

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 Schedule 4). 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):

- | | |
|---|---|
| <input type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input type="radio"/> Other (please specify) _____ | |

** The fast track is for simple land use consents and is restricted to consents with a controlled activity status.*

3. Would you like to opt out of the Fast Track Process?

☐ Yes ☐ No

4. Consultation

Have you consulted with Iwi/Hapū? ☐ Yes ☐ No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council tehonosupport@fndc.govt.nz

5. Applicant Details

Name/s:

Grant McInnes

Email:

Phone number:

Postal address:

(or alternative method of
service under section 352
of the act)

6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

Nicola O'Brien

Email:

Phone number:

Postal address:

(or alternative method of
service under section 352
of the act)

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

7. 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:

Grant McInnes

**Property Address/
Location:**

1
0

8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s:

Grant McInnes

**Site Address/
Location:**

Legal Description:

Certificate of title:

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.

9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

A 117m² shed is proposed in a Coastal Living Zone, breaching the 50m² permitted, 10.7.5.1.1. The activity is Discretionary. The shed is to be located 2.3m from the southern boundary breaching the 3m permitted, 10.7.5.1.7. The activity is Restricted Discretionary. The southeast corner of the shed will breach the permitted sunlight rule, 10.7.5.1.5. The activity is Restricted Discretionary.

If this is an application for a 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), with reasons for requesting them.

10. Would you like to request Public Notification?

☐ Yes ☒ No

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

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

12. 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:

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? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ☐ Yes ☐ No ☐ Don't know

- | | |
|---|---|
| <input type="radio"/> Subdividing land | <input type="radio"/> Disturbing, removing or sampling soil |
| <input type="radio"/> Changing the use of a piece of land | <input type="radio"/> Removing or replacing a fuel storage system |

13. 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.

Your AEE is attached to this application ☐ Yes

13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? ☐ Yes ☐ No

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☐ Yes ☐ No

14. 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 in full)

Grant McInnes

Email:

Phone number:

Postal address:

(or alternative method of service under section 352 of the act)

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 20th 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 write in full)

Grant McInnes

Signature:

(signature of bill payer)

MANDATORY

15. 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. 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.

15. Important information continued...

Declaration

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

Name: (please write in full)

Grant McInnes

Signature:

Checklist (please tick if information is provided)

- ☐ Payment (cheques payable to Far North District Council)
- ☒ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ Details of your consultation with Iwi and hapū
- ☒ 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.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Grant McInnes
12C Broadview Road
Opuia
Far North District
Lot 3 DP 322745

Written by: Nicola O'Brien
Reviewed by: Martin O'Brien

Rev: A
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Job No: 2025 4231

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Form 9

Application for Resource Consent under Sections 127 Resource Management Act 1991

To Far North District Council

1. Grant McInnes, from 12C Broadview Road, Opuia, Lot 3 DP 322745, applies for Resource Consent due to the following rule breaches in a Coastal Living Zone:

"10.7.5.1.1 Visual Amenity

(a) any new building(s), provided that the gross floor area of any new building(s) permitted under this rule, does not exceed 50m²"

The activity is not Controlled or Restricted Discretionary as a building envelope was not designated during subdivision as per section 10.7.5.2.2 and 10.7.5.3.1. The proposed shed will have a floor area of 117m² exceeding the permitted 50m². The activity is Discretionary as per section 10.7.5.4 (c) *"It does not comply with one or more of the other standards for permitted, controlled, or restricted discretionary activities in this zone as set out under Rules 10.7.5.1; 10.7.5.2 and 10.7.5.3"*.

"10.7.5.1.5 Sunlight

No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary, except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site".

The activity is Restricted Discretionary because although the shed projects beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on the southern boundary, it does not project beyond a 45-degree recession plane as measured inwards from 3m as per 10.7.5.3.3.

"10.7.5.1.7 Setback from Boundaries

Buildings shall be setback a minimum 10m from any site boundary, except on any site with an area less than 5,000m² this setback shall be 3m from any site boundary".

The shed is located on a 2,985m² lot requiring a 3m setback. The shed is to be situated 2.3m from the southern boundary breaching the 3m setback. The breach is not listed as Controlled and is defined as a Restricted Discretionary activity as per 10.7.5.3.6.

The applicant opts out of the fast-track consent process as the breaches are Discretionary and Restricted Discretionary.

2. *The activity to which the application relates (the proposed activity) is as follows:*

Application for Resource Consent is due to a proposed 117m² shed being greater than 50m² in a Coastal Living Zone. The shed is located 2.3m from the southern boundary breaching the 3m permitted setback. The southeast corner of the shed projects beyond a 45-degree recession plane breaching the permitted Sunlight rule. This report addresses relevant criteria in the existing and

proposed Far North District Plan, Resource Management Act (1991), New Zealand Coastal Policy Statement (2010), and Regional Policy Statement for Northland (May 2016).

3. *The location of the proposed activity:*

Lot 3 DP 322745 is located off a concrete right of way off Broadview Road, Opua, rapid number 12C. The property is zoned Coastal Living in the Operative Far North District Plan and will be rezoned Rural Lifestyle with a Coastal Environment overlay in the Far North Proposed District Plan. Refer to the Northland Regional Council Map, Section 3.2 showing the location of the property. The Site Plan, Sheet A01a, Appendix II shows the location of the proposed shed.

4. The owner listed is the only owner/occupier of the site to which this application relates.

5. There are no other activities that are part of the proposal to which this application relates.

6. No additional resource consents are required for the proposal to which this application relates.

7. Attached is an assessment of the proposed activity's effect on the environment that:

- a. Includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- b. Addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- c. includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

8. Attached is an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

9. Attached is an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

10-13 Not applicable.

14. Attached is further information required to be included in this application by the District Plan, the Regional Plan, the Resource Management Act 1991, or any regulations made under that Act.

1.0 Executive Summary

O'Brien Design Consulting were engaged by Grant McInnes to prepare an Assessment of Environmental Effects Report to accompany an application for Resource Consent addressing the requirements of Section 88.2 and Schedule 4 of the Resource Management Act 1991. The application is to be submitted to the Far North District Council. This application has been prepared in accordance with Form 9 and Schedule 4, Sections 2, 6 and 7 of the Resource Management Act.

Relevant operative District Plan and proposed District Plan rules have been assessed along with objectives and policies, for each plan. District Plan Criterion 10.7.5.3.1, 10.7.5.3.3 and 10.7.5.3.6 are discussed. There are no other breaches other than described below.

"10.7.5.1.1 Visual Amenities

(a) any new building(s), provided that the gross floor area of any new building(s) permitted under this rule, does not exceed 50m²"

The activity is not Controlled or Restricted Discretionary as a building envelope was not designated during subdivision as per section 10.7.5.2.2 and 10.7.5.3.1. The proposed shed will have a floor area of 117m² exceeding the permitted 50m². The activity is Discretionary as per section 10.7.5.4 (c) *"It does not comply with one or more of the other standards for permitted, controlled, or restricted discretionary activities in this zone as set out under Rules 10.7.5.1; 10.7.5.2 and 10.7.5.3"*.

Lot 3 DP 322745 is a 2,985m² property subdivided with the intention of residential development, in keeping with neighbouring properties. Development is restricted to the west of the property near the right of way. The remainder of the property, to the east, is to remain regenerating, native bush and scrub, located on steep topography, within Easement K. Existing regenerating bush and scrub on Lot 3 and neighbouring properties, as well as vegetation planted by the owner, once mature, will completely obscure the shed from neighbouring dwellings in the immediate area. The exception being the dwelling located upslope of the property on Lot 6 DP 322745. Existing vegetation and the shed located on lower topography reduces potential visual effects to the owners of Lot 6. Visibility of the shed from boats on the ocean and dwellings in Russell is reduced due to distance. The black exterior of the shed amongst dark vegetation such as Mānuka and Kānuka will assist in blending the shed with the surrounding landscape. The proposal is in keeping with neighbouring properties and the surrounding environment.

"10.7.5.1.5 Sunlight

No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary, except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site".

The activity is Restricted Discretionary because although the southeast corner of the shed projects beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on the southern boundary, it does not project beyond a 45-degree recession plane as measured inwards from 3m as per 10.7.5.3.3.

The southeast corner of the shed does not comply with the 2m high rule. This means 540mm of shading would occur on neighbouring, southern Lot 4 DP 322745. 540mm of shading is a very small area. This area is currently covered by bush and scrub already restricting sunlight to Lot 4. The dwelling on Lot 4 (~20m from the proposed shed) is currently just visible through the

existing vegetation. As the vegetation grows the visibility between the buildings will be completely obscured providing privacy. If the vegetation on Lot 4 was removed the shading of 540mm onto the property is not significant in requiring mitigation in this situation. The owner of Lot 4 has signed a Notice of Written Approval giving permission for the sunlight breach.

“10.7.5.1.7 Setback from Boundaries

Buildings shall be setback a minimum 10m from any site boundary, except on any site with an area less than 5,000m² this setback shall be 3m from any site boundary”.

The shed is located on a 2,985m² lot requiring a 3m setback. The shed is to be situated 2.3m from the southern boundary breaching the 3m setback. The breach is not listed as Controlled and is defined as a Restricted Discretionary activity as per 10.7.5.3.6.

The proposed shed is to be located 2.3m from the southern boundary of Lot 4 DP 322745. Existing regenerating bush and scrub including Mānuka, Kānuka, Rimu and Taneka are located on Lot 3 and 4 between the buildings. The vegetation almost completely obscures the proposed shed from the existing dwelling. As the trees mature complete privacy will occur. The owner of Lot 4 has signed a Notice of Written Approval giving permission for the boundary breach. The proposed shed will not restrict the visibility for access and egress of vehicles along the right of way. There are no adjoining esplanade reserves, strips or adjacent coastal marine areas that will be affected by the construction of the shed 2.3m from the southern boundary. Breaching the southern boundary by 0.7m will have nil to less than minor effect.

2.0 Proposal

The Certificate of Title and Consent Notices for the property are attached as Appendix I.

It is proposed that a 117m², rectangular shaped, open plan shed with a height of 6.4m is constructed onto Lot 3 DP 322745. The shed will have a toilet and handbasin and be clad in black, MC760 Coloursteel Maxam. The shed is to be located to the south of the property 2.3m from the southern boundary. 2 existing water tanks will be located underneath the shed. The Architectural Plans, Appendix II shows the location of the shed along with floor plans and elevations.

A dwelling is likely to be constructed to the northwest of the property, in the future. This is not addressed in this Resource Consent as plans for a dwelling are yet to commence.

3.0 Site Description

3.1 Site Description & Photographs

The site visit occurred during Winter, 5th August 2025.

Lot 3 DP 322745 is located at 12C Broadview Road, Opuā. Lot 3 is a 2,985m², roughly rectangular, steeply sloping property. A concrete right of way off Broadview Road provides access to an existing metal driveway to the west of Lot 3. The metal driveway provides access to a ~30m², modern, removable tiny home. The tiny home is serviced by an aeration treatment system with surface laid dripper lines and 2 x concrete water tanks. The development is located to the west of the lot. The remainder of the property, to the east, is steeply sloping, regenerating native bush and scrub marked Easement K on the Certificate of Title diagram. Lot 3 slopes to the east. Similar properties are located to the north, south and west. Lot 10 DP 202862 covered in native bush is located to the east. Refer to the Northland Regional Council (NRC) Map, Section 2.2 showing the location of Lot 3 and the surrounding area. The Site Plan, Sheet A01a, Appendix II shows existing structures and the proposed location of the shed. The proposed shed is to be located 2.3m from the southern boundary.

Photograph 1 shows the view to the south from the proposed shed site. Regenerating native bush including Mānuka, Kānuka and Taneka on Lot 3 and neighbouring Lot 4 DP 322745 mean that the shed is almost completely screened from view from the existing dwelling on Lot 4. The dwelling is more visible in Photograph 2 which is taken downslope of the shed. The shed will not be visible from the dwelling as the trees mature. The owner has planted native species such as Mānuka, Kānuka, Flax, Coprosma and Rimu downslope of shed which will further reduce visibility. The owner of Lot 4 has given written approval for the shed to be 2.3m from the boundary breaching the boundary and sunlight rule (provided in Appendix III).

Photograph 3 shows the view from the building platform to the east towards Russell. Due to the slope and existing vegetation neighbouring dwellings, located in Opuā, to the east, are not visible. There is some visibility of the shed from boats on the ocean and dwellings in Russell. Visibility is reduced due to distance and existing vegetation. Once mature, native plantings, downslope of the water tanks, shown in Photograph 2, will further reduce visibility of the shed and blend it with the surrounding environment. The black shed will blend with the dark vegetation (for example Mānuka and Kānuka).

The shed is not visible to neighbouring dwellings in Opuā, to the north. Visibility from the coastal marine area is reduced due to existing, regenerating, native bush. The owner has extensively planted the western part of the property which, once mature, will further reduce the visibility of the shed and blend it with the natural environment. Photograph 4 shows juvenile plantings by the owner and regenerating bush which will obscure or partially obscure the shed from the north.

The proposed shed will not be visible from the right of way except at the driveway entrance. The shed will be partially visible to the neighbouring dwelling located on Lot 6 DP 322745 as shown in Photograph 5. The shed is located on lower topography than the dwelling on Lot 6. Due to the higher elevation and orientation of the dwelling on Lot 6 the view from the dwelling will not be obscured by the shed.

