



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

newplymouthnz.com

When replying please quote document no: LUC16/46677
Property: 104486

2 February 2016

Andrew Charles NEVILLE & Sharon NEVILLE
84 Mahoetahi Road
RD 42
WAITARA 4382

Dear Andrew and Sharon

**LUC16/46677 CONSENT IS GRANTED TO DWELLING NOT MEETING THE
MINIMUM SETBACK FROM THE ROAD BOUNDARY - RULE RUR16AT 84
MAHOETAHI ROAD SENTRY HILL, NEW PLYMOUTH 4382**

I am pleased to be able to **enclose** a copy of a Resource Consent Approval, and my Planners Report prepared under the Resource Management Act 1991, for the above project.

If you are unhappy with any part of this decision you have the right to object in accordance with Section 357A(2) of the Resource Management Act 1991. Any objection shall be made in writing, setting out the reasons for the objection. This must be lodged with Council within 15 working days after receiving this decision.

Any monitoring or time involved in ensuring compliance may result in extra charges being invoiced to you. Therefore, to reduce additional charges payable to you, please ensure that you comply with the conditions of the Resource Consent as soon as possible. Additionally, to reduce administration costs, please contact one of Councils Monitoring Officer's on 759 6060, fax 06 759 6118 or email enquiries@npdc.govt.nz to inform us when work is about to commence.

Yours sincerely

Sean Zieltjes
Consultant Environmental Planner - Consents



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NEW PLYMOUTH DISTRICT COUNCIL

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RESOURCE CONSENT LUC16/46677

Granted under Sections 95, 104, and 108 of the Resource Management Act 1991.

Applicant: Andrew Charles NEVILLE, Sharon NEVILLE

Location: 84 Mahoetahi Road SENTRY HILL, NEW PLYMOUTH 4382

Legal Description: Lot 3 DP 352366

Status: The proposal is subject to rules Rur16 and is a Restricted Discretionary Activity

Proposal: Dwelling not meeting the minimum setback from the road boundary - Rule Rur16

DECISION:

In accordance with Section 104 and 104C of the Resource Management Act 1991, consent is granted to construct a building 20 metres from the Mahoetahi Road reserve.

Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:

1. The use and development of the land shall be as described within the application and shall be substantially in accordance with the plans prepared by Roughan Design:
 - Site Plan – Job No. 2928/16, titled “Part Site Plan”, Sheet 1, Dated January 2016;
 - Floor Plan – Job No. 2928/16, titled “Floor Plan”, Sheet 2, Dated January 2016; and
 - Elevation Plan – Job No. 2928/16, titled “Elevations”, Sheet 3, Dated January 2016.

2. Prior to construction works commencing onsite the Consent Holder shall submit a landscape plan to Planning Lead – District Services (or nominee) for certification. The landscape plan shall detail the location of the hill between the dwelling and Mahoetahi Road, as well as the location and type of TREE species to be installed along the Mahoetahi Road boundary.

3. Landscaping identified on the landscape plan required in condition 2 shall be maintained for the duration of the consent. In the event of loss or destruction of vegetation for any reason, the vegetation shall be replaced and replanted in accordance with the planting plan to the satisfaction Planning Lead – District Services (or nominee).

4. The consent holders shall pay the council's costs of any monitoring that may be necessary to ensure compliance of the use with the conditions specified.

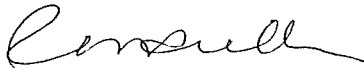
Advice notes:

1. ***Consent Lapse Date***

This consent lapses on 2 February 2021 unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.

This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.

DATED: 2nd February 2016



Rowan Williams
PLANNING LEAD
LUC16/46677



When replying please quote document no: LUC16/46677

Property: 104486

Planner: Sean Zeiltjes

**PLANNING REPORT TO THE PLANNING LEAD
RESOURCE CONSENT FOR SUBDIVISION CONSENT NO. LUC16/46677**

Applicant:	Andrew Charles NEVILLE, Sharon NEVILLE
Site Address:	84 Mahoetahi Road SENTRY HILL, NEW PLYMOUTH 4382
Legal Description:	Lot 3 DP 352366
Site Area:	4.32 Hectares
Environment Area:	Rural
District Plan Overlays:	Any overlays, and road status and speed limit
Proposal:	Dwelling not meeting the minimum setback from the road boundary - Rule Rur16
Activity Status:	The Proposal is a Restricted Discretionary Activity under Rule Rur16 of the New Plymouth District Plan (Operative 15 August 2005)

