

Con- 346298

App - 182089

Rev - 1462468

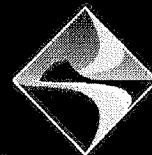
2256-04

EPF/Application/120906(A4version)-pg1/5

Environmental Planning

Application Form

For all application types (except Temporary Events)



Tauranga City

Site Location

Planner check ☐

Street Address : 33A Muricata Ave

Suburb : Mt Maunganui

Legal Description : Lot 2 DPS 71201 & Lot 2 DPS 92361

Applicant Details

Planner check ☐

Applicant Name : William John Ridley & Julie Ann Cosford

Address of Applicant : 33A Muricata Avenue, Mt Maunganui, Tauranga

Property Owner : Same as applicant

Occupant (if applicable) :

Address for Service

Planner check ☐

Agent Name : Aldersley Surveys

Postal Address : 21C Bradley Ave, Pyes Pa

e-mail Address : taldersley@extra.co.nz

Phone & Fax No.s : Ph 57841930 Fax 5781960

Type of Application/s (tick relevant boxes)

Planner check ☐

Subdivision Consent – RMA s88

(form 9 equiv)

☐

Post-Subdivision – Survey Plan – RMA s223

☐

Land use Consent – RMA s88

(form 9 equiv)

☒

Post-Subdivision – Completion Certificate - RMA s224

☐

Consent Condition – Cancel/Vary – RMA s127

(form 10 equiv)

☐

Consent Notice – Cancel/Vary – RMA s221

☐

Cert. of Compliance – Permitted Activity (incl. Liquor) – RMA s139

☐

Easement – Create/Cancel – RMA s243

☐

Existing Use Certificate – RMA s139A & s10

☐

Designation – RMA s168

☐

Outline Plan (for designated site) – RMA s176A

☐

Other (specify):

☐

Describe Proposal (in brief)

Daylighting Encroachment

Planner check ☐

Supporting Information (attached)

Attach additional pages as necessary

Applicant check ☒

Planner check ☐

Assessment of Environmental Effects (accords with RMA 4th Schedule, Tauranga District Plan - Chapter 12, and attached checklist)

☐

The information supplied with this application is true and complete to the best of my knowledge. I understand the Council is relying on this information in making its decision on this application.

Signed – by applicant or person authorised to sign on behalf of applicant:

Date:

4/4/11

W. J. Ridley
ENVIRONMENTAL SERVICES
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IMPORTANT NOTE – HAVE YOU BOOKED YOUR LODGEMENT MEETING YET?

Environmental Planning

Checklists – Applicant to complete

Tauranga City

Disclaimer: This form is for guidance only. It does not comprise any type of Council approval, nor does it in any way prevent Council from making a request for additional information required to process the application

Supporting Information - General

Description of Proposal

- Activity Status
- Relevant Rules, Objectives and Policies of the District Plan (incl. any Plan Changes)
- Relevant provisions of the National Policy Statement, NZ Coastal Policy Statement, Regional Plan, and Strategies
- Assessment of actual and potential effects (incl. alternative sites and monitoring requirements)

Applicant check ☒ Planner check ☐

Deposit Fee/s (incl GST) – Refer Environmental Services Group - Schedule of Fees and Charges - \$ 2256-04

☒ ☐

Certificate of Title (not less than 3 months old) & any restriction details – building line, covenant, consent notice, easements

☒ ☐

Full set of Development Plans (Scale - 1:100 or 1:200) – refer District Plan Information requirements under Chapter 12.1

☒ ☐

Identification of Persons interested or affected by the proposal, including:

- Written Approval of Affected Persons (unconditional, correctly completed, including signing of the AEE and plans)
- Record of Consultation with any parties (incl. with Tangata Whenua), and any response.

☒ ☐

☐ ☐

Note – Reference should be made to the Tauranga City Council Policy entitled: "Tangata Whenua Consultation in relation to Resource Consents" – which requires a written response from the affected Iwi or Hapu.

NA

Specialist Assessments (Landscape, Visual, Traffic, Noise, Arborist, Geotechnical) are from appropriately qualified experts

☐ ☐

Other Consents Required: Environment Bay of Plenty (discharge, earthworks); NZ Historic Places (archaeological)

☐ ☐

Earthworks and Excavation: the extent (illustrated and described), finished contours, and geotechnical detail

☐ ☐

IMPORTANT NOTE

For comprehensive information requirements (for all application types), you are strongly advised to refer to the Fourth Schedule of the Resource Management Act 1991, and Chapter 12 of the Tauranga District Plan.