Existing plantings along the western boundary reduce visibility of the development from the right of way. Lot 3 is not visible from the west due to thick, native vegetation. Refer to Photograph 6.

According to Northland Regional Council (NRC) Hazard Maps the property is not subject to flooding or identified as erosion prone land. The property is located within the 'safe zone' for Tsunami Evacuation. The foundations for the shed have been designed by T & A Structures Ltd, Chartered Professional Engineers.



Photograph 1 taken from the proposed shed location showing the view to the south towards neighbouring Lot 4 DP 322745. The juvenile trees once mature will fully screen the shed from the dwelling on Lot 4 which is only just visible through the trees when looking closely.



Photograph 2: Showing the view to the south, downslope of the proposed shed, towards the dwelling on neighbouring Lot 4 DP 322745. The regenerating bush between the buildings, once mature, will screen the shed from view. Juvenile, native plantings downslope of the site will further reduce the visibility of the shed as they mature. New plantings include Rimu and Manuka.



Photograph 3: View to the east showing no visibility of neighbours to the east in Opua. Visibility from boats on the ocean and Russell in the distance is reduced due to distance and existing vegetation.



Photograph 4: View to the north showing existing, juvenile plantings, mostly natives as well as established Mānuka and Kānuka. The plantings will obscure or at least partially obscure the shed from the north.

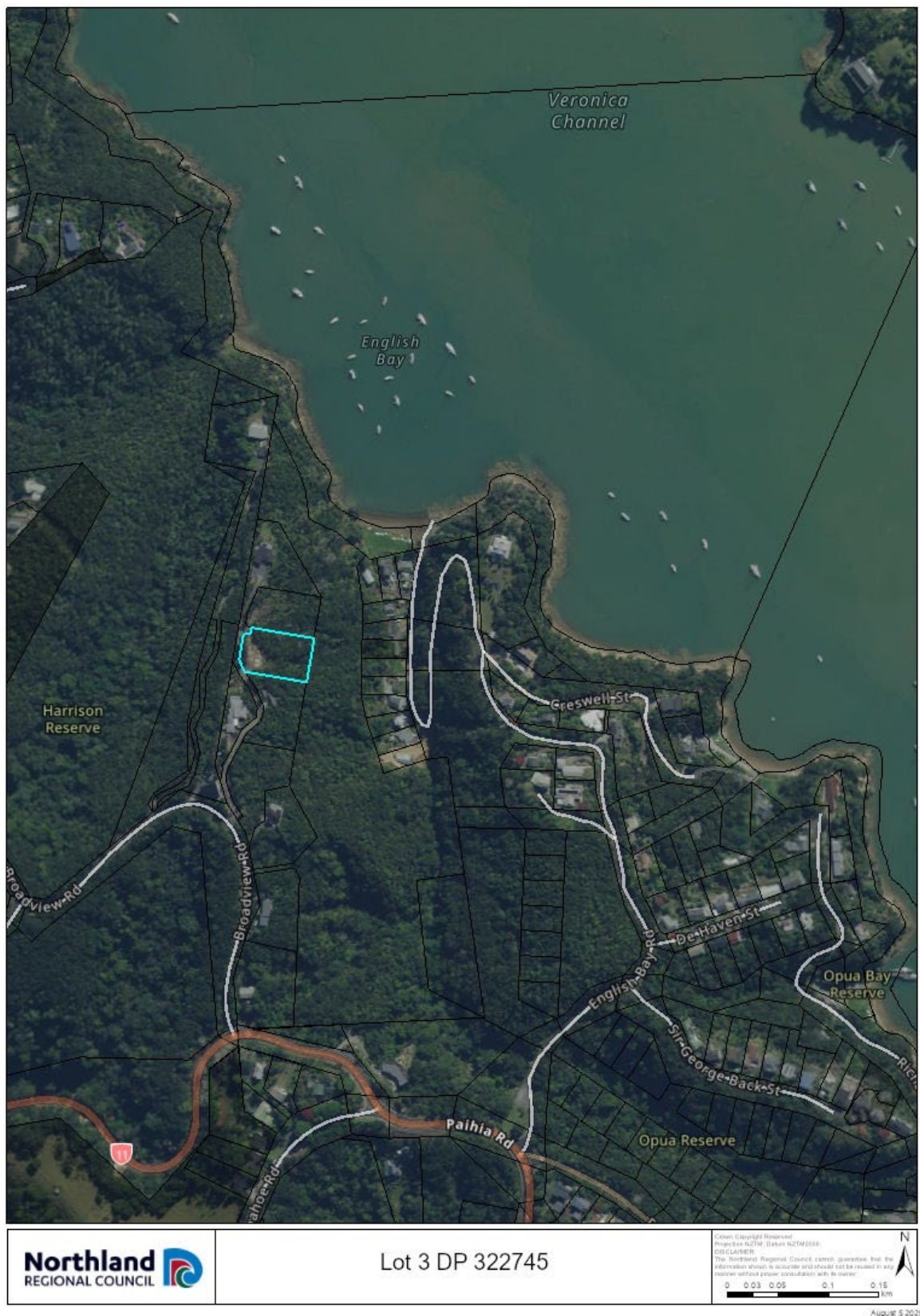


Photograph 5: View to the southwest towards the right of way and neighbouring Lot 6 DP 322745. The shed will be partially visible to the dwelling on Lot 6. The lower elevation of the shed and existing plantings will assist in reducing visual effects.



Photograph 6: Showing some of the existing plantings between the right of way and Lot 3 reducing visibility of the development. Lot 3 is not visible from the west due to thick, native vegetation. The tiny home is clad in black colour steel and cedar.

3.2 Northland Regional Council Map



4.0 Far North District Plan Review

4.1 Operative Far North District Plan

The 117m² shed is to be located 2.3m from the southern boundary projecting beyond a 45-degree recession plane breaching the following permitted rules in a Coastal Living Zone:

“10.7.5.1.1 Visual Amenity

(a) any new building(s), provided that the gross floor area of any new building(s) permitted under this rule, does not exceed 50m²”

The proposed shed will have a floor area of 117m² exceeding the permitted 50m². The activity is Discretionary as per section 10.7.5.4 (c).

“10.7.5.1.5 Sunlight

No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary, except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site”.

The activity is Restricted Discretionary because although the southeast corner of the shed projects beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on the southern boundary, it does not project beyond a 45-degree recession plane as measured inwards from 3m as per 10.7.5.3.3.

“10.7.5.1.7 Setback from Boundaries

Buildings shall be setback a minimum 10m from any site boundary, except on any site with an area less than 5,000m², this setback shall be 3m from any site boundary”.

The shed is located on a 2,985m² lot requiring a 3m setback. The shed is to be situated 2.3m from the southern boundary breaching the 3m setback. The breach is defined as a Restricted Discretionary activity as per 10.7.5.3.6.

4.2 Operative Far North District Plan Other Rule Assessment:

The following District Plan rules comply:

10.7.5.1.2 Residential Intensity: Complies

10.7.5.1.3 Scale of Activities: Complies

10.7.5.1.4 Building Height: Complies. 6.4m proposed, 8m permitted maximum.

10.7.5.1.6 Stormwater Management

Impermeable Surfaces

Existing metal driveway: 98.0m²

Existing tiny home: 30.0m²

Proposed shed: 117.0m²

Total proposed: 245.0m²

Total permitted = 10% of gross site area = 298.5m²

Total proposed = 245.0m² = 8.2% Complies

10.7.5.1.8 Screening for Neighbours Non-Residential Activities: Not applicable. Complies

10.7.5.1.9 Transportation: Complies

10.7.5.1.10 Hours of Operation Non-Residential Activities: Not applicable. Complies

10.7.5.1.11 Keeping of Animals: Complies

10.7.5.1.12 Noise: Will comply

10.7.5.1.13 Helicopter Landing Area: Not applicable

12.3.6.1.2 Excavation and/or filling: No earthworks required. Complies

NES Soil disturbance: Not subject to NES

12.4.6.1.2 Fire Risk to Residential Units: Shed only. Complies.

4.3 Operative Far North District Plan Objectives & Policies

The following has been taken from the Operative Far North District Plan, Section 10.6, p. 1 and 2. The 3 breaches are assessed alongside the current objectives and policies.

COASTAL LIVING ZONE

10.7.1 ISSUES

10.7.1.1 Rural residential development on relatively small lots adjoining the coast is a popular and appropriate form of development in some parts of the District. However, this can have adverse effects on the natural character and physical environment of the coastal environment and on water quality.

10.7.1.2 *Because of the generally smaller lot sizes, rural residential development in the coastal environment can have adverse visual effects and consequently can affect the amenity of the area from adjoining landowners and the public.*

10.7.2 ENVIRONMENTAL OUTCOMES EXPECTED

10.7.2.1 *A Coastal Living Zone in which rural residential development occurs in appropriate locations.*

The proposal is deemed appropriate.

10.7.2.2 *A Coastal Living Zone in which development does not detract from the natural character of the coastal environment and does not cause adverse effects to natural and physical resources in the coastal environment.*

The proposed development will not detract from the natural character of the coastal environment and does not cause adverse effects to natural and physical resources in the coastal environment.

10.6.3 OBJECTIVES

10.7.3.1 *To provide for the well-being of people by enabling low density residential development to locate in coastal areas where any adverse effects on the environment of such development are able to be avoided, remedied or mitigated.*

10.7.3.2 *To preserve the overall natural character of the coastal environment by providing for an appropriate level of subdivision and development in this zone.*

OBJECTIVES SUMMARY

The proposed use and development are appropriate in this zone. The section was subdivided with the intention of residential use. Adverse effects to the coastal environment are not anticipated. Potential effects to adjoining properties and visual amenity are discussed.

10.7.4 POLICIES

10.7.4.1 *That the adverse effects of subdivision, use, and development on the coastal environment are avoided, remedied, or mitigated.*

The proposed use and development of the property is considered appropriate in a Coastal Living Zone. The potential visual effect of the shed to the coastal marine environment is avoided, remedied or mitigated as far as practical.

10.7.4.2 *That standards be set to ensure that subdivision, use, or development provides adequate infrastructure and services and maintains and enhances amenity values and the quality of the environment.*

The tiny home is serviced by onsite wastewater consisting of an aeration treatment system with surface laid dripper lines. 2 existing, concrete water tanks provide potable water. These will adequately service the proposed shed. A dwelling is likely to be constructed to the northwest of the property, further infrastructure requirements for the dwelling will be addressed at the time of

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Building Consent application. The existing infrastructure onsite caters for the tiny home and proposed shed. Existing vegetation will assist in obscuring or partially obscuring the building from view as well as blending it with the surrounding environment. The exterior of the shed will be black with a low reflectivity value assisting in blending the building with the landscape.

10.7.4.3 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;

Subdivision has created a 2,985m² section suitable for residential purposes. The development is to occur to the west of the property close to the right of way. The eastern part of the lot will remain regenerating bush and scrub.

(b) minimizing the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

The shed is to be located to the west of the property over the top of 2 existing concrete water tanks. Earthworks are not required due to pile foundations. The existing, regenerating, native bush and extensive planting of the property, by the owners, will ensure that the shed is obscured or partially obscured from neighbors to the north, south, west and east. The vegetation and dark colour proposed for the exterior will assist in blending the shed with the landscape, reducing visual impact from the coastal marine area including Russell.

(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;

There is no access to the foreshore or esplanade areas.

(d) through siting of buildings and development, design of subdivisions, and provision of access that recognize and provide for the relationship of Māori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Māori 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)");

Not applicable.

(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;

Not applicable. The regenerating bush will remain linking habitats.

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

Not applicable.

POLICIES SUMMARY

The District Plan seeks to preserve the natural character of the Coastal Living Zone while providing appropriate use and development of sites within this zone. Initial subdivision created a section in keeping with the character of the Coastal Living Zone and surrounding area, with the purpose of residential development. Potential adverse effects of the construction of a shed are avoided, remedied, or mitigated as far as practical.

The dark exterior of the shed along with extensive vegetation will assist in blending the shed with the surrounding landscape. Established vegetation between Lot 3 and 4 means the effect of the shed 2.3m from the southern boundary will be minimal. 540mm of shading due to the sunlight breach is insignificant especially as tall trees already shade Lot 4. The owner of Lot 4 has provided written approval for the sunlight and boundary breach.

4.4 Proposed Far North District Plan Objectives & Policies

Under the proposed Far North District Plan Lot 3 DP 322745 will be zoned Rural Lifestyle with a Coastal Environment overlay.

4.4.1 RURAL LIFESTYLE OBJECTIVES & POLICIES

OBJECTIVES

Objectives RLZ-01 - RLZ-04 of the proposed Rural Lifestyle Zone were reviewed.

RLZ-01 The Rural Lifestyle Zone is used predominantly for low density residential activities and small-scale farming activities that are compatible with the rural character and amenity of the zone.

Low density residential activity is proposed compatible with the proposed zoning.

RLZ-02 The predominant character and amenity of the Rural Lifestyle Zone is characterized by:

- a) low density residential activities;***
- b) small scale farming activities with limited buildings and structures;***
- c) smaller lot sizes than anticipated in the Rural Production Zone;***
- d) a general absence of urban infrastructure;***
- e) rural roads with low traffic volumes;***
- f) areas of vegetation, natural features and open space.***

Low density residential activity proposed in an area with regenerating, native bush and scrub.