Proposal and Site Description

1. The subject site is 4.32 hectare lifestyle property. The topography of the site is generally flat, with a small rise located along the roadside as shown in figure 1 below. The subject site contains an existing dwelling and auxiliary buildings. The remainder of the site is subdivided into paddocks and utilised for grazing. Rural-residential properties adjoin the subject site to the north and south, with the Waiongana River forming the eastern boundary of the property. A larger working dairy farm and quarry operation is located to the west. A range of activities operate in the wider receiving environment including the New Plymouth Airport, transport depots, a number of Wahi Tapu sites, larger working farms and smaller lifestyle properties. Overall the character of the area is considered to be mixed rural, rural-residential.
2. The applicant proposes to construct a dwelling 20 metres from the Mahoetahi Road Reserve.

Statutory Requirements

3. The proposal does not meet the requirements of the following District Plan Rule:
 - Rur16 – requires all buildings to be set back a minimum of 30 metres from a road. Buildings setback between 20 metres and 30 metres are provided for as restricted discretionary activities.
4. Relevant District Plan Policies and Objectives:
 - Objective 1; Policy 1.1
 - Objective 4; Policy 4.3

5. The proposal is a **restricted discretionary activity**, and therefore only the relevant policies, objectives and assessment criteria for Rule Rur16 of the District Plan can be considered when determining this application (Sections 104 and 104C of the RMA).

Notification Decision

6. Whether the application would be subject to public, limited or non-notification was considered in accordance with sections 95A-E of the RMA. It is considered that the effects of the activity would be no more than minor for the following reasons:
- The subject site is located within
 - The built environment is
 - The proposed building location is screened from Mahoetahi Road by a small hillock and existing shelter belt vegetation established along the northern boundary, and along an internal fence line of the subject site.
 - An existing vehicle crossing will be utilised to provide access to the second dwelling.
 - The second dwelling is located within 25 metres of the primary dwelling on the property and is less than 75% of the size of the primary dwelling.
7. Parties considered to be potentially affected by the proposal are:
- The owners and occupiers of
8. As the written approval of the above parties has been provided, the Council must decide under S95E(3) of the RMA that they are not affected persons and any adverse effects on these parties cannot be taken into account.

Assessment:

9. The following relevant matters have been considered in the assessment of this application under section 104C of the RMA:

Road Boundary Setback

- The application discusses the existing topography as well as established vegetation as providing mitigation for the proposed location of the dwelling;
- The proposed setback is consistent with other buildings observed along Mahoetahi Road resulting from historic subdivision. The proposed building site has been selected to take advantage of existing topography and well established shelter vegetation. Overall it is considered that the proposal will not further detract from the rural character in this location (assessment criteria 1, 6 and 7);
- The proposed dwelling will be built from consistent building materials and colours as those established in the immediate vicinity. Additional screen planting will be established along the Mahoetahi Road boundary (assessment criteria 2);
- As discussed above, the proposed building site has been selected to take advantage of existing topography and established vegetation. These features will largely screen the building from Mahoetahi Road. This mitigation will be augmented with additional screen planting as set out above. The proposed building will utilise an

existing vehicle crossing to Mahoetahi Road. Overall it is considered that adverse effects resulting from the proposal on the streetscape of the area are acceptable in this instance (assessment criteria 3);

- Assessment criteria 4 is not considered to be relevant to this application;
- There are no physical features of the site which require a reduction in setback. With the exception of the small hillock located between the proposed building site and Mahoetahi Road, the subject site is relatively flat (assessment criteria 5);
- The subject site, and those adjoining the property to the north and south are rural-residential in nature. Established land uses reflect the size of underlying allotments. The subject site contains an existing dwelling, the purpose of the secondary dwelling is to provide independent accommodation for extended family. The dwelling is located within 25 metres of the primary dwelling, and is no greater than 75% of the floor area of the existing dwelling. Overall it is considered that the proposed second dwelling is related to the primary use of the property, being lifestyle type development (assessment criteria 8 and 10);
- Assessment criteria 9, 11 and 12 are not considered to be relevant in this instance;
- Conditions of consent requiring the establishment of vegetation along the Mahoetahi Road boundary, and limiting the location of earthworks to retain the hillock which screens the proposed building location are included in the consent document below;
- It is considered that the effect of constructing will not result in any actual or potential effect on the environment that would be contrary to promoting sustainable management of natural and physical resources in terms of section 104(1) of the RMA.
- The relevant assessment criteria of the Plan are not compromised and the Policies and Objectives will be met. Accordingly, the proposal will meet the purpose and principles of the RMA.

