |   |
| Have you consulted with   | n lwi/Hapū? <b>Yes</b>               | No  |
| If yes, which groups hav<br>you consulted with?<br>Who else have you<br>consulted with? | e                                    |   |
| For any questions or inform tehonosupport@fndc.govt.i                                   |                                      | onsultation, please contact Te Hono at Far North District Council |
| 4. Applicant Details  | <b>5:</b>                            |   |
| Name/s:   |                                      |   |
| Email:  |                                      |   |
| Phone number:   | Work                                 | Home  |
| <b>Postal address:</b> (or alternative method of service under section 352 of the act)  |                                      |   |
|   |                                      | Postcode  |
| Office Use Only<br>Application Number:  |                                      |   |

| Name/s: Email: Phone number:   |  |
|--|--|
| <u> </u>   |  |
|  | Work Home  |
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| <b>Postal address:</b> (or alternative method of   |  |
| service under section 352 of the act)  |  |
| of the act)  | Postcode   |
| L<br>orrespondence will be sent by email   | n the first instance. Please advise us if you would prefer an alternative means of communication.  |
| ,  |  |
|  |  |
|  |  |
| Details of Property (  | Owner/s and Occupier/s   |
| me and Address of the C  | wner/Occupiers of the land to which this application relates   |
|  | wners or occupiers please list on a separate sheet if required)  |
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| Application Site Detation and/or property state and state and state and state and state and state and encumber to attach a condition and encumber to attach and encumbe | Postcode  Val Number:  Poy of your Certificate of Title to the application, along with relevant consent no rances (search copy must be less than 6 months old) |
| Application Site Detation and/or property state Address/ocation:  egal Description: ertificate of title: ease remember to attach a condition of the condition o | Postcode  Val Number:  Pay of your Certificate of Title to the application, along with relevant consent no   |

| 7. Application Site Details (continued)  |
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| 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.  |
|  |
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|  |
| 8. Detailed description of the proposal:   |
| This application relates to the following resource consent:  |
| Specific conditions to which this application relates:   |
|  |
|  |
|  |
| Describe the proposed changes:   |
|  |
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|  |
| 9. Would you like to request Public Notification?  |
| Yes No   |
|  |
| 10. Other Consent required/being applied for under different legislation   |
| (more than one circle can be ticked):  |
| Building Consent Enter BC ref # here (if known)  |
| Regional Council Consent (ref # if known)  Ref # here (if known)   |
| National Environmental Standard consent Consent here (if known)  |
| Other (please specify) Specify 'other' here  |
|  |
| 11. 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 (including consultation from iwi/hapū).  |

| 12. Draft Conditions:  |  |  |   |
|--|--|--|---|
| Do you wish to see the draft conditions prior to the release of the resource consent decision? <b>Yes No</b>   |  |  |   |
| If yes, do you agree to ext<br>Management Act by 5 wor   | end the processing timeframe pursua<br>rking days? Yes No  | nt to Section 37   | of the Resource   |
|  |  |  |   |
| 13. Billing Details:   |  |  |   |
| This identifies the person o associated with processing  | or entity that will be responsible for payi<br>this resource consent. Please also refer  | ng any invoices c<br>to Council's Fee  | or receiving any refunds<br>s and Charges Schedule.   |
| Name/s: (please write in full)   |  |  |   |
| Email:   |  |  |   |
| Phone number:  | Work   | Home   |   |
| cation in order for it to be loo   | sing this application is payable at the time of  | s insufficient to cov  | ver the actual and reason-  |
|  | en to process the application you will be requent<br>20th of the month following invoice date. Yo<br>requires notification.  |  |   |
| application. Subject to my/ou<br>pay all and future processing<br>if any steps (including the use<br>to pay all costs of recovering<br>society (incorporated or unin | ment of Fees: uncil may charge me/us for all costs actually ar rights under Sections 357B and 358 of the g costs incurred by the Council. Without limit e of debt collection agencies) are necessary those processing costs. If this application is accorporated) or a company in signing this apple costs and guaranteeing to pay all the above | RMA, to object to<br>ing the Far North I<br>to recover unpaid  <br>made on behalf of<br>plication I/we are b | any costs, I/we undertake to<br>District Council's legal rights<br>processing costs I/we agree<br>a trust (private or family), a<br>binding the trust, society or |
| Name: (please write in full)   |  |  |   |
| Signature: (signature of bill paye   | er)  |  | Date  |
|  |  | MANDATORY  |   |

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

### **PrivacyInformation:**

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. 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**

Name: (please write in full)

information needs to be shown on plans.

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|                          | TIAVE SUDDIFFE WILLIAMS | abblication is true and | a comblete to the best t | JI IIIV KIIUVVICUEC |

| rearrie. (piease write iii iaii)  |  |  |  |
|---|--|--|--|
| Signature:  | Date   |  |  |
|   | A signature is not required if the application is made by electronic means   |  |  |
|   |  |  |  |
| Checklist (please tick  | if information is provided)  |  |  |
| Payment (cheques paya   | ole to Far North District Council)   |  |  |
| Details of your consultat   | ion with lwi and hapū  |  |  |
| 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  | d description of proposal  |  |  |
| Assessment of Environn  | nental Effects   |  |  |
| Written Approvals / corr  | espondence from consulted parties  |  |  |
| Reports from technical e  | experts (if required)  |  |  |
| Copies of other relevant  | consents associated with this application  |  |  |
| Location and Site plans   | land use) AND/OR   |  |  |
| Location and Scheme Pl  | an (subdivision)   |  |  |
| Elevations / Floor plans  |  |  |  |
| Topographical / contour   | plans  |  |  |
|   | andard Provisions) of the Operative District Plan for details of the ovided with an application. This contains more helpful hints as to what |  |  |

| 10. Other Consent required/being applie ticked):   | d for under different legislation (more than one circle can be   |
|--|--|
| O Building Consent (BC ref # if known)   | O Regional Council Consent (ref#ifknown)   |
| O National Environmental Standard consen   | t O Other (please specify)   |
| Human Health: The site and proposal may be subject to the above NE   | or Assessing and Managing Contaminants in Soil to Protect  S. In order to determine whether regard needs to be had to the NES please is NES is available on the Council's planning web pages):   |
| Is the piece of land currently being used or has it I used for an activity or industry on the Hazardous I List (HAIL)  | ndustries and Activities   |
| Is the proposed activity an activity covered by the any of the activities listed below, then you need to   | , -  |
| O Subdividing land   | O Changing the use of a piece of land  |
| O Disturbing, removing or sampling soil  | O Removing or replacing a fuel storage system  |
| 12. Assessment of Environmental Effect   | s:   |
| requirement of Schedule 4 of the Resource Manager  | ecompanied by an Assessment of Environmental Effects (AEE). This is a ment Act 1991 and an application can be rejected if an adequate AEE is not I in sufficient detail to satisfy the purpose for which it is required. Your AEE may is 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 responsit this resource consent. Please also refer to Council's Fe  | ole for paying any invoices or receiving any refunds associated with processing<br>ses and Charges Schedule.   |
| Name/s: (please write all names in full)  Cameron Delacey  |  |
| Email:   |  |
| Postal Address:  |  |
|  |  |
|  |  |
| Phone Numbers:   |  |
| for it to be lodged. Please note that if the instalment fee is   | cation is payable at the time of lodgement and must accompany your application in order insufficient to cover the actual and reasonable costs of work undertaken to process the Invoiced amounts are payable by the 20 <sup>th</sup> of the month following invoice date. You may on requires notification.  |
| processing this application. Subject to my/our rights under S future processing costs incurred by the Council. Without lim collection agencies) are necessary to recover unpaid proceapplication is made on behalf of a trust (private or family), a | ad that the Council may charge me/us for all costs actually and reasonably incurred in ections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and iting the Far North District Council's legal rights if any steps (including the use of debt essing costs I/we agree to pay all costs of recovering those processing costs. If this society (incorporated or unincorporated) or a company in signing this application I/we are and guaranteeing to pay all the above costs in my/our personal capacity. |

Name: Cameron Rolacey (please print)



#### **BAY OF ISLANDS PLANNING LTD**

Kerikeri House Suite 3, 88 Kerikeri Road Kerikeri

Email - office@bayplan.co.nz Website - www.bayplan.co.nz

17 July 2025

Far North District Council John Butler Centre Kerikeri

Application for consent condition variation s127 - RC 2240110, 34A Gillies Road, Karikari Peninsula

Please find below a s127 application in relation to a proposed variation of consent conditions associated with RC 2240110.

RC 2240110 approved:

#### Activity A:

Proposed construction of a new second dwelling and shed breaching Visual Amenity for buildings in the General Coastal Zone, Building Height, Residential Intensity, Setback from Boundary, Fire Risk to Residential Units, Coastal Hazard Zones and Earthworks rules as a Non-Complying Activity under 10.6.5.5 NON-COMPLYING ACTIVITIES

#### Activity B:

Variation to consent notice (iv), (vi) and (vii) of 11515756.4 pursuant to Section 221(3) of the Resource Management Act to allow for a modified wastewater disposal field in (iv), (vi) with a varied consent notice relating to fire-fighting water supply and to allow for construction of a swimming pool within building restriction area Z in (vii).

In relation to the above, the applicant seeks to include an artistic mural across the approved shed as opposed to the Ironsand colour approved under the decision.

The conditions to be varied are sought under s127 of the Resource Management Act 1991 (**RMA**), which is a **Discretionary Activity**.



We look forward to your consideration of this application.