Additional guidance for certain types of applications

If for a Subdivision – Section 88

- Scheme Plan Detail: the position of all existing and new boundaries, services and easements / amalgamation; the areas of all new allotments

Applicant check ☐ Planner check ☐

If for a Consent Condition - Cancellation or Variation – Section 127

- Referenced the approved consent & clearly identified whether seeking cancellation or variation
- Assessment of Environmental Effects accords with RMA 4th Schedule & corresponds with scale and significance of effects the change or cancellation may have on the environment

Applicant check ☐ Planner check ☐
☐ ☐

If for a Permitted Activity – Section 139

- Demonstrate permitted activity status, and how all associated permitted activity conditions have been satisfied

Applicant check ☐ Planner check ☐

If for an Existing Use – Section 139A and Section 10

Applicant check ☐ Planner check ☐

- | | | |
|---|--------------------------|--------------------------|
| - Detail the effects of the character, intensity and scale of the activity / use | <input type="checkbox"/> | <input type="checkbox"/> |
| - Evidence how the activity / use was lawfully established prior to the rule becoming operative, proposed plan being notified, or designation being removed | <input type="checkbox"/> | <input type="checkbox"/> |

If for an associated Liquor Licence application – Section 139

- | | | |
|---|--|--|
| - All licensed areas (indoor and outdoor) are clearly outlined on the plans | Applicant check <input type="checkbox"/> | Planner check <input type="checkbox"/> |
| - All carparking and loading spaces associated with the premises are clearly outlined on the plans | <input type="checkbox"/> | <input type="checkbox"/> |
| - Detail any other land use activities operating from this site and associated carparking | <input type="checkbox"/> | <input type="checkbox"/> |
| - Detail the hours of operation (indoor and outdoor) of all activities operating from this site | <input type="checkbox"/> | <input type="checkbox"/> |
| - Attach – Copies (including plans) of all previous planning certificates/resource consents/certificates of compliance | <input type="checkbox"/> | <input type="checkbox"/> |

If for a Temporary Activity or Event – Refer to: Application Form (Temporary Activity/Events)

If for an Outline Plan – Section 176A

- | | | |
|--|--|--|
| - Reference the designation | Applicant check <input type="checkbox"/> | Planner check <input type="checkbox"/> |
| - Detailed height, shape and bulk of the public work, project or work; | <input type="checkbox"/> | <input type="checkbox"/> |
| - Shown location on the site of the works, and likely finished contour of the site; | <input type="checkbox"/> | <input type="checkbox"/> |
| - Detailed vehicular access, circulation and provision for parking; | <input type="checkbox"/> | <input type="checkbox"/> |
| - Shown landscaping proposed; | <input type="checkbox"/> | <input type="checkbox"/> |
| - Detailed any other matters to avoid, remedy or mitigate any adverse effects on the environment | <input type="checkbox"/> | <input type="checkbox"/> |

If for a Consent Notice - Cancellation or Variation – Section 221

- | | | |
|--|--|--|
| - Referenced the approved consent & clearly identified whether seeking cancellation or variation | Applicant check <input type="checkbox"/> | Planner check <input type="checkbox"/> |
| - Attach copy of Consent Notice details | <input type="checkbox"/> | <input type="checkbox"/> |

If for a Post-Subdivision Application – Section 223 (survey plan) and/or Section 224 (certificate)

- | | | |
|---|--|--|
| - Survey plan and supporting documentation align with specific conditions of the approved subdivision consent | Applicant check <input type="checkbox"/> | Planner check <input type="checkbox"/> |
| - Plans and supporting documentation align with specific conditions of the approved subdivision consent | <input type="checkbox"/> | <input type="checkbox"/> |

Lodgement Meeting Advice Notes – for the Applicant

- Information provided with an application lodged with the Council is public information, unless classified otherwise.
- Council can only accept your application when all details are completed, all relevant information is provided, the application is signed and the deposit fees are paid.
- Under RMA s88(3), if an application does not include an adequate assessment of environmental effects, within 5 working days after first lodged, the Council may determine the application is incomplete and return it with written reasons
- Under RMA s92, the Council may request additional information or seek to commission a specialist report in order to better understand your application, and make an informed decision.

