



THOMSON
SURVEY
LIMITED

SURVEYORS AND RESOURCE
PLANNERS

Our Reference: 10056.1 (FNDC)

24 November 2023

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Proposed garage at 21 Motutara Drive, Karikari Peninsula – Nigel Ford and Kylee Power

I am pleased to submit application on behalf of Nigel Ford and Kylee Power, for a proposed garage on land at Motutara Drive, Rangiputa on the Karikari Peninsula. The property is zoned Coastal Residential. The application is a discretionary activity.

The application fee of \$2,500 has been paid separately via direct credit.

Regards



Lynley Newport
Senior Planner
THOMSON SURVEY LTD



**Far North
District Council**

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Office Use Only
Application Number:

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

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

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

1. Pre-Lodgement Meeting

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

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

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

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

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

Yes / No

4. Applicant Details:

Name/s: Nigel Ford & Kylee Power

Electronic Address for Service (E-mail):

Phone Numbers:

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

Post Code: 0483

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

Name/s: Lynley Newport; Thomson Survey Ltd

Electronic Address for Service (E-mail): lynley@tsurvey.co.nz

Phone Numbers: Work: 4077360

Home: _____

Postal Address:
(or alternative method of service under section 352 of the Act) P O Box 372
KERIKERI

Post Code: 0245

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

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

Name/s: as per item 4 Nigel Ford & Kylee Power
Property Address: 21 Motutara Drive
Location: Karikari Peninsula
0483

7. **Application Site Details:**

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

Site Address/ Location: 21 Motutara Drive
Rangiputa
Karikari Peninsula

Legal Description: Lot 51 DP 198775

Record of Title: NA126B/126

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.

Phone before Visit Please

8. **Description of the Proposal:**

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

To replace garage with new garage, breaching setback from boundary and sunlight rules on road boundary

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

9. **Would you like to request Public Notification?**

Yes/No

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Name/s: as per item 4 Nigel Ford & Kylee Power
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9. **Would you like to request Public Notification?**

Yes/No

14. Important Information:

Note to applicant

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

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

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

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

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

Name: _____ (please print)

Signature: _____ (signature)

Date: 23-11-23

(A signature made by electronic means)

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)
- 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.

Digital Applications may be submitted via E-mail to: Planning.Support@fndc.govt.nz

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

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

N Ford and K Power

REPLACEMENT OF GARAGE

221 Motutara Drive, Karikari Peninsula

**PLANNER'S REPORT &
ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Thomson Survey Ltd
Kerikeri

1.0 INTRODUCTION

1.1 The Proposal

The applicants plan to replace their existing garage with a new, and larger, one to be placed partially on the existing garage pad and partially on a proposed new slab. It is proposed to locate the new garage closer to the road boundary and it is proposed to be re-orientated such that the roller doors are on its north side (road boundary) rather than the west side as the existing garage doors are facing. It is proposed to have the garage entrance accessed directly via a new (and additional) crossing into the property.

The existing dwelling with deck remains unchanged (noting recent building consent has been issued for an extension to the veranda roof over existing deck). The existing crossing to the site will remain. Consent is required for breaches of Setback from Boundary rule and the Sunlight rule. These breaches occur on a road boundary and are therefore unable to be addressed as a Deemed Permitted Activity.

Plans are attached in Appendix 1. A location map is in Appendix 2. Title information is in Appendix 3.

1.2 Scope of this Report

This assessment and report accompanies the Resource Consent Application, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent to construct a replacement garage, as a discretionary activity under the Operative District Plan.

The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. The name and address of the owner of the property is contained in the Form 9 Application form.

2.0 PROPERTY DETAILS

Location: 21 Motutara Drive, Rangiputa, Karikari Peninsula

Legal description: Lot 51 DP 198775, contained in Record of Title NA126B/126, with an area of 600m²

3.0 SITE DESCRIPTION

3.1 Site characteristics

The site is located on Motutara Drive (sealed public road), at Rangiputa. Motutara Drive runs parallel to, but elevated from, Rangiputa Road which tracks along the beach front. Whereas parts of the residential area served by Rangiputa Road are mapped as potentially subject to coastal hazard, Motutara Drive is not, being elevated from, and clear of, any coastal hazard area.

The application site is south facing with views to the inner Doubtless Bay 'harbour'. The site is accessed off a straight and level portion of Motutara Drive, with footpath on same side as application site. The site supports existing residential dwelling and separate garage. To the south of the dwelling and down slope there is vegetation, mixed species and varied age and height, extending down to the lower lying ground at the back of residential buildings adjoining Rangiputa Road.

The site is sewered and also within a Council reticulated stormwater area. The site is not served by any Council operated reticulated water supply. The site has power.

The site is zoned Coastal Residential in the Operative District Plan and General Residential with a Coastal Environment overlay in the Proposed District Plan.

The site is urban and not identified on the FNDC's Far North Maps, Species Distribution layer, as being within a 'kiwi present' or 'high density kiwi' area (Far North Maps).

The FNDC's Far North Maps, Historic Sites layer does not identify any recorded or registered archaeological sites within the application site's boundaries, nor any Historic Place or Object, nor any Site of Significance to Maori.

3.2 Legal Interests

The title has an appurtenant right of way created by Transfer A169205. It is subject to Consent Notice D457748.2 and private Land Covenant in Transfer D638235.1. The Consent Notice is attached as part of Appendix 3.

The Consent Notice relates to a building line restriction applying to the 'top of escarpment' that runs parallel to Motutara Drive, requiring a 7m setback distance to be achieved from that escarpment, as mapped. The escarpment does not actually run into or through the application site, but the setback distance nonetheless applies and the existing dwelling and deck has been constructed in compliance with that setback distance requirement. The proposed new garage is on the landward side of the dwelling, even further distance from the top of the escarpment. The project complies with the Consent Notice.

3.3 Consent History

The site was one of many created in Rangiputa through a staged subdivision circa 1996. The lot was a Stage 2 lot – one of 46 created in that stage.

BC 2003-0210 was issued for dwelling and garage in 2003, along with an associated resource consent 2030041-RMALUC for a breach of the building coverage rule in the Transitional Plan in place at the time and to locate a garage within the 4m front yard setback applying in that Transitional Plan. EBC-2024-238 was issued recently to extend the veranda roof and other minor alterations, associated with the dwelling.

4.0 THE PROPOSAL IN DETAIL

A set of plans is attached in Appendix 1. The existing dwelling's total roof area is 186m², driveway coverage will be 40m² and the new garage area will be 57m². This results in a total impermeable coverage of 283m², or 47.1%. Building coverage will consist of dwelling floor area of 125m², new garage area of 57m², with total 182m², or 30.33% of total site area.

The dwelling continues to comply with all setback from boundary requirements. The new garage will be more than 1.2m from any side boundary. However, it will be less than 3m from road boundary, resulting in a breach of the zone's setback from boundary rule. It is proposed that the front roller door of the new garage will open directly onto road reserve. There will be no overhang out over the road reserve. The entrance into the garage will be formed to FNDC crossing standard applicable to a residential crossing. The crossing design is included in the Appendix 1 Plans.

The proposed garage is to be in dark colours, with shallow angle mono pitch roof also in dark colours. The roof is lower at its eastern end where the boundary setback with the adjacent property is 1.5m. The roof is 3.2m high at the eave on the eastern end, rising to 3.6m high at western end. There will be minimal boundary setback, along a distance of 7.8m, where that boundary is a road boundary, resulting in a breach of the Sunlight rule on that boundary.

The new garage will be placed mostly on the existing garage slab, with a 2m x 7.8m extension to that slab proposed to accommodate the footings of the new garage. There will be minimal earthworks required to establish the new shed and crossing.

5.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Clauses 2 & 3: Information required in all applications

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Sections 1.1 above and 4.0 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 7.0 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Section 3.0 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	The application is for land use consent only.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	Consent is being sought pursuant to the Far North Operative District Plan. No other resource consent is required.
<i>(f) an assessment of the activity against the matters set out in Part 2:</i>	Refer to Section 8.3 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i> <i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national</i>	Refer to Sections 7 & 8 of this Planning Report.

<p><i>environmental standard or other regulations).</i></p>	
<p><i>(3) An application must also include any of the following that apply:</i></p>	
<p><i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):</i></p> <p><i>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</i></p> <p><i>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</i></p>	<p>The site supports existing dwelling and detached garage, both consented buildings.</p> <p>There is no existing resource consent. Not applicable.</p> <p>The site is not within an area subject to a customary marine title group. Not applicable.</p>
<p><i>(4) An application for a subdivision consent must also include information that adequately defines the following:</i></p>	
<p><i>(a) the position of all new boundaries:</i> <i>(b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:</i> <i>(c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:</i> <i>(d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:</i> <i>(e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:</i></p>	<p>N/A – not a subdivision.</p>

<p>(f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A): (g) the locations and areas of land to be set aside as new roads.</p>	
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Clause 6: Information required in assessment of environmental effects

<p>(1) An assessment of the activity's effects on the environment must include the following information:</p>	
<p>(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:</p>	<p>Refer to Section 7.0 of this planning report. The activity will not result in any significant adverse effect on the environment.</p>
<p>(b) an assessment of the actual or potential effect on the environment of the activity:</p>	<p>Refer to Section 7.0 of this planning report.</p>
<p>(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:</p>	<p>Not applicable as the application does not involve hazardous installations.</p>
<p>(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:</p>	<p>The proposal does not involve any discharge of contaminant.</p>
<p>(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:</p>	<p>Refer to Section 7.0 of this planning report and appendices.</p>
<p>(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:</p>	<p>Refer to Section 9.0 of this planning report. No affected persons have been identified.</p>
<p>g) if the scale and significance of the</p>	<p>No monitoring is required as the scale and significance of the</p>

<p><i>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:</i></p>	<p>effects do not warrant it.</p>
<p><i>(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).</i></p>	<p>No protected customary right is affected.</p>

Clause 7: Matters that must be addressed by assessment of environmental effects (RMA)

<p><i>(1) An assessment of the activity's effects on the environment must address the following matters:</i></p>	
<p><i>(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:</i></p>	<p>Refer to Sections 7.0 and 9.0 of this planning report and also to the assessment of objectives and policies in Sections 8.1 and 8.2.</p>
<p><i>(b) any physical effect on the locality, including any landscape and visual effects:</i></p>	<p>Refer to Section 7.0. The site has no high or outstanding landscape or natural character values.</p>
<p><i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i></p>	<p>Refer to Section 7.0. The proposed development has no adverse effects on ecosystems or habitat.</p>
<p><i>(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:</i></p>	<p>Refer to Section 7.0. The site has no aesthetic, recreational, scientific, historical, spiritual or cultural values that will be adversely affected by the proposal.</p>
<p><i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i></p>	<p>The proposal will not result in the discharge of contaminants, nor any unreasonable emission of noise.</p>
<p><i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i></p>	<p>The application site is not subject to natural hazard. The proposed shed is well clear of an escarpment from which setback is required. The proposal will create no risk to the neighbourhood or wider community or environment through natural hazards.</p>

6.0 COMPLIANCE ASSESSMENT

6.1 Operative District Plan

The property is zoned Coastal Residential in the Operative District Plan (ODP) and is a serviced site in regard wastewater and stormwater and power. The site is landward of any Coastal Hazard lines as shown on the ODP’s Coastal Hazard maps. An assessment of the proposal against relevant zone and district wide rules in the ODP follows:

COASTAL RESIDENTIAL ZONE RULES:		
Permitted Standards	Comment	Compliance Assessment
10.8.5.1.1 RELOCATED BUILDINGS	N/A	
10.8.5.1.2 RESIDENTIAL INTENSITY (a) Each residential unit for a single household shall have available to it a minimum net site area of: Sewered sites: 800m ² Unsewered sites: 3,000m ²	No change to status quo - One residential unit on an existing site	Permitted.
10.8.5.1.3 SCALE OF ACTIVITIES The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed: 2 persons per 600m ² (sewered) 2 persons per 3,000m ² (unsewered)	N/A. The activity involves residential or residential type use.	
10.8.6.5.1.4 BUILDING HEIGHT The maximum height of any building shall be 8m	New garage is less than 8m above ground level.	Permitted.
10.8.5.1.5 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 (refer to definition of Recession Plane in Chapter 3 - Definitions), except that: (a) a building may exceed this	Exceptions (a) and (b) do not apply. The building exceeds the permitted sunlight plane on its northern boundary which is a road boundary.	Cannot comply. Equivalent restricted discretionary rule 10.8.5.2.4 cannot be complied with either (45 degree recession plane as measured inwards from any point 3m vertically above ground level). Default is to discretionary activity category.