Yours sincerely,

Steven Sanson

**Consultant Planner** 



## **APPLICANT & PROPERTY DETAILS**

| Applicant                     | Cameron George DeLacey  |
|-------------------------------|---|
| Address for Service           | Bay of Islands Planning [2022] Limited Kerikeri House Suite 3 88 Kerikeri Road Kerikeri C/O – Steven Sanson  steve@bayplan.co.nz 0211606035 |
| Legal Description             | Lot 3 DP 530260   |
| Certificate Of Title          | RT 861897   |
| Physical Address              | 34A Gillies Road, Karikari Peninsula  |
| Site Area                     | 2.1588ha  |
| Owner of the Site             | Neilsons Trustee Limited and Cameron George DeLacey   |
| District Plan Zone / Features | General Coastal [ODP]   |
| Proposed District Plan        | Rural Production; Coastal Environment [PDP]   |
| Archaeology                   | Nil   |
| NRC Overlays                  | Coastal Flood & Coastal Erosion Hazard Zones  |
| Soils                         | Class 4   |
| Protected Natural Area        | Nil   |
| HAIL                          | Nil   |

## Schedule 1



## SUMMARY OF PROPOSAL

| Proposal                     | The proposal seeks to include a painted mural across the previously approved shed.  |
|------------------------------|---|
|                              | The mural is provided in <u>Appendix B</u> .  |
|                              | The proposal is considered within the bounds of the original application as there are no further land use breaches and it proposed a change to an approved colour for the shed. |
| Reason for Application       | The proposed variation is required for changes proposed to Condition 1 and 9 of RC 2240110 as outlined above.   |
|                              | An application under s127 of the RMA is therefore required.   |
| Appendices                   | Appendix A – Record of Title & Instruments Appendix B – Proposed Building Plan Appendix C – Previous Decision RC 2240110  |
| Consultation                 | Nil   |
| Pre Application Consultation | Nil   |



## 1.0 INTRODUCTION & PROPOSAL

## 1.1 Report Requirements

This report has been prepared for Cameron DeLacey in support of a s127 application in relation to the proposed variation associated with RC 2240110.

Details about the site are found above in Schedule 1 and in the Record of Title & Instrument found in Appendix A.

Appendix B provides an artist's impression of the proposed mural to be drawn across the shed face.

Decision documents associated with the original application RC 2240110 can be found in <u>Appendix C.</u>

Section 127 allows the holder of a resource consent to apply to the consent authority for a change or cancellation of a condition of the consent.

Sections 88 to 121 apply, with all necessary modifications, as if—

- a) the application was an application for a resource consent for a discretionary activity; and
- b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Section 127(4) also applies including:

- (4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—
  - (a) made a submission on the original application; and
  - (b) may be affected by the change or cancellation.

The conditions sought to be changed with the proposed wording is outlined below.

• Condition 1 and Condition 9.

The proposed variation to read as follows (refer <u>underlined for additions</u> and <u>strikethrough for deletions</u>):

Condition 1



The activity shall be carried out in accordance with the approved plans prepared by:

(c) Joel Nicholls, referenced Mural Concept, dated 16 July 2025.

#### Condition 9

The exterior of all new buildings shall have a reflectivity value (RV) in exterior finishings as described in the landscape report by Hawthorn dated 20 July 2023, except for the shed to be painted with the Mural Concept approved in Condition 1.

The rationale behind the changes are as follows:

• The Mural Concept, if approved, is required to form part of the approved plan set, hence the changes proposed to Condition 1. Similarly, Condition 9 refers to colours approved via the LVIA originally lodged with the application which proposed an Ironsand colour for the shed. The Mural Concept is not in accordance with this, thus changes to Condition 9 are proposed.

Should there be any other changes (consequential or otherwise) that arise during process, we retain the right to make further alternations and also provide FNDC staff with discretion to make changes that assist in workability and better implementation of consent conditions.

#### 1.2 Section 127

The RMA establishes that a request under s127 is deemed to be discretionary activity and Section 88 to 121 apply with the necessary modifications. Additionally, in considering the request to change the condition Council is limited to only considering what is being sought within the condition change and the effects there from.

The original resource consent application was not the subject of a publicly notified process and approved. The decision was not the subject of an appeal. In terms of the effects created by this variation these factors are addressed as follows.

## 1.3 Application Process

The Council retains the discretion to determine whether a discretionary activity should be notified. In determining this factor, it is the change in the effects of the consent conditions which are assessed against any possible adverse effects upon any person.

The RMA also requires Council to consider the effect of the change on those persons who lodged a submission to the original application. In this case the original consent was processed heard.



This aspect requires the Council to assess if the effects of the condition change would have an adverse effect upon any of the submitters.

The figures below provide context about the mural, its proposed location on the shed, and the wider environment.



Figure 1 - Proposed Mural



Figure 2 – Shed, Existing Retaining Wall, Landscape Planting





Figure 3 - Plan of Site & Surrounds

The mural doesn't strictly fit within the typical 30% LRV framework, due to some of the lighter colours proposed that are used to paint some of the animals.

The proposal does not seek to change the required landscaping, where a substantial vegetated backdrop is already provided and landscaping in front of the retaining wall has been undertaken as required. The mature palm trees and Pohutukawa along the foreshore provides partial screening of the shed.

The dwelling and vegetation found at 34 Gillies Road also assists in screening the shed from viewers in the surrounds, particularly the CMA. Notwithstanding, there may be glimpses to the mural from public viewpoints.

The proposed mural is designed to integrate with the natural environment, utilizing a colour palette and subject matter that reflect the local landscape and fauna. The mural predominantly uses greens and blues. The greens are intended to match the detailed vegetation of local plant species. The blues, representing the sky and water, are darker with minimal lighter tones avoiding harsh, unnatural colours. The orange of the sky is also depicted in a muted tone to represent a natural evening or



morning sky. This muted and naturalistic colour scheme will help the mural blend with the surrounding coastal environment.

The mural features native New Zealand bird species, including the Albatross, Swallow, Waxeye, Fantail, Kererū, and Tūī alongside a turtle. The vegetation will also be painted from local plant species, as indicated by the photo references of the surrounding bush. This focus on local flora and fauna allows the artwork to tell a story about the specific location, celebrating the natural character of the Far North coastal environment rather than detracting from it.

The artist, Joel Nicholls, has provided an example of previous work that showcases a realistic and detailed painting style for birds and vegetation in <u>Appendix B</u>. The draft concept, while using basic shapes, indicates that the final mural will be a more detailed representation. High-quality, well-executed art can be perceived as a positive contribution to the visual landscape, enhancing the amenity values of an area rather than diminishing them.

Overall, the proposed mural seeks to mimic nature and the colours found in the coastal environment. For the reasons above, the proposal is not considered to result in any adverse effects on the environment.

Turning to potentially affected persons, the owners of 34 Gillies Road have been assessed in more detail due to the location of their site in relation to the proposal.

Art is often considered as being in the 'eye of the beholder' so there is always a risk that neighbours will simply not like or prefer what is being proposed.

It is noted that their site gains access from a shared right of way further to the south of the application site. Their site is well landscaped and naturally appears to be oriented towards the CMA, as opposed to having views to the east back at the shed / mural.



Figure 4 - Photo of Site / Neighbours Site





Figure 5 - Neighbours Site

There are existing water tanks, and a small tin shed located in the area immediately adjacent to the shed / mural and there are undoubtedly view shafts from the various aspects of the site / buildings to the mural.

The key mitigation measure in this respect is the landscaping promoted in front of the retaining wall with heights of the species selected – Pslp reaching up to 3-4m in height, and Scac reaching heights of up to 8-10m which are not proposed to be changed though the proposal. These will soften views but will not completely remove them.

In relation to neighbours, whilst they may not like the mural proposed, the effects to them are considered to be less than minor for the reasons outlined above.

Accordingly, it is considered that the application to change the conditions can be processed without notification.

## 2.0 STATUTORY CONTEXT

## 2.1 Objectives, Policies and Rules of the Far North District Plan

The variation is to be assessed as a Discretionary Activity as if it was a resource consent. Section 104B requires the consideration of any relevant objectives and policies in addition to the effects of the activity.



It is considered these factors have been addressed within the original land use application and the changes are of such a minor nature that re-assessment would not add anything to the evaluative exercise previous undertaken.

## 2.2 Northland Regional Council Policy & Plans

For the same reasons, there is no need to reconsider the relevant policies and plans of the Northland Regional Council

## 2.3 National Policy Statements & National Environmental Standards

There are no new NPS' or NES of relevance to this variation.

#### 2.8 Conclusion

Having considered the above, I am of the opinion that the proposal is not inconsistent with the relevant suite of statutory documents.

## 3.0 PART 2 ASSESSMENT

## 3.1 Section 5 – Purpose of The RMA

Section 5 in Part 2 of the RMA identifies the purpose as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being which sustain those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding remedying or mitigating adverse effects on the environment.

It is considered that proposal represents a sustainable use of existing resources that allow people and the community to provide for its social and economic wellbeing in a manner that mitigates adverse effects on the environment.

## 3.2 Section 6 – Matters of National Importance

In achieving the purpose of the RMA, a range of matters are required to be recognised and provided for. This includes:



- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal have been recognised and provided for in the design of the development.

#### 3.3 Section 7 – Other Matters

In achieving the purpose of the RMA, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
- (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

## 3.4 Section 8 – Treaty of Waitangi



The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

## 3.5 Part 2 Conclusion

Given the above, it is considered that the proposal meets the purpose of the RMA.

## 4.0 CONCLUSION

The changes proposed result in environmental effects which are less than minor, and the proposal is not inconsistent with higher order documents. An assessment of Part II of the RMA has been completed with the proposal generally able to satisfy this higher order document.