Although a hard copy is required. An **electronic** copy of all documentation & plans is strongly encouraged.

Environmental Planning

Lodgement Meeting Outcome – Office Use Only



Disclaimer: This form does not comprise any type of Council approval, nor does it in any way prevent Council from making a request for additional information required to process the application

Street Address

Council Reference RC

Meeting Record

Date

Time

Attended By

Applicant

Agent / Specialists

Council Staff

Meeting Notes

Use additional pages as necessary

Meeting Outcome

Accepted – to be vetted for adequacy of information

Under s88(3) of the Resource Management Act, if an application does not include an adequate assessment of environmental effects, within 5 working days after first lodged, the Council may determine the application is incomplete and return it with written reasons.

Not Accepted – for the reasons stated below

Applicant check Relodge check Planner check

1.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


Office Use Only

Planner check

- Retained original copy for the file
- Supplied copy to the Applicant / Agent
- Time/cost for meeting attendance charged

☐
☐
☐

Council Stamp – date received:

Council Application Reference: <i>RC</i>	Council Customer Reference:	Council Receipt Reference:	 Planner check <input type="checkbox"/>
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Environmental Planning

Lodgement Meeting Request – Applicant to complete

For all lodgements

**Tauranga City**

Site Location

Street Address : 33A Muricata Avenue

Suburb : Mt Maunganui

Legal Description : Lot 2 DPS 71201 & Lot 2 DPS 92361

Tauranga City Council

91 Willow Street

Private Bag 12-022 Tauranga

Phone 07 577 7000

Fax 07 577 7034

Website www.tauranga.govt.nz

GST No. 51-938-283

Applicant Details

Applicant Name : William John Ridley & Julie Ann Cosford

Address of Applicant : 33A Muricata Avenue, Mt Maunganui, Tauranga

Address for Service

Agent Name : Aldersley Surveys

Postal Address : 21C Bradley Ave, Pyes Pa, Tauranga

e-mail Address : taldersley@xtra.co.nz

Phone & Fax No.s : Ph 5781930 Fax 5781960

Request Date & Time (subject to availability)

To accommodate your request, please allow a **minimum** of 3 full working days **in advance** to arrange a meeting time & attendees


Prefer Date: Wed 13/4/11 2:30pm

Prefer Time: 8.30 – 9.15 9.30 – 10.15 10.45 – 11.30 1.30 – 2.15 2.30 – 3.15 3.45 – 4.30

Optional Date: Thurs 14/4/11 2:30pm

Optional Time: 8.30 – 9.15 9.30 – 10.15 10.45 – 11.30 1.30 – 2.15 2.30 – 3.15 3.45 – 4.30

Application Specifics (tick relevant boxes)

Land use  Non-notified ☐ Controlled ☐ Discretionary ☐ Permitted ☐Subdivision ☐ Notified ☐ Ltd Discretionary  Non-Complying ☐ Other (Specify) ☐

Describe Proposal (in brief) – reasons for consent

Details here assist with task allocation to an appropriate Planner level

Daylighting Encroachment (Land Use Consent)

To assist, you should also specify relevant District Plan Rule/s & Plan Change/s; No. Lots for Subdivision - use additional pages as necessary

Council staff previously contacted	Karen Steer
Council Specialists needing to be present	
Other Specialists you intend bringing	

SUBMIT FORM – ATTENTION TO: ENVIRONMENTAL PLANNING, CONSENTS TECHNICIANSTauranga City Council
91 Willow St, Private Bag 12022
TAURANGA

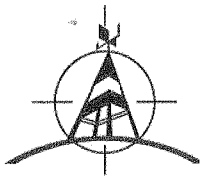
Fax - (07) 577 7034

planning@tauranga.govt.nz

- You should attend with all relevant Council documentation completed, alongwith any other information to support the application, including the correct deposit fee.
- We will endeavour to meet your preferred date & time, however time slots are allocated on a first-come first-served basis and alternative arrangements may be necessary.

ENVIRONMENTAL SERVICES

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Ref. 1718-02

13 April 2011

Manager: Environmental Planning
Tauranga City Council
Private Bag
TAURANGA

Dear Sir or Madam:

Application for Land Use Consent - Daylighting Encroachment
33A Muricata Avenue, Mt Maunganui, Tauranga

1.0 INTRODUCTION:

Pursuant to the provisions of the Resource Management Act 1991 and the Tauranga City Council Operative District Plan, we seek approval for a 'minor' encroachment into the daylight plane (overshadowing) which is considered a 'Restricted Discretionary Activity' as detailed below and shown on attached plan 1718-01A.