RLZ-O3 *The role, function and predominant character and amenity of the Rural Lifestyle Zone is not compromised by incompatible activities.*

No incompatible activities proposed.

RLZ-O4 *Land use and subdivision in the Rural Lifestyle Zone does not compromise the effective and efficient operation of primary production activities in the adjacent Rural Production Zones.*

The section is for residential land use and does not compromise the operation of primary production in Rural Production zones.

POLICIES

Policies RLZ-R1 – RLZ-P4 were reviewed.

RLZ-P1 *Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle Zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including:*

- a) low density residential activities;*
- b) small scale farming activities;*
- c) home business activities;*
- d) visitor accommodation; and*
- e) small scale education facilities.*

The proposed activity will not compromise the role, function and predominant character and amenity of the Rural Lifestyle Zone. The design, scale and intensity are appropriate to manage adverse effects in the zone. The construction of a shed is a compatible activity.

RLZ-P2 *Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle Zone because they are:*

- a) contrary to the density anticipated for the Rural Lifestyle zone;*
- b) predominately of an urban form or character;*
- c) primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or*
- d) commercial, rural industry or industrial activities that are more appropriately located in a Settlement Zone or an urban zone.*

The construction of a shed is compatible with the role, function and predominant character and amenity of a Rural Lifestyle Zone.

RLZ-P3 *Avoid where possible, or otherwise mitigate, reverse sensitivity effects from sensitive and other non-productive activities on primary production activities in the adjacent Rural Production Zone.*

Reverse sensitivity effects from sensitive and other non-productive activities on primary production activities in the Rural Production Zone will not occur. The surrounding area is used residentially along with large areas of regenerating, native bush and scrub.

RLZ-P4 *Manage land use and subdivision 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) consistency with the scale and character of the rural lifestyle environment;*
- b) location, scale and design of buildings or structures;*
- c) at zone interfaces:*
 - i. any setbacks, fencing, screening or landscaping required to address potential conflicts;*
 - ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- d) the capacity of the site to cater for on-site infrastructure associated with the proposed activity;*
- e) the adequacy of roading infrastructure to service the proposed activity;*
- f) managing natural hazards;*
- g) any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and*
- h) any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

The proposed land use is appropriate in a Rural Lifestyle Zone. Potential visual effects of the shed are mitigated with the black exterior which matches the existing tiny home. The dark colour will blend with the extensively vegetated property. There is minor to no impact to southern Lot 4 DP 322745 due to the sunlight and boundary breach. This is because the land between the buildings is vegetated with trees. The trees provide privacy between the buildings and if removed a 540mm zone of shading onto Lot 4 is insignificant. The owner of Lot 4 has signed a Notice of Written approval for both breaches as per Appendix III.

SUMMARY

The proposed activity is in keeping with the policies outlined in the proposed Rural Lifestyle Zone.

4.4.2 COASTAL ENVIRONMENT OVERLAY OBJECTIVES & POLICIES

OBJECTIVES

Objectives CE-01 - CE-03 of the proposed Coastal Environment overlay were reviewed.

Objective CE-01 *The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.*

It is important that the natural character of the coastal environment is managed to ensure long-term preservation and protection for current and future generations. Photograph 3 shows potential visibility of the shed from the coastal marine area and Russell. The distance, black exterior with low LRV, along with existing regenerating bush and plantings by the owner will assist in blending the shed with the surrounding landscape. Photograph 2 shows some of the plantings by the owner below the shed, which once mature will further blend the shed with the landscape.

Objective 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.*

The proposal is consistent with surrounding, residential land use. A small area to the west will be developed whilst the eastern part of the property will remain bush preserving the character of the surrounding environment.

Objective CE-03 *Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.*

Not within an urban zone.

POLICIES

Policies CE-P1 – CE P 10 of the proposed Coastal Environment overlay were reviewed. Policies CE-P1 – CEP9 are not applicable because the property is not located within or visible from an area of outstanding natural character, landscape or feature, has been subdivided with the intention of residential development, is not a farming activity or Māori Purpose zoned land or treaty land.

Policy CE-P10 are the most relevant to the proposed activity. *“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; (h) any viable alternative locations for the activity or development; (m) any positive contribution the development has on the characteristics and qualities”.*

Lot 3 DP 322745 is suitable for residential development. The proposed development of the property including the construction of a shed has a functional need to be located to the west of the property where an existing driveway has been formed off the right of way. The remainder of the property to the east is steep land covered with scrub and regenerating native bush marked Easement K on the Certificate of Title diagram. No further earthworks or vegetation clearance is proposed. The property owner has revegetated any previously cleared land. The dark exterior of the shed will blend with surrounding vegetation including darkly colored Mānuka and Kānuka.

4.5 Proposed Far North District Plan Rules with Immediate Legal Effect

The proposal is subject to the Proposed District Plan. Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, has been undertaken below:

Chapter	Rule Reference	Compliance of Proposal
<i>Hazardous Substances</i>	<i>The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility. HS -R5 relates to a hazardous facility within a scheduled site and area of significance to Maori. HS-R6 relates to a hazardous facility within an SNA. HS-R9 relates to a hazardous facility within a scheduled heritage resource.</i>	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
<i>Heritage Area Overlays</i>	<i>All rules have immediate legal effect (HAR1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)</i>	Not applicable. The site is not located within a Heritage Area Overlay.
<i>Historic Heritage</i>	<i>All rules have immediate legal effect (HHR1 to HH-R10) Schedule 2 has immediate legal effect</i>	Not applicable. The site is not located within a Heritage Area Overlay.
<i>Notable Trees</i>	<i>All rules have immediate legal effect (NTR1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect</i>	Not applicable. The site does not contain any notable trees.
<i>Sites and Areas of Significance to Maori</i>	<i>All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect</i>	Not applicable.
<i>Ecosystems and Indigenous Biodiversity</i>	<i>All rules have immediate legal effect (IB-R1 to IB-R5)</i>	The property is not identified as a Significant Natural Area. The proposal is not in breach of rules IB-R1 to IB-R5.
<i>Subdivision</i>	<i>The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17</i>	Not applicable. The proposal is not a subdivision
<i>Activities on the Surface of Water</i>	<i>All rules have immediate legal effect (ASWR1 to ASW-R4)</i>	Not applicable. The proposal does not involve activities on the surface of water.
<i>Earthworks</i>	<i>The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5</i>	Proposed earthworks meet permitted activity status and will follow guidelines listed.
<i>Signs</i>	<i>The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area</i>	Not applicable. No signs are proposed as part of this application.
<i>Orongo Bay Zone</i>	<i>Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water</i>	Not applicable. The site is not located in the Orongo Bay Zone.

The assessment above indicates that the proposal is determined to be a Permitted Activity in regard to the Proposed District Plan. Therefore, no further assessment of these rules will be undertaken.

4.6 Far North District Plan Section Assessment Criteria

4.6.1 Visual Amenity Assessment Criteria within Coastal Living Zone Section 10.7.5.3.1

“10.7.5.1.1 Visual Amenity

(a) any new building(s), provided that the gross floor area of any new building(s) permitted under this rule, does not exceed 50m²”

The activity is not Controlled or Restricted Discretionary as a building envelope was not designated during subdivision as per section 10.7.5.2.2 and 10.7.5.3.1. The proposed shed will have a floor area of 117m² exceeding the permitted 50m². The activity is Discretionary as per section 10.7.5.4 (c) *“It does not comply with one or more of the other standards for permitted, controlled, or restricted discretionary activities in this zone as set out under Rules 10.7.5.1; 10.7.5.2 and 10.7.5.3”*.

In assessing an application under this provision, the Council will restrict the exercise of its discretion to:

- (a) any new building(s); or***
- (b) any alteration/addition to an existing building that do not meet the permitted activity standards in Rule 10.7.5.1.1 where the new building or building alteration/addition is located partially or entirely outside a building envelope that has been approved under a resource consent.***

When considering an application under this provision the Council will restrict the exercise of its discretion to matters relating to:

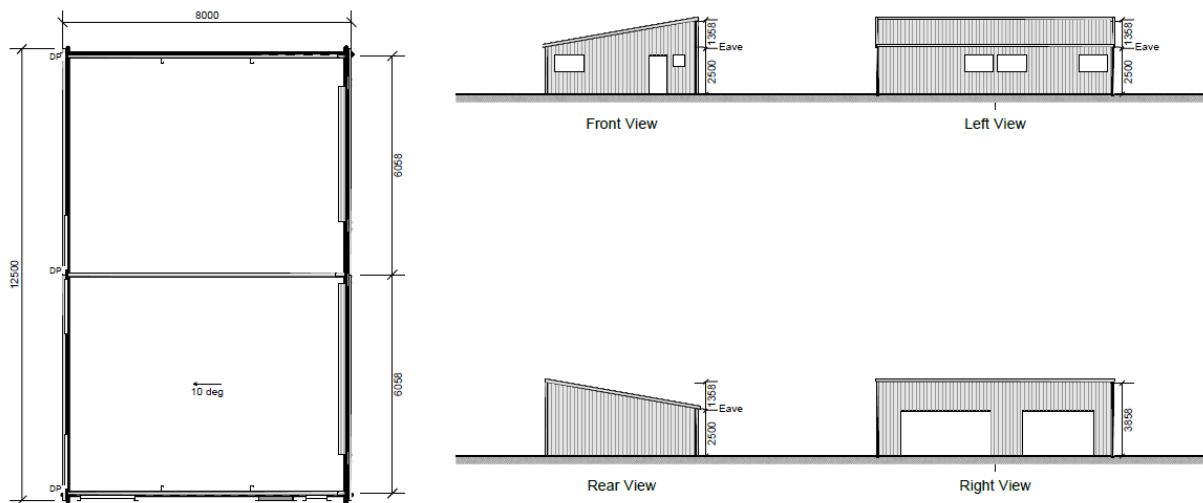
- (i) the location of the building;***

The western part of the property is developable as it is outside of steep bush to the east, Covenant Line, marked K on the Certificate of Title Diagram, Appendix I. The proposed shed will be located to the southeast of the property, 2.3m from the southern boundary as shown on the Site Location Plan, A01a, Appendix II. The shed is to be situated over top of 2 existing, concrete water tanks shown visually on Elevation Sheet, A04, Appendix II. For the pile foundations to be evenly spread to accommodate the water tanks a closer proximity to the southern boundary was required. The proposed location provides easy access to the shed from the existing metal driveway. The shed location allows for a future dwelling to be located to the west of the property (tiny home likely to be removed).


- (ii) the size, bulk, and height of the building or utility services in relation to ridgelines and natural features;***

The proposed 117m², shed with a height of 6.4m is under the 8m maximum permitted in a Coastal Living Zone. The Architectural Plans, Appendix II and Figure 1 below show the exterior of the building. The shed will be modern and aesthetically pleasing, clad in black, MC760 Coloursteel Maxam. Existing regenerating bush and new plantings in front of the shed (shown in Photograph 2 and the Landscape Plan, Sheet A01b) will assist in blending the building with the landscape.

Plan Sheet



Plan View

PROJECT NO: 18526-1	CUSTOMER: Grant McInnes Ph 02 146 2462	SITE: 12C Broadview Road Opua 0200	 <small>Page 2 of 7</small> <small>23/07/2025</small>
DATE: 23/07/2025	PROJECT NAME:	LOT ON PLAN:	
DRAWING NO: PLNSHT1	QUOTE NAME: Grant McInnes		

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Figure 1: Shed Ex Plan Sheet

(iii) the colour and reflectivity of the building;

There is no requirement in a Coastal Living Zone for the exterior of the building to be within the BS5252 standard colour palette range with a reflectance value (LRV) of 30% or less. However, the Coastal Environment overlay in the Far North Proposed Plan does require this (CE-S2). The shed exterior is to be black, MC760 Colorsteel Maxam similar to Cinder, N28-008-243 with an LRV of ~6. The shed exterior will blend with the surrounding environment specifically regenerating bush including darker coloured Mānuka and Kānuka.

(iv) the extent to which planting can mitigate visual effects;

Lot 3 is located in an area where the landscape is covered by scrub and regenerating native bush as shown on the Northland Regional Council Map, Section 3.2. The bush on Lot 3 and neighbouring properties reduces the visibility of the shed from neighbouring dwellings. A small area of land to the west of Lot 3 is used for residential development. The remainder of the property will remain native bush. The property owner has planted native trees and extensive gardens to the west of the lot which will further reduce visibility and blend the shed with the surrounding landscape.

The proposed shed is to be located 2.3m from the southern boundary. Photograph 1 shows the view to the south from the proposed shed site. Regenerating native bush including Mānuka, Kānuka and Taneka on Lot 3 and neighbouring Lot 4 DP 322745 mean that the shed is currently almost completely screened from view from the existing dwelling on Lot 4. The shed will not be visible from the dwelling as the trees mature. The owner has planted native species such as Mānuka, Kānuka, Flax, Coprosma and Rimu downslope of shed which will further reduce visibility. The owner of Lot 4 has given written approval for the shed to be 2.3m from the boundary breaching the sunlight rule (provided in Appendix III).

Photograph 3 shows the view from the building platform to the east towards Russell. Due to the slope and existing vegetation neighbouring dwellings, located in Opuia, to the east, are not visible. There is some visibility of the shed from boats on the ocean and dwellings in Russell. Visibility is reduced due to distance and existing vegetation. Once mature, native plantings, downslope of the water tanks, shown in Photograph 2, will further reduce visibility of the shed and blend it with the surrounding environment. The black shed will blend with the dark vegetation (for example Mānuka and Kānuka).