Yours sincerely,

Steve Sanson

**Consultant Planner** 



# RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir Registrar-General of Land

Identifier 861897

Land Registration District North Auckland

Date Issued 10 December 2019

**Prior References**NA131A/723

**Estate** Fee Simple

Area 2.1588 hectares more or less
Legal Description Lot 3 Deposited Plan 530260

**Registered Owners** 

Cameron George DeLacey and Neilsons Trustee Limited

#### **Interests**

C697253.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 22.12.1994 at 12:01 pm

Appurtenant hereto is a right of way and to telecommunication and electric power supply rights specified in Easement Certificate C697253.4 - 22.12.1994 at 12.01 pm

Subject to a right of way, telecommunication and electric power supply rights over part marked A on DP 530260 specified in Easement Certificate C697253.4 - 22.12.1994 at 12.01 pm

Subject to an electricity right (in gross) over part marked A on DP 530260 in favour of Top Energy Limited created by Transfer C862735.2 - 7.7.1995 at 11.36 am

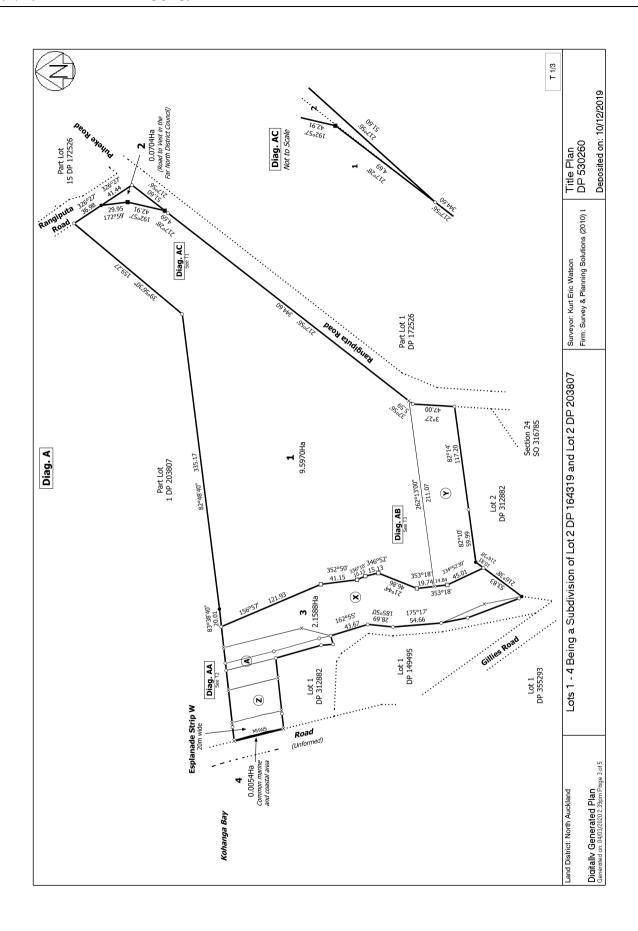
11515756.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.12.2019 at 10:52 am

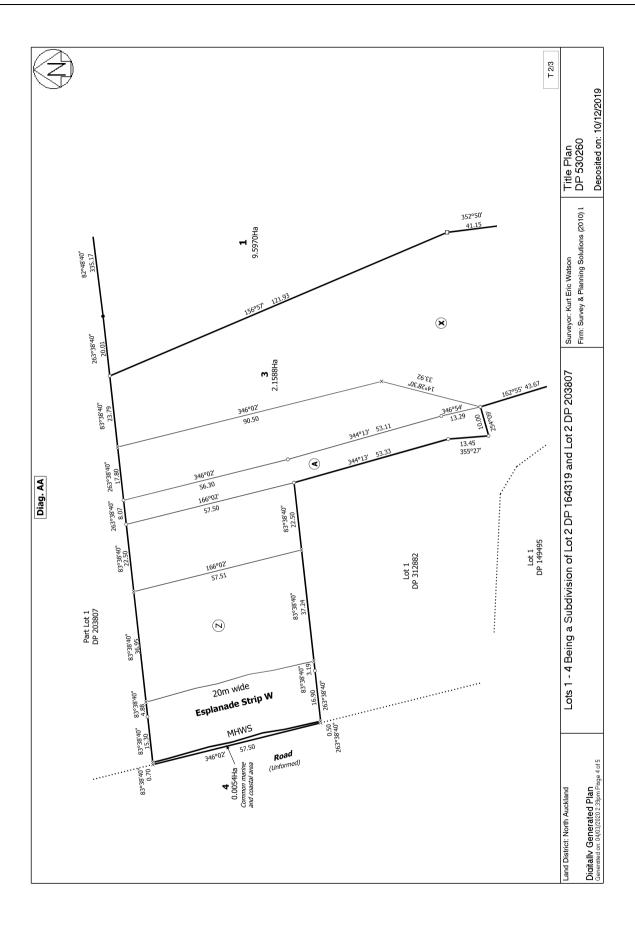
11515756.5 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 10.12.2019 at 10:52 am

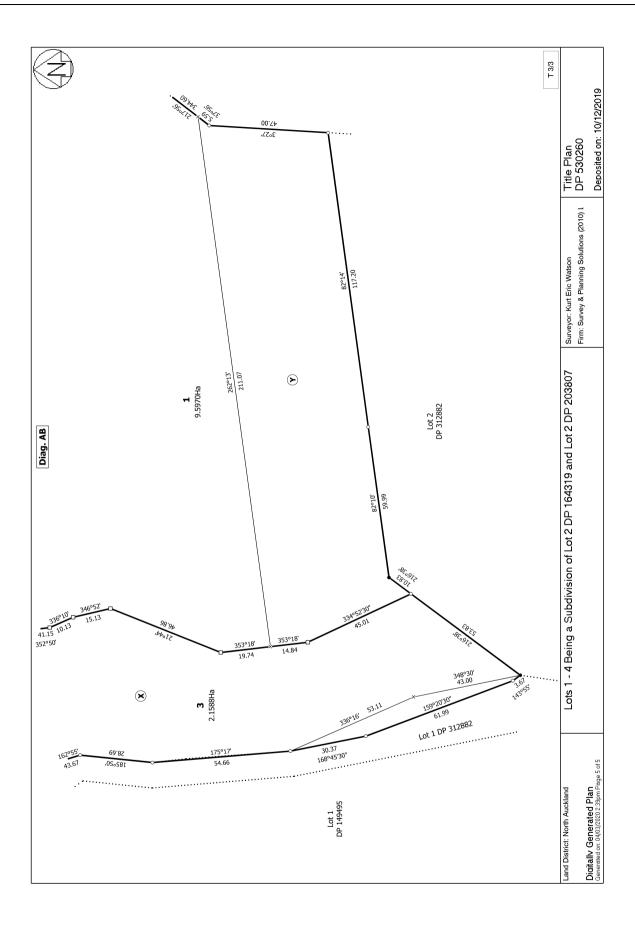
13071927.1 Notification that a building consent issued pursuant to Section 72 Building Act 2004 identifies Erosion as a)natural hazard - 30.7.2024 at 7:00 am

Subject to a right of way, and rights to convey electricity and telecommunications over part marked A on DP 603011 created by Easement Instrument 13004009.2 - 10.9.2024 at 2:48 pm

13192801.1 Mortgage to ASB Bank Limited - 19.12.2024 at 6:05 pm









**MURAL CONCEPT** 

## Rangiputa Mural Draft Concept - This concept displays a visual for the purposes of indication for color palette, Bird species and layout.

- Greens are the palette used for what will be detailed vegetation painted from local plant species and references such as the photo examples shown to the bottom right.
- Native bird species (and a turtle) featured are Albatros, Swallow, Waxeye, Fantail, Kereru and Tui. Again the basic shapes indicate the basic colorings but final will be more detailed representations.
- Blues represent sky and water features. They are of darker blue with minimal lighter tones. The sky represents an evening (or morning) sky with darker orange to give that effect. The sky feature is kept to minimal with just enough to give depth to the overall mural.
- Bottom left is an example of previous work to show what painting will look like with birds and vegetation.









**PHOTO REFERENCES** 

ARTIST REFRENCE

16 July 2025



Private Bag 752, Memorial Ave
Kaikohe 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

2240110-RMALUC

For: 34A Gillies Road, Karikari Peninsula 0483

Te Kaunihera o Tai Tokerau Ki Te Raki

The top place where talent wants to live, work and invest

1 May 2024

Cameron George DeLacey C/- Sanson & Associates Limited PO Box 318 Paihia 0247

Dear Sir / Madam:

## Re: RESOURCE CONSENT APPLICATION BY Cameron George DeLacey

I am pleased to inform you that an amended consent has been issued pursuant to Section 133(A) of the Resource Management Act 1991.

#### Amendments Made

• Condition 2: Minimum floor level changed from 3.8m to 3.4m.

#### Reasons for Amendments

Error

If you have any further queries regarding this matter, please contact the person who signed this letter through our Call Centre on 0800 920 029.

Yours faithfully

Eden Ramsay Resource Planner

E Rans of

**District Services** 



## DECISION ON LAND USE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Amended pursuant to s37 and s133A of the Resource Management Act 1991.

## **Decision**

Pursuant to section 34(1) and sections 104, 104B,104D, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** land use resource consent for a Non-Complying activity, subject to the conditions listed below, to:

**Applicant:** Cameron George Delacey

Council Reference: 2240110-RMALUC

**Property Address:** 34A Gillies Road, Karikari Peninsula 0483

**Legal Description:** Lot 3 DP 530260 (RT 861897)

The activities to which this decision relates are listed below:

Activity A:

Proposed construction of a new second dwelling and shed breaching Visual Amenity for buildings in the General Coastal Zone, Building Height, Residential Intensity, Setback from Boundary, Fire Risk to Residential Units, Coastal Hazard Zones and Earthworks rules as a Non-Complying Activity under 10.6.5.5 NON-COMPLYING ACTIVITIES

#### Activity B:

Variation to consent notice (iv), (vi) and (vii) of 11515756.4 pursuant to Section 221(3) of the Resource Management Act to allow for a modified wastewater disposal field in (iv), (vi) with a varied consent notice relating to fire-fighting water supply and to allow for construction of a swimming pool within building restriction area Z in (vii).