<p>standard for a maximum distance of 10m along any one boundary other than a road boundary, provided that the maximum height of any building where it exceeds the standard is 2.7m (refer to Recession Plane Diagram B within the definition of Recession Plane in Chapter 3 – Definitions); and (b) where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way.</p>		
<p>10.8.5.1.6 STORMWATER MANAGEMENT The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 50% or 1000m² whichever is the lesser.</p>	<p>The lesser is 50% of site area. Estimated total impermeable surface coverage is 47.1% of total site area.</p>	<p>Permitted.</p>
<p>10.8.5.1.7 SET BACK FROM BOUNDARIES (a) The minimum building setback from road boundaries shall be 3m, except that; (b) The minimum set-back from any boundary other than a road boundary, shall be 1.2m except that no set-back is required for a maximum total length of 10m along any one such boundary; (c) Not less than 50% of that part of the site between the road boundary and a parallel line 2m there from (i.e. a 2m wide planting strip along the road boundary) shall be landscaped...;</p>	<p>The new garage is within 3m of road boundary so part (a) cannot be met. The building meets (b). In regard to part (c) it is proposed to retain the existing crossing. This will mean that it is not possible to landscape 50% of the area between road boundary and a parallel line 2m there from.</p>	<p>Cannot comply with parts (a) or (c).</p>
<p>10.8.5.1.8 SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES</p>	<p>N/A</p>	
<p>10.8.5.1.9 OUTDOOR ACTIVITIES</p>	<p>N/A</p>	

10.8.5.1.11 SITE INTENSITY - NON-RESIDENTIAL ACTIVITIES	N/A	
10.8.5.1.12 HOURS OF OPERATION - NON-RESIDENTIAL ACTIVITIES	N/A	
10.8.5.1.13 KEEPING OF ANIMALS	N/A – the proposal does not involve the keeping of animals.	
10.8.5.1.14 NOISE All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone, or at or within the notional boundary of any dwelling in a rural or coastal zone: 0700 to 2200 hours 55 dBA L10 2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax	Residential activity. Not expected to breach any noise rule requirements.	Permitted
10.8.5.1.15 HELICOPTER LANDING AREA	N/A	N/A
10.8.5.1.16 BUILDING COVERAGE Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 45% or 900m ² , whichever is the lesser, of the gross site area.	Building coverage is estimated at 30.33% of total site area	Permitted.
Restricted Discretionary Standards		
10.8.5.2.4 SUNLIGHT No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 3m vertically above ground level on any site boundary (refer to definition of Recession Plane in Chapter 3 - Definitions).	The northern boundary sunlight plane exceeds the specified threshold.	Defaults to discretionary activity status.
DISTRICT WIDE RULES		
Indigenous Flora and Fauna		
12.2.6.1.1 INDIGENOUS VEGETATION CLEARANCE	No indigenous vegetation clearance is required or	

PERMITTED THROUGHOUT THE DISTRICT	envisaged. N/A.	
12.2.6.1.4 INDIGENOUS VEGETATION CLEARANCE IN OTHER ZONES	No indigenous vegetation is required or proposed. N/A.	
Soils and Minerals		
12.3.6.1.3 EXCAVATION AND/OR FILLING, EXCLUDING MINING AND QUARRYING, IN THE RESIDENTIAL, INDUSTRIAL, HORTICULTURAL PROCESSING, <u>COASTAL RESIDENTIAL</u> AND RUSSELL TOWNSHIP ZONES Excavation and/or filling, excluding mining and quarrying, on any site in the Residential, Industrial, Horticultural Processing, Coastal Residential or Russell Township Zones is permitted, provided that: (a) it does not exceed 200m ³ in any 12 month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.	The proposal re-uses an existing slab, adding to it to accommodate a larger footprint. Minimal, if any earthworks will be required.	Permitted.
Natural Hazards		
<u>12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS</u> (a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest; (b) <i>Any trees in a deliberately planted woodlot or forest [not relevant]</i>	The proposal does not involve a new residential unit. N/A.	
Heritage		
Chapter 12.5 Heritage & 12.5A Heritage Precincts	N/A Site contains no Notable Trees; no Historic Sites, Buildings and Objects; no Registered Archaeological Sites; no Sites of Cultural Significance to Maori. No rules in 12.5 are applicable.	

	The property is not within a Heritage Precinct.	
Lakes, Rivers, Wetlands & the Coastline		
<p><u>12.7.6.1.1 SETBACK FROM LAKES, RIVERS AND THE COASTAL MARINE AREA</u></p> <p>Any building and any impermeable surface must be set back from the boundary of any lake (where a lake bed has an area of 8ha or more), river (where the average width of the riverbed is 3m or more) or the boundary of the coastal marine area, except that this rule does not apply to man-made private water bodies other than the Manuwai and Waingaro Reservoirs. The setback shall be:</p> <p>(a) a minimum of 30m in the Rural Production, Waimate North, Rural Living, Minerals, Recreational Activities, Conservation, General Coastal, South Kerikeri Inlet and Coastal Living Zones; (b) a minimum of 26m in the Residential, Coastal Residential and Russell Township Zones; (c) a minimum of 20m in the Commercial and Industrial Zones.</p>	All buildings and other impermeable surfaces will be more than 26m from the coastal marine boundary.	Permitted.
Traffic, Parking & Access		
<p>15.1.6A.2.1 TRAFFIC INTENSITY</p> <p>The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4.</p>	A residential unit is 'deemed' to generate 10 daily one way traffic movements. However, the first residential unit on a site is exempt.	Permitted.
<p>15.1.6B.1.1 ON-SITE CAR PARKING SPACES</p> <p>Where: (i) an activity establishes; or</p>	Appendix 3C specifies a requirement for 2 car parking	Permitted.

<p>(ii) the nature of an activity changes; or (iii) buildings are altered to increase the number of persons provided for on the site; the minimum number of on-site car parking spaces to be provided for the users of an activity shall be determined by reference to Appendix 3C.</p>	<p>spaces per residential unit. These can be accommodated on site.</p>	
<p>15.1.6B.1.5 CAR PARKING SPACE STANDARDS (a) The required size of off-street car parking spaces, the manoeuvring space between, and the vehicle circulation routes providing access to them, shall be as set out in Appendix 3D. (b) Stacked parking will be permitted for one of two spaces associated with a specific residential unit. In determining the extent of area required for manoeuvring space, the Council will be guided by the Tracking Curve diagrams as shown in Appendix 3E. (c) All parking, loading, access drives and manoeuvring areas shall be formed and provided with an all weather surface, drained, marked out and maintained to the satisfaction of the Council, and shall be kept free and available for the uses intended. Where a parking area provides four or more car parking spaces is adjacent to a road, a kerb or a barrier shall be provided to prevent direct access except at the designated vehicle access point</p>	<p>Being provided internal to a building renders manoeuvring space for off-street car parking spaces impossible. Vehicles parking in the garage will have to exit the site in either a front ward or backward direction depending on how they entered the garage. Technically this results in a breach of part (a) of this rule. Manoeuvring space remains for vehicles parked outside the garage. Stacked parking can be utilised if necessary (outside garage). Part (c) can be complied with in regard appropriate all weather surfacing.</p>	<p>May be a technical shortfall of manoeuvring space (part (a)).</p>
<p>15.1.6C.1.1 PRIVATE ACCESSWAY IN ALL ZONES (a) The construction of private accessway, in addition to the specifics also covered within this rule, is to be undertaken in</p>	<p>(a) The proposed new crossing will be formed to the appropriate Council standard. (b) the grade will not be</p>	<p>Permitted.</p>

<p>accordance with Appendix 3B-1 in Part 4 of this Plan.</p> <p>(b) Minimum access widths and maximum centreline gradients, are set out in the Appendix 3B-1 table except that the grade shall be no steeper than 1:8 adjacent to the road boundary for at least 5m.</p> <p>(c) A private accessway may serve a maximum of 8 household equivalents.</p> <p>(d) Where a subdivision serves 9 or more sites, access shall be by public road.</p> <p>(e) Access shall not be permitted:</p> <p>(i) onto a State Highway or a Limited Access Road; (ii) onto an arterial or collector road within 90m of its intersection with an arterial road or a collector road;</p> <p>(iii) onto an arterial or collector road within 30m of its intersection with a local road;</p> <p>(iv) onto a local road within 30m of its intersection with an arterial or collector road;</p>	<p>steeper than 1:8 adjacent to and within 5m of the road boundary.</p> <p>(c) accessway serves a single property.</p> <p>(d) ditto.</p> <p>(e) all parts complied with.</p>	
<p>15.1.6C.1.2 PRIVATE ACCESSWAYS IN URBAN ZONES</p> <p>(a) Private accessways in all urban zones, excluding the Commercial and Industrial Zones, shall comply with the following:</p> <p>The private accessway from the road boundary to any parking or loading space shall be:</p> <ul style="list-style-type: none"> • not less than 3m wide; and • a minimum overhead clearance of 4m. 	<p>The proposed concrete driveway will be minimum 3m width and the required overhead clearance can be achieved.</p>	<p>Permitted.</p>
<p>15.1.6C.1.3 PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES</p>	<p>N/A</p>	
<p>15.1.6C.1.4 ACCESS OVER FOOTPATHS</p> <p>The following restrictions shall apply to vehicle access over footpaths: (a) no more than two crossings per site; and (b)</p>	<p>There will be no more than two crossings. The crossing width will not exceed 6m.</p>	<p>Permitted.</p>

the maximum width of a crossing shall be 6m.		
15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	N/A	
15.1.6C.1.6 VEHICLE CROSSING STANDARDS IN URBAN ZONES (a) Private access off streets in the urban zones the vehicle crossing is to be constructed in accordance with Council's "Engineering Standards and Guidelines" (June 2004 – Revised 2009).	These standards can and will be met.	Permitted.
15.1.6C.1.7 GENERAL ACCESS STANDARDS (a) Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road. (b) All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle. (c) Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed. (d) Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads.	There are less than 4 parking spaces gaining access off the road so the exception can apply. (b) N/A (c) N/A (d) can be complied with.	Permitted.
No other rules in Chapter 15.1.6C are applicable.		

Summary of rule breaches pursuant to the Operative District Plan:

Zone Rules:

10.8.5.1.5 (permitted) and 10.8.5.2.4 (restricted discretionary) Sunlight rules;
10.8.5.1.7 (permitted) Setback from Boundary rule.

District Wide Rules:

15.1.6B.1.5 Car Parking Space Standards, part (a).

The breach of Rule 10.8.5.2.4 results in the application being a **discretionary activity** under the Operative District Plan.

6.2 Proposed District Plan

The FNDC publicly notified its PDP on 27th July 2022. Whilst the majority of rules in the PDP will not have legal effect until such time as the FNDC publicly notifies its decisions on submissions, there are certain rules that have been identified in the PDP as having immediate legal effect and that may therefore need to be addressed in this application and may affect the category of activity of the application under the Act.

Rules identified by the Council as having legal effect include:

- Rules HS-R2, R5, R6 and R9 in regard to hazardous substances
- Heritage Area Overlays
- Historic Heritage rules and Schedule
- Notable Trees
- Sites and Areas of Significance to Maori
- Ecosystems and Indigenous Biodiversity
- Subdivision (specific parts)
- Activities on the surface of water
- Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks any artefacts are discovered. This requirement can be met and is a requirement under heritage legislation in any event. EW-13 and associated EW-S5 relate to ensuring Erosion and Sediment Control measures are in place during earthworks. They cite compliance with GD05.
- Signs
- Orongo Bay Zone

Other than the earthworks rules cited above, there are no rules in the PDP applying to the site that have legal effect and are relevant to the proposal. The category of consent therefore remains unchanged.

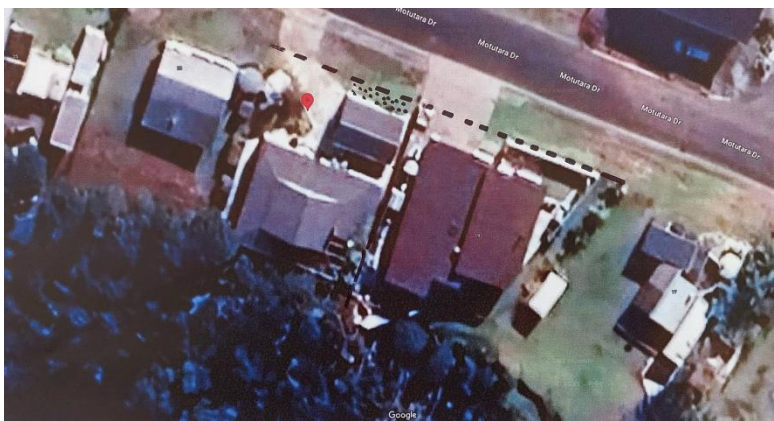
7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS (AEE)

The rule breaches resulting from this proposal are predominantly related to the location and orientation of the garage in relation to the road boundary. Although a full discretionary activity, and therefore able to be assessed on any relevant effect, the nature of the

breaches is such that the types of effects likely to be generated are only those related to the rule breaches. It is helpful to examine aerial imagery of the site, with road boundary clearly marked, to see the minor nature of the change between existing garage and proposed enlarged garage.



