



CORRECTED AMENDED DECISION PURSUANT TO SECTION 133A

FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (SUBDIVISION)**

Resource Consent Number: RC-2100412-RMASUB

Pursuant to section 104A of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Belinda Goodwin

The activity to which this decision relates: To subdivide Sections 215, 217 & 218 Town of Rawene, and to transfer proposed Lot 2 to Section 211 Town of Rawene, to improve access, within the Coastal Residential zone.

Subject Site Details

Address: 10 Marmon Street, Rawene
Legal Description: SECS 215 217 218 RAWENE TOWNSHIP
Certificate of Title reference: NA-910/175

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmers Licensed Surveyors, referenced 'Proposed Subdivision of Secs. 215, 217 & 218 Town of Rawene, CT 910/175 – GJ & ED Clarke', undated, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the survey plan shall show the following amalgamation condition:

"THAT Lot 2 hereon be transferred to the owner of Section 211 Town of Rawene (CT 1817/14) and one Certificate of Title be issued to include both parcels." [Ref: 903116].
3. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotments. The costs of preparing, checking and executing the Notice shall be met by the Applicants:*
 - (i) *In the event that the access route contained within Lot 2 is to be formed and utilised, prior to its utilisation, the lot owner shall:*

- Provide a formed entrance to proposed Lot 2 which complies with the Council's Engineering Standards FNDC S/6 & 6B. Seal the entrance plus splays between the existing seal edge and the property boundary;
- Provide formed and metalled access within Lot 2, to a 3 metre finished metalled carriageway width. The formation shall include provision for the collection and disposal of stormwater runoff;
- Evidence should also be provided that a building consent has been obtained, where a retaining wall is constructed to support the carriageway formation.

[Lot 2 / Section 211 Town of Rawene].

Advice Notes

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the New Zealand Historic Places Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).
2. The consent holder will need to obtain an Earthworks Permit prior to commencing any works.

Reasons for the Decision

1. **Description of the Activity:**
The proposal is for a 2 lot subdivision of Sections 215, 217 & 218 Town of Rawene. The purpose of the proposal is to create a lot which will be amalgamated, with Section 211 Town of Rawene. The result of this proposal will be that no new titles are created.
2. **District Plan Rules Affected:**
The proposed activity is a controlled activity in accordance with Rule 13.7 Controlled (Subdivision) Activities of the Operative District Plan.
3. **Principal Issue in Contention and Main Finding on those Issues:**
The principal issue in contention is access. The main finding on this issue is that the purpose of the proposal will be to provide an alternative, improved access to 36 Manning Street.
4. **Relevant Statutory Provisions:**
Policy Statements & Plan Provisions:
The Far North District Plan is considered to be the most relevant plan provision in relation to the proposed subdivision. Given that it is a controlled activity it is deemed to be consistent with the of the District Plan provisions.

Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

5. Notification and Affected Parties

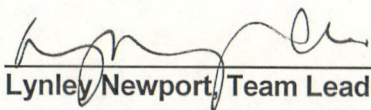
The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected order holders.

6. Overall Evaluation

It is considered that the proposed subdivision will have a no more than minor effect on the receiving environment. In addition, it is considered that the proposal is not inconsistent with the policies and objectives of the District Plan, and is consistent with the sustainable management purpose of the RMA.

Approval

This resource consent has been prepared by Theresa Burkhardt, Graduate Planner, and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Lynley Newport, Team Leader Resource Consents