## **Conditions**

#### **Decision 1:**

Pursuant to sections 108 of the Act, this consent is granted subject to the following conditions:

- 1. The activity shall be carried out in accordance with the approved plans prepared by:
  - a) Arcline, referenced A1002, 1003, 1004, 1101, 1102, 1102, 2001, 2002, dated 1/12/2023, and
  - b) Hill Design Engineering, referenced 22 4629 sheets 1 to 3 Rev A, dated April 2022;

and attached to this consent with the Council's "Approved Stamp" affixed to them.

- 2. The consent holder shall ensure that the minimum floor level for the dwelling is 3.40m (NZVD 2016, as per the recommendations given within the Coastal Hazard Assessment by Haigh Workman Ltd (HW reference 23143, dated November 2023) & it shall be designed by a Chartered Professional Engineer recommending foundation requirements and finished floor levels. The land is to be built up to RL 3.0 m minimum to be above the CFHZ2 level of RL 2.9 m. This filling should extend out from the building footprint for a distance of 4-10 m, in general accordance with Auckland Council natural hazard guidance notes.
- 3. The consent holder shall ensure that the wastewater system is constructed in accordance with the recommendations contained within the Wastewater Design Report by Geologix (Geologix reference C0265-WW-01-R01, dated June 2023).
- 4. A Chartered Professional Engineer with an intimate understanding of the approved documents shall determine the level of construction monitoring (CM1-CM5) required and shall ensure that the construction work is in accordance with FNDC Engineering Standards and the approved plans.
- 5. Prior to the commencement, the consent holder shall:
  - a) Submit a final construction management plan (CMP) for approval by the Council. At the minimum, the plan shall contain information on and site management procedures for the following:
    - The timing of building demolition and construction works, including hours of work, key project, and site management personnel, including the details of the successful contractor and supervising engineer.
    - ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through signposted site entrances/exits and the loading and unloading of materials.
    - iii. The excavation and earthworks, including retaining structures and any necessary dewatering facilities, are prepared by a suitably qualified geotechnical engineer.
    - iv. Control of dust and noise on-site and any necessary avoidance or remedial measures.
    - v. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
    - vi. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users or Road.
    - vii. Erosion and sediment control measures to be in place for the duration of the works in accordance with the principles and practices contained the Auckland Council document entitled "GD05: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region".
    - viii. Location(s) and management of onsite stockpiles.

- b) Engage an appropriately qualified and experienced person to supervise and/or install silt, sediment and dust control measures and ensure all measures are in place prior to the commencement of earthworks. These measures are to be maintained during the earthworks phase and can only be removed once appropriate stabilisation has been completed.
- c) Upon installation of the silt, sediment and dust control measures, the appropriately qualified and experienced person who supervised installation shall provide certification for the approval by council that all control measures are in accordance with the requirements of the approved Construction Management Plan (CMP).
- 6. During Construction, the consent holder shall ensure that all earthworks' operations are carried out in accordance with the CMP approved under Condition 5 a).
- 7. Upon completion of the works, provide certification of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans and provide a producer statement (PS4).
- 8. The existing dwelling to be retained on site shall only be used for accommodation by family, friends or staff of the property owner or their tenant and shall not be leased separately from the consented dwelling.
- 9. The exterior of all new buildings shall have a reflectivity value (RV) in exterior finishings as described in the landscape report by Hawthorn dated 20 July 2023.
- 10. All exterior glazing on new buildings shall be non-reflective.
- 11. The consent holder shall implement landscape mitigation planting within the first planting season following the issue of a Code Compliance Certificate in accordance with the landscape plan in Appendix 5 of the landscape report by Hawthorn dated 20 July 2023.
- 12. The existing mature trees within the esplanade strip shall not be cut down, damaged or destroyed except when there is a danger to life or property as confirmed by an arborist's assessment. Any tree to be removed shall be replaced with an equivalent species during the next planting season.
- 13. The consent holder shall provide evidence in the form of a design statement from a suitably qualified landscape architect confirming compliance with Conditions 9, 10 and 11 in respect of exterior finishing and landscaping.

#### **Decision 2:**

- 1. Pursuant to Section 221(3) of the Resource Management Act Council resolves to:
  - a) <u>Vary</u> clause (iv) of consent notice 11515756.4 in respect of Lot 3 DP 530260 to read as follows:
    - In conjunction with construction of any building which includes a wastewater treatment and effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of

the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water and Soil Plan Permitted Activity Standards.

b) <u>Vary clause</u> (vi) of consent notice 11515756.4 in respect of Lot 3 DP 530260 to read as follows:

In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of a tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions Water supply will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS:4509 the provision of water for fire-fighting approved by Fire and Emergency New Zealand as it relates to the development approved via RC 2240110. Water for fire-fighting is to be provided in accordance with the approved plans associated with RC 2240110.

c) <u>Vary</u> clause (vii) of consent notice 11515756.4 in respect of Lot 3 DP 530260 to read as follows:

No buildings shall be constructed within Building Restriction Areas Y and Z <u>except</u> <u>for that authorised under RC 2240110.</u>

## **Advice Notes**

#### **Lapsing of Consent**

- 1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
  - a) The consent is given effect to; or
  - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

#### **Right of Objection**

2. If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

#### **Earthworks**

- 3. Ensure that all earthwork operations are carried out in a way that reduces the risk of slope instability and soil erosion. To reduce and/or minimize any slope failures, effective mitigation measures must be constructed as needed.
- 4. All earthworks referred to are to be carried out in periods of fine weather within the typical October to April earthwork season unless prior written approval by FNDC has been obtained.

- 5. Remove any excess material from site that is not held behind a properly designed and constructed retaining wall to an approved fill disposal area.
- 6. Be responsible for the repair and reinstatement of the road carriageway, the kerb damaged as a result of the earthworks. Such works, where required, will be completed to the satisfaction of the Council's Roading Manager.
- 7. Is responsible for any debris deposited on the public road as a result of the earthworks, of which shall be removed by or at the expense of the applicant.

### **Archaeological Sites**

8. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

## Reasons for the Decision

- 1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
- 2. The application is for a Non-complying activity resource consent as such under section 104 the Council can consider all relevant matters.
- 3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
  - a) The proposed dwelling will be consistent with the coastal character of the surrounding area.
  - b) The dwelling will be unobtrusive within the coastal landscape due to design and landscape mitigation.
  - c) Setback breaches relating to roof eaves and a retaining wall will have minimal effects on the adjoining property at 34 Gillies Road.
  - d) Construction effects will be managed appropriately to prevent effects on neighbours and receiving environments.
  - e) The existing dwelling will be retained for additional overflow accommodation and will not be used as a separate dwelling.
  - f) The new dwelling will be provided with appropriate on-site servicing.
  - g) Vehicle access and parking is provided to an appropriate standard.
  - h) Effects on archaeology will be appropriately managed via the Accidental Discovery Protocol.
  - i) Adequate water supply for fire-fighting is proposed and is approved by Fire Emergency NZ.

- j) The proposal will also result in positive effects, including the economic and social well-being of the applicants.
- 4. In regard to section 104(1)(ab) of the Act there are no new offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
- 5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
  - a) The Northland Regional Policy Statement 2016

The Northland Regional Policy Statement is relevant to this proposal, in particular the following objectives:

- Objective 3.2 Region-Wide Water Quality
- Objective 3.4 Indigenous Ecosystem and Biodiversity
- Objective 3.11 Regional Form
- Objective 3.14 Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes and Historic Heritage

The proposal enables development of a rural-residential site within the coastal environment. The dwelling will not be obtrusive within the landscape, earthworks will be appropriately managed and wastewater and stormwater services will contain wastewater within the site. No indigenous vegetation clearance is required and planting will be implemented to soften the appearance of the building.

The proposal is therefore consistent with the RPS.

b) Regional plans (including proposed Regional Plan)

Consent is not required from Northland Regional Council for breaches of the Regional Plan.

c) New Zealand Coastal Policy Statement 2010

The proposal is consistent with the Coastal Policy Statement as detailed in the landscape assessment provided, as it will retain natural character and landscape values while allowing for compatible rural-residential development.

d) National Policy Statement for Freshwater 2020

There are no freshwater bodies on the site or within the surrounding area, however the dwelling will be provided with appropriate stormwater and wastewater infrastructure.

e) National Policy Statement for Highly Productive Land 2022

The site is not classified as 'highly productive land' (under 3.5(7) of the NPS as the soil type under Our Environment land use capability mapping is not Class 1 to 3, and therefore direction provided by the NPS HPL does not apply to the land zoned Rural Production.

f) National Environmental Standards (Air/ NESCS/ Forestry/Freshwater)

The construction works will not affect natural wetland areas on site or within the surrounding area.

The site is not a HAIL site.

#### g) District Plans

The following objectives and policies of the Proposed District Plan have been considered:

#### **Earthworks**

#### EW-01

Earthworks are enabled where they are required to facilitate the efficient subdivision and development of land, while managing adverse effects on waterbodies, coastal marine area, public safety, surrounding land and infrastructure.

#### EW-02

Earthworks are appropriately designed, located and managed to protect historical and cultural values, natural environmental values, preserve amenity and safeguard the life-supporting capacity of soils.