Aerial image from Far North Maps – now outdated insofar as the adjacent 19 Motutara Drive has since been built on (see below). The speckled area is where the new garage will extend to.



Updated imagery showing # 19 (to the right of application site) developed.

7.1 Effects on Adjacent Properties

The breaches are in regard to the road boundary. There are no rule breaches in regard to private property on any of the other boundaries of the property. The effects of the proposed garage, on adjacent properties, is therefore nil. The building complies with bulk and location requirements in regard those adjacent properties and creates no adverse effects in terms of visual domination, overshadowing, loss or privacy or loss of access to sunlight and daylight in regard those adjacent private properties.

The shed is only 57m² in area which is in keeping with the size of other similar structures along Motutara Drive. The total building coverage resulting from the new garage is easily within the permitted building coverage threshold. The shed will be 1.5m from the eastern boundary, just as the existing smaller shed is. The dwelling at 19 Motutara Drive is located parallel to the existing shed and will not be adversely affected by a larger garage extending closer to the road boundary as this part of 19 Motutara Drive is driveway only. Refer to aerial imagery above.

The use of the garage is associated with residential use. The proposed location will result in a building closer to the road boundary than any buildings currently constructed on the south side of Motutara Drive, however it is common practice for home owners to park trailers and vehicles on the fronts of their sections, often partially within the road reserve.

In summary I do not believe the proposed bigger garage will have any effects on adjacent private properties of a minor or more than minor nature.

7.2 Effects on traffic, parking and access

The rule breaches are all associated with the location of the proposed larger garage in relation to road boundary and how vehicles manoeuvre on site. The zone provides for up to two crossings per site and this is what is intended for this site. The zone also provides for vehicles to reverse off a site, provided no more than four carpark spaces are required. A residence only requires two, so reversing off a site is permitted.

The building, whilst proposed to be right on the boundary, does not protrude into the road reserve. Being to the south of the road reserve, neither will its location create adverse over shadowing / shading effects for vehicles using Motutara Drive. Visibility for motorists travelling along Motutara Drive is not impacted by the proposed location of the garage given that the road is long, level and straight in this location. Refer to aerial imagery above.

For vehicles exiting the site using the existing entrance, views to the east may be slightly impeded by the presence of the shed but drivers will have the ability to move out onto the road reserve to gain full visibility in both directions before entering the road corridor itself.

Vehicles exiting the proposed garage, if they have been reversed into the garage, will have no visibility impediments when exiting the site. Vehicles that have been entered the garage in a frontwards direction will need to reverse out of the site. There is space between the building and actual road corridor to enable a vehicle to reverse sufficiently to gain visibility prior to reversing into the road corridor. Motutara Drive is not a high volume or high speed traffic environment.

Please note, I have based the above observations on plan dimensions accompanied by site photographs and Google imagery, having not been to site. It is clear from aerial imagery that there is a generous width of road reserve on the south side of the physical formation of Motutara Drive.

The streetscape is such that I believe cyclists and pedestrians will have opportunity and time to observe any vehicle entering or leaving the garage.

7.3 Effects on Streetscape

It will not be possible, or desirable, to landscape or plant the frontage to the extent required by the District Plan. The garage will take up nearly half the frontage, and the existing crossing will take up some more, leaving very little scope for landscaping. In the interests of maintaining openness and consistency with existing streetscape, any plantings that might be established on the road frontage should be low growing species, and isolated (not hedge-like) and typical of species growing naturally in the area. However, I recommend no planting or landscape be required. The existing streetscape is open and dominated by buildings and open grass / lawn space as opposed to an abundance of trees and gardens. I do not consider the location of the garage adjacent to the road reserve boundary to have an adverse effect on streetscape of a more than minor nature.

7.4 Earthworks and Construction Effects

As stated earlier, it is proposed to utilise the existing garage slab, and add to it, to form the building platform. In addition a new crossing will be formed. In both instances the amount of earthworks is minimal and temporary. I do not believe the proposal to have any adverse effects in regard to earthworks. Construction will be quick and simple and have only temporary, and minor, adverse effects.

7.5 Natural Hazards

The site is subject to a building line restriction relating to an identified natural hazard in the form of an escarpment. The proposed garage is well to the north of the building line restriction imposed because of that hazard.

7.6 Effects on Indigenous vegetation and habitat

The site contains vegetation on its southern boundary. This is not impacted by the replacement of one garage with another. No clearance of indigenous vegetation is required or intended.

8.0 STATUTORY ASSESSMENT

8.1 Operative District Plan Objectives and Policies

Objectives and policies relevant to this proposal are predominantly those listed in Chapter 10.8 Coastal Residential Zone. These are discussed below where particularly relevant to this proposal.

10.8.3 OBJECTIVES

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

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

10.8.3.3 To enable the development of coastal settlements where urban amenity and coastal environmental values are compatible.

The proposal is to re-develop an existing developed site, zoned for residential purposes, for residential use. The proposal is entirely consistent with the above objectives.

10.8.4 POLICIES

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

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

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

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

Policy 10.8.4.1 is an enabling policy and provides for property owners to establish a range of types and forms of accommodation (including garaging). The site continues to have sufficient room for outdoor space and the site is sewered (10.8.4.3). The development does not breach impermeable coverage rules (10.8.4.4). The shed's location breaches the sunlight rules on the road boundary only and has no adverse effect on other boundaries (where there is no breach) (10.8.4.5). In summary, I believe the proposal to be consistent with the zone's policies.

With a potential minor infringement of parking and manoeuvring rules, Objectives and Policies in Chapter 15.1 have some limited relevance.

Objective 15.1.3.3

To ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site.

The wording of this objective suggests that it is more related to on site carparks associated with larger sites where there are multiple carparking spaces (and requirements) and where cycling and pedestrian access and use of the same site is envisaged. It is not really relevant, therefore, to the application.

Objective 15.1.3.5

To promote safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, including for those with disabilities.

More generically worded, this objective may have relevance. I do not believe the proposal adversely impacts on the safe and efficient movement of vehicular, cycle or pedestrian traffic.

Policy 15.1.4.3

That parking spaces be provided at a location and scale which enables the efficient use of parking spaces and handling of traffic generation by the adjacent roading network.

There is no issue in regard the number of carpark spaces provided for on the site and within the garage. The proposal provides for efficient use of space for parking and does not adversely impact on the adjacent roading network's traffic usage.

Policy 15.1.4.7

That the needs and effects of cycle and pedestrian traffic be taken into account in assessing development proposals.

In my opinion, the needs of cycle and pedestrian traffic are not compromised by the proposal.

In summary I consider the proposal to be consistent with the relevant objectives and policies in the Operative District Plan.

8.2 Proposed District Plan Objectives and Policies

The property has a General Residential Zone under the Proposed District Plan (PDP) and has a Coastal Environmental Overlay.

Objectives

GRZ-O1

The General Residential zone provides a variety of densities, housing types and lot sizes that respond to:

- a. housing needs and demand;*
- b. the adequacy and capacity of available or programmed development infrastructure;*
- c. the amenity and character of the receiving residential environment; and*
- d. historic heritage.*

GRZ-O2

The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl.

GRZ-O3

Non-residential activities contribute to the well-being of the community while complementing the scale, character and amenity of the General Residential zone.

GRZ-O4

Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.

GRZ-O5

Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments.

GRZ-O6

Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.

GRZ-O1 is aimed at the Council when determining zoning and provisions to apply to its urban zones. The proposal is for an enlarged garage associated with a single residential development on a site zoned for such a use and the site is serviced (GRZ-O2 and GRZ-O4). The proposal is residential so GRZ-O3 is not relevant. The proposal is appropriate for the site and will maintain amenity (GRZ-O5 & O6).

Policies**GRZ-P1**

Enable land use and subdivision in the General Residential zone where:

- a. there is adequacy and capacity of available or programmed development infrastructure to support it; and
- b. it is consistent with the scale, character and amenity anticipated in the residential environment.

The site is serviced and is consistent with the scale, character and amenity anticipated in the zone.

GRZ-P2

Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot:

- a. telecommunications;
- b. fibre where it is available; or
- c. copper where fibre is not available;
- d. local electricity distribution network;
- e. wastewater; and
- f. potable water and stormwater where it is available.

N/A – not a subdivision.

GRZ-P3

Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure.

N/A – not a multi unit development.

GRZ-P4

Enable non-residential activities that:

- a. do not detract from the vitality and viability of the Mixed Use zone;
- b. support the social and economic well-being of the community;
- c. are of a residential scale; and
- d. are consistent with the scale, character and amenity of the General Residential zone.

N/A – not a non-residential activity.

GRZ-P5

Relates to retirement villages – N/A

GRZ-P6

Encourage and support the use of on-site water storage to enable sustainable and efficient use of water resources.

The existing residential use has on site water storage.

GRZ-P7

Encourage energy efficient design and the use of small-scale renewable electricity generation in the construction of residential development.

N/A – proposal does not involve renewable electricity generation.

GRZ-P8

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, design, amenity and character of the residential environment;
- b. location, scale and design of buildings or structures, potential for shadowing and visual dominance ;
- c. for residential activities,:
 - i. provision of outdoor living space;
 - ii. privacy for adjoining sites;
 - iii. access to sunlight
- d. for non-residential activities: N/A
- e. at zone interfaces,

any setbacks, fencing, screening or landscaping required to address potential conflicts;
- f. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity, including:
 - i. opportunities for low impact design principles
 - ii. ability of the site to address stormwater and soakage;
- g. managing natural hazards; and
- h. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

The proposal does not require consent under the PDP and this limits the relevancy of the above policy. Notwithstanding that, the proposal has taken into account the matters listed, where relevant.

The site has a coastal environment overlay. Relevant objectives and policies in regard to the above are addressed below:

Coastal Environment Objectives and Policies:

CE-O1

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

CE-O2

Land use and subdivision in the coastal environment:

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

CE-O3

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

The site is in an urban environment where 'natural character' values associated with the coastal environment are already somewhat compromised. The proposal is consistent with surrounding land use and with the scale of existing built development; and does not result in urban sprawl occurring outside of an urban zone.

CE-P2 *Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as:*

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

CE-P3 *Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as:*

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

The site contains none of the items listed a-c in CE-P2 and P3.

CE-P4 *Preserve the visual qualities, character and integrity of the coastal environment by:*

- a. *consolidating land use and subdivision around existing urban centres and rural settlements;*
and
- b. *avoiding sprawl or sporadic patterns of development.*

CE-P5 *Enable land use and subdivision in urban zones within the coastal environment where:*

- a. *there is adequacy and capacity of available or programmed development infrastructure; and*
- b. *the use is consistent with, and does not compromise the characteristics and qualities.*

The site is within an existing semi-serviced urban area and the development avoids sprawl or sporadic patterns of development

CE-P8 Encourage the restoration and enhancement of the natural character of the coastal environment.

The area is urban and has services and infrastructure. It would be inappropriate to restore or enhance natural character values in the circumstances.

CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

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

The proposal does not require consent under the PDP, but has nonetheless taken the matters listed in CE-P10 into consideration.

8.3 Part 2 Matters

5 Purpose

- (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 proposal is considered to provide for the sustainable management of natural and physical resources. It provides for residential development on a single lot, zoned for that purpose.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

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

I consider the proposal to be an appropriate level and type of development for a site of this nature in the coastal environment, and within an urban zone (and serviced). No clearance of indigenous vegetation within the site is required. There are no heritage or cultural values associated with the site.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

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

The proposed development will ensure the ongoing maintenance and enhancement of amenity values and the overall quality of the environment, and respects the intrinsic values of ecosystems.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The principles of the Treaty of Waitangi have been considered and it is believed that this proposal does not offend any of those principles.

In summary, it is considered that all matters under s5-8 inclusive have been adequately taken into account.

8.4 NZ Coastal Policy Statement

The NZ Coastal Policy Statement (NZCPS) has relevance to this proposal due to the property's location. It is shown as being within the "coastal environment" on the Regional Policy Statement for Northland's maps as well as the district council's PDP maps. The following objectives and policies are considered relevant to the proposal.

Objective 2: *To preserve the natural character of the coastal environment and protect natural features and landscape values through.....*

The subject site is within an urban area and is a serviced site. Natural character and natural features are already compromised by way of the existing urban development occurring in Rangiputa.

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, recognising 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;*

I consider the development to be an appropriate use of the site that provides for people's social and economic wellbeing.