31st March 2010

Date

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

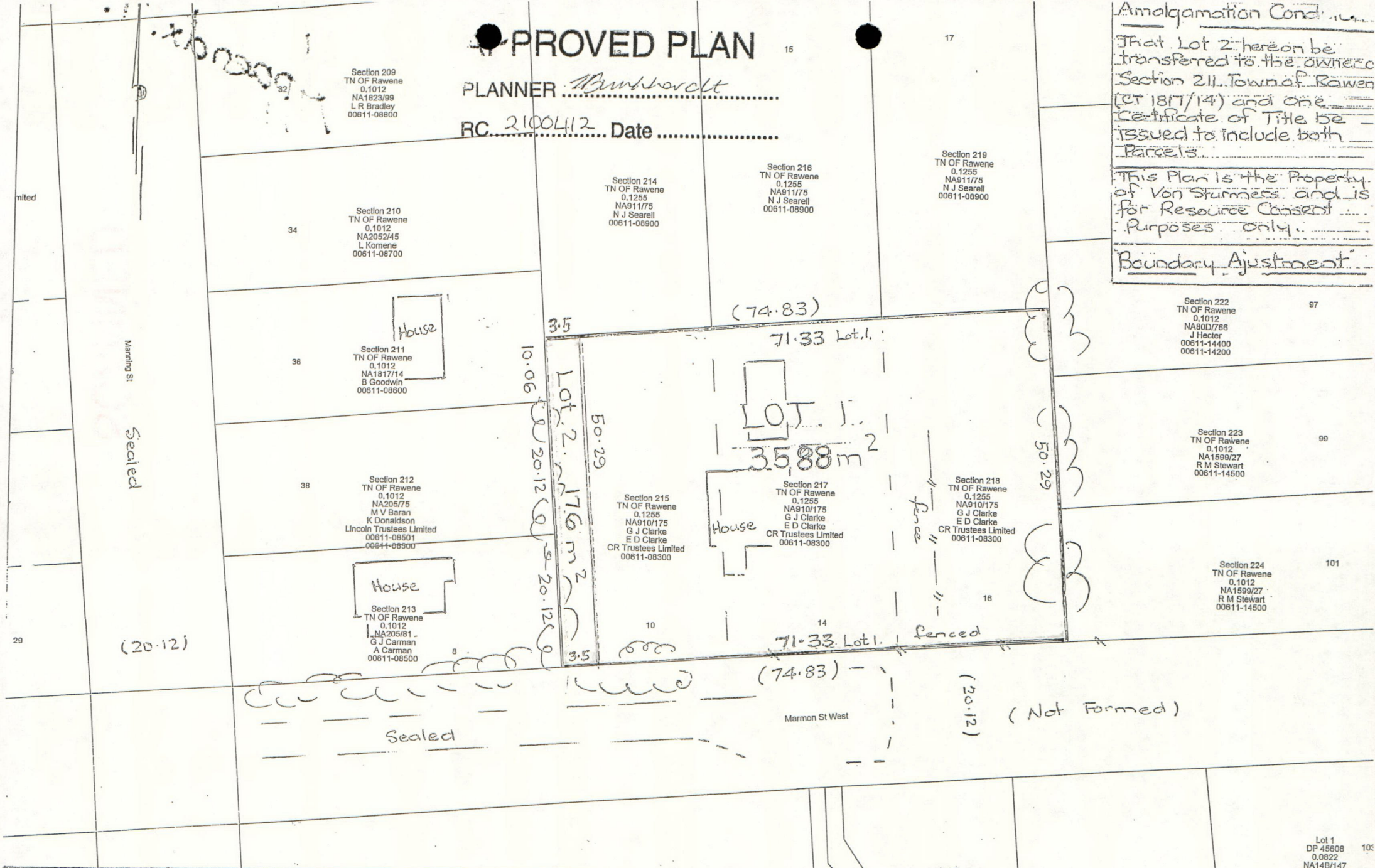
Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

PROVED PLAN
 PLANNER Burkhardt
 RC. 2100412 Date

Amalgamation Condition
 That Lot 2 hereon be transferred to the owners Section 211, Town of Rawene (Lot 1817/14) and one Certificate of Title be issued to include both parcels.
 This Plan is the Property of Von Stammers and is for Resource Consent purposes only.
Boundary Adjustment



Prepared for B. Goodwin by:
 Von Stammers Licenced Surveyors
 A Division of Structure Planning Solutions Ltd

Proposed Subdivision of Secs. 215, 217 & 218
 Town of Rawene - CT 910/175 - GJ & ED Clarke - Owners.

Scale 1:500
 Lot 1 DP 45608 0.0822 NA148/147 M J Hammond MA Vinac Hammond



Far North
District Council

COPY

CORRECTED AMENDED DECISION PURSUANT TO SECTION 133A

FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (SUBDIVISION)**

Resource Consent Number: RC-2100412-RMASUB

Pursuant to section 104A of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Belinda Goodwin

The activity to which this decision relates: To subdivide Sections 215, 217 & 218 Town of Rawene, and to transfer proposed Lot 2 to Section 211 Town of Rawene, to improve access, within the Coastal Residential zone.

Subject Site Details

Address: 10 Marmon Street, Rawene
Legal Description: SECS 215 217 218 RAWENE TOWNSHIP
Certificate of Title reference: NA-910/175

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Von Sturmerns Licensed Surveyors, referenced 'Proposed Subdivision of Secs. 215, 217 & 218 Town of Rawene, CT 910/175 - GJ & ED Clarke', undated, and attached to this consent with the Council's "Approved Stamp" affixed to it.
- ✓ 2. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the survey plan shall show the following amalgamation condition:
 - ✓ "THAT Lot 2 hereon be transferred to the owner of Section 211 Town of Rawene (CT 1817/14) and one Certificate of Title be issued to include both parcels." [Ref: 903116].
- ✓ 3. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotments. The costs of preparing, checking and executing the Notice shall be met by the Applicants:*
 - ✓ (i) *In the event that the access route contained within Lot 2 is to be formed and utilised, prior to its utilisation, the lot owner shall:*

- Provide a formed entrance to proposed Lot 2 which complies with the Council's Engineering Standards FNDC S/6 & 6B. Seal the entrance plus splays between the existing seal edge and the property boundary;
- Provide formed and metalled access within Lot 2, to a 3 metre finished metalled carriageway width. The formation shall include provision for the collection and disposal of stormwater runoff;
- Evidence should also be provided that a building consent has been obtained, where a retaining wall is constructed to support the carriageway formation.