#### EW-P3

Ensure earthworks are located and designed appropriately to manage the effects of the activity by:

- a. controlling maximum depth and height and maximum area or volume of earthworks;
- b. requiring appropriate setbacks are maintained from adjoining property boundaries, waterbodies and the coastal environment:
- c. managing the location and design of infrastructure;
- d. managing impacts on natural drainage patterns and overland flow paths; and
- e. controlling the movement of dust and sediment beyond the area of development to avoid:
- f. nuisance effects and/or amenity effects on surrounding sites, or
- g. silt and sediment entering stormwater systems or waterbodies and the coastal marine area.

#### EW-P5

Manage effects on historic heritage and cultural values that may be discovered when undertaking earthworks by:

- a. requiring a protocol for the accidental discovery of archaeology, kōiwi and artefacts of Māori origin; and
- b. undertaking appropriate actions in accordance with mātauranga and tikanga Māori when managing effects on cultural values.

#### EW-P7

Ensure all earthworks associated with land development are designed and assessed in a coordinated and integrated manner at the time of subdivision, by:

- a. controlling earthworks associated with subdivision, including for the purpose of site preparation, creating roads or access to/within the subdivision, and for the provision of infrastructure: and
- b. considering the appropriateness of earthworks in conjunction with site design and layout of future subdivision and/or development of land, particularly for future infill or greenfield subdivision.

#### Coastal

#### CE-02

Land use and subdivision in the coastal environment:

- a. preserves the characteristics and qualities of the natural character of the coastal environment;
- b. is consistent with the surrounding land use:
- c. does not result in urban sprawl occurring outside of urban zones;
- d. promotes restoration and enhancement of the natural character of the coastal environment; and
- e. recognises tangata whenua needs for ancestral use of whenua Māori.

#### CE-O3

Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

#### CE-P3

Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as:

- a. outstanding natural character;
- b. ONL;
- c. ONF.

#### CE-P10

Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. the presence or absence of buildings, structures or infrastructure;
- b. the temporary or permanent nature of any adverse effects;
- c. the location, scale and design of any proposed development;
- d. any means of integrating the building, structure or activity;
- e. the ability of the environment to absorb change;
- f. the need for and location of earthworks or vegetation clearance;
- g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;
- h. any viable alternative locations for the activity or development;
- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6:
- i. the likelihood of the activity exacerbating natural hazards:
- k. the opportunity to enhance public access and recreation;
- I. the ability to improve the overall quality of coastal waters; and
- m. any positive contribution the development has on the characteristics and qualities.

#### **Rural Production**

#### RPROZ-03

Land use and subdivision in the Rural Production zone:

- a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;
- b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;
- c. does not compromise the use of land for farming activities, particularly on highly productive land;
- d. does not exacerbate any natural hazards; and
- e. is able to be serviced by on-site infrastructure.

#### RPROZ-04

The rural character and amenity associated with a rural working environment is maintained.

#### RPROZ-P4

Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- a. a predominance of primary production activities;
- b. low density development with generally low site coverage of buildings or structures;
- c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and
- d. a diverse range of rural environments, rural character and amenity values throughout the District.

The following objectives and policies of the Operative District Plan have been considered:

#### 10 COASTAL ENVIRONMENT

- 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).
- 10.4.8 That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- 10.4.10 To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.

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

#### 10.6 GENERAL COASTAL

- 10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.
- 10.6.4.2 That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.
- 10.6.4.3 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:
- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
- (d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District. (Refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives (2004)";
- (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

#### 12.3 SOILS AND MINERALS

- 12.3.3.3 To avoid, remedy or mitigate adverse effects associated with soil excavation or filling.
- 12.3.4.4 That soil excavation and filling, and mineral extraction activities be designed, constructed and operated to avoid, remedy or mitigate adverse effects on people and the environment.

#### **CHAPTER 12.4: NATURAL HAZARDS**

- 12.4.3.2 To ensure that development does not induce natural hazards or exacerbate the effects of natural hazards.
- 12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.
- 12.4.4.1 That earthworks and the erection of structures not be undertaken in areas where there is a significant potential for natural hazards unless they can be carried out in such a way

so as to avoid being adversely affected by the natural hazards, and can avoid exacerbating natural hazards.

12.4.4.6 That the adverse effects on people, property and the environment from coastal hazards in Coastal Hazard Areas, as identified by the Northland Regional Council, are avoided.

12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided.

Although zoned General Coastal, the site is part of an established coastal lifestyle development. The dwelling will be the second dwelling on the property and the existing small dwelling will be retained for family overflow accommodation. It is considered that the new dwelling and the existing dwelling on one site can be supported by the objectives and policies of the Plan provided the small dwelling is only used in conjunction with the main dwelling.

The application is supported by a landscape report by Hawthorn in respect of the building design and positioning, including the location of the swimming pool, and a landscape plan for mitigation. The report assesses the effects of the dwelling, shed and pool on the coastal environment and outstanding natural landscapes and features, concluding that overall effects on landscape values and coastal character would be low or less than minor.

The proposed earthworks are considered consistent with both versions of the District Plan as they are required for residential development, will be subject to silt and sediment controls and construction management to protect freshwater and coastal receiving environments, and on completion will be walled, sealed or built upon, limiting visual effects to a temporary duration. No archaeological sites will be affected and the Accidental Discovery Protocol will apply.

The dwelling will be provided with appropriate on-site infrastructure for wastewater, stormwater and water supply and fire risk has been reviewed by Fire Emergency NZ. Vehicle access will be compliant and residential traffic will be low. The dwelling will not be at risk of coastal hazards, neither will it exacerbate existing hazards subject to adherence to the recurrence levels recommended in the coastal hazard report.

The proposal is therefore not contrary to the relevant objectives and policies of the District Plans.

6. In regard to section 104(1)(c) of the Act the following other matters are relevant:

#### **Precedent**

The proposal is a non-complying activity as it is for a second dwelling on a rural-residential property. The non-compliance is not a concern as the original small dwelling will be retained for family overflow accommodation and will not be used separately and the new dwelling will be of a suitable design with visual mitigation measures. Therefore any precedent set is not considered undesirable and approval of the application will not undermine the integrity of the District Plan.

The approval of the proposal will not undermine the integrity of the District Plan as the activity will produce only localised and minor effects, if any, and will not set an undesirable precedent.

The proposal is considered to have unique features that mean despite the potential for other applications to be lodged relying on the potential precedent set there is sufficient differentiation of the proposal that precedent will not result and the integrity of the plan will not be undermined. Furthermore, every resource consent application is assessed on a case by case basis.

- 7. In regard to section 104D of the Act the activity meets both tests as any adverse effects arising from this proposed activity will not be more than minor, and the activity will not be contrary to the objectives and policies of the Operative District Plan. Therefore, consent can be granted for this non-complying activity.
- 8. Based on the assessment above the activity will be consistent with Part 2 of the Act.

  The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act.

  There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
- 9. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

## **Approval**

This resource consent has been prepared by Katrina Roos - Boffa Miskell, Associate Principal Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.

Name: Pat Killalea Date: 19<sup>th</sup> March 2024

Title: Independent Commissioner

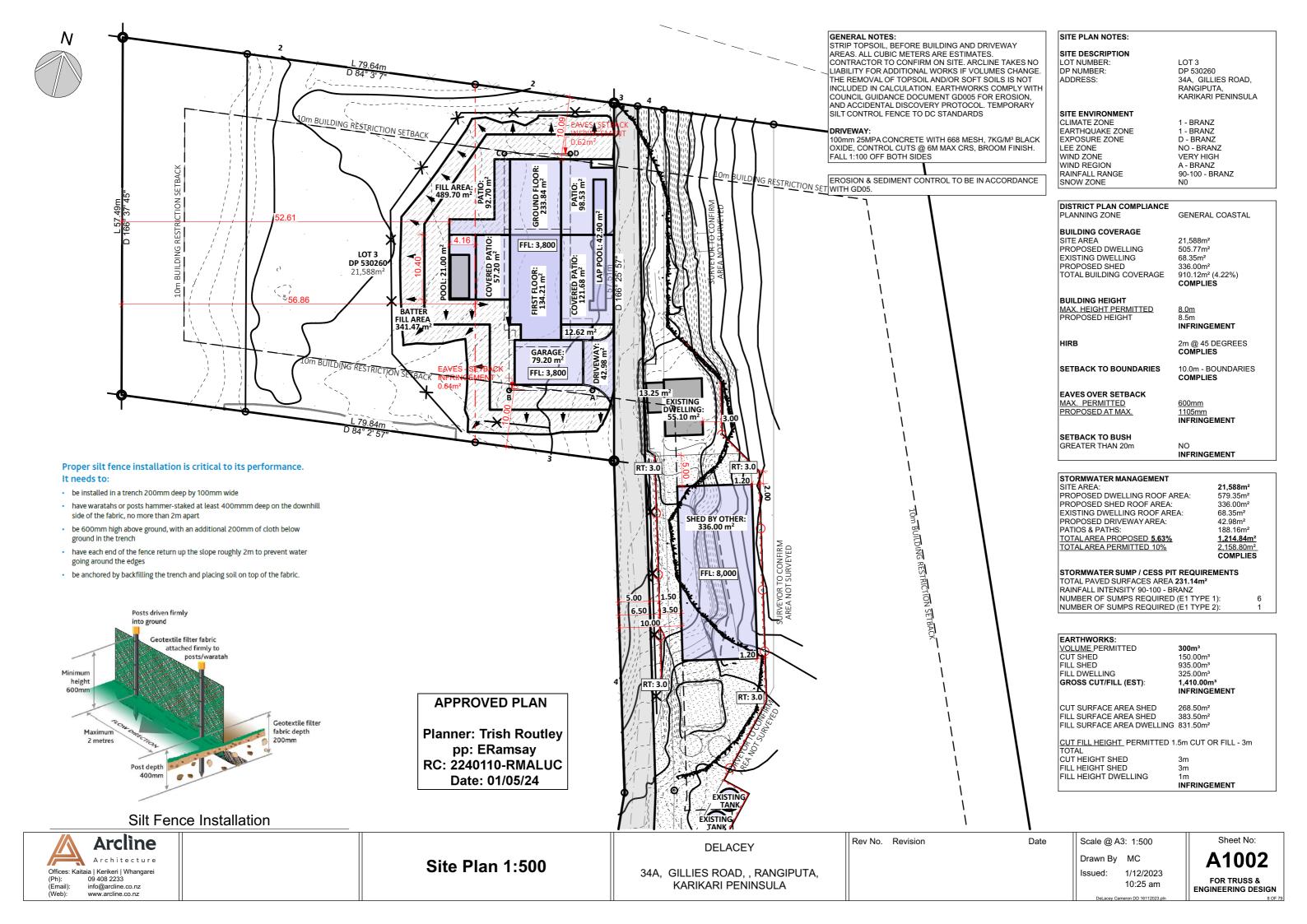
P. Y. Killalea

Decision amended pursuant to s37 and s133A and approved under delegated authority by:

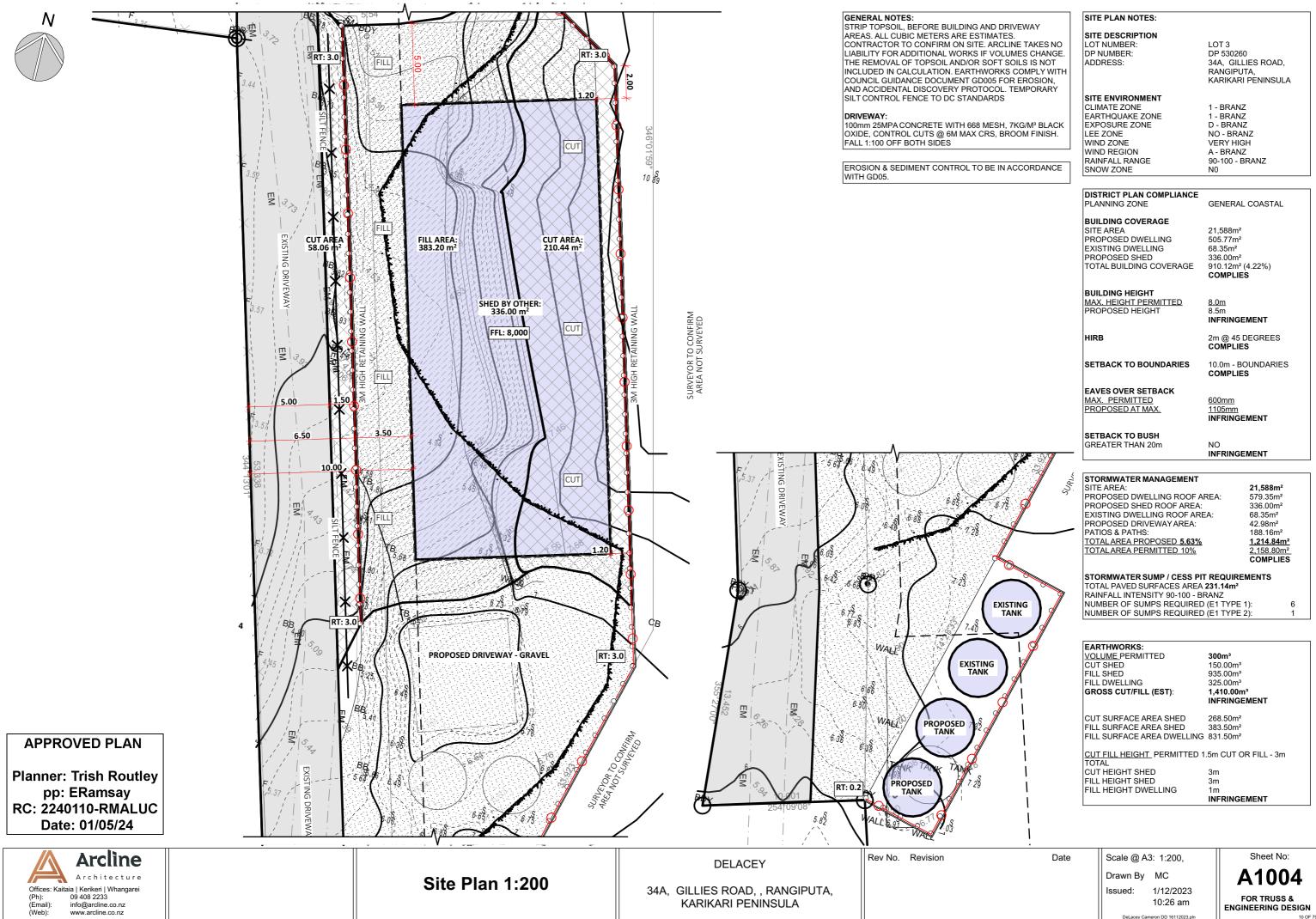
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Patricia (Trish) Routley Manager Resource Consents

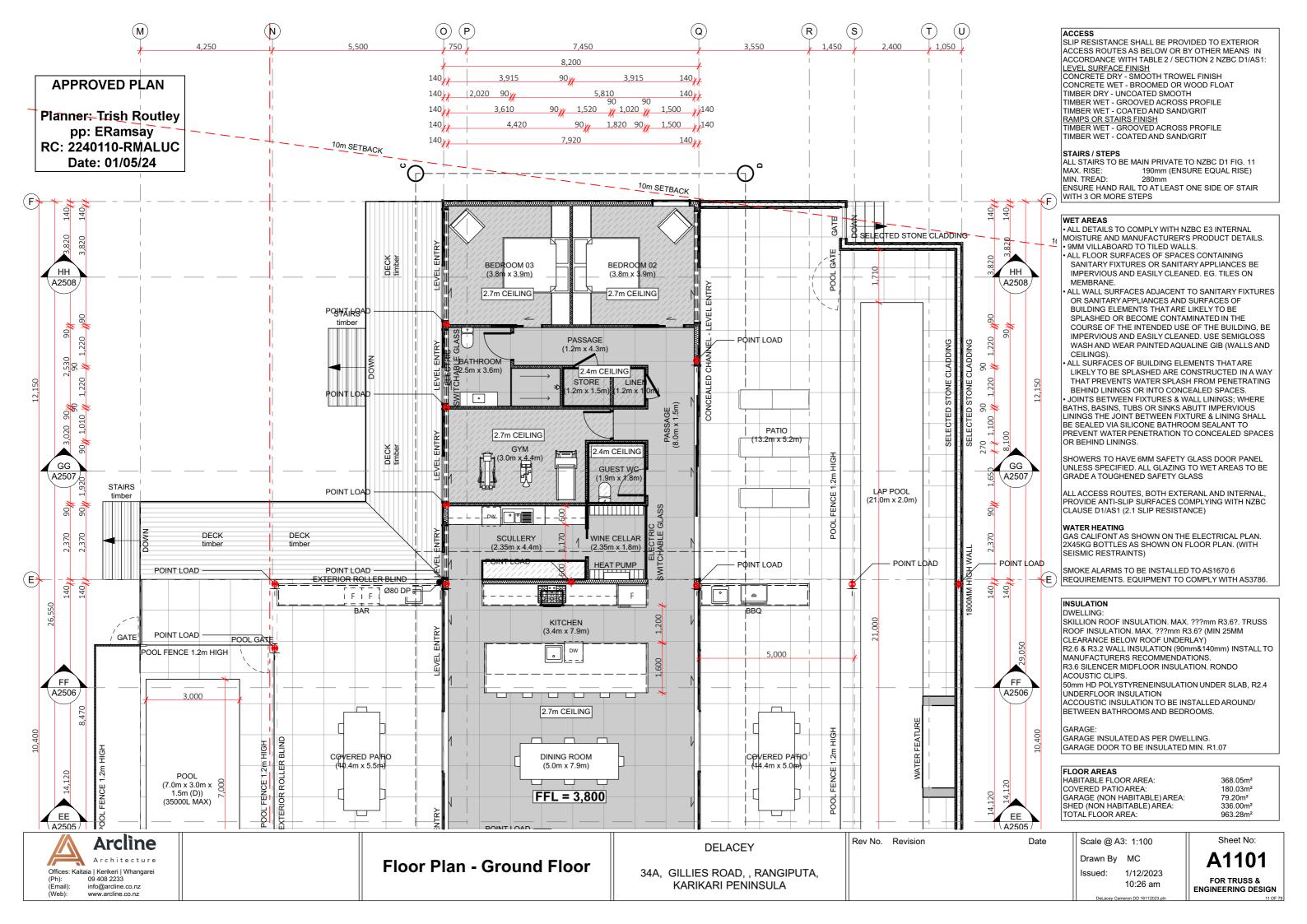
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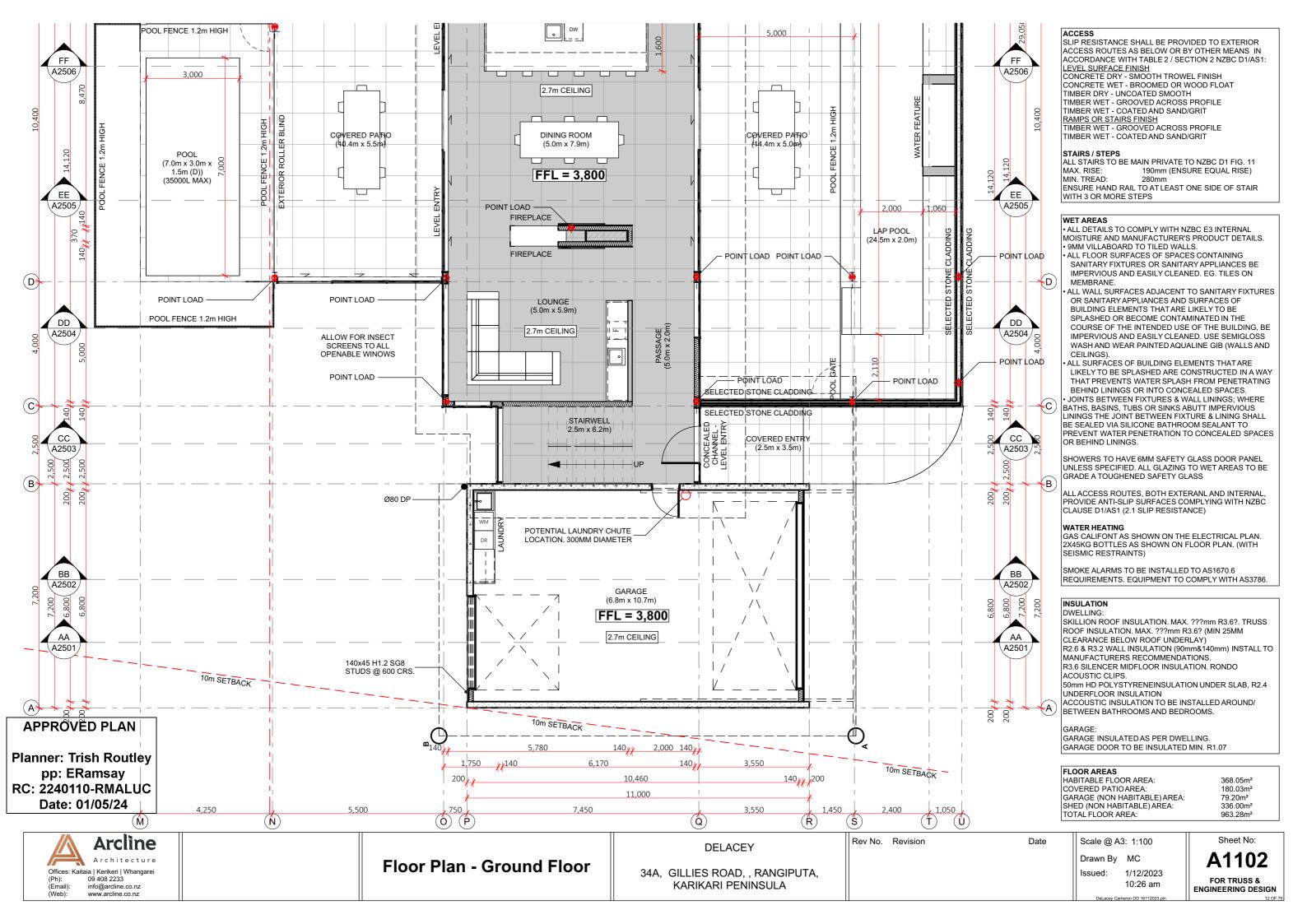