The shed is not visible to neighbouring dwellings in Opuia, to the north. Visibility from the coastal marine area is reduced due to existing, regenerating, native bush. The owner has extensively planted the western part of the property which, as it matures, will further reduce the visibility of the shed and blend it with the natural environment. Photograph 4 shows juvenile plantings by the owner and regenerating bush which will obscure or partially obscure the shed from the north.

The proposed shed will not be visible from the right of way except at the driveway entrance. The shed will be partially visible to the neighbouring dwelling located on Lot 6 DP 322745 as shown in Photograph 5. The shed is located on lower topography than the dwelling on Lot 6. Due to the higher elevation and orientation of the dwelling on Lot 6 the view from the dwelling will not be obscured by the shed.

Existing plantings along the western boundary reduce visibility of the development from the right of way. Lot 3 is not visible from the west due to thick, native vegetation. Refer to Photograph 6.

The Landscape Plan, Sheet A01b, Appendix II shows existing bush and plantings by the owner. The property is extensively planted.

(v) any earthworks and/or vegetation clearance associated with the buildings;

Earthworks are not required for the foundations as the shed is to be on piles. The owner has revegetated any areas previously cleared.

(vi) the location and design of associated vehicle access, manoeuvring and parking areas;

A 98m², existing, metal driveway as shown on Sheet A01a, Appendix II will provide access to the shed. Cars will be parked in the shed.

(vii) the extent to which the building will be visually obtrusive;

The shed has a floor area of 117m² with a height of 6.4m, under the 8m maximum permitted in a Coastal Living Zone. The black shed exterior and existing vegetation will assist in blending the building with the surrounding landscape.

(viii) the cumulative visual effects of all the buildings on the site;

At present a shed only is proposed. A house may be constructed in the future. The ~30m², tiny home is temporary and may be removed. The tiny home is clad in black colour steel and cedar as shown in Photograph 7 below. The exterior of the shed will match the black colour steel on the tiny home, reducing cumulative visual effects.



Photograph 7: Showing the tiny home currently onsite. The shed exterior will match the black coloursteel.

(ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;

The residential development of the property is in keeping with land use characteristic of the area. A small area of land to the west of the property will be developed. The remainder of the lot will remain regenerating, native bush.

(x) the extent to which private open space can be provided for future uses ;

A small area to the west will be developed. The remainder of the 2,985m² property will remain native bush and scrub.

(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;

Development of the property is restricted to the west close to the right of way and driveway. Land to the east will remain bush as per land Covenant K. Once vegetation is mature the shed will not be visible to adjacent sites apart from Lot 6. The location of the shed on lower topography to Lot 6 as well as existing vegetation will reduce visual effects. The dark exterior proposed and existing vegetation will assist in blending the building with the surrounding landscape.

-
- (xii) the extent to which non-compliance affects the privacy, outlook, and enjoyment of private open spaces on adjacent sites.**

The privacy, outlook, and enjoyment of private open spaces on adjacent sites is expected to be minimal due to existing vegetation obscuring or partially obscuring the shed from view. Visibility to boats on the ocean and dwellings in Russell is reduced due to distance. The dark colour and surrounding vegetation will assist in blending the shed with the landscape.

4.6.2 Sunlight Assessment Criteria within Coastal Living Zone Section 10.7.5.3.3

“10.7.5.1.5 Sunlight

No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary, except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site”.

The activity is Restricted Discretionary because although the southeast corner of the shed projects beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on the southern boundary, it does not project beyond a 45-degree recession plane as measured inwards from 3m as per 10.7.5.3.3. The southeast corner of the shed does not comply with the rule. The neighbouring property affected is Lot 4 DP 322745.

When considering a restricted discretionary activity under this rule the Council will restrict the exercise of its discretion to matters relating to:

- (a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.***

The Architectural Plan, Sheet A03, Elevation B, Appendix II shows that the southwest corner of the shed complies with the sunlight rule. The Architectural Plan, Sheet A03, Elevation D, Appendix II shows the southeast corner only of the shed does not comply with the 2m high rule. This means 540mm of shading would occur on neighbouring Lot 4 DP 322745. This is a very small area. This area is covered by bush and scrub currently restricting sunlight to Lot 4.

Photographs 1 and 2 and the NRC Map, Section 3.2 shows the existing bush and scrub between Lot 3 and 4. The dwelling on Lot 4 (~20m from the proposed shed) is currently just visible through the existing vegetation. As the vegetation grows the visibility between the buildings will be completely obscured providing privacy. If the vegetation on Lot 4 was removed the shading of 540mm onto the property is not significant in requiring mitigation in this situation. The owner of Lot 4 has signed a Notice of Written Approval, provided as Appendix III giving permission for the sunlight breach.

- (b) The location and proximity of adjacent residential units, and the outdoor space used by those units.***

The dwelling on Lot 4 is approximately 20m from the proposed shed location. The shading from the shed is likely to extend approximately 540mm onto the property, therefore, not affecting the dwelling. The 540mm area is currently bush and scrub which creates more shading than the proposed shed.

(c) The ability to mitigate any adverse effects of loss of sunlight.

Existing vegetation on Lot 4 effects sunlight more than the proposed shed. If the vegetation was removed the shading of 540mm onto the property is not significant in requiring mitigation in this situation.

4.6.3 Setback from Boundaries Assessment Criteria within Coastal Living Zone Section 10.7.5.3.6

“10.7.5.1.7 Setback from Boundaries

Buildings shall be setback a minimum 10m from any site boundary, except the on any site with an area less than 5,000m² this setback shall be 3m from any site boundary”.

The shed is located on a 2,985m² lot requiring a 3m setback. The shed is to be situated 2.3m from the southern boundary breaching the 3m setback. Lot 4 DP 322745 is the affected property. The breach is not listed as Controlled and is defined as a Restricted Discretionary activity as per 10.7.5.3.6.

In assessing an application resulting from a breach of Rule 10.7.5.1.7 Setback from Boundaries the matters to which the Council will restrict its discretion are:

(a) The extent to which the building(s) reduces outlook and privacy of adjacent properties:

The proposed shed is to be located 2.3m from the southern boundary which could potentially affect the outlook and privacy of adjacent, southern Lot 4 DP 322745. However, existing regenerating bush and scrub including Mānuka, Kānuka, Rimu and Taneka are located on Lot 3 and 4 between the buildings. Photographs 1 and 2 show that the vegetation almost obscures the existing dwelling on Lot 4 from view. Once the vegetation is mature the dwelling will not be visible at all. Therefore, the outlook and privacy to Lot 4 is nil to less than minor.

(b) The extent to which the buildings restrict visibility for access and egress of vehicles:

The proposed shed will not restrict the visibility for access and egress of vehicles along the right of way.

(c) The ability to mitigate any adverse effects on the surrounding environment, for example by way of planting:

Existing regenerating bush and plantings by the owners of Lot 3 mitigate potential visual effects to Lot 4.

(d) The extent to which the buildings and their use will impact on the public use and enjoyment of adjoining esplanade reserve and strips and adjacent coastal marine areas.

There are no adjoining esplanade reserves, strips or adjacent coastal marine areas that will be affected by the construction of the shed.

5.0 New Zealand Coastal Policy Statement (2010) Objectives & Policies

A key issue under the NZCPS in relation to this application is the potential loss of natural character, landscape values and wild or scenic areas along the coast whilst meeting the high demand for coastal sites by people for residential use.

The objectives of the NZCPS were reviewed, p. 9-10. The following objectives listed are somewhat relevant to the activity proposed.

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through: Recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution

The distance, black exterior of the shed and extensive vegetation will reduce the visibility of the shed from the coastal marine area.

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by: Recognizing that the coastal marine area is an extensive area of public space for the public to use and enjoy

The distance, black exterior of the shed and extensive vegetation will reduce the visibility of the shed from the coastal marine area.

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development, recognizing that: The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits and The potential to protect, use and develop natural and physical resources in the coastal marine area should not be compromised by activities on land.

Lot 3 and surrounding properties were subdivided with the intention of residential use. The construction of a shed on the land is appropriate. The tiny home and shed are serviced by an aeration treatment system with surface laid dripper lines and 2 existing concrete water tanks. Wastewater and stormwater will not affect the coast. Visual effects of the shed have been mitigated as far as practical.

The following policies taken from p. 11-25 are relevant or somewhat relevant to the activity.

Policy 1

Extent and characteristics of the coastal environment

(1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.

(2) Recognise that the coastal environment includes: (a) the coastal marine area;

The proposed development is to occur in a Coastal Living zone which will become Rural Lifestyle with a Coastal Environment overlay in the new District Plan. The distance, black exterior of the shed and extensive vegetation will reduce the visibility of the shed from the coastal marine area.

Policy 6

Activities in the coastal environment

1 (b) Consider the rate at which built development, and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;

(h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects

2 (c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;

Visual effects are reduced due to the distance from the coastal marine area, black exterior of the shed and extensive vegetation surrounding the shed. The proposed development is to occur on a section subdivided for residential development.

Policy 13

Preservation of natural character

(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development: (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by: (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character.

The property is currently zoned Coastal Living in the operative Far North District Plan and will be zoned Rural Lifestyle with Coastal Environment overlay in the proposed plan. The proposed use, development and mitigation for potential visual amenity effects are appropriate for the property and its location.

Policy 15

Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development: (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment by (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to (iv) aesthetic values including memorability and naturalness.

The proposed development is to occur on the mainland in a Coastal Living Zone to become Rural Lifestyle with Coastal Environment overlay. Photograph 3 shows potential visibility to Russell. The visibility will be reduced with the dark colour of the building and surrounding vegetation. Visibility from any other island, headlands or areas zoned Outstanding Landscape is unlikely due to distance. The subdivision created a 2,985m² section to be used for residential purposes. The proposal is in keeping with the intended purpose.

6.0 Regional Policy Statement for Northland (May 2016) Objectives and Policies

The Regional Policy Statement for Northland (May 2016) was assessed in relation to the proposed activity.

Objectives from p.33-49 were reviewed. The objectives below are somewhat relevant to the activity.

3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage

Identify and protect from inappropriate subdivision, use and development:

- (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins.**

The subdivision created a 2,985m² section to be used for residential purposes. The proposed activity is considered appropriate use and development. The proposal will not negatively affect the qualities and characteristics of the coastal environment due to distance. Wastewater and stormwater are managed onsite.

3.15 Active management

Maintain and/or improve: (a) The natural character of the coastal environment and freshwater bodies and their margins.

The activity maintains the natural character of the coastal environment and freshwater bodies and their margins. The property is well away from the coast (over 120m closest point).

Policies from p.52-139 were reviewed. The policies below are somewhat relevant to the activity.

4.6.1 Managing effects on the characteristics and qualities natural character, natural features and landscapes

(1) (b) Where (a) does not apply, avoid significant adverse effect and avoid remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include (i) Ensuring the location, intensity, scale and form of subdivision, and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins.

The location, intensity and scale of development is appropriate use and development in keeping with surrounding properties and the intended purpose of the land. The western part of the property is the most suitable location for development.

5.1.2 Policy – Development in the coastal environment

Enable people and communities to provide for their well-being through appropriate subdivision, use and development that: (c) takes into account the values of adjoining or adjacent land and established activities both within the coastal marine area and on land.

The development is appropriate for current and proposed zoning. The property is located well away from the coast. Potential visual effects on adjacent sites are considered, avoided, remedied or mitigated. The majority of the property will remain bush blending with the surrounding landscape.

SUMMARY

Section 4.6 and 7.2 discuss and assess the activity as well as provide strategies to avoid, remedy or mitigate potential visual amenity effects of the activity on adjacent sites. Visual impacts are reduced due to distance from the coastal marine area and the black exterior of the shed which will blend with existing, extensive, surrounding vegetation.

7.0 Notification Assessment, Section 95, RMA 1991

7.1 Section 95A-G, RMA 1991

Section 95A-G, Public Notification and Limited Notification of Applications, of the Resource Management Act (1991) were reviewed against the breach discussed.

95A Public Notification of Consent Applications

- (1) *A consent authority must follow the steps set out in this section, in the order given, to determine whether to publicly notify an application for a resource consent.*

Step 1: Mandatory public notification in certain circumstances

- (2) *Determine whether the application meets any of the criteria set out in subsection (3) and,—*
(a) if the answer is yes, publicly notify the application; and
(b) if the answer is no, go to step 2.
- (3) *The criteria for step 1 are as follows:*
(a) the applicant has requested that the application be publicly notified;
(b) public notification is required under section 95C;
(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

The applicant has not requested public notification nor is it required under section 95C. The application is not made jointly with an application to exchange recreation reserve land. Step 1 does not apply.

Step 2: If not required by step 1, public notification precluded in certain circumstances

- (4) *Determine whether the application meets either of the criteria set out in subsection (5) and,—*
(a) if the answer is yes, go to step 4 (step 3 does not apply); and
(b) if the answer is no, go to step 3.
- (5) *The criteria for step 2 are as follows:*
(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;
(b) the application is for a resource consent for 1 or more of the following, but no other, activities:
(i) a controlled activity;
(ii) [Repealed]
(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.
(iv) [Repealed]
- (6) *[Repealed]*

Step 2 does not apply to the activity.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- (7) Determine whether the application meets either of the criteria set out in subsection (8) and,-
- (a) if the answer is yes, publicly notify the application; and
 - (b) if the answer is no, go to step 4.
- (8) The criteria for step 3 are as follows:
- (a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;
 - (b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

The application does not require public notification. The activity will have a less than minor visual effect on the receiving environment.