[Lot 2 / Section 211 Town of Rawene].

shall ?

Advice Notes

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the New Zealand Historic Places Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).
2. The consent holder will need to obtain an Earthworks Permit prior to commencing any works.

Reasons for the Decision

1. **Description of the Activity:**
The proposal is for a 2 lot subdivision of Sections 215, 217 & 218 Town of Rawene. The purpose of the proposal is to create a lot which will be amalgamated, with Section 211 Town of Rawene. The result of this proposal will be that no new titles are created.
2. **District Plan Rules Affected:**
The proposed activity is a controlled activity in accordance with Rule 13.7 Controlled (Subdivision) Activities of the Operative District Plan.
3. **Principal Issue in Contention and Main Finding on those Issues:**
The principal issue in contention is access. The main finding on this issue is that the purpose of the proposal will be to provide an alternative, improved access to 36 Manning Street.
4. **Relevant Statutory Provisions:**
Policy Statements & Plan Provisions:
The Far North District Plan is considered to be the most relevant plan provision in relation to the proposed subdivision. Given that it is a controlled activity it is deemed to be consistent with the of the District Plan provisions.

?

Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

5. **Notification and Affected Parties**

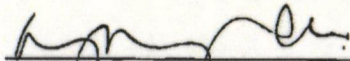
The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected order holders.

6. **Overall Evaluation**

It is considered that the proposed subdivision will have a no more than minor effect on the receiving environment. In addition, it is considered that the proposal is not inconsistent with the policies and objectives of the District Plan, and is consistent with the sustainable management purpose of the RMA.

Approval

This resource consent has been prepared by Theresa Burkhardt, Graduate Planner, and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Lynley Newport Team Leader Resource Consents