Policy 6: *Activities in the coastal environment*

(1) In relation to 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;

(i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and.....

I believe that the proposed development is consistent with both of parts (h) and (i) above. The building is set well back from the coast and because it is in an urban area where built environment dominates, there is no need to remain below ridgelines.

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:

(a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and

(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;

Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by :

....

And

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:

(a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and

(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;

The above three policies are all more relevant to non urban parts of the coastal environment. Natural character is not a relevant consideration where a coastal settlement already exists, with serviced sites. The proposal is consistent with other policies in the NZCPS that encourage consolidation of development around existing urban areas in order to avoid urban sprawl. I believe the proposal gives effects to the relevant objectives and policies in the NZ Coastal Policy Statement.

8.5 Other National Policy Statements and National Environmental Standards

There are no other National Policy Statements considered relevant to this proposal. Neither are there any national environmental standards relevant to this proposal. The site has not been used for any hazardous activity or industry and there is no natural wetland or freshwater body affected that might trigger any consent requirement under the National Environmental Standard for Freshwater Management. The site is urban and development of a site in an urban zone for urban use is expected. I do not believe the proposal to be contrary to the recently enacted NPS for Indigenous Biodiversity.

8.6 Regional Policy Statement for Northland

In preparing this application, the Regional Policy Statement for Northland has been considered, in particular those Objectives and Policies relevant to land identified as being within the "coastal environment". The building site and development area sit outside any area identified as having High or Outstanding Landscape or Natural Values in the Regional Policy Statement's maps. The site is urban.

Relevant objectives and policies are discussed below.

Objective 3.5 Enabling economic wellbeing

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

I believe the proposed development is a sustainable use of the site and provides for the property owners' social and economic wellbeing.

3.12 Regional form

Northland has sustainable built environments that effectively integrate infrastructure with subdivision, use and development, and have a sense of place, identity and a range of lifestyle, employment and transport choices.

The site is within a serviced urban settlement. The development is in keeping with the existing character of the area.

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

(1) In the coastal environment:

a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.

b) Where (a) does not apply, avoid significant adverse effects 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; and*
- (ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and*
- (iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.*

Part (a) does not apply. The site is zoned for urban use and has limited natural character. The proposal consolidates development within an existing settlement.

9.0 CONSULTATION & s95 ASSESSMENT

9.1 S95A Public Notification Assessment

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Step 1 specifies when public notification is mandatory in certain circumstances. No such circumstance exists, and public notification is therefore not mandatory. Step 2 of s95A specifies the circumstances that preclude public notification. No such circumstance exists, therefore public notification is not precluded. Step 3 of s95A must be considered. This specifies that public notification is required in certain circumstances, neither of which I believe exist.

9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. No such group or persons exist in this case. Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstances exist and limited notification is therefore not precluded. Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified. The only potentially affected person is the Council itself given that the breach is a road boundary. No other affected persons are identified and limited notification is therefore not required.

9.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be no more than minor.

9.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity. The breaches are all related to the road boundary and the location of the shed in relation to the road. There are no boundary infringements with adjacent properties and no affected persons have therefore been identified, other than the Council itself, to whom this application is being lodged.

10.0 CONCLUSION

The site is considered suitable for the proposed development, and effects on the wider environment are no more than minor. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans, the NZ Coastal Policy Statement, and the Regional Policy Statement, as well as Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval to the land use consent and changes to consent notice, on a non notified basis, subject to appropriate conditions.



Lynley Newport
Senior Planner
Thomson Survey Ltd

Date 24th November 2023

11.0 APPENDICES


- Appendix 1** Plans
- Appendix 2** Location Map
- Appendix 3** Title Information

Appendix 1

Plans

REV	DATE	BY	ISSUE AMENDMENTS
ISSUE	DATE	BY	ISSUE AMENDMENTS

NOTES
 ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF WORK.
 DRAWINGS ARE NOT TO BE SCALED.
 USE ONLY FIGURED DIMENSIONS.



Address - 106 Arawhata Road,
 Kaingaroa 0483
 Work - 09 408 7123
 Doug Cell - 021 125 8866
 Tyler Cell - 021 247 7232

Client	N FORD & K POWER
Project	PROPOSED ALTERATIONS
Sheet Name:	SITE PLAN
Date:	24/07/2023
Drawn By:	KB/DB
Scale:	1:100
Sheet:	A01
Total Sheets:	40

21 MOTUTARA DRIVE,
 KARIKARI PENINSULA
 LOT 51
 DP 198775
 VALUATION NUMBER: 00081-06287
 TOTAL LAND AREA: 600 m²
 DWELLING AREA: 125 m²
 DWELLING ROOF AREA: 186 m²
 ENLARGED GARAGE AREA: 57 m²
 DRIVEWAY AREA 40 m²
 TOTAL AREA OF IMPERMEABLE SURFACES: 283 m²
 TOTAL % OF IMPERMEABLE SURFACES: 47.1%

ZONE COASTAL RESIDENTIAL
 EARTHQUAKE ZONE 1
 EXPOSURE ZONE D
 CLIMATE ZONE 1
 WIND REGION A
 WIND ZONE HIGH

MOTUTARA DRIVE

Existing dwelling shown cross hatched

Building line restriction of no less than 7.0 m from the line of the top of the escarpment as per Section 224 Resource Management Act 1991

30000 BDY

2300

20000 BDY

Proposed New Garage
 (Partially on Existing Conc. Slab)

Existing garage slab, shown hatched

Proposed new garage slab

Proposed Garage Entrance

30000 BDY

1500

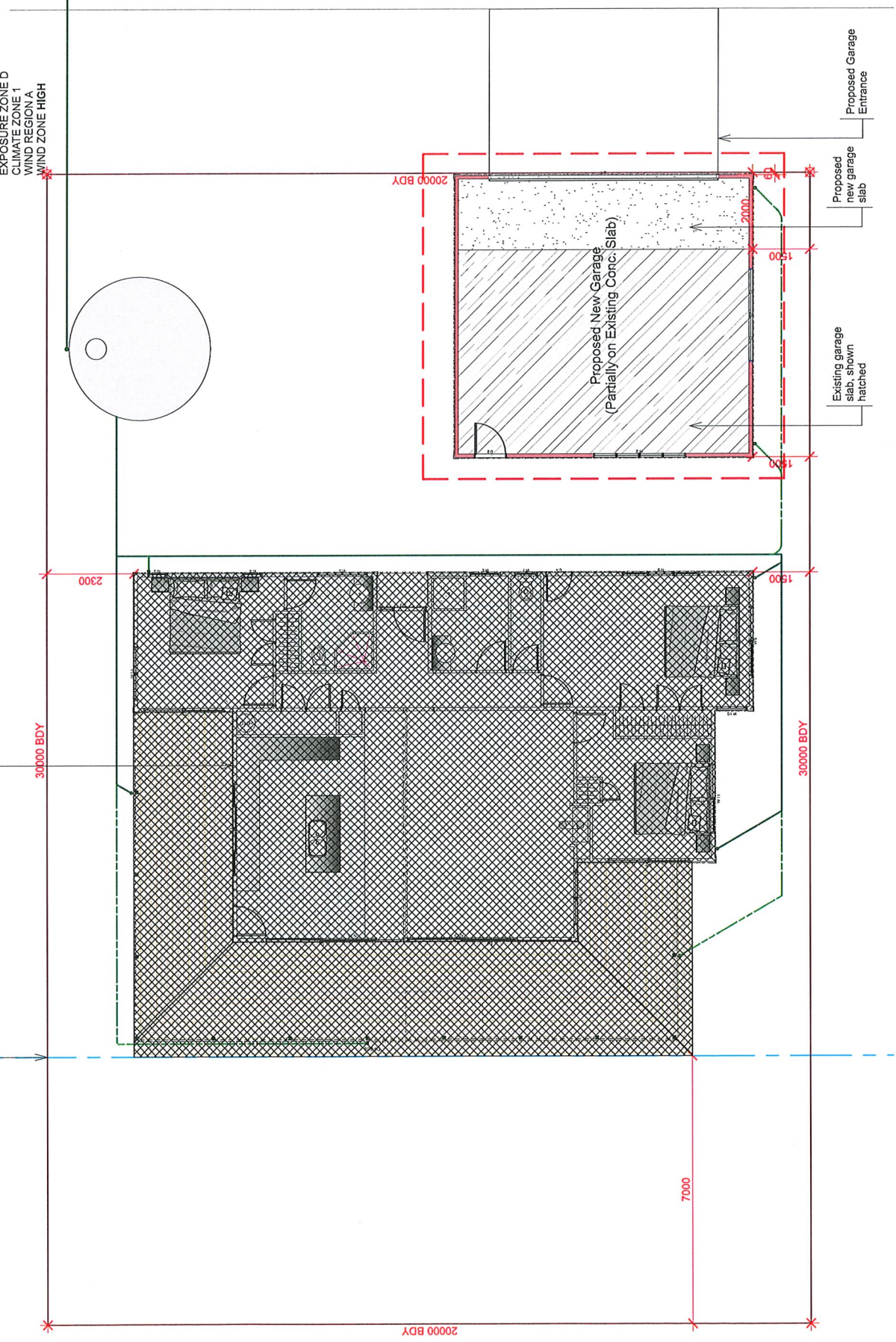
1500

2000

50

7000


20000 BDY



REV	DATE	BY	REVISION AMENDMENTS

ISSUE	DATE	BY	ISSUE AMENDMENTS

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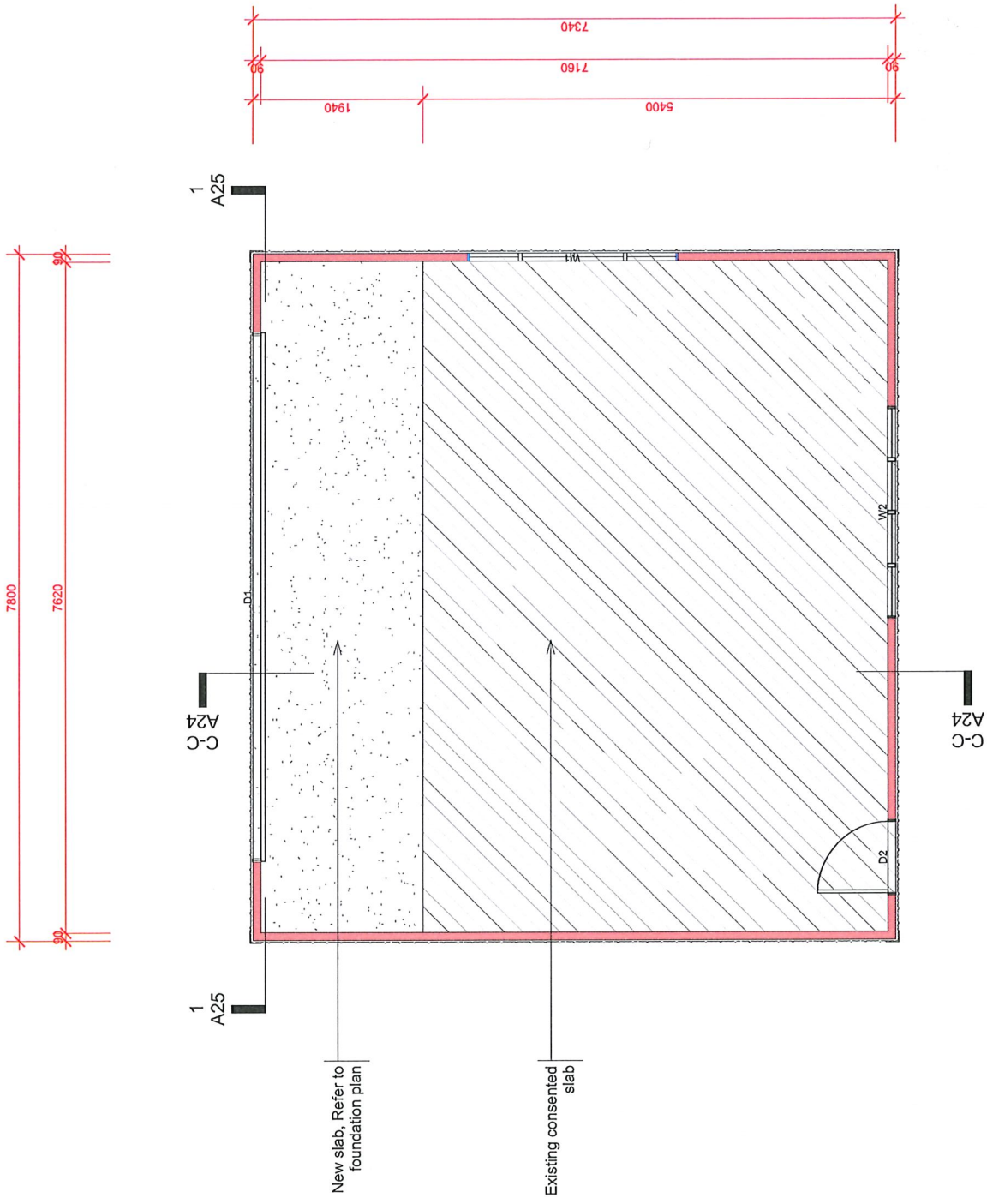
Address - 106 Arawhata Road,
 Kaingaroa 0483
 Work - 09 408 7123
 Doug Cell - 021 125 8866
 Tyler Cell - 021 247 7232

Client
N FORD & K POWER

Project:
PROPOSED ALTERATIONS

Sheet Name:
GARAGE FLOOR PLAN

Date: 24/07/2023
Drawn By: KB/DB Scale: 1:50
Sheet: A04
Total Sheets: 40



REV	DATE	BY	ISSUE

ISSUE AMENDMENTS

REVISION AMENDMENTS

NOTES

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SMOKE ALARMS

SA SMOKE ALARMS SHALL BE LOCATED ON THE ESCAPE ROUTES ON ALL LEVELS WITHIN THE HOUSEHOLD UNIT. ON LEVELS CONTAINING THE SLEEPING SPACES, THE SMOKE ALARMS SHALL BE LOCATED EITHER:

A) IN EVERY SLEEPING SPACE, OR

B) WITHIN 3.0 M OF EVERY SLEEPING SPACE DOOR. IN THIS CASE, THE SMOKE ALARMS MUST BE AUDIBLE TO SLEEPING OCCUPANTS ON THE OTHER SIDE OF THE CLOSED DOORS. REFER TO 3.3 OF COMPLIANCE DOCUMENT CLAUSE F7-WARNING SYSTEMS.