Step 4: Public notification in special circumstances

- (9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,-
- (a) if the answer is yes, publicly notify the application; and
 - (b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

No special circumstances exist in this application which justify public notification.
From the assessment above it is considered that the application does not require public notification.

95B Limited notification of consent applications

- (1) A consent authority must follow the steps set out in this section, in the order given, to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: certain affected groups and affected persons must be notified

- (2) Determine whether there are any—
- (a) affected protected customary rights groups; or
 - (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

There are no protected customary rights groups or affected customary marine title groups.

- (3) Determine—
- (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and
 - (b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

Not applicable to this application.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

Step 2: if not required by step 1, limited notification precluded in certain circumstances

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

No, go to step 3.

(6) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:

(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

Step 3: if not precluded by step 2, certain other affected persons must be notified

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application.

The owner of Lot 4 DP 322745 has been approached due to the boundary and sunlight breach. The owner has signed a Notice of Written Approval for the breaches. The potential effect is less than minor.

Step 4: further notification in special circumstances

(10) Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons), and,—

(a) if the answer is yes, notify those persons; and

(b) if the answer is no, do not notify anyone else.

No special circumstances exist in relation to the application that warrant notification of other persons.

95C-E – Are not applicable as the activity has been assessed as being less than minor effect to neighbouring properties.

95F and G are not applicable as there are no affected customary rights groups involved or is it a customary marine title group.

It is considered that the application does not require public notification.

7.2 Neighboring Properties

Section 4.6.1 (iv) outlines how existing, regenerating bush on Lot 3 and neighbouring properties as well as vegetation planted by the owner, as it matures, will completely obscure the shed from neighbouring dwellings in the immediate area. The exception being the dwelling located upslope of the property on Lot 6 DP 322745. Existing vegetation and the shed located on lower topography will assist in reducing potential visual effects to the owners of Lot 6.

It is not anticipated that Lot 4 DP 322745 will be affected in any significant way due to the shed being within 3m of the boundary breaching the sunlight rule. This is because existing vegetation on Lot 3 and 4 already blocks visibility to the north, including the visibility of the shed. The 540mm of shading due to the sunlight breach is insignificant due to the small area affected and that existing trees currently shade Lot 4.

8.0 Resource Management Act Section 104 Assessment

8.1 Section 104 Assessment

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 and section 77M, have regard to:

(a) any actual and potential effects on the environment of allowing the activity; and

Section 104(1)(a) requires assessment of any actual and potential effects on the environment as a result of the proposed activity. Section 4, 5 and 7.2 discuss actual and potential effects. The conclusion reached is that the adverse effects of granting consent to the proposal are less than minor, and therefore acceptable in the receiving environment.

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;

Section 104(1)(ab) requires that the consent authority consider 'any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity'. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. Mitigation measures are proposed and have been discussed.

(b) any relevant provisions of:

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

The Regional Plan has been reviewed; there are no documents relevant to the proposal.

8.2 Part 2 of the Resource Management Act

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The application will have less than minor effect on the items in Part 2 of the Resource Management Act.

9.0 Schedule 4

Information required in assessment of environmental effects.

(1) An assessment of the activity's effects on the environment must include the following information:

(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

Refer to Section 4 which discusses the activity, potential effects, and mitigation methods (specifically Section 4.6, Operative District Plan, Assessment Criteria). The activity will not result in any significant adverse effects on the environment.

(b) an assessment of the actual or potential effect on the environment of the activity:

This report, specifically Section 4, discusses potential effects. The potential effects with mitigation are expected to be less than minor.

(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:

There are no hazardous installations proposed.

(d) if the activity includes the discharge of any contaminant, a description of—

(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and

(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:

No contaminants are proposed.

(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:

Mitigation measures are discussed in this report. Refer to Section 4.6 for mitigation measures and recommendations.

(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

Refer to Section 7.0, Notification Assessment, Section 95, RMA 1991 and Section 7.2 Neighbouring Properties. Consultation has occurred with the owner of Lot 4 DP 322745.

(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

No monitoring is required for this activity.

(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

Protected customary rights not anticipated.

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

Refer to Section 4 for the assessment against the operative and proposed Far North District Plan and the Far North District Plan Assessment Criterion along with Section 5, New Zealand Coastal Policy Statement (2010) and Section 6, Regional Policy Statement for Northland (2016).

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

(a) oblige the applicant to consult any person; or

(b) create any ground for expecting that the applicant will consult any person.

Refer to Section 7.0 Notification Assessment, Section 95, RMA 1991.

Matters that must be addressed by assessment of environmental effects.

- (1) An assessment of the activity's effects on the environment must address the following matters:*
- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*
 - (b) any physical effect on the locality, including any landscape and visual effects:*
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.*
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

Refer to Section 4.0 - 7.0 which address the items required as per Schedule 4, Section 7.

10.0 Conclusion

The proposed shed will not be visible to neighbouring properties in Opua (as existing vegetation matures) due to existing vegetation on Lot 3 and surrounding properties. The exception is the dwelling on Lot 6 DP 322745. Due to the lower elevation of the shed and orientation of the dwelling the view from the dwelling will not be obstructed. Visibility from Russell and the surrounding coastal marine area will be reduced due to distance and the dark colour of the shed which will blend with extensive existing, dark coloured vegetation.

540mm of shading onto Lot 4 due to a breach of the sunlight rule is insignificant especially because existing trees already shade the area. The boundary breach of 0.7m will also have a less than minor effect to Lot 4 due to the existing vegetation which blocks visibility, providing privacy. The owner of Lot 4 has signed a Notice of Written Approval giving permission for both breaches.

The proposed residential development of the property is in keeping with surrounding land use. Most of the property will remain native bush retaining the naturalness of the area.


Appendix I

Certificate of Title & Consent Notices



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




R. W. Muir
Registrar-General
of Land

Identifier 90802
Land Registration District North Auckland
Date Issued 03 November 2004

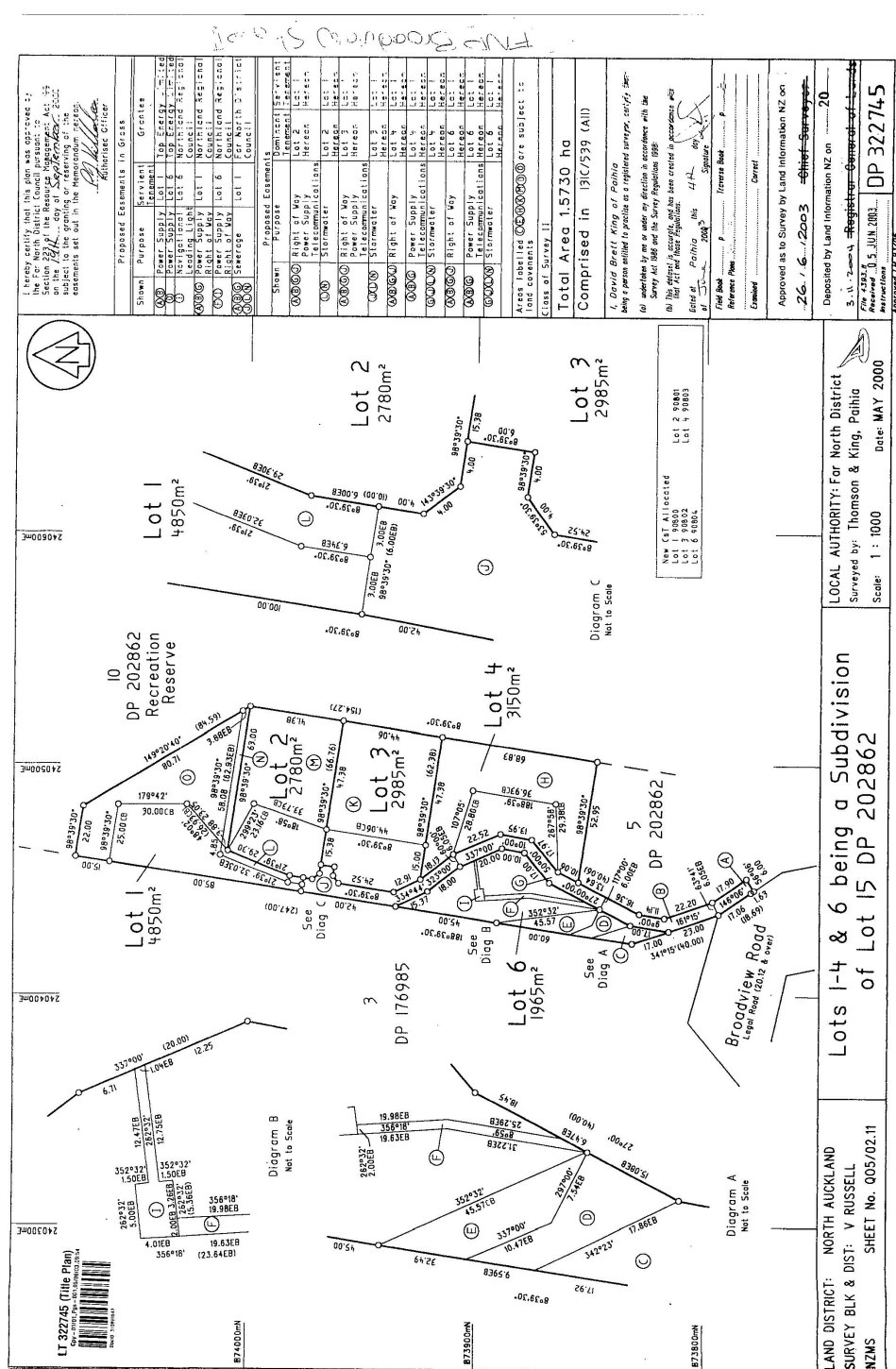
Prior References
NA131C/539

Estate Fee Simple
Area 2985 square metres more or less
Legal Description Lot 3 Deposited Plan 322745

Registered Owners
James Grant McInnes as to a 1/2 share
Natalie Gwendolyn Struthers as to a 1/2 share

Interests

D701622.3 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 19.4.2002 at 3:46 pm
Appurtenant hereto is a stormwater right specified in Easement Certificate D701622.9 - 19.4.2002 at 3:46 pm
The easements specified in Easement Certificate D701622.9 are subject to Section 243 (a) Resource Management Act 1991
6202373.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 3.11.2004 at 9:00 am
Land Covenant in Transfer 6202373.6 - 3.11.2004 at 9:00 am
Appurtenant hereto is a right of way, power supply, telecommunications and stormwater easements created by Easement Instrument 6202373.10 - 3.11.2004 at 9:00 am
6202373.11 Conservation Covenant pursuant to Section 77 Reserves Act 1977 - 3.11.2004 at 9:00 am
11644566.2 Mortgage to ASB Bank Limited - 19.12.2019 at 3:18 pm



FAR NORTH DISTRICT COUNCIL



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

CONO 6202373.1 Consen

Cpy - 01/01, Pgs - 004, 18/11/04, 15/24



DocID: 311665611

REGARDING RC1980831

The subdivision of Lot 1 DP 186086

North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the title of the affected allotments.

SCHEDULE

- i. Lots 1-4 and 6 will require specifically designed foundations, designed by a suitably qualified Registered Engineer to the satisfaction of Council. Details shall be submitted prior to or in conjunction with building consent applications.
- ii. Each site will require on-site aerated treatment of effluent to provide satisfactory treatment of wastewater prior to disposal. Details are to be submitted prior to or in conjunction with building consent applications.
- iii. Only one dwelling per site shall be erected which shall be in accordance with Conditions 2 (1) A, B, C & D of Resource Consent Ref 1980831, given below

2. DWELLINGS CONDITIONS


(1)

- A. Development on Lots 1-9 shall occur in accordance with the details provided in the application, being the bound document titles "Proposed subdivision, Land Use Consent for Far North Properties Ltd" as prepared by Thomson and King with the application dated 25 February 1998 and specifically the designs by Carnachan Architects Limited included in Chapter 2, of that document. The final design shall be to the approval of the Environmental Services Manager of the Council and shall include details on the types of material to be used, final colours and reflectivity, and the amount of earthworks required for each site/dwelling.
- B. Prior to the issue of building consents for any of the sites a detailed landscaping plan shall be submitted for the approval of the Environmental

Services Manager of the Council. This plan shall show proposed landscaping to lessen any visual impact of the dwellings, areas to be cleared for building purposes and fire resistant varieties of plants to be used in proximity of the dwellings. The plan shall also identify any significant trees within the building platform that are to be preserved. Such plans shall be based on the recommendations and report of D J Scott Associates, Landscape Architects & Resource Management Consultants, dated February 1988 included as part of the above referenced application document.

- C. The removal of any vegetation from within the building envelope, other than noxious weeds shall be prohibited, except where vegetation is removed in accordance with an approved landscaping plan as required by Condition 2 (1) B.
- D. The consent holder shall undertake and maintain thereafter all landscaping and the tree preservation required as per Condition 2 (1) B. Such landscape planting shall occur in the first planting season following completion of the exterior of the dwelling.