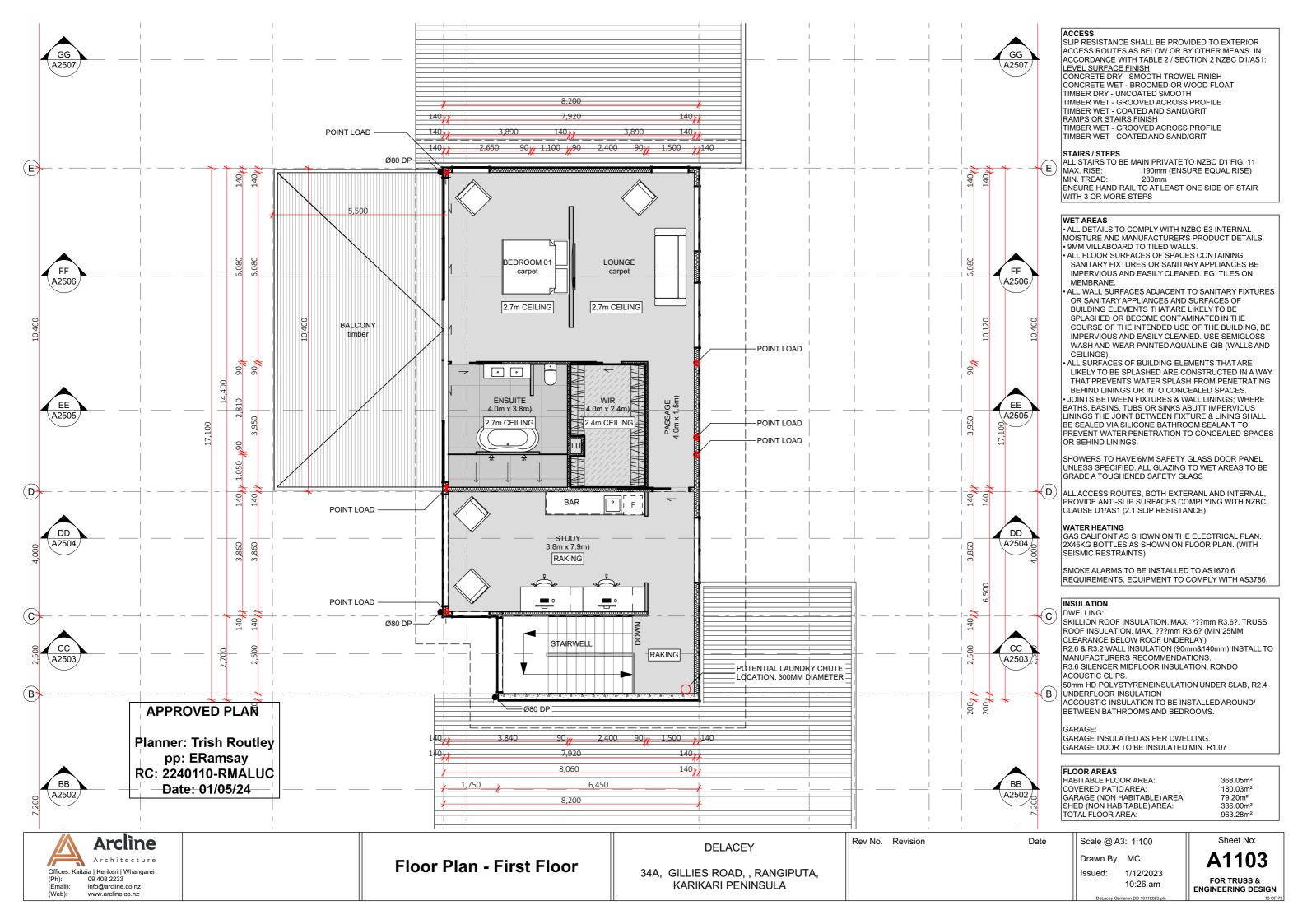


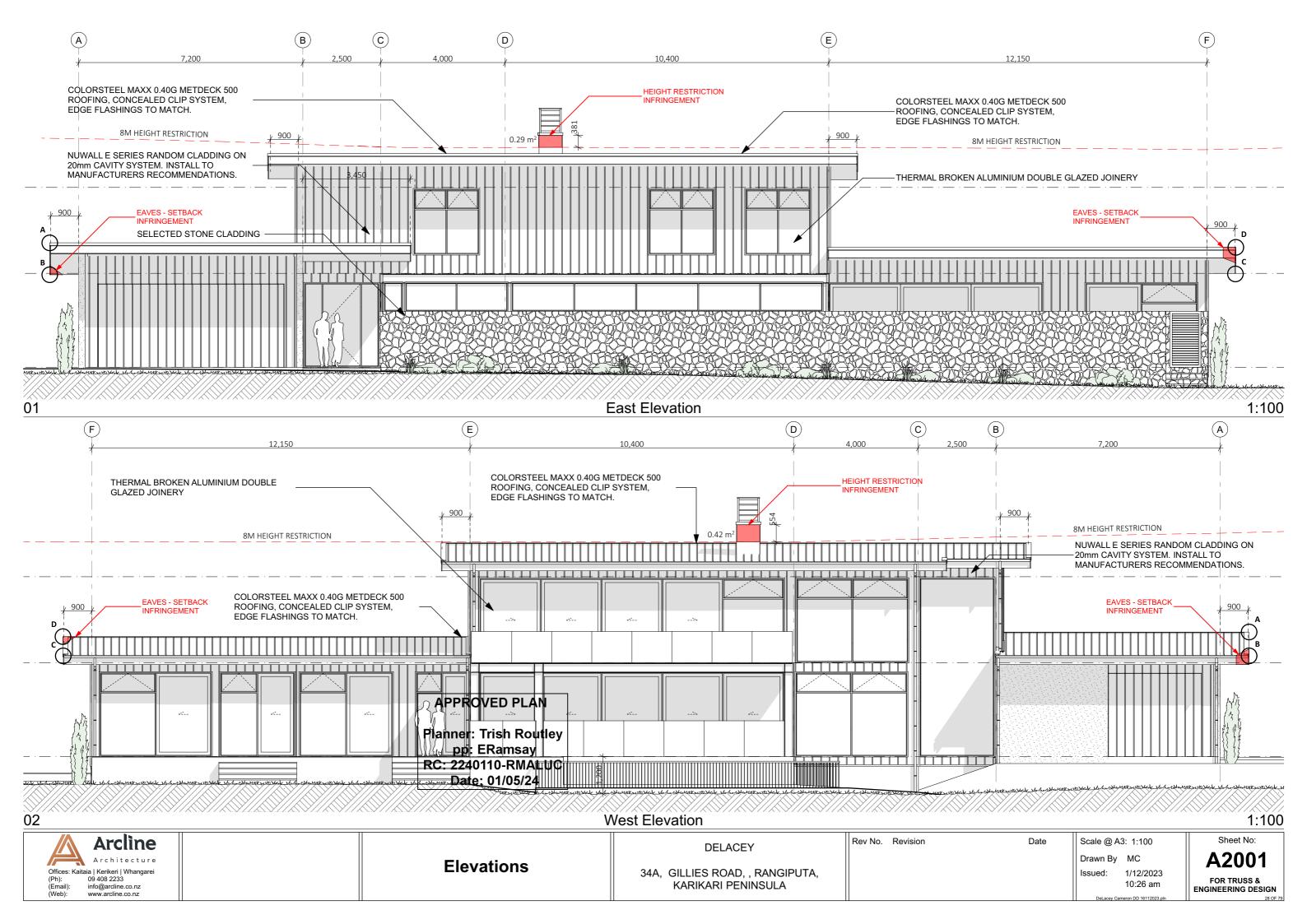


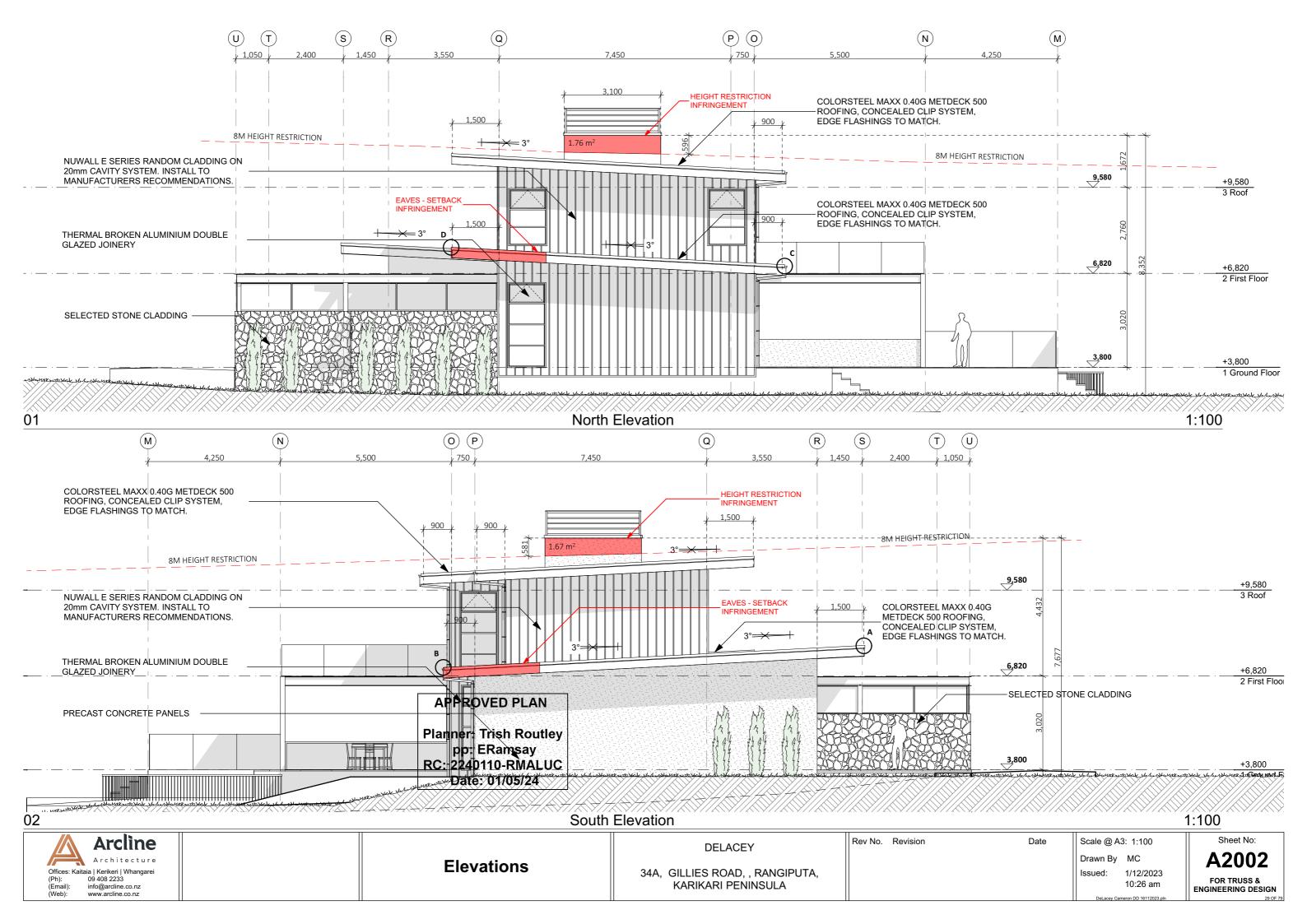
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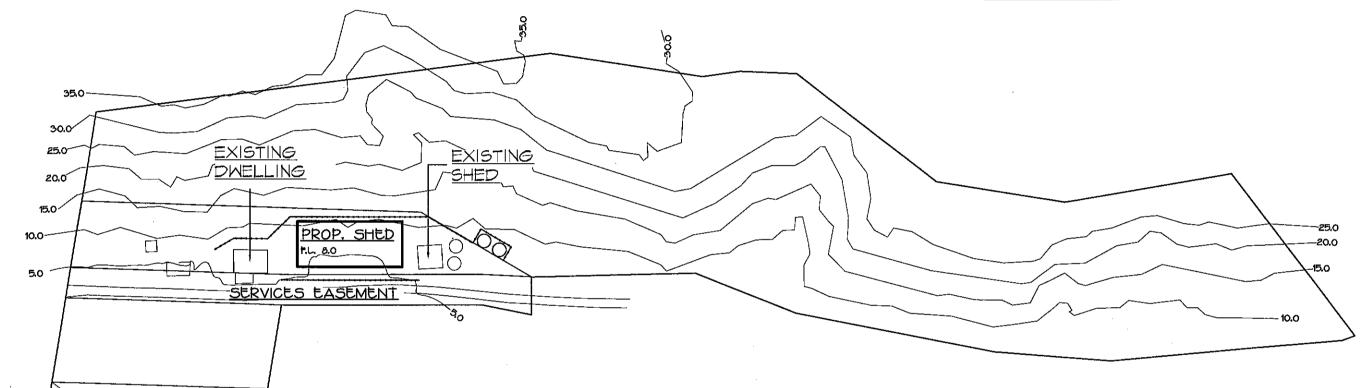
<u>SITE PLAN</u> <u>LEGAL:</u>

LOT

DP 530260 AREA 2.1588ha

## PLANNING

| TERRITORIAL AUTHORITY      | FAR NORTH DISTRICT COUNCIL                     |                                     |  |  |  |
|----------------------------|--|-------------------------------------|--|--|--|
| ZONING                     | GENERAL COASTAL                                |                                     |  |  |  |
| MAX. BUILDING COVERAGE     | 5% MAX.  |                                     |  |  |  |
| PROPOSED BUILDING COVERAGE | EXISTING DWELLING PROPOSED SHED TOTAL COVERAGE | 72.0m²<br>300.0m²<br>372.0m² = 1,7% |  |  |  |
| YARDS                      | 10140 00100400                                 | 37 ZJOIII - 17 B                    |  |  |  |
| YARD FRONT                 | 10.0m  |                                     |  |  |  |
| SIDE                       | 10.0m  |                                     |  |  |  |
| REAR                       | 10.0m  |                                     |  |  |  |
| HEIGHT IN RELATION TO      |  |                                     |  |  |  |
| BOUNDARY                   | 2.0+45°  |                                     |  |  |  |
| MAXIMUM HEIGHT             | 8.0m   |                                     |  |  |  |