Address - 106 Arawhata Road,
 Kaingaroa 0483
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 Doug Cell - 021 125 8866
 Tyler Cell - 021 247 7232

Client
N FORD & K POWER

Project: **PROPOSED ALTERATIONS**

Sheet Name: **FOOT PATH CROSSING PLAN/SECTION**

Date: 24/07/2023

Drawn By: KB/DB | Scale: 1:50

Sheet: **A06.2**

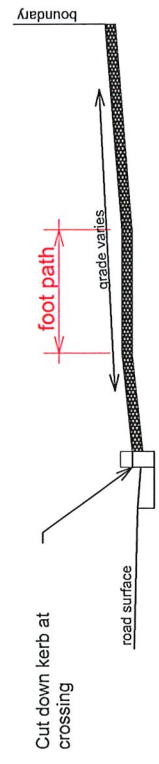
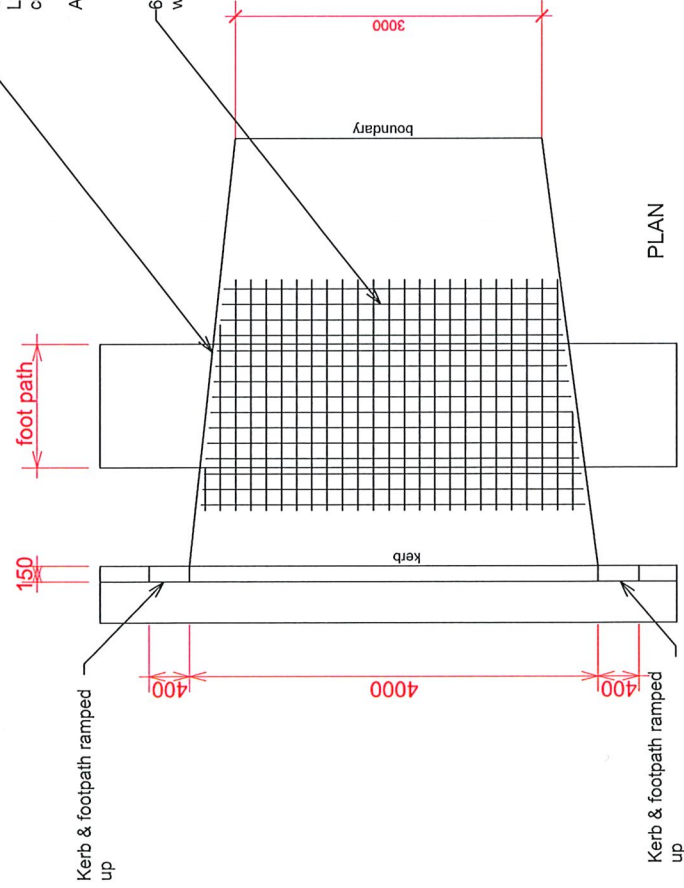
Total Sheets: **40**

Break out existing footpath concrete.

Ground to be compacted before pouring.
 Low or soft ground to be made good with compacted basecourse. Place 25mm of compacted granular material or AP20 prior to pouring all concrete.

ALL CONCRETE TO BE 25 mPA.

665 steel ref. mesh placed centrally to entire drive way. Mesh to extend to within 50mm of edges.



SECTION

REVISION AMENDMENTS	BY	DATE	REV

ISSUE AMENDMENTS

ISSUE

DATE

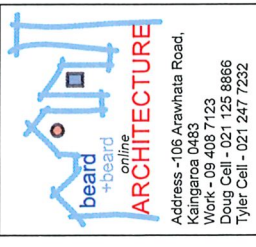
BY

NOTES

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DRAWINGS ARE NOT TO BE SCALED.

USE ONLY FIGURED DIMENSIONS.



Client
N FORD & K POWER

Project:
PROPOSED ALTERATIONS

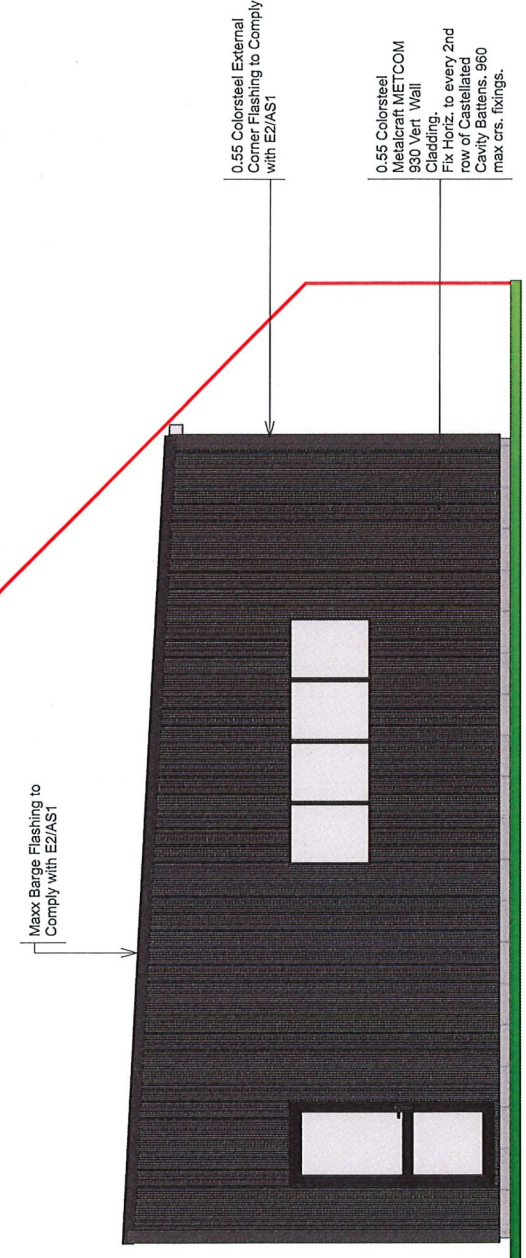
Sheet Name:
ELEVATIONS-GARAGE

Date: 24/07/2023

Drawn By: TB/DB | **Scale:** 1:100

Sheet: A19

Total Sheets: 40

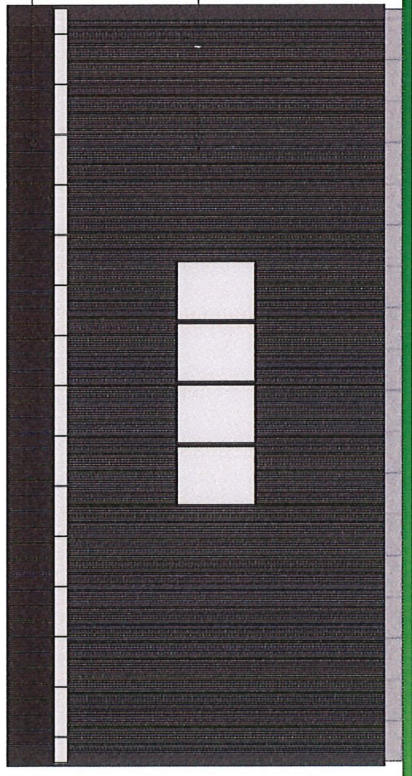


A NORTH WALL ELEVATION

West Wall	Risk Severity				Sub Totals
	Low	Medium	High	Very High	
Wind Zone	0	0	1	2	1
Number of Storeys	0	1	2	4	0
Roof/Wall junctions	0	1	3	5	5
Eave width	0	1	2	5	5
Envelope complexity	0	1	3	6	1
Decks	0	2	4	6	0
Total Risk Factor					12

Trapezoidal Roof Cladding
0.4 Colorsteel Maxx Trimline Roofing

0.55 Colorsteel Metacraft METCOM 930 Vert Wall Cladding. Fix Horiz. to every 2nd row of Castellated Cavity Battens. 960 max crs. fixings.



B SOUTH WALL ELEVATION

South Wall	Risk Severity				Sub Totals
	Low	Medium	High	Very High	
Wind Zone	0	0	1	2	1
Number of Storeys	0	1	2	4	0
Roof/Wall junctions	0	1	3	5	5
Eave width	0	1	2	5	5
Envelope complexity	0	1	3	6	1
Decks	0	2	4	6	0
Total Risk Factor					12

REVISION AMENDMENTS	BY	DATE	REV
ISSUE AMENDMENTS	BY	DATE	ISSUE

NOTES
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 USE ONLY FIGURED DIMENSIONS.

FFL
 100.00



Address - 106 Arawhata Road,
 Kaingaroa 0483
 Work - 09 408 71123
 Doug Cell - 021 125 8866
 Tyler Cell - 021 247 7232

Client
N FORD & K POWER

Project:
PROPOSED ALTERATIONS

Sheet Name:
ELEVATIONS-GARAGE

Date: 24/07/2023

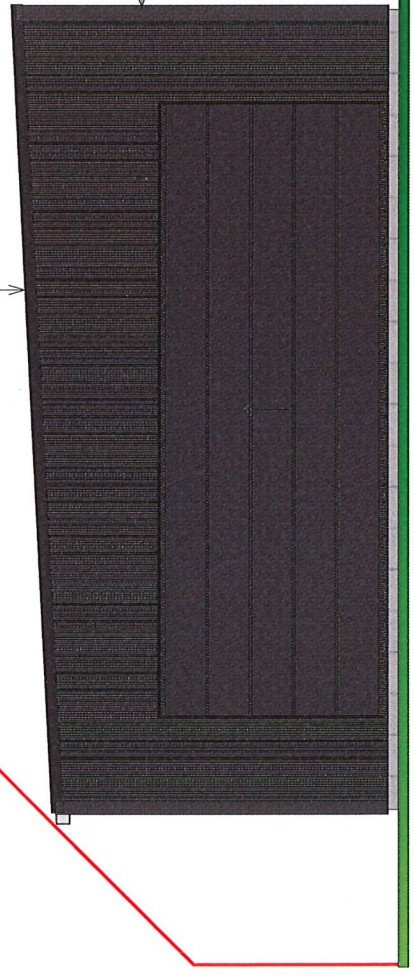
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Sheet: A19.1

Total Sheets: 40

0.55 Colorsteel Maxx Barge Flashing to Comply with E2/AS1

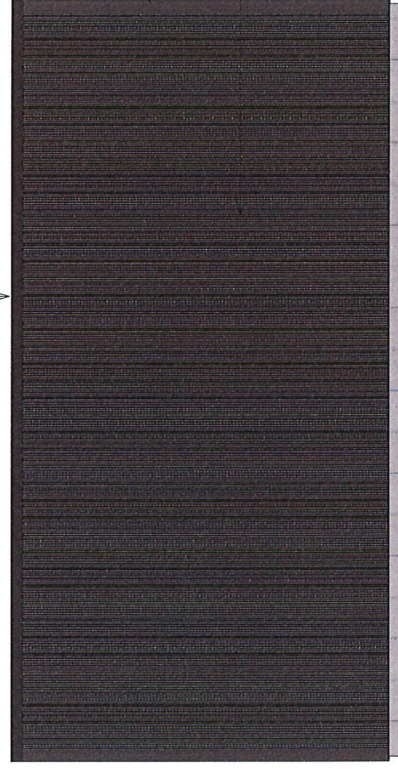
0.55 Colorsteel Maxx External Corner Flashing to Comply with E2/AS1