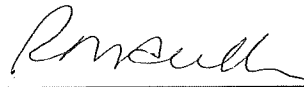
Recommendation:

10. That for the above reasons the application be **approved** pursuant to **Sections 95, 104, 108** of the Resource Management Act 1991, subject to the conditions suggested within resource consent LUC16/46677 attached to this document.

Report and Recommendation by:


Sean Zieltjes
Environmental Planner

Report Reviewed by:



Rowan Williams
Planning Lead – District Services

Date: 2 February 2016
Property: 104486

AC & S Neville
84 Mahoetahi Road RD 42
Waitara 4382 New Zealand
Tel: +64 6 754 4647 Fax: +64 6 754 4680
Email: andy.neville@xtra.co.nz

Your Ref: LUC16/46677
Property: 104486

28th January 2016

New Plymouth District Council
Private Bag 2025
NEW PLYMOUTH 4342

Attention: Mr. Sean Zieltjes – Consultant Environmental Planner

Dear Mr Zieltjes

RESOURCE CONSENT APPLICATION – FURTHER INFORMATION REQUEST

Application number: LUC16/16677

Applicant name: Andrew Charles NEVILLE, Sharon NEVILLE

Address: 84 Mahoetahi Road, SENTRY HILL, NEW PLYMOUTH 4382

Activity description: Dwelling not meeting the minimum setback from the road boundary– Rule Rur16

We refer to your letter dated 26th January 2016 wherein you have requested further information to better understand various matters when considering our resource consent application. We are pleased to respond as follows with reference to Rule RUR16.

- a. In our assessment, the reduced setback will have no effect on the ability to maintain RURAL CHARACTER.
The dwelling will be designed such as to compliment the nature of the immediate surrounds and will, by virtue of its location, be largely unseen.
There are a number of other dwellings and buildings located on other properties in the area within similar confines of the proposed set back and as such the proposed dwelling would not have an additional detrimental effect.
- b. In our assessment, the reduced setback will enable us to take advantage of the natural features of the site to the overall benefit of the environs.
Specifically, by locating the dwelling as we have proposed, we shall be able to take better advantage of the natural contour and topography which will provide a natural visual screen for a large part of the building when the site when viewed from the road boundary.
We also consider it necessary to ensure that the dwelling has minimal impact on our immediate neighbours, noting that the nature of the intervening land is flat and open. By positioning the dwelling as we have proposed, we will increase the distance between the neighbours dwellings thereby reducing the visible impact and minimising any effects on their privacy.
- c. In our assessment, the reduced setback will enable us to take advantage of the natural features of the site to the overall benefit of the environs.
As noted above, by locating the dwelling as we have proposed, we shall be able to take better advantage of the natural contour and topography which will provide a natural visual screen for a large part of the building when the site when viewed from the road boundary.
In addition, the proposed location will enable us to take full advantage of an existing mature shelter belt hedge situated to the south of the site which will further screen the property when approached by road from the south.

Yours sincerely
AC & S NEVILLE



Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request and will provide a revised date for the decision.

Please feel free to contact me on 06-759 6060 and quote the application number above, if you wish to discuss your application further. The Ministry for the Environment website has useful resources for applicants on www.mfe.govt.nz/rma.

Yours sincerely



Sean Zieljjes
Consultant Environmental Planner



When replying please quote document no: LUC16/46677
Property: 104486

26 January 2016

Andrew Charles NEVILLE & Sharon NEVILLE
84 Mahoetahi Road
RD 42
WAITARA 4382

Dear Andrew & Sharon

RESOURCE CONSENT APPLICATION - ACCEPTED

Application number: LUC16/46677

Applicant name: Andrew Charles NEVILLE, Sharon NEVILLE

Address: 84 Mahoetahi Road SENTRY HILL, NEW PLYMOUTH 4382

Activity Description: Dwelling not meeting the minimum setback from the road boundary - Rule Rur16

This is to confirm that I have reviewed your application for completeness and accepted it for processing.