SIGNED:


by the FAR NORTH DISTRICT COUNCIL
under delegated authority:
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this 23rd day of July 2004

RC1980831
SRMICERT13221
4ENGLISHBAY221

Landonline User ID:
legalisau

LODGING FIRM:
LEGAL SEARCH LIMITED

Address:

Uplifting Box Number:
161

ASSOCIATED FIRM:
English Bay Corp

Client Code / Ref:
MACK [Sue]

HEREWITH
Survey Plan (#)
Title Plan (#)
Traverse Sheets (#)
Field Notes (#)
Calc Sheets (#)
Survey Report

Dealing / SUD Number:
(LINZ Use only)

Priority Barcoded Date Stamp
(LINZ use only)

Plan Number Pre-Allocated or
to be Deposited:

Rejected Dealing Number:

Other (state)

Priority Order

CT Ref

Type of Instrument

Names of Parties

DOCUMENT OR SURVEY FEES

MULTI-TITLE FEES

NOTICES

ADVERTISING

NEW TITLES

OTHER

RE-SUBMISSION & PRIORITY FEE

FEES \$ GST INCLUSIVE

1		C221	FAR NORTH DISTRICT COUNCIL	50.00								\$50.00
2		C224	FAR NORTH DISTRICT COUNCIL	50.00								\$50.00
3		C321	FAR NORTH DISTRICT COUNCIL	50.00								\$50.00
4		C37	FAR NORTH DISTRICT COUNCIL	50.00								\$50.00
5	MA131C/539	OCT	ENGLISH BAY CORP	106.00				4	\$424			\$530.00
6	90800 90801 90802 90803 90804	T	ENGLISH BAY - ENGLISH BAY	50.00	4	\$8						\$58.00
Land Information New Zealand Lodgement Form												
Annotations (LINZ use only)												
Fees Receipt and Tax Invoice												
GST Registered Number 17-022-896												
LINZ Form P006												
LINZ Form P005 - PDF												
Original Signatures?												
Subtotal (for this page) \$788.00												
Total for this dealing \$1,058.00												
Less Fees paid on Dealing #												
Debit per Account for \$1,058.00												
Version 1.7, 28 May 2004												

CONO 6202373.1 Cons
Cpy - 02/05, Pgs - 003, 02/11/04, 16/50
Copies
(inc. original)
DocID: 3160861

Page 43 of 53

Landonline User ID: **legalsau**
LODGING FIRM: **LEGAL SEARCH LIMITED**

Dealing / SUD Number:
(LINZ Use only)
Priority Barcode/Date Stamp
(LINZ use only)
CONO 6202373.1 Cons
Cpy - 03/05, Pgs - 003 02/11/04, 1b:50
Copies
(Inc. original)
DocID: 31166611

Client Code / Ref: **MACK [Sue]**
Plan Number Pre-Allocated or
Plan Number to be Deposited:
Rejected Dealing Number:

Priority Order	[CT Ref]	[Type of Instrument]	[Names of Parties]	DOCUMENT OR SURVEY FEES	MULTI-TITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ GST INCLUSIVE
7	90800 90804	T	ENGLISH BAY - TOP ENERGY	50.00	1	\$2					\$52.00
8	90800 90804	EC	ENGLISH BAY - NORTHLAND REGIONAL COUNC	50.00	1	\$2					\$52.00
9	90800	EC	ENGLISH BAY - FAR NORTH DISTRICT COUNCI	50.00							\$50.00
10	90800 90801 90802 90803 90804	EC	ENGLISH BAY - ENGLISH BAY	50.00	4	\$8					\$58.00
11	As Above	COV	ENGLISH BAY - FAR NORTH DISTRICT COUNCI	50.00	4	\$8					\$58.00
12											
13											

Land Information New Zealand Lodgement Form											
Fees Receipt and Tax Invoice											
GST Registered Number 17 022-895											
LINZ Form P005											
LINZ Form P005 - PDF											
Subtotal (for this page)											\$270.00
Running Total for Page 2 -											

D701622.3 CONO.

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING:


Lots 5, 7-11, 13 and 15 being a
Subdivision of Lot 1 DP 186086

PURSUANT to Section 221 and for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in the Schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the appropriate Certificates of Title.

SCHEDULE

- (i) Lots 5, 7-9 and 15 will require specifically designed foundations, designed by a suitably qualified registered engineer to the satisfaction of Council. Details shall be submitted prior to or in conjunction with building consent applications.
- (ii) Each site will require on-site aerated treatment of effluent to provide satisfactory treatment of wastewater prior to disposal. Details are to be submitted prior to or in conjunction with building consent applications.
- (iii) Stormwater disposal for Lot 5 shall be in accordance with Haigh Development Consultants' report dated 21 August 2000
- (iv) Only one dwelling per site shall be erected which shall be in accordance with conditions 2(1) A, B, C and D of Resource Consent Ref. 1980831.

SIGNED


By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
RESOURCE CONSENTS MANAGER

DATE

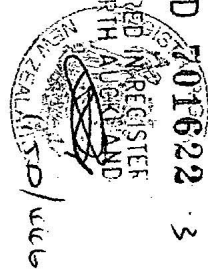
23-2 May 2001.

Ref:4393 RC 1980831

LINZ COPY ⊕

3.46 18 APR 02 D 701622 3

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND



3 CONO. 38

Proposed Shed

Grant McInnes
12c Broadview Road
Opuia
Lot 3 DP 322745

Sheet Index		
Sheet No.	Sheet Title	Rev
A01	Site Plan	A
A02	Floor Plan	A
A03	Elevations A & B	A
A04	Elevations C & D	A
A05	Framing Details	A
A06	Drainage & Vanity Details	A
Revisions		
-	-	-

Date: 4 August 2025
Job Number: 4231
Drawn by:



T 09 407 5208 | martin@obrienconsulting.co.nz



Lot 3 DP 322745
Lot area: 2,985m²
Corrosion zone: D
Wind zone: High
Costal Living zone

District plan compliance:

Visual Amenity: *RC Required*

Residential intensity: Complies

Scale of activity: Complies

Building height:
Permitted: 8m max
Proposed: 6.4m approx. Complies

Sunlight rule: Does not comply
Resource Consent application required

Stormwater Management

(Impermeable surfaces):
Existing metal driveway: 98.0m²
Existing tiny home: 30.0m²
Proposed shed: 117.0m²
Total proposed: 245.0m²

Total permitted = 10% of gross site area = 298.5m²
Total proposed = 245.0m² = 8.2% Complies

Setbacks to boundaries: 3m
Resource Consent application required

Earthworks

No earthworks required

Fire Risk to Residential Units:
Resource Consent application required

NOTES

1. All heights shown are existing ground heights.
2. Contour lines at 0.5m increments, sourced from Williams & King topographical survey.
3. All drainage to comply with AS/NZS3500 & NZBC G13/AS1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
4. Interconnected Smoke alarms to be installed to NZS4514:2021 located in all bedrooms, living spaces, hallways, and landings within the building spaces. Where a kitchen is separated from the living spaces with a door a suitable kitchen smoke alarm shall be installed. This may be a heat alarm to avoid nuisance activations.
5. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.

All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.

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Project Title
Grant McInnes
12c Broadview Road
Opua
Lot 3 DP 322745

Sheet Title
Site Plan

Drawn 18 July 2025

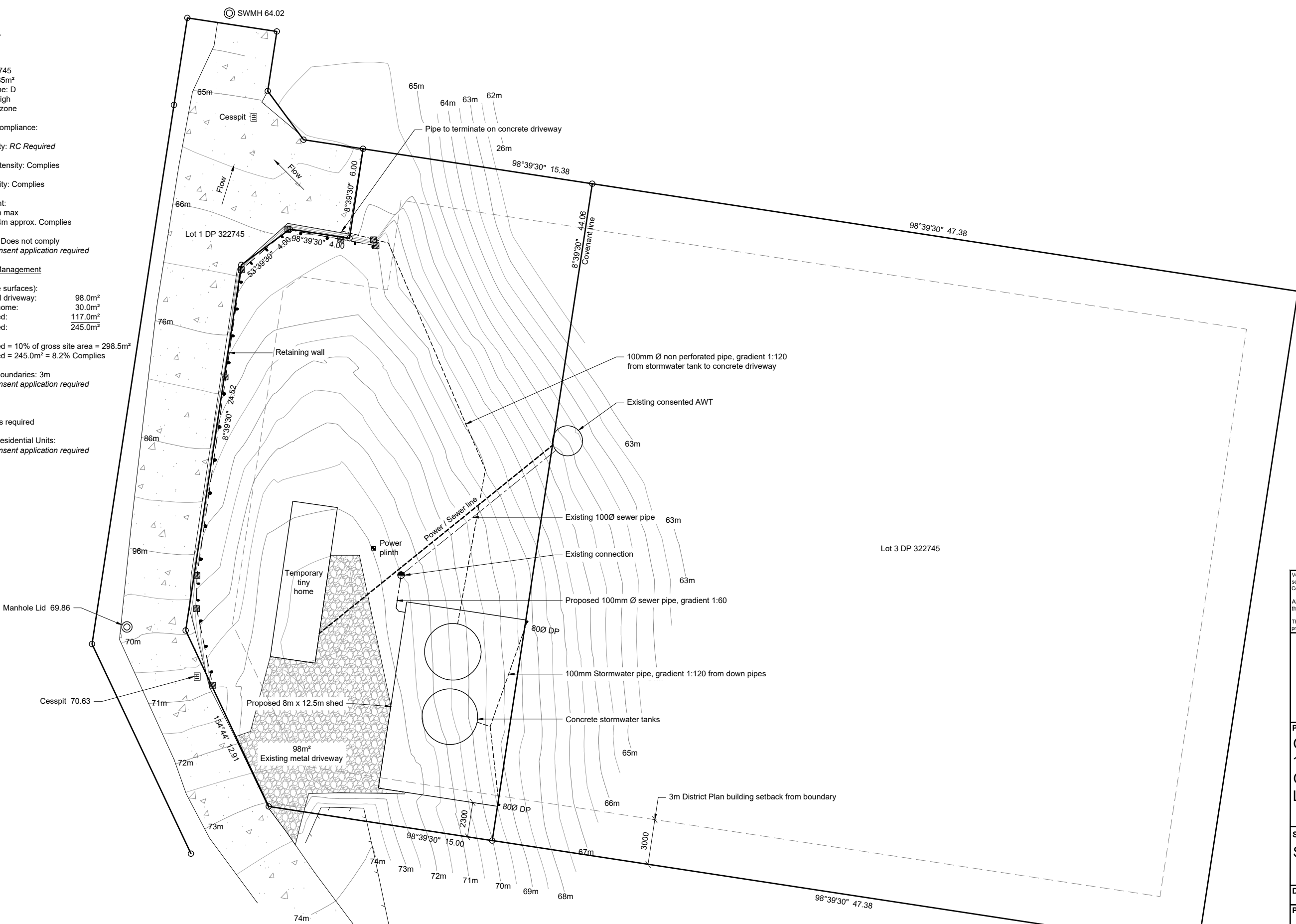
Project No 4231

Rev	Sheet
D	A01

Scale (A3 Original) 1: 250
2.5 1.25 0 2.5 5 m

Legend

- Power cable
- Stormwater: 100mm Ø pipe, min. gradient 1:120
- Sewer: 100mm Ø pipe, gradient 1:60
- Setback line
- Sewer connection





Mix of native and exotic plants including trees such as Rimu ~30m (h) x ~5m (w), Māpou ~5m (h) x ~3m (w), Kowhai ~8m (h) x ~5m (w), Rewarewa ~10m (h) x ~4m (w) brown and green cabbage trees ~8m (h) x ~1.5m (w), and shrubs including Hebes, Coprosma, Hibiscus, Citrus, Protea which grow approximately 1.5-2m high x 2m wide. Planted by owner.

