



FAR NORTH DISTRICT COUNCIL

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

Resource Consent Number: 2220613-RMALUC

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

Gwendoline Mary McTainsh and Jeffrey Alexander McTainsh

The activity to which this decision relates:

To relocate a dwelling in the Coastal Living zone breaching the Visual Amenity rule.

Subject Site Details

Address: Lot 6, Dune Rise, Whirinaki, 0473
Legal Description: Lot 6 DP 546669
Record of Title reference: CT-931016

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

1. The activity shall be carried out in general accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them:
 - a. Site Plan – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 2 of 11
 - b. Site Plan (Proposed/Final) – prepared by First Homes, job no. FH21016, dated 11/02/2022, sheet 4 of 12
 - c. Elevations – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 3 of 11
 - d. Roof Plane Layout – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 4 of 11
 - e. Drainage Plan – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 5 of 11
 - f. Floor Plan – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 6 of 11
 - g. Site Plan (blow up) – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 7 of 11
 - h. Foundation Plan – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 8 of 11
 - i. Cross Sections – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 9 of 11
 - j. 3D Views Exterior – prepared by First Homes, job no. FH21016, dated 20/10/2021, sheet 10 of 11

2. The dwelling's roof and cladding are to be finished in Colorsteel Ebony, with the feature cladding to be in Enduroclad board and batten natural timber finish, as provided in the application. The buildings are to be finished in accordance with this schedule within six months of the occupation of the building and the approved schedule shall be adhered to for the duration of this consent.
3. Landscaping shall be in the areas identified in the 'Site Plan (Proposed/Final)' prepared by First Homes, Job No. FH21016, Dated 11/02/2022, Sheet 4 of 12 and attached to this consent with the Council's "Approved Stamp" affixed to it. Landscaping shall be undertaken within the first two planting seasons (approximately March-September) directly following commencement of any of the works related to the land use consent and maintained for the duration of the consent.

Advice Notes

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.
2. As per condition in the Land Covenant under Instrument number 11661619.2, the consent holder is advised that they shall ensure that grass and/or weeds will not exceed 300mm in height or otherwise become unsightly.
3. As per condition in the Land Covenant under Instrument number 11661619.2, the consent holder is advised that they shall not permit any vegetation to attain a height in excess of 5 metres.
4. As per condition in the Land Covenant under Instrument number 11661619.2, the consent holder is advised that they shall not permit gorse or noxious plants to grow on the land or permit the land to become overgrowth with grass or other plants in an untidy way.

Reasons for the Decision

1. 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 customary rights group or customary marine title group.
2. District Plan Rules Affected:

Rule # & Name	Non-Compliance Aspect	Activity Status
10.7.5.1.1 Visual Amenity	The proposed relocatable dwelling exceeds 50m ² gross floor area.	Restricted Discretionary

Adverse effects will be minor:

It is considered the relevant and potential effects have been addressed within the assessment of effects above, and it has been concluded that the adverse effects will be less than minor.

Objectives and policies of the District Plan:

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

3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents.
 - a) The Northland Regional Policy Statement 2018
 - b) Northland Regional Plan 2019
 - c) New Zealand Coastal Policy Statement 2010
 - d) National Environmental Standards (Air/ NESCS/ Forestry etc)
4. No other non – statutory documents were considered relevant in making this decision.
5. No other matters were considered in relevant in making this decision.
6. 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.
7. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

Approval

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



Pat Killalea, Principal Planner

Date: 11th April 2022

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 Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing of Consent

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

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 Act.