C
 WALL
EAST ELEVATION

East Wall	Risk Severity			Sub Totals
	Low	Medium	Very High	
Wind Zone	0	0	1	1
Number of Storeys	0	1	2	4
Roof/Wall Junctions	0	1	3	5
Eave width	0	1	2	5
Envelope complexity	0	1	3	6
Decks	0	2	4	6
				Total Risk Factor
				12

0.55 Colorsteel Maxx Barge Flashing to Comply with E2/AS1

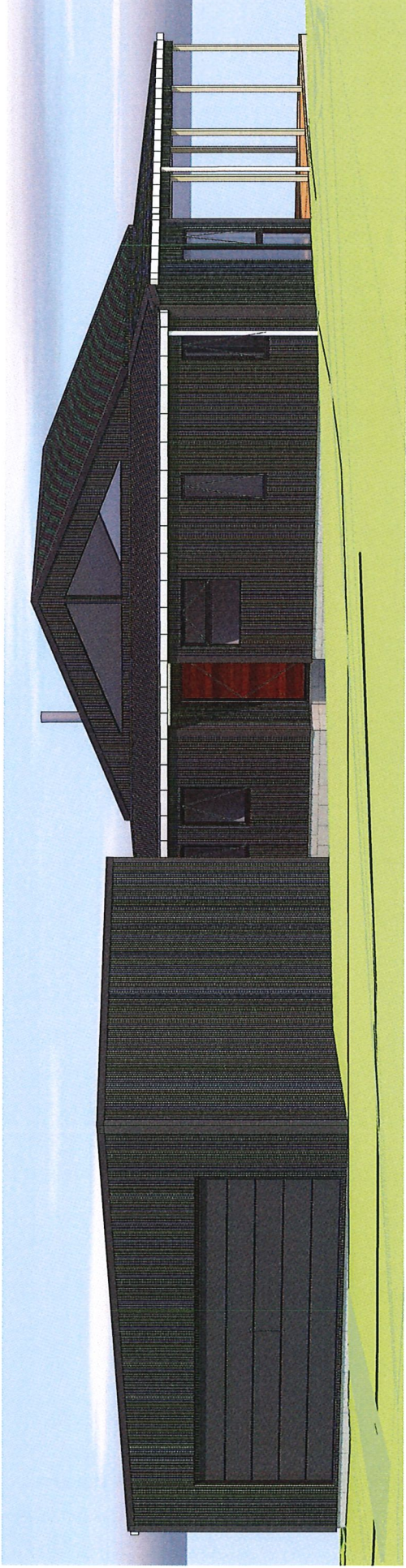


D
 WALL
NORTH ELEVATION

North Wall	Risk Severity			Sub Totals
	Low	Medium	Very High	
Wind Zone	0	0	1	1
Number of Storeys	0	1	2	4
Roof/Wall Junctions	0	1	3	5
Eave width	0	1	2	5
Envelope complexity	0	1	3	6
Decks	0	2	4	6
				Total Risk Factor
				12

0.55 Colorsteel External Corner Flashing to Comply with E2/AS1

0.55 Colorsteel Metalcraft METCOM 930 Vert. Wall Cladding.
 Fix Horiz. to every 2nd row of Castellated Cavity Battens. 960 max cts. fixings.



REVISION AMENDMENTS	BY	DATE	REV

ISSUE AMENDMENTS


BY: DATE: REV:

NOTES

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF WORK.

DRAWINGS ARE NOT TO BE SCALED.

USE ONLY FIGURED DIMENSIONS.



Address - 106 Arawhata Road,
Kaitiaki 0483
Work - 09 408 7123
Doug Cell - 021 125 8866
Tyler Cell - 021 247 7232

Client: **N FORD & K POWER**

Project: **PROPOSED ALTERATIONS**

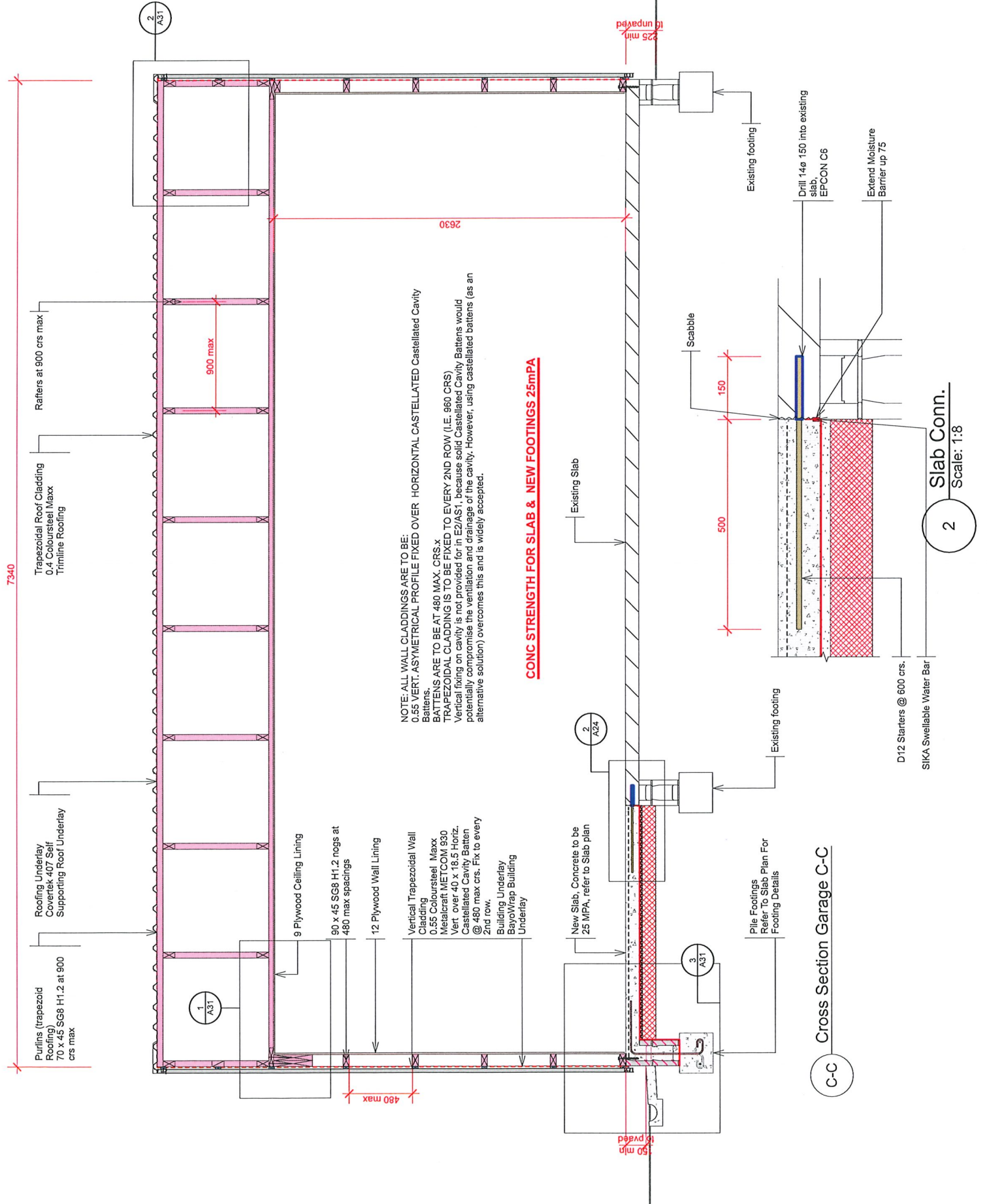
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Date: 24/07/2023

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Sheet: **A24**

Total Sheets: **40**



REV	DATE	BY	ISSUE

ISSUE AMENDMENTS

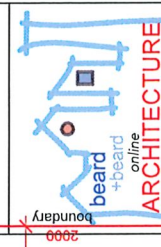
REVISION AMENDMENTS

NOTES

ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE PRIOR TO THE COMMENCEMENT OF WORK.

DRAWINGS ARE NOT TO BE SCALED.

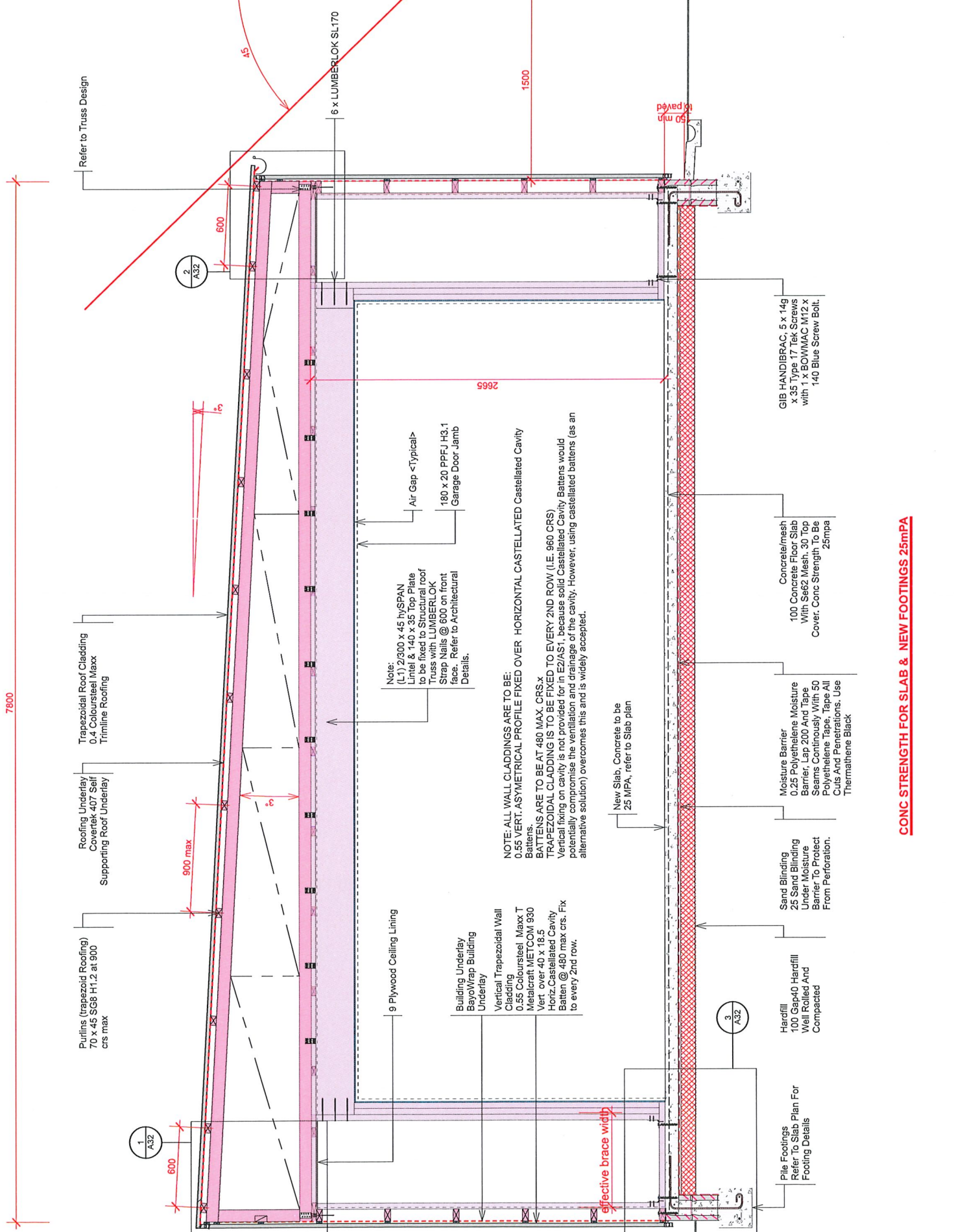
USE ONLY FIGURED DIMENSIONS.



Address - 106 Arawhata Road,
 Kaingaroa 0483
 Work - 09 408 7123
 Doug Cell - 021 125 8866
 Tyler Cell - 021 247 7232

Client

N FORD & K POWER	
Project:	PROPOSED ALTERATIONS
Sheet Name:	LONG SECTION 2-2 GARAGE
Date:	24/07/2023
Drawn By:	KB/DB Scale: 1:25
Sheet:	A25
Total Sheets:	40



Note: (L1) 2/300 x 45 hysPAN Lintel & 140 x 35 Top Plate to be fixed to structural roof Truss with LUMBERLOK Strap Nails @ 600 on front face. Refer to Architectural Details.