31st March 2010

Date

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

APPROVED PLAN

PLANNER *Mark Verdt*

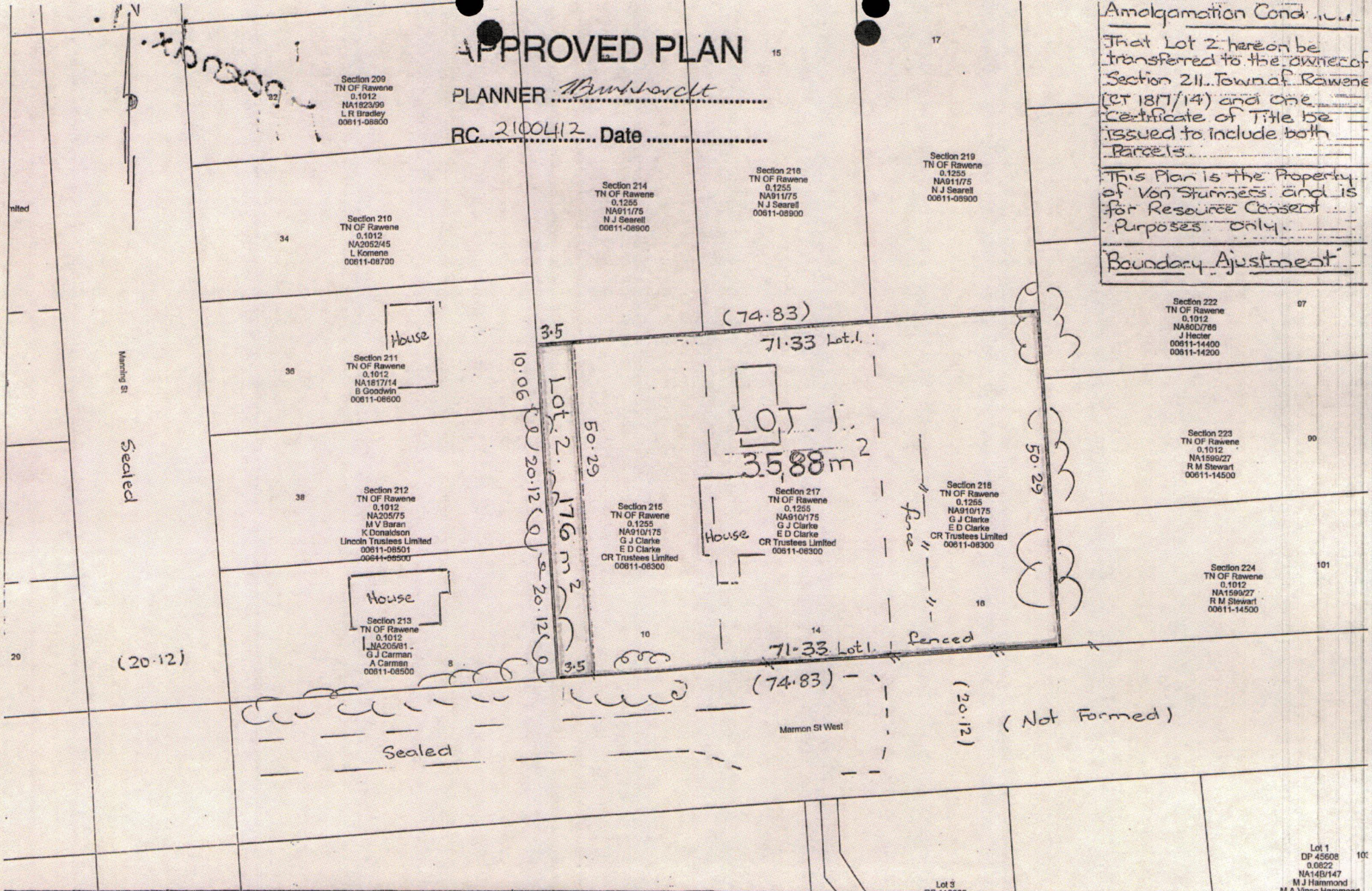
RC. 2100412 Date

Amalgamation Cond.

That Lot 2 hereon be transferred to the owner of Section 211, Town of Rawene (CT 1817/14) and one Certificate of Title be issued to include both parcels.

This Plan is the Property of Von Stummers and is for Resource Consent purposes only.

Boundary Adjustment



Prepared for B. Goodwin by:-
Von Stummers Licenced Surveyors
A Division of Survey & Planning Solutions Ltd

Proposed Subdivision of Secs. 215, 217 & 218
Town of Rawene - CT 910/175 - GJ & ED Clarke - Owners.

Scale 1:500

PROVED PLAN

PLANNER Burns & McDermott

RC 2100412 Date

Amalgamation Condition

That Lot 2 hereon be transferred to the owner of Section 211, Town of Rawene (CT 1817/14) and one Certificate of Title be issued to include both Parcels.

This Plan is the Property of Von Stammers and is for Resource Consent purposes only.

Boundary Adjustment

Section 209
TN OF Rawene
0.1012
NA1823/99
L R Bradley
00611-08900

Section 210
TN OF Rawene
0.1012
NA2052/45
L Komene
00611-08700

Section 211
TN OF Rawene
0.1012
NA1817/14
B Goodwin
00611-08600

Section 212
TN OF Rawene
0.1012
NA205/75
M V Baran
K Donaldson
Lincoln Trustees Limited
00611-08501
00641-08500

Section 213
TN OF Rawene
0.1012
NA205/81
G J Carman
A Carman
00611-08500

Section 214
TN OF Rawene
0.1255
NA911/75
N J Searell
00611-08900

Section 216
TN OF Rawene
0.1255
NA911/75
N J Searell
00611-08900

Section 219
TN OF Rawene
0.1255
NA911/75
N J Searell
00611-08900

Section 222
TN OF Rawene
0.1012
NA800/766
J Hecker
00611-14400
00611-14200

Section 223
TN OF Rawene
0.1012
NA1599/27
R M Stewart
00611-14500

Section 224
TN OF Rawene
0.1012
NA1599/27
R M Stewart
00611-14500

Section 215
TN OF Rawene
0.1255
NA910/175
G J Clarke
E D Clarke
CR Trustees Limited
00611-08300

Section 217
TN OF Rawene
0.1255
NA910/175
G J Clarke
E D Clarke
CR Trustees Limited
00611-08300

Section 218
TN OF Rawene
0.1255
NA910/175
G J Clarke
E D Clarke
CR Trustees Limited
00611-08300

Manning St

Sealed

(20.12)

Sealed

Marron St West

(Not Formed)

3.5

(74.83)

71.33 Lot 1

LOT 1
35.88m²

10.06
20.12
20.12
20.12

50.29

Lot 2
176m²

3.5

71.33 Lot 1

(74.83)

(20.12)

Lot 1
DP 45608
0.0622
NA148/147
M J Hammond
M A Vhaac Hammond

Prepared for B. Goodwin by:-
Von Stammers Licensed Surveyors
A Division of Survey & Planning Solutions Ltd

Proposed Subdivision of Secs 215, 217 & 218
Town of Rawene - CT 910/175 - GJ & ED Clarke - Owners.

Scale 1:500