2.0 LEGAL DESCRIPTION AND ZONING:

The subject land is registered on Certificate of Title SA73A/487 being Lot 2 DPS 71201 & Lot 2 DPS 92361 containing a total area of 639m².
A Copy of the certificate of title is enclosed for Council records.

Legal Owners / Applicant: William John Ridley, Julie Ann Cosford

The property is zoned Residential 'A' under the Operative District Plan and zoned Suburban Residential under the Proposed City Plan 2011.

3.0 THE APPLICATION

We are requesting approval for a 'Land Use Consent' for an Overshadowing Encroachment relating to renovations and a recent extension (August 2008) at the above property.

In accordance with Rule 14B.3.6 and 14B.6, we consider this type of application to be a Restricted Discretionary Activity, under the Proposed City Plan 2011, which we understand is now deemed to be Operative.

This type of application is considered to be a 'Limited Discretionary Activity' under the corresponding rule of the Operative District Plan and therefore, for the purpose of this application, is deemed to be inoperative (by virtue having a 'directly corresponding Rule' with the Proposed City Plan 2011).

A Survey was carried out on the 28th January 2011 and a detailed plan was prepared (attached ref. 1718-01A) showing the extent of the daylighting encroachment at the north-eastern corner of the new extension. This encroachment corresponds to the northern elevation diagram shown on Sheet 9 of the building consent plans (dated April

08). While there is no encroachment shown on the elevation diagram, we have surveyed a 0.20 metre (200mm) encroachment based on our best estimate of the original ground levels. We also note on southern elevation diagram of Sheet 10 of the same building consent plans there was an encroachment shown on part of the existing dwelling (identified as 'B' on plan 1718-01A), but is not part of the new extension, and is therefore not required as part of this application.

4.0 RESOURCE MANAGEMENT ACT 1991 & PROPOSED CITY PLAN (2011) PROVISIONS:

The Land Use Consent is a Restricted Discretionary Activity with respect to Rule 14B.6 of the Proposed City Plan 2011 as the proposal does not comply with one of the permitted activity conditions for the Suburban Residential Zone. That is, the recent extension to the existing dwelling at 33A Muricata Avenue encroaches the daylighting plane by 0.20m (Rule 14B.3.6). However, we consider that the extent of the encroachment (as detailed on Aldersley Surveys Plan 1718-01A) is very minimal and the affected adjoining neighbours consent has been obtained.

We consider that no adverse effects will arise as a result of this activity that could not arise as a result of a permitted activity under Rule 14B.3.6 and notice does not need to be served on any persons in accordance with Section 94B(3)(a).

No special circumstances exist that may require notification of this application in accordance with Section 94C of the Resource Management Act 1991 because there are no wider effects on the general community and no effects of an unusual or special nature which make notification desirable in this instance.

5.0 ADJOINING NEIGHBOURS CONSENT (AFFECTED PERSONS(S))

We consider the only person(s) affected by the daylighting encroachment are the owners of adjoining property at 33B Muricata Avenue (Kerry James Murphy & Sheryl Elizabeth Murphy). An 'Affected Persons' consent form has been signed by the neighbours is attached.

6.0 SUMMARY

As a Restricted Discretionary Activity status Land Use Consent Application, as we have obtained the adjoining neighbours consent, we seek your formal approval for the very minimal encroachment of the daylighting plane.