Next steps

I will make a more detailed assessment of your application. Even where your application is broadly complete, I am likely to visit the site as part of my assessment and I may request additional information.

The RMA requires us to decide whether your application should be notified in 20 working days of the date we received it. If we require notification, I will call you to discuss what this means for you. If your application is not notified, you should receive our decision within the 20 working days, although this can take longer if we need further information from you.

Fees

Please note that the base fee you have paid is a deposit towards the cost of our work on your application. If your application attracts additional costs to process, these will be invoiced to you separately.

If you have any queries, please contact me on 06-759 6060 and quote the application number above. The Ministry for the Environment website has useful resources for applicants on www.mfe.govt.nz/rma.

Yours sincerely

Sean Zieltjes
Consultant Environmental Planner



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Property: 104486

26 January 2016

Andrew Charles NEVILLE & Sharon NEVILLE
84 Mahoetahi Road
RD 42
WAITARA 4382

Dear Andrew

ACKNOWLEDGEMENT - APPLICATION FOR RESOURCE CONSENT

This is to confirm the receipt of your application, with payment, on 19 January 2016. Your application number is LUC16/46677.

Applicant name: Andrew Charles NEVILLE, Sharon NEVILLE
Address: 84 Mahoetahi Road SENTRY HILL, NEW PLYMOUTH 4382
Activity Description: Dwelling not meeting the minimum setback from the road boundary - Rule Rur16

Next steps

We will review your application for completeness within 10 working days. If it is complete, we will let you know and then begin a more detailed assessment. Your application will be processed within the timeframes set by the Resource Management Act 1991. If your application is incomplete, we will return it.

If you have any queries please contact us on 06-759 6060, quote your application number and you will be put through to Sean Zieltjes, the planner working on your application. The Ministry for the Environment website has useful resources for applicants on ww.mfe.govt.nz/rma.

Yours sincerely

Christian Koch
Technical Officer –Consents

RoughanDesign 
Architectural Designers

www.roughan~~design~~.co.nz

phone 06 753 3365
fax 06 753 3384
mobile 0274 490 715
788 Carrington Road,
New Plymouth RD1

14th January 2016

*New Plymouth District Council
Private Bag
New Plymouth*

***Re Neville, 84 Mahoetahi Road.
Assessment of Environmental Effects***

My clients wish to build a new 3 bedroom dwelling for their daughter on their existing lifestyle block

The site is a rectangular shape and slopes slightly away from the Road. For the best use of the land (more efficient drive) and to maintain their existing privacy they wish to locate the garage 20m from the road boundary.

This requires relaxation of the 30m to a Road boundary rule which is Rur 16 in the District plan. It is a controlled activity approval.

This will be the second house on the site. There will be 20m separation to the existing dwelling which they built for themselves 5 years ago.

The brick cladding and traditional style of the dwelling will blend in with the rural landscapes character and will be similar to others around.

There will be limited loss of privacy to the closest neighbours.

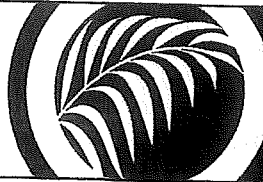
*G. Kelly
G. Kelly
P. R. G. G. G.
at least*

The Road boundary will be landscaped with 4 specimen trees and low shrubs. This will provide screening and mitigate any adverse effects.

A copy of the relevant plans & elevations are enclosed.

Please ring me directly if you require any further clarification.

P. R. G. G. G.
Yours faithfully
Peter Roughan



This form must be submitted with a completed application cover page form.
 Complete this form with the assistance of the information sheet 'how to apply for a resource consent'.