Air Gap <Typical>
 180 x 20 PPFJ H3.1 Garage Door Jamb

NOTE: ALL WALL CLADDINGS ARE TO BE: 0.55 VERT. ASYMETRICAL PROFILE FIXED OVER HORIZONTAL CASTELLATED CAVITY BATTENS.

BATTENS ARE TO BE AT 480 MAX. CRS.x TRAPEZOIDAL CLADDING IS TO BE FIXED TO EVERY 2ND ROW (I.E. 960 CRS)

Vertical fixing on cavity is not provided for in E2/AS1, because solid Castellated Cavity Battens would potentially compromise the ventilation and drainage of the cavity. However, using castellated battens (as an alternative solution) overcomes this and is widely accepted.

GIB HANDIBRAC 5 x 14g x 35 Type 17 Tok Screws with 1 x BOWMAC M12 x 140 Blue Screw Bolt.

Concrete/mesh
 100 Concrete Floor Slab With 50mm Mesh, 30 Top Cover, Conc Strength To Be 25mpa

Moisture Barrier
 0.25 Polyethylene Moisture Barrier, Lap 200 And Tape Seams Continuously With 50 Polyethylene Tape, Tape All Cuts And Penetrations. Use Thermathene Black

Sand Blinding
 25 Sand Blinding Under Moisture Barrier To Protect From Perforation.

Hardfill
 100 Gaps/40 Hardfill Well Rolled And Compacted

Pile Footings
 Refer to Slab Plan For Footing Details

CONC STRENGTH FOR SLAB & NEW FOOTINGS 25MPA

Appendix 2

Location Map



Appendix 3

Title Information



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




R. W. Muir
Registrar-General
of Land

Identifier NA126B/126
Land Registration District North Auckland
Date Issued 14 December 1999

Prior References

NA99C/177

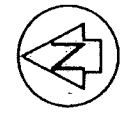
Estate Fee Simple
Area 600 square metres more or less
Legal Description Lot 51 Deposited Plan 198775

Registered Owners

Nigel John Ford and Mangarewa East Trustees Limited as to a 1/2 share
Kylee Maree Phillips as to a 1/2 share

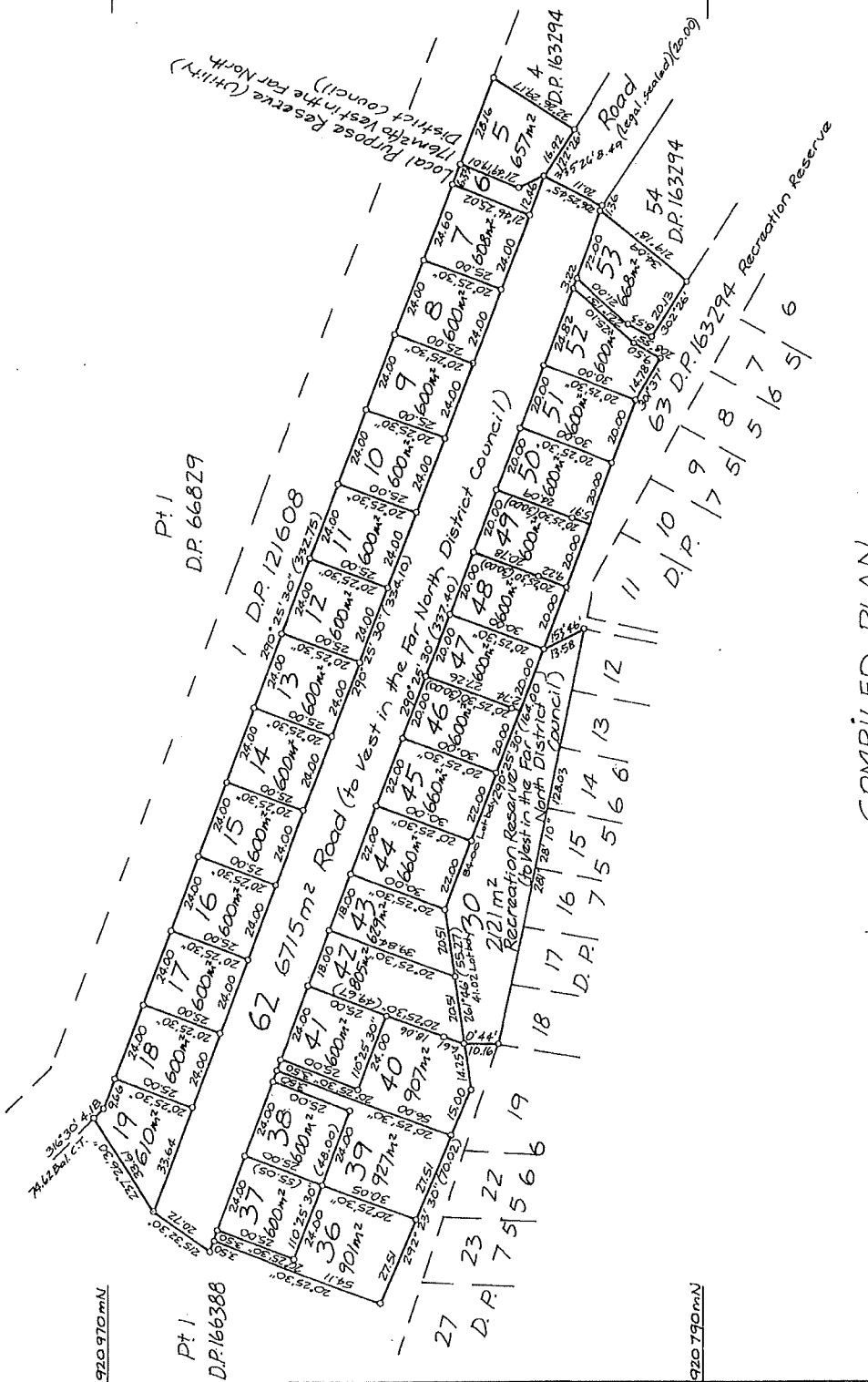
Interests

Appurtenant hereto are rights of way created by Transfer A169205
D457748.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - produced 1.12.1999 at
3.20 pm and entered 14.12.1999 at 9.00 am
Fencing Covenant in Transfer D638235.1 - 7.9.2001 at 9.00 am
Land Covenant in Transfer D638235.1 - 7.9.2001 at 9.00 am



165.690mE

165.510mE



COMPILED PLAN

LAND DISTRICT North Auckland
SURVEY BLK & DIST III Karikari
NZMS 261 SHT

RECORD MAP No

TERRITORIAL AUTHORITY Far North District
Surveyed by D.B. van Sturmer
Scale 1:1000 Date July 1999

Approvals
Bearings & coordinates in terms of Geodetic Datum 1949.
M1 Eden Circuit Coordinates
Origin: Mt Eden
300 000 mE

I hereby certify that this plan was approved by the Far North District Council pursuant to Section 223 of the Resource Management Act 1991 on the 10th day of August 1999.

Authorized Officer RC. 850/J

New CST allocated

- Lot 5: 126B/95
- Lot 6: 126B/96
- Lot 7: 126B/97
- Lot 8: 126B/98
- Lot 9: 126B/99
- Lot 10: 126B/100
- Lot 11: 126B/101
- Lot 12: 126B/102
- Lot 13: 126B/103
- Lot 14: 126B/104
- Lot 15: 126B/105
- Lot 16: 126B/106
- Lot 17: 126B/107
- Lot 18: 126B/108
- Lot 19: 126B/109
- Lot 20: 126B/110
- Lot 21: 126B/111
- Lot 22: 126B/112
- Lot 23: 126B/113
- Lot 24: 126B/114
- Lot 25: 126B/115
- Lot 26: 126B/116
- Lot 27: 126B/117
- Lot 28: 126B/118
- Lot 29: 126B/119
- Lot 30: 126B/120
- Lot 31: 126B/121
- Lot 32: 126B/122
- Lot 33: 126B/123
- Lot 34: 126B/124
- Lot 35: 126B/125
- Lot 36: 126B/126
- Lot 37: 126B/127
- Lot 38: 126B/128
- Lot 39: 126B/129
- Lot 40: 126B/130
- Lot 41: 126B/131
- Lot 42: 126B/132
- Lot 43: 126B/133
- Lot 44: 126B/134
- Lot 45: 126B/135
- Lot 46: 126B/136
- Lot 47: 126B/137
- Lot 48: 126B/138
- Lot 49: 126B/139
- Lot 50: 126B/140
- Lot 51: 126B/141
- Lot 52: 126B/142
- Lot 53: 126B/143
- Lot 54: 126B/144
- Lot 55: 126B/145
- Lot 56: 126B/146
- Lot 57: 126B/147
- Lot 58: 126B/148
- Lot 59: 126B/149
- Lot 60: 126B/150
- Lot 61: 126B/151
- Lot 62: 126B/152
- Lot 63: 126B/153
- Lot 64: 126B/154
- Lot 65: 126B/155
- Lot 66: 126B/156
- Lot 67: 126B/157
- Lot 68: 126B/158
- Lot 69: 126B/159
- Lot 70: 126B/160
- Lot 71: 126B/161
- Lot 72: 126B/162
- Lot 73: 126B/163
- Lot 74: 126B/164
- Lot 75: 126B/165
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- Lot 77: 126B/167
- Lot 78: 126B/168
- Lot 79: 126B/169
- Lot 80: 126B/170
- Lot 81: 126B/171
- Lot 82: 126B/172
- Lot 83: 126B/173
- Lot 84: 126B/174
- Lot 85: 126B/175
- Lot 86: 126B/176
- Lot 87: 126B/177
- Lot 88: 126B/178
- Lot 89: 126B/179
- Lot 90: 126B/180
- Lot 91: 126B/181
- Lot 92: 126B/182
- Lot 93: 126B/183
- Lot 94: 126B/184
- Lot 95: 126B/185
- Lot 96: 126B/186
- Lot 97: 126B/187
- Lot 98: 126B/188
- Lot 99: 126B/189
- Lot 100: 126B/190

Total Area 2.944.479
Comprised in C.T. 99.8.177 (Pt)

I, Donald Bain, of the Far North District Council, being a Registered Surveyor and holder of an annual practicing certificate for the purposes of the Survey Act 1980, hereby certify that this plan has been made from a survey conducted by me or under my supervision and that the boundaries shown are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof. Dated at Karikari, this 17th day of August 1999.

Approved as to Survey
29.1.1999

Day of December 1999

District Land Registrar
DP 198775

940 Rangitikei Holdings

16 DEC 1999

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

THE RESOURCE MANAGEMENT ACT 1991

D457748.2
CONO.

SECTION 221 : CONSENT NOTICE

REGARDING:

The Subdivision of Lot 1 DP 166388 Part
Section 2 Block III Karikari Survey
District North Auckland Registry

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 Schedule 1 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 this Notice is to be registered on the new titles, as set out in Schedule 2 herein.

SCHEDULE 1

- (i) Pursuant to Section 220 (1) (c) of the Resource Management Act 1991 and in accordance with Policy 9.10 of the Transitional Far North District Council Plan, Lots 36, 39, 40 and 42-53 (inclusive) on plan No. 198775 are subject to a building line restriction of no less than 7.0 metres from the line of the top of the escarpment as shown on the annexed copy plan.

SCHEDULE 2

- (i) Lot 36, 39, 40 and 42-53 (inclusive) DP 198775 being respectively Certificates of Title 126B/111, 126B/114, 126B/115, 126B/117, 126B/118, 126B/119, 126B/120, 126B/121, 126B/122, 126B/123, 126B/124, 126B/125, 126B/126, 126B/127 and 126B/128.