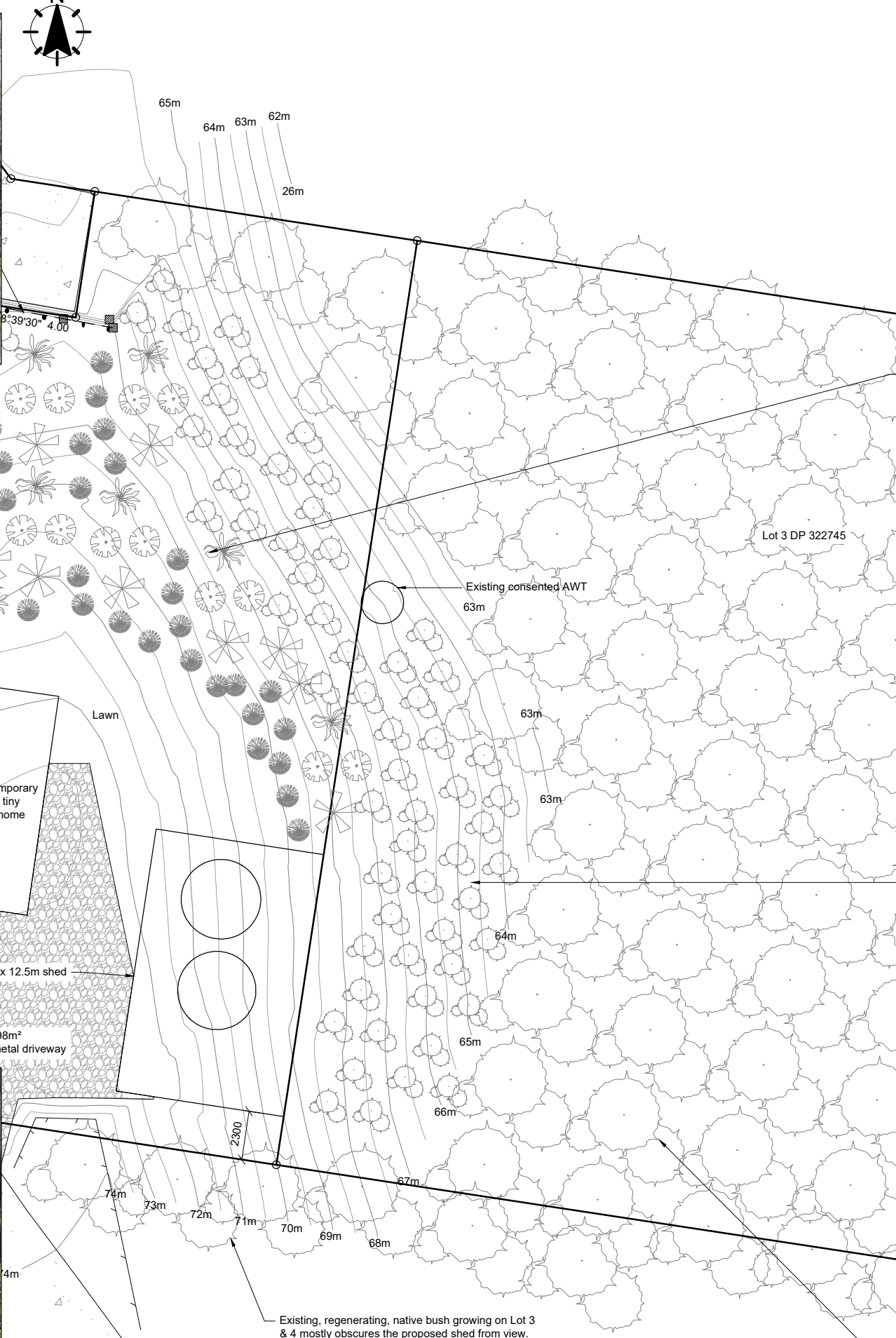


Existing, juvenile, native bush and scrub planted by owner including Mānuka, Kānuka and Rimu. Mānuka grows ~5m (h) x ~3m (w), Kānuka ~8m (h) x ~4m (w) whilst Rimu can reach heights of ~30m x ~5m (w).



Existing, regenerating, native bush consisting primarily of Mānuka, Kānuka, and Tanekaha. The Tanekaha is juvenile and can grow to ~20m (h) x ~5m (w).

Existing plantings along the right of way include Rimu, Mānuka, Kānuka, Coprosma, with an understorey including Hangehange, Hebes, Reinga Lillies, grasses. Planted by owner.



Existing, regenerating, native bush growing on Lot 3 & 4 mostly obscures the proposed shed from view. As the trees mature complete privacy will occur.

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Project Title
Grant McInnes
12c Broadview Road
Opua
Lot 3 DP 322745

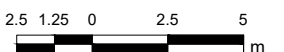
Sheet Title
Landscape Plan

Drawn 18 July 2025

Project No 4231

Rev D **Sheet** A01b

Scale (A3 Original) 1: 250





BUILDING AREA:

Floor Area: 117.0m²
Roof Area: 117.0m²

SPECIFICATION:

- Very high wind zone
- Exposure zone D
- Engineered pile foundations
- MC760 Colorsteel Maxam 0.40 Cladding
- 10mm GIB wall lining (WC)
- 13mm GIB ceiling lining (WC)

NOTE:

1. All dimensions taken from the outside of pre-cut, please check all dimensions before construction commences.
2. Refer to Framing & Lintel Plan for lintel dimensions, stud spacing & external door offsets.
3. Additional nogs to be installed at framing stage to allow for fixed shelves, wall mounted extractors, heat pump & A/C units where required.
4. All wall framing typically H1.2 treated unless specifically stated.
5. Luminance of 20 lux minimum to the additional office/break room to comply with NZBC G8.

NOTE:

1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
2. Number of downpipes required as per NZBC E1/AS1 1 x 74mmØ downpipe per 70m² roof plan area.
3. Stormwater: 100mm Ø UPVC pipe, minimum gradient 1:120.
4. All drainage to comply with AS/NZS 3500 & NZBC G13/AS1.
5. All lateral drains under slab to be a minimum of 65Ø.
6. Provide seismic restraints & temperature valve to hot water cylinder as per NZBC G12/AS1. Refer to separate sheet for details.

FIXINGS:

Exposure Zone: D
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

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Project Title

Grant McInnes
12c Broadview Road
Opua
Lot 3 DP 322745

Sheet Title

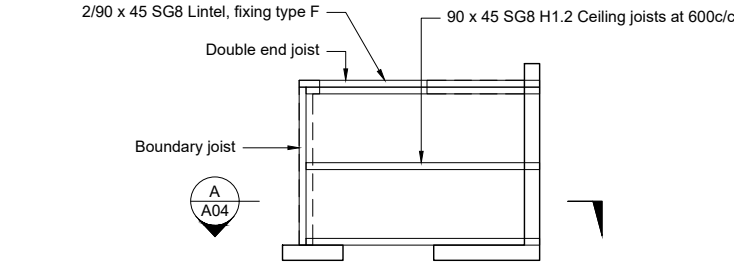
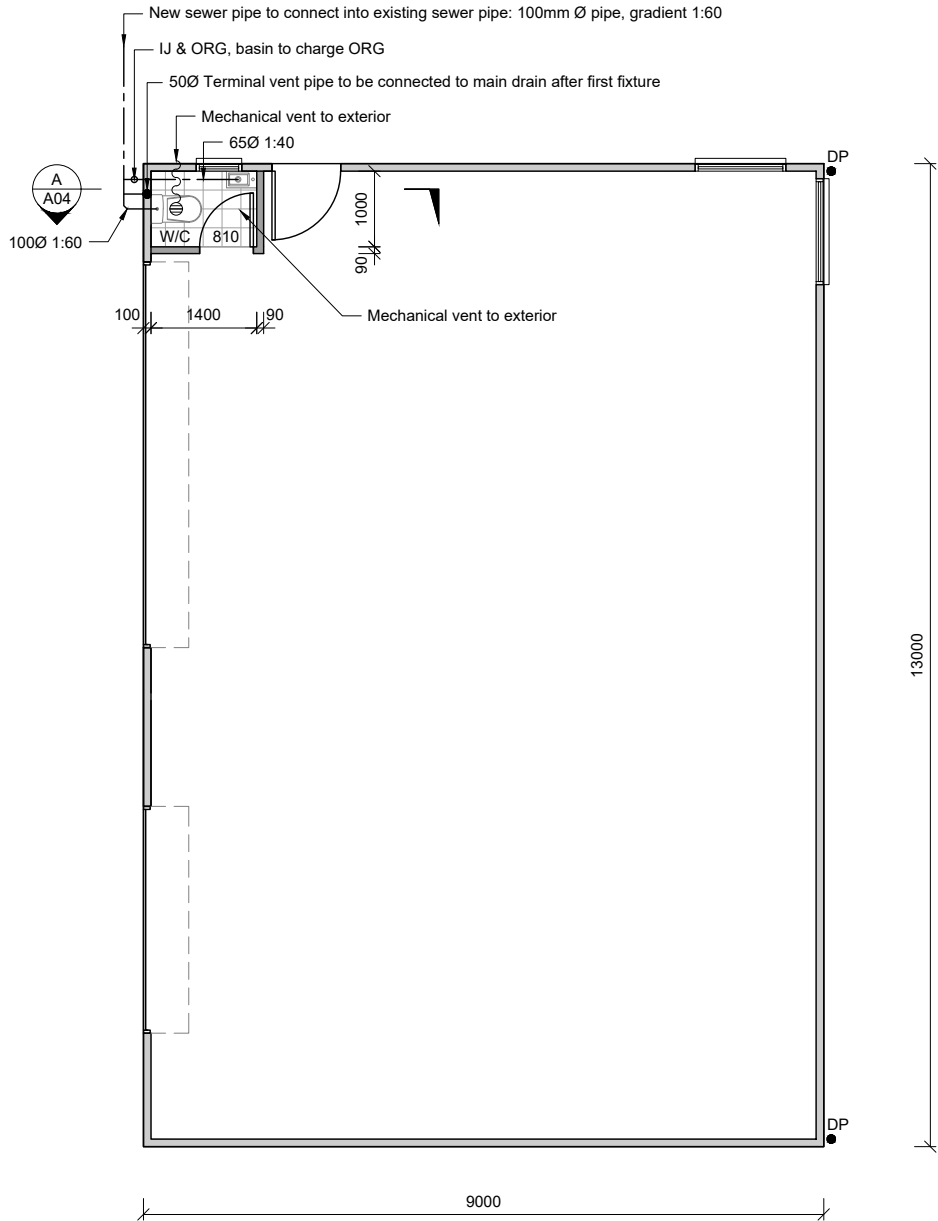
Floor Plan, Section &
Ceiling Joist Plan