| WIND ZONE                  | HIGH   |                                     |  |  |  |
| CORROSION ZONE             | ZONE D   |                                     |  |  |  |
| CLIMATE ZONE               | ZONE 1   |                                     |  |  |  |
| EARTHQUAKE ZONE            | ZONE 1   |                                     |  |  |  |



APPROVED PLAN

OVERALL SITE PLAN

NO BUILD ZONE

ESPLANADE STRIP

Planner: Trish Routley pp: ERamsay RC: 2240110-RMALUC Date: 01/05/24

PRELIMINARY 30.05.2023

| HILL DESIGN ENGINEERING LTD.                           | -               | HILL DESIGN PO Box 72 844 Popolar Phone (99) 236 085 Por Popolar Phone (99) 236 085 Popolar Phone (99) 236 | PROP, SHED  | OVERAL                            | LL SITE PL |          | 0W0. No:               | REVISION: |
|--|-----------------|---|---|-----------------------------------|------------|----------|------------------------|-----------|
| P. HILL<br>b.t.(HONS), M.P.t.N.Z.<br>c.P.tng. No 47048 | DATE: REVISION: | ENGINEERING LTD Fox (09) 297 789  Emoil enquiree@hde.co.m  This drawing is to remain the property of Hill. DESIGN EXPERTS LTD.  and is not to be reproduced attribut prior permission.  Contractor to verify of dimensions on alls before commencing work.  Written dimensions superside social dimensions.   | 34A GILLIES ROAD, RANGIPUTA<br>KARIKARI PENINSULA<br><b>for</b><br>5. DELACEY | DRAWN: AJP CHEC<br>AJP DATE<br>PH | PH         | A5 5HOWN | OF1 3<br>JOS Ho:<br>22 | L-4629    |