SIGNED: 

By the Far North District Council - by its Environmental Services Manager *PM*

DATE: 1 November 1999

SIGNED by Doris Mabel BARRY
as registered proprietor by her Attorney





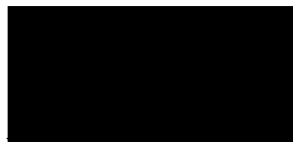
**DECLARATION OF NON-REVOCATION OF
ENDURING POWER OF ATTORNEY**

I Michael Ralph NORTON formerly of Hamilton, now of Kerikeri, company director do solemnly and sincerely declare as follows:

- 1 THAT by Enduring Power of Attorney dated the 18th day of December 1996 (Registered No. D.289614.1), Doris Mabel BARRY of Waipapakauri, farmer appointed myself and Christine Anne LEWIS (jointly and severally) to be her Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
- 2 THAT at the date hereof the declarant has not received any notice or information of the revocation of that appointment by the death of the said Doris Mabel BARRY or otherwise.
- 3 THAT the said Power of Attorney is in all respects in force at the date hereof by virtue of its terms and the provisions of Part IX of the Protection of Personal and Property Rights Act 1988.
- 4 THAT the declarant is authorised by the enduring Power of Attorney to execute the annexed instrument.
- 5 THAT the annexed instrument complies with all conditions and restrictions set out in the said Power of Attorney.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at
this / day of
1999 before me:



M R Norton

.....
A So ew Zealand

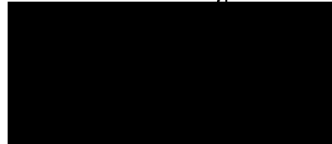
SIGNED by Pamela SPANHAKE
as registered proprietor
in the presence of:

)
)
)



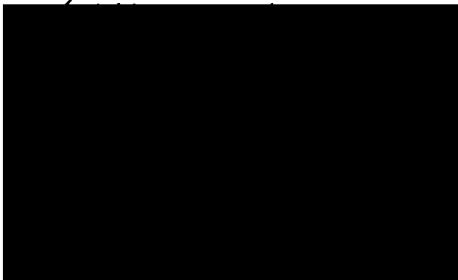
SIGNED by John Bowman MOREY
as registered proprietor
in the presence of:

)
)
)



SIGNED by Beverley June SPANHAKE
as registered proprietor
in the presence of:

)
)
)

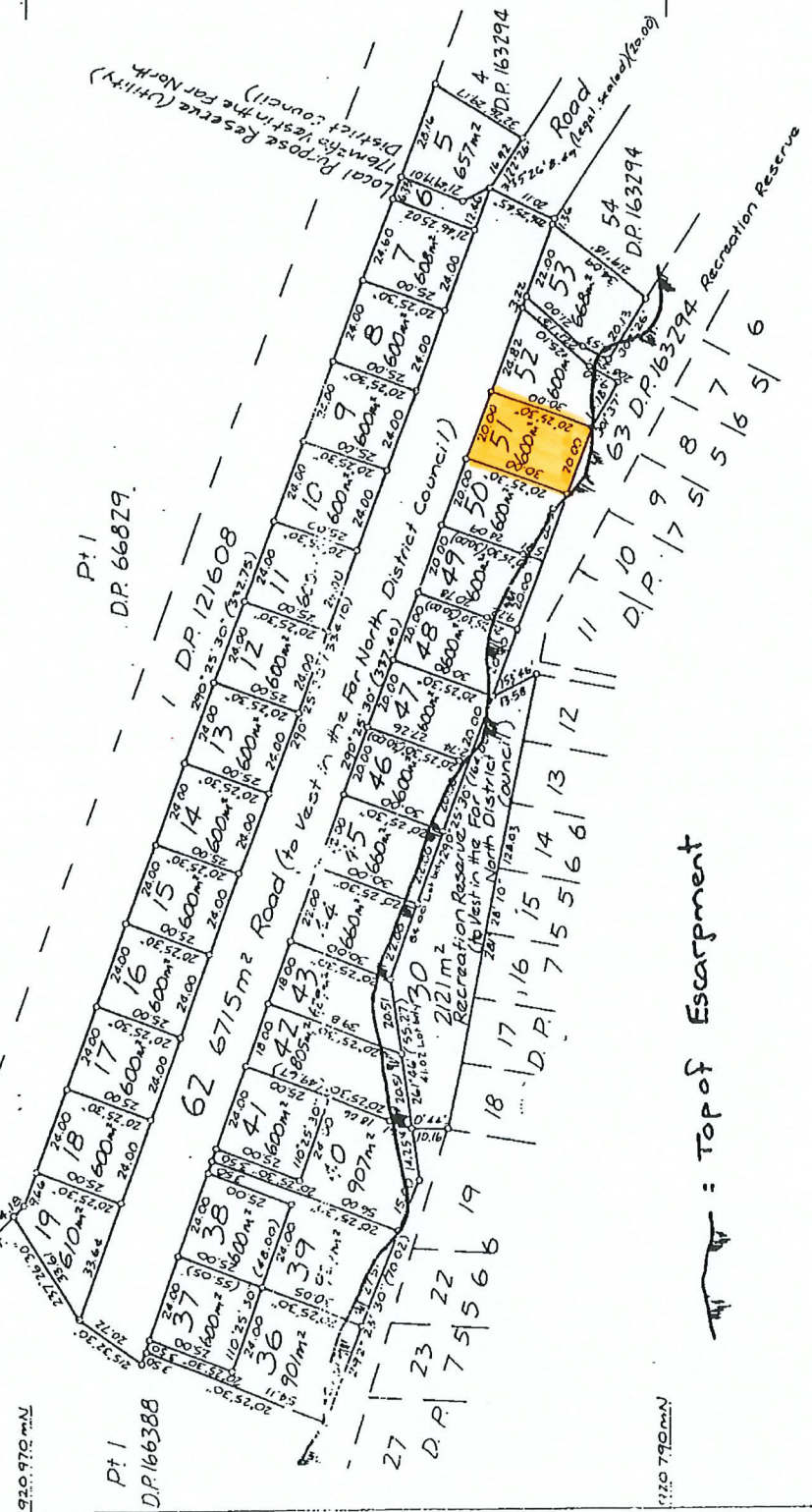


165 690 mE

165 510 mE



REZONED TO RESIDENTIAL USE



Top of Escarpment

COMPILED PLAN

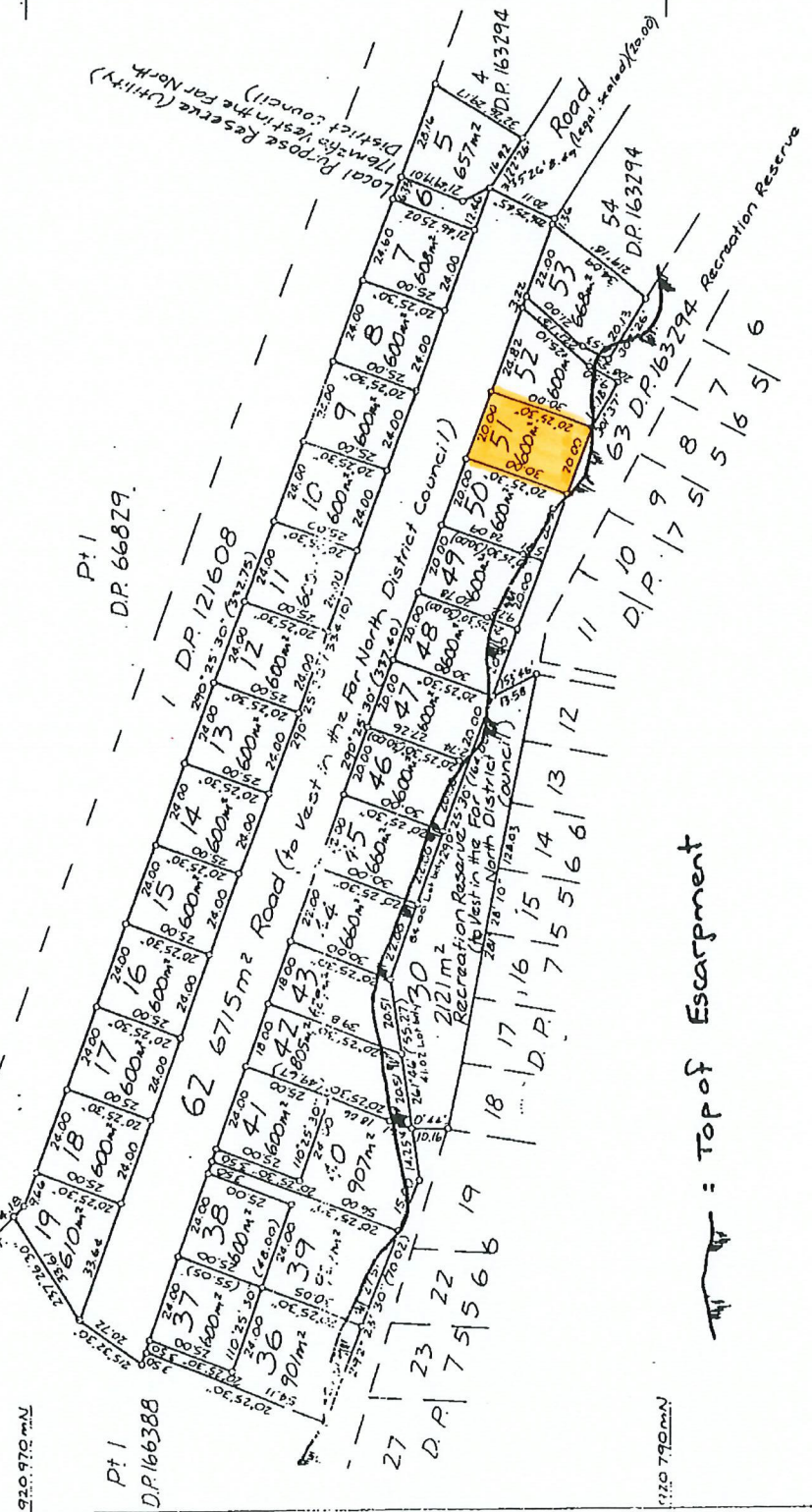
LAND DISTRICT North Auckland
 SURVEY BLK. & DIST III Karikari
 NZMS 261 SHT RECORD MAP NO
 TERRITORIAL AUTHORITY Far North District
 Surveyed by D.B. van Sturmer
 Scale 1:900 Date July 1999

165 690 mE

165 510 mE



REZONED TO RESIDENTIAL USE



Top of Escarpment

COMPILED PLAN

LAND DISTRICT North Auckland
 SURVEY BLK. & DIST III Karikari
 NZMS 261 SHT RECORD MAP NO
 TERRITORIAL AUTHORITY Far North District
 Surveyed by D.B. van Sturmer
 Scale 1:900 Date July 1999

Approvals
 Bearings & coordinates in terms of
 Geodetic Datum 1944
 M.T. Eden, Circuit Coordinates S
 Origin: M.T. Eden
 700 000 mN
 900 000 mE

I hereby certify that this plan was approved
 by the Far North District Council pursuant
 to Section 223 of the Resource Management
 Act 1991 on the 10th day of August
 1999.

Authorised Officer RC. 880/1
 R.S. 1960764

- New CS 7 allocated
- Lot 5:
 - Lot 6:
 - Lot 7:
 - Lot 8:
 - Lot 9:
 - Lot 10:
 - Lot 11:
 - Lot 12:
 - Lot 13:
 - Lot 14:
 - Lot 15:
 - Lot 16:
 - Lot 17:
 - Lot 18:
 - Lot 19:
 - Lot 20:
 - Lot 21:
 - Lot 22:
 - Lot 23:
 - Lot 24:
 - Lot 25:
 - Lot 26:
 - Lot 27:
 - Lot 28:
 - Lot 29:
 - Lot 30:
 - Lot 31:
 - Lot 32:
 - Lot 33:
 - Lot 34:
 - Lot 35:
 - Lot 36:
 - Lot 37:
 - Lot 38:
 - Lot 39:
 - Lot 40:
 - Lot 41:
 - Lot 42:
 - Lot 43:
 - Lot 44:
 - Lot 45:
 - Lot 46:
 - Lot 47:
 - Lot 48:
 - Lot 49:
 - Lot 50:
 - Lot 51:
 - Lot 52:
 - Lot 53:
 - Lot 54:

Total Area 2,964.4 ha
 Comprised in C.T. 999/177 (Pt)

I, Donald, Blain, Registrar, North Auckland, do hereby certify that this plan has been made in accordance with the provisions of the Survey Act 1980 and that the survey has been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof. Dated at Auckland this 19th day of August 1999.

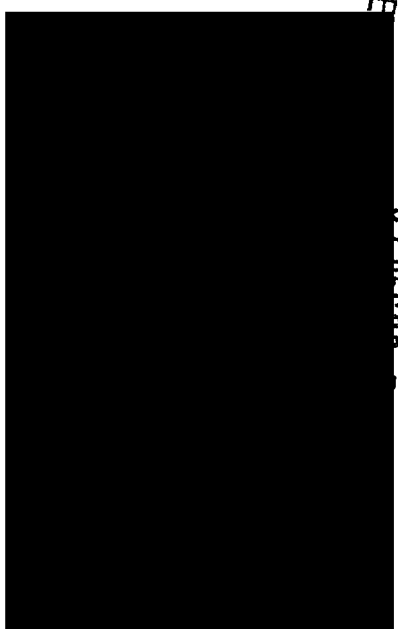
Field Book
 Reference Plans
 Examined

Approved as to Survey
 Chief Surveyor

Deposited this 19th day of August 1999
 District Land Registrar
 198775

PRODUCED 320 01
ENTERE

LINZ COPY



9a4/m
2 cono / 38-