Drawn 18 July 2025

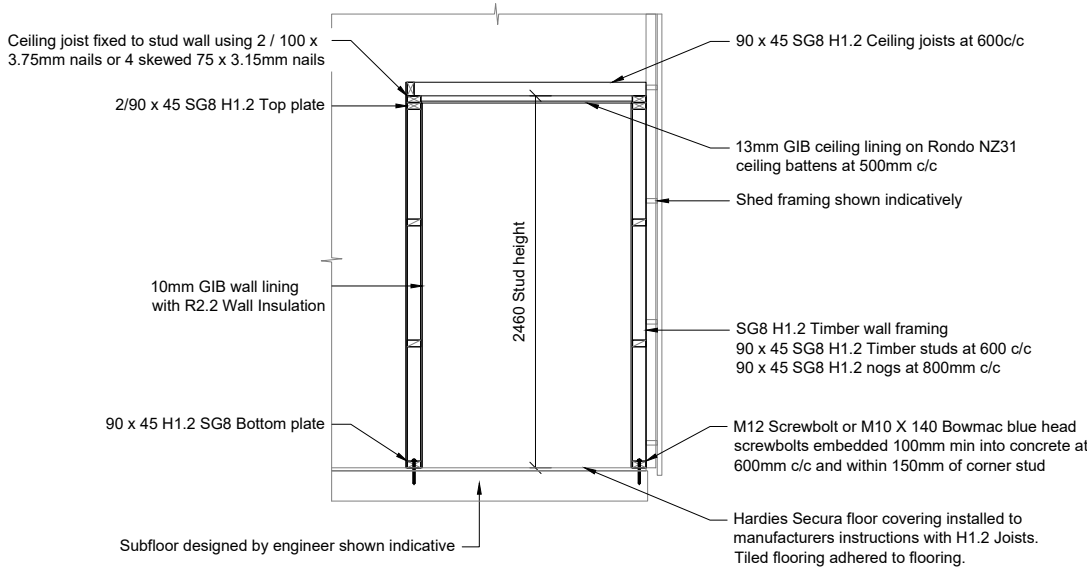
Project No 4231

Rev D Sheet A02

Scale (A3 Original) 1: 100



Ceiling Joist Layout Plan
SCALE = 1:50 @ A3

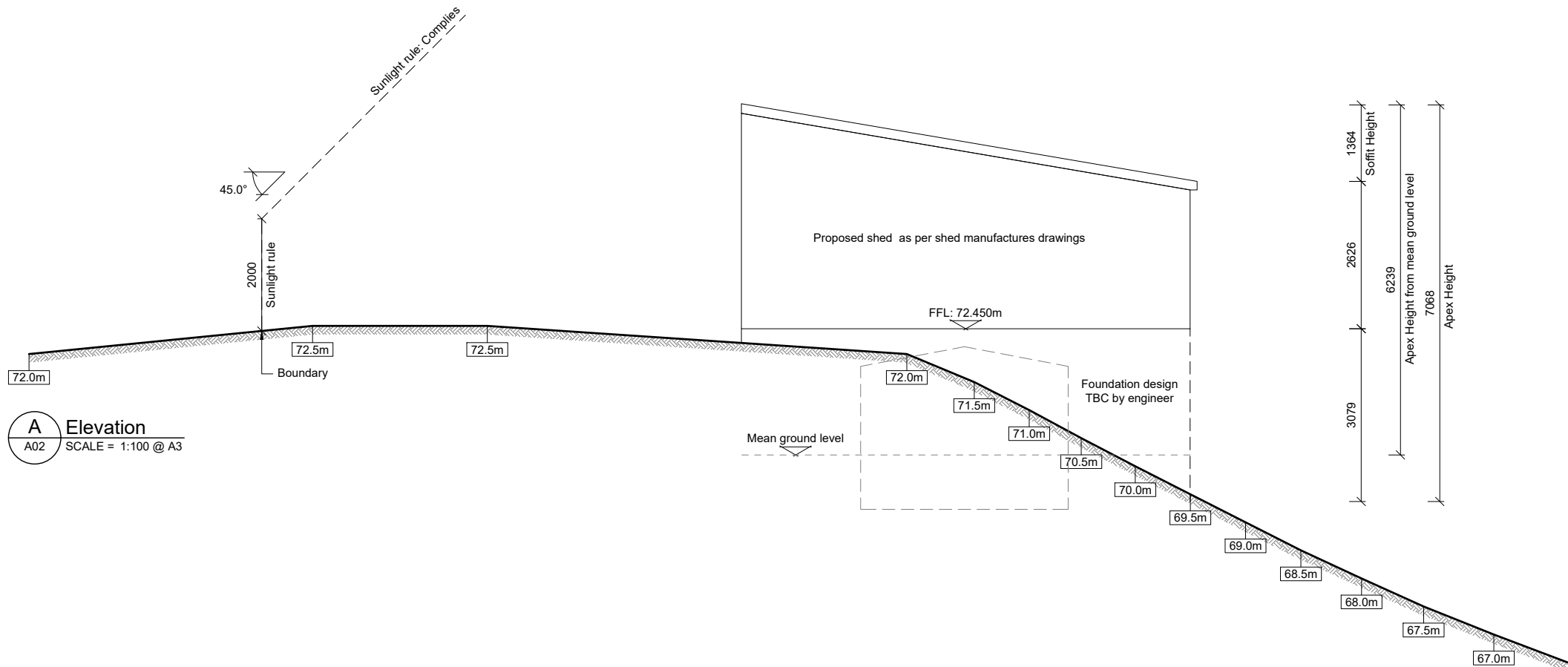


Section A
A02 SCALE = 1:50 @ A3

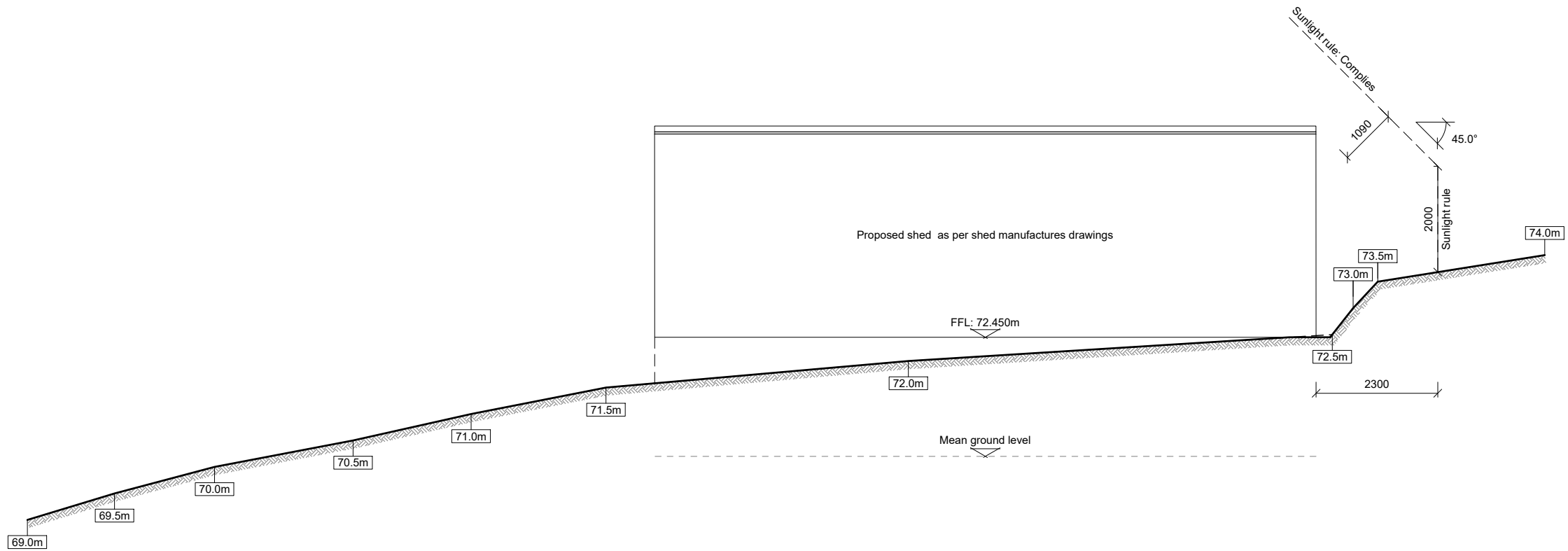
LEGEND

- ===== Ceiling joists
- 90 x 45 SG8 H1.2 Timber framing for internal load bearing walls, Studs at 600 c/c
- ===== Existing shed framing shown indicatively
- ===== Existing shed portal legs indicatively

● TV	Terminal Vent
● ORG	Overflow Relief Gully
+ RE	Rodding Eye
-----	Drainage - Waste Pipe
-----	110mm Ø Stormwater Pipe
-----	HWC Copper pipe



A Elevation
A02 SCALE = 1:100 @ A3



B Elevation
A02 SCALE = 1:100 @ A3

- NOTE:**
1. All heights shown are existing ground heights.
 2. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.
 3. All windows and doors double glazed other than the garage joinery.
 4. Grade A safety glazing in bathrooms & tall windows and sliders inline with NZS 4223.

FIXINGS:

Exposure Zone: D
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.

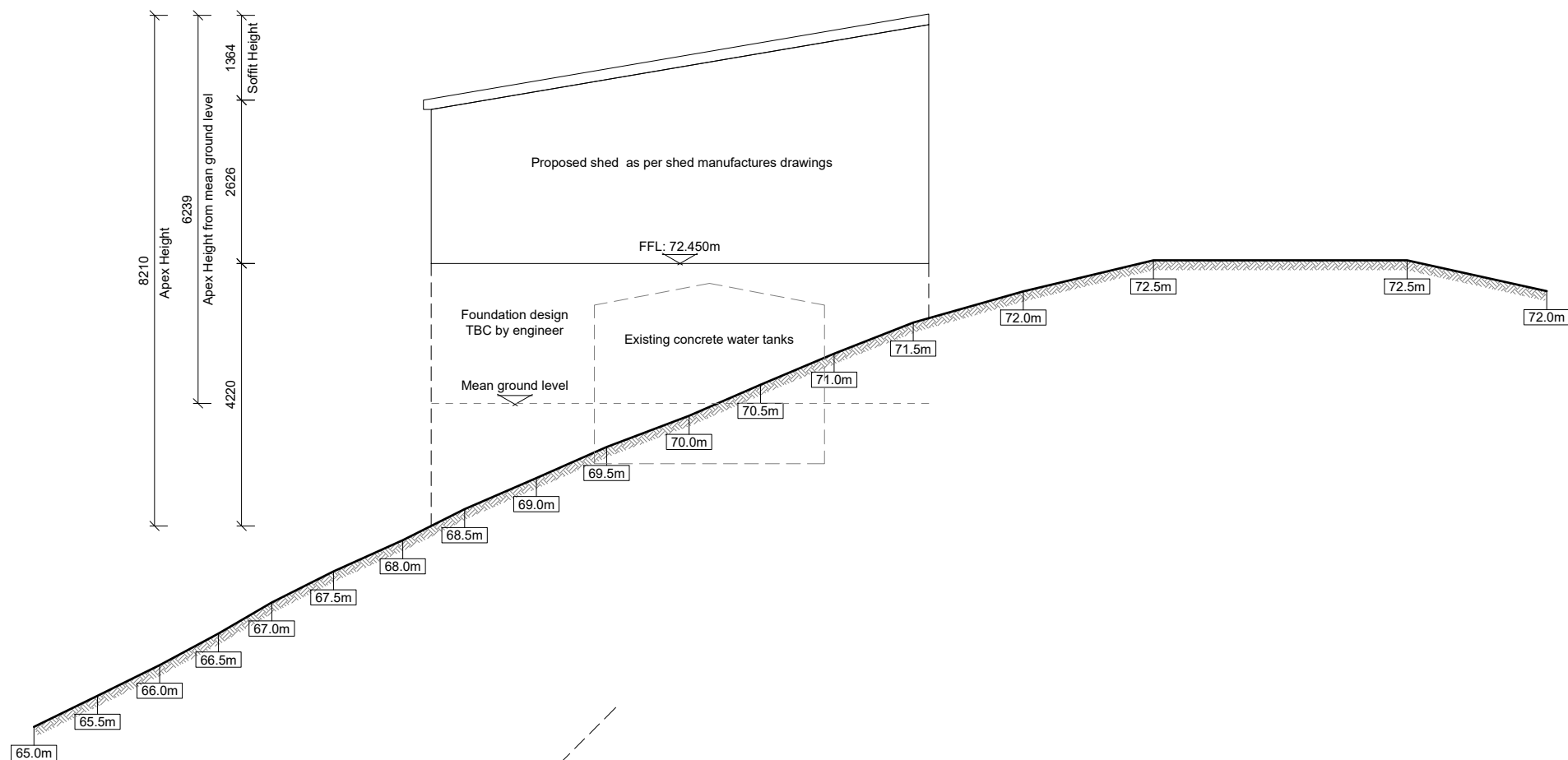
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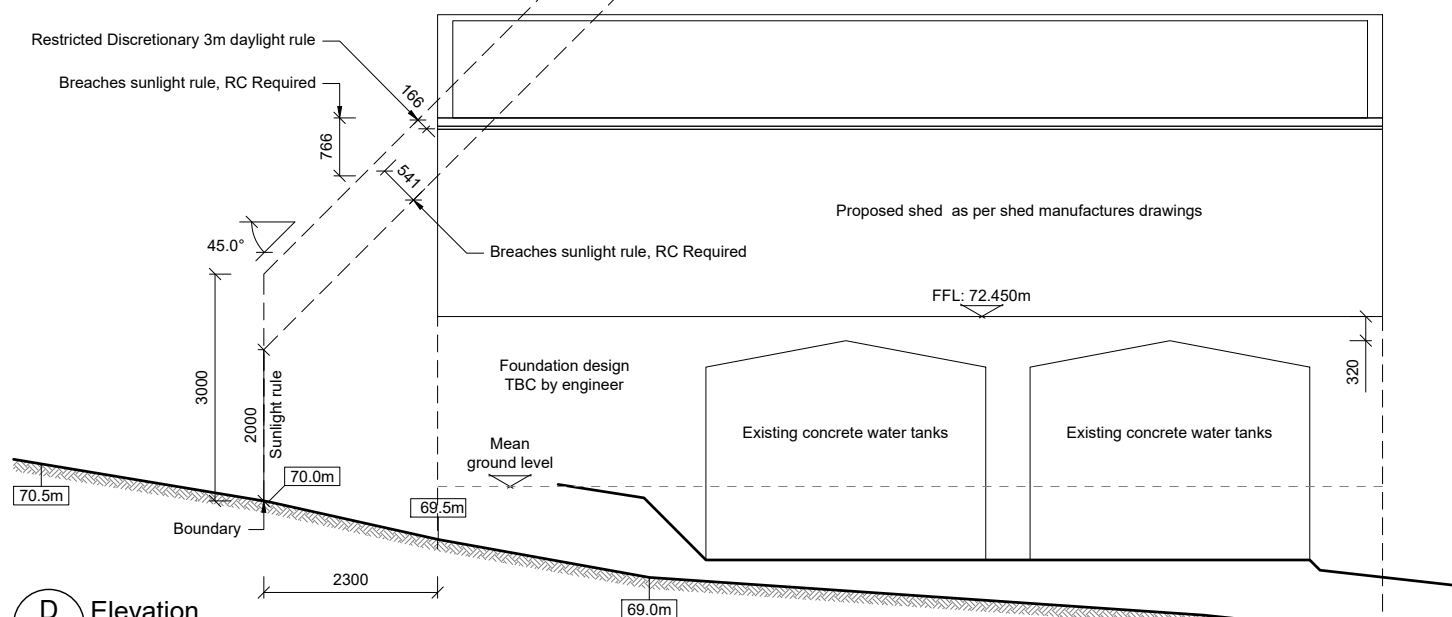
O'BRIEN DESIGN CONSULTING

T 09 407 5208 | martin@obrienconsulting.co.nz

Project Title Grant McInnes 12c Broadview Road Opua Lot 3 DP 322745	
Sheet Title Elevations A & B	
Drawn 18 July 2025	
Project No 4231	
Rev D	Sheet A03
Scale (A3 Original) 1: 100 1 0.5 0 1 2 m	



C Elevation
A02 SCALE = 1:100 @ A3



D Elevation
A02 SCALE = 1:100 @ A3

- NOTE:**
1. All heights shown are existing ground heights.
 2. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.
 3. All windows and doors double glazed other than the garage joinery.
 4. Grade A safety glazing in bathrooms & tall windows and sliders inline with NZS 4223.

FIXINGS:

Exposure Zone: D
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

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Project Title
Grant McInnes
12c Broadview Road
Opua
Lot 3 DP 322745

Sheet Title
Elevations C & D

Drawn 18 July 2025

Project No 4231

Rev	Sheet
D	A04

Scale (A3 Original) 1: 100

1 0.5 0 1 2 m



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:	Grant McInnes
Address of proposed activity:	12c Broadveiw Road, Opua
Legal description:	Lot 3 DP 322745
Description of the proposal (including why you need resource consent):	The proposed addition will breach District Plan rules: 10.7.5.1.5 Sunlight & 10.7.5.1.7 Setback from Boundaries. The proposed shed will be 2300mm from the western boundary The proposed shed will breach sunlight by approximately 800mm
Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):	<ol style="list-style-type: none">1. Page A01: Site Plan2. Page A02: Elevations A & B3. Page A03: Elevations C & D4. _____5. _____6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

LINDSAY WHOLSTRAW GREEN

Address of affected property including legal description

12 B BROADVIEW ROAD OPUA
LOT 4 DP 322745

Contact Phone Number/s and email address

Daytime:

09 402 027 953 email: 6640

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

19/7/2025

Signature

Date

Signature

Date

Signature

Date