Yours faithfully,

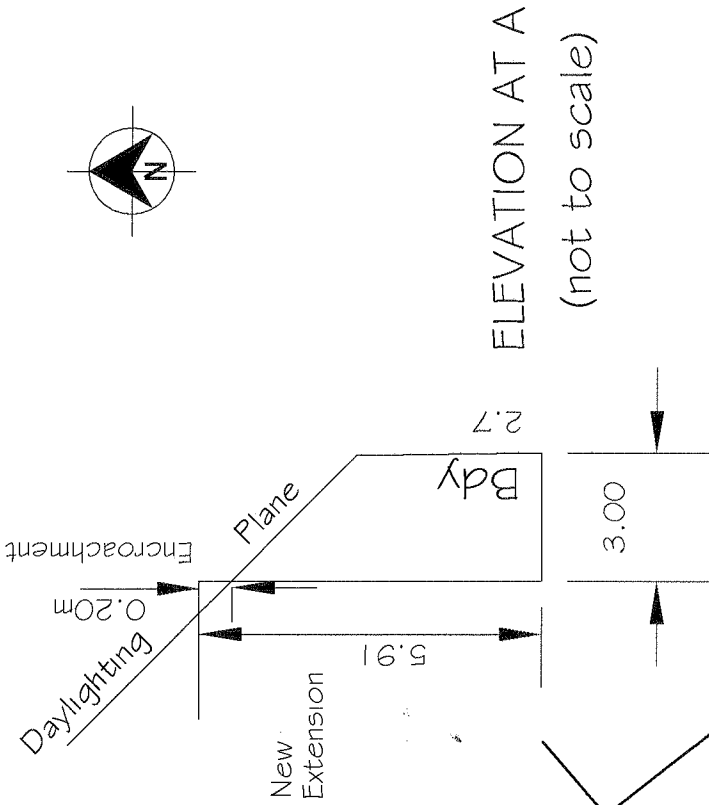
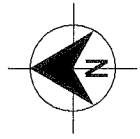


T J Aldersley

Registered Professional Surveyor

Encl: A4 Plan of Daylighting Encroachment
Copy of C.T. SA73A/487
Copy of adjoining owners C.T. SA57B/15
Written Approval of Affected Person(s)
Cheque Application Fee

\$2256-04



Note: Existing corner of the dwelling (shown at 'B') is also encroaching the daylight plane, but was not part of the new extension (see south elevation, page 10 of Building Consent Plan)

1
DPS 92361

2
DPS 92361

2
DPS 71201

1
DPS 71201

2
DPS 1886

MURICATA AVE

ALDERSLEY SURVEYS
 TONY ALDERSLEY - REGISTERED SURVEYOR
 SURVEYING, RESOURCE CONSENTS, BOUNDARY ADJUSTMENTS
 210 BROADWAY, AUCKLAND
 TEL 07 578 1930 FAX 07 578 1960
 MOB 021 211 2428 EMAIL taldersley@aldersley.co.nz

WJ RIDLEY
& JA COSFORD

33A MURICATA AVE
 MT MAUNGANUI
 LOT 2 DPS 71201 & LOT 2 DPS 92361
 (CT SA73A/L87)

Project No.	1718
Scale	1:250
Drawing No.	01
Rev.	A

Drawn	Checked	Reviewed	Approved
JAW	JAW	JAW	JAW
Verified	Verified	Verified	Verified
Date	Date	Date	Date

Drawn	Checked	Reviewed	Approved
JAW	JAW	JAW	JAW
Verified	Verified	Verified	Verified
Date	Date	Date	Date

Drawn	Checked	Reviewed	Approved
JAW	JAW	JAW	JAW
Verified	Verified	Verified	Verified
Date	Date	Date	Date

Drawn	Checked	Reviewed	Approved
JAW	JAW	JAW	JAW
Verified	Verified	Verified	Verified
Date	Date	Date	Date



**Environmental Planning
Written Approval of Affected Person/s
Resource Management Act 1991 - S95E**

Part A - APPLICANT to Complete

SUBJECT Site Location

Street Address 33A Muncata Avenue
Suburb Mt Maungamui
Legal Description Lot 2 DPS 71201 & Lot 2 DPS 92861

Applicant Details

Applicant Name W J Ridley & J A Costford

Address for Service

Agent Name Tony Aldersley (Aldersley Surveys Ltd)
Postal Address 21C Bradley Ave Pies Pa Tauranga
Phone Work 07 578 1930 Home 07 578 1940 Mobile 021 211 2429
Fax 07 578 1940 Email tony@aldersleysurveys.co.nz

Describe Proposal

Minor Encroachment of the daylighting plans as
shown on attached plan ref. 1718-01A and
detailed in report 1718-02 dated 4 April 2011

Applicant information

- Written approvals are required from all Owners and Occupiers (including tenants), associated with an affected site. If a property is owned by more than one person, all of the joint owners are considered to be 'affected persons'. If a property is rented out, the tenants are also considered to be 'affected persons'.
- Where the affected site relates to a Trust, the written approval is to be signed by a person authorised to represent the Trust.
- You need to provide affected persons with sufficient information to understand the proposal, including a copy of the application, assessment of environmental effects, and full development plans for consideration (and signing).