1. Applicant details

1a. I am the Property owner Proceed to 1f. Lessee Provide details below Agent authorised by owner/lessee Provide details below

1b. Full name

1c. Postal address

1d. Contact details
 Phone Mobile Fax

1e. Email

1f. Preferred means for formal correspondence Mail Email Fax

2. Occupier details - if occupier is not the applicant

2a. Full name

2b. Postal address

3. Description of proposed activity

3a. Description of activity

3b. Description of the site at which activity is to occur

3c. Description of any other activities that are part of the proposal

3d. District Plan rule(s) not being met

3e. Proposed start date

4. Other considerations

4a. Have you considered your activity against the matters set out in Part 2, Purpose and Principals, of the Act?
 Yes, this is not applicable to my application.
 Yes, I have attached my assessment to my application.
 No, I have not.

4b. Have you considered your activity against the provisions of the documents referred to in section 104 (1)(b)?
 Yes, this is not applicable to my application.
 Yes, I have attached my assessment to my application.
 No, I have not.

OFFICE USE ONLY

Date received	<input type="text"/>	Property ID	<input type="text"/>	Pre-application #	<input type="text"/>
Time received	<input type="text"/>	Document #	<input type="text"/>	Application #	<input type="text"/>
Received by	<input type="text"/>	Land ID	<input type="text"/>	Receipt #	<input type="text"/>
		Monitoring	C/D	Amount paid	\$ <input type="text"/>

Llardet Street, Private Bag 2025, New Plymouth 4842, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

5. Assessment of environmental effects

- I confirm that I have assessed my activity's effects on the environment as required in sections 6 and 7 of Schedule 4 Resource Management Act 1991, and have attached the assessment to my application.

6. Supporting documentation

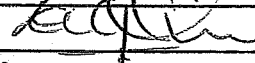
- Assessment of environmental effects (AEE) prepared in accordance with sections 6 and 7 of Schedule 4 Resource Management Act 1991.
- Site plan. Your site plan must show the following items:
- Scale and north orientation.
 - Existing and proposed buildings.
 - Building dimensions and distances to boundaries.
 - Trees, fences, landscaping, screening and contours.
 - Car parking, loading facilities and access points.
 - Signs.
- Elevation plan. Your plan must show the groundlines and the view of your site, from the ground up, from all boundaries.
- Written approvals. If you are unsure of who you should get approval from, talk to us and we can give you the list of potentially affected parties.
- Application fee. Refer to the land use consents fees and charges.

7. Applicant's declaration

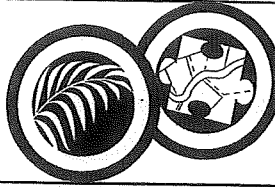
PRIVACY STATEMENT:

Information on this form is to be provided under the Resource Management Act 1991 and is required to process your application. This information, including your personal information, has to be made available to the members of the public and media, including business organisations, upon request. In appropriate circumstances, it may also be made available to other units of the Council, the Council's approved contractors and other government agencies. Under the Privacy Act 1993, you have the right to access the personal information held about you by the Council and you can also request that the Council corrects any personal information it holds about you.

I confirm that I have read and understood the privacy statement above and that the information provided on the application form is true and correct. I also understand that the Council will send all invoices and refunds for fees to me (the applicant) and I will be responsible for, and indemnify the Council in respect of, the payment of all fees in connection with this application. I further understand that all correspondence related to the application will be sent to me.

 17.01.2016
Signature Date

ANDREW CHARLES NEVILLE
Full name (print clearly)



Please read the information on the back of this page before giving your written approval in respect of a resource consent application.

1. To be completed by the person requesting approval

Applicant's full name

Type of resource consent

Proposed activity

Location of site

2. To be completed by the person giving their approval

Full name

(and / or) organisation

Street / road address

Full name

(and / or) organisation

Street / road address

3. Written approval

- I/we have sighted and signed all the attached plans and supporting information for the above activity.
- I/we hereby give approval for the proposal to be considered by the New Plymouth District Council without public notification.
- I/we understand that, if I/we give approval, New Plymouth District Council shall not take into account any effects that the proposed activity may have on me / us, when considering the application.

Signature Date

Name (print clearly)

Signature Date

Name (print clearly)

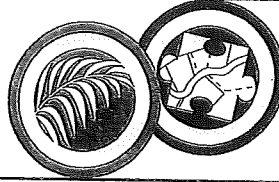
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Liardet St, Private Bag 2025, New Plymouth 4340, NZ. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com



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Signature Date

Name (print clearly)

Signature Date

Name (print clearly)

Please turn over

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