*** Part B - AFFECTED PERSON to Complete**

Affected Site Location

Street Address 33B Muncata Avenue
Suburb Mount Maungamui
Legal Description Lot 1 DPS 71201

Affected Person Details

Name KERAY James Murphy + Sheryl Elizabeth Murphy
Address for Service 33B Muncata Ave Mount Maungamui

AFFECTED PERSON SIGNATURE REQUIRED - REFER PAGE 2

Your signature means

- ☒ You fully understand why you are considered an affected party and why your written approval is sought.
- ☒ You understand your written approval cannot include conditions, and that any agreement with the applicant cannot be considered by the Council.
- ☒ You understand that once you have given your written approval, the Council must decide that you are not an affected person, in relation to the activity proposed.
- ☒ You understand that at any time before a decision is made by Council on whether there are any affected persons, or before the date of a Hearing (if a Hearing is held), or if there is no Hearing before the application is determined, you may give notice to the Council in writing, withdrawing your written approval under s95E(3) and s104(4) of the Resource Management Act 1991.

IF YOU ARE UNSURE ABOUT ANY ASPECT OF THE PROCESS OR YOUR RIGHTS AS AN ADVERSELY AFFECTED PERSON - PLEASE SEEK ADVICE BEFORE SIGNING

Written Approval

- ☒ I/We OWN and OCCUPY ☐ I am an / We are an OWNER only ☐ I am an / We are an OCCUPIER only
- ☒ I / We have been given a full & final proposal by the applicant (including the application, assessment of environmental effects and full development plans).
- ☒ I / We have signed, dated and attached the application, assessment of environmental effects and full development plans.

Pursuant to Section 95E of the Resource Management Act 1991, I / we the undersigned give written approval to the activity proposed, as outlined above, including associated documents that I / we have also viewed and signed. I / We understand that in giving written approval, the Council will decide that I / we are not an affected person and that no regard will be given to any effect on me / us in the consideration of the application.

Name - please print:

KERRY James MURPHY

Date: 6-4-2011

Signed - by affected person or person authorised to sign on behalf of affected person:

K. Murphy

Name - please print:

Sheryl Elizabeth MURPHY

Planner Check ☐

Date:

Signed - by affected person or person authorised to sign on behalf of affected person:

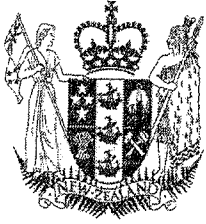
S. Murphy

6-4-2011.

Planner Check ☐

Privacy Act 1993

The information on this form is required so that an application can be processed under the Resource Management Act 1991 by Tauranga City Council. The information will be stored on a public file.



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier **SA73A/487**
Land Registration District **South Auckland**
Date Issued 01 February 2002

Prior References

SA1282/49 SA57B/16

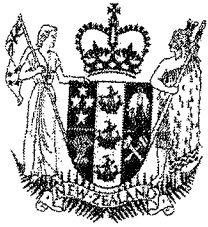
Estate	Fee Simple
Area	639 square metres more or less
Legal Description	Lot 2 Deposited Plan South Auckland 92361 and Lot 2 Deposited Plan South Auckland 71201

Proprietors

William John Ridley, Julie Ann Cosford and Enterprise Trustee Company Limited

Interests

Fencing Agreement in Transfer 70119 (affects Lot 2 DPS 92361)
B304895.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.1995 at 9.02 am
(affects Lot 2 DPS 71201)
Subject to Section 241(2) Resource Management Act 1991 (affects DPS 92361)
6063330.2 Mortgage to Mortgage Holding Trust Company Limited - 1.7.2004 at 9:00 am



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy


R.W. Muir
Registrar-General
of Land

Identifier **SA57B/15**
Land Registration District **South Auckland**
Date Issued 31 October 1995

Prior References
SA1080/255

Estate	Fee Simple
Area	393 square metres more or less
Legal Description	Lot 1 Deposited Plan South Auckland 71201

Proprietors
Kerry James Murphy as to a 1/2 share
Sheryl Elizabeth Murphy as to a 1/2 share

Interests
B304895.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 31.10.1995 at 9.02 am