



FAR NORTH DISTRICT COUNCIL

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

Resource Consent Number: RC2190517

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

Fire and Emergency NZ

The activity to which this decision relates:

Construct and operate a new volunteer fire station consisting of a 178m² single level building housing a fire appliance, training room, kitchen, office / operations room, bathrooms, and lockers / storage.

The building is proposed to be located within the 10 metre road setback required under Rule 8.6.5.1.4 Setback from Boundaries, where the proposed building is proposed to be sited 4 metres from the road boundary. The application confirms compliance with all other rules relating to the Rural Production Environment.

Subject Site Details

Address: Matauri Bay Road, Matauri Bay
Legal Description: Pt Lot 3 DP 50233
Certificate of Title reference: NZ52B/518

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

1. The activity shall be carried out in accordance with information provided in the application, inclusive of the plans prepared by Design Composites Limited, Sheet nos. 01-05, 07, and 08 dated 25th January 2019, and Sheet no 5 dated 6 December 2018, where all sheets are entitled 'Fire and Emergency New Zealand Cavalli Rural Fire Depot' and the "Landscape Design Proposals" plan by Stephen Neate dated 12 February 2019.
2. Any landscaping and signs established on the site shall ensure that vehicle sight lines for access and egress onto Matauri Bay Road is not unduly restricted. More particularly, this may require re-siting of the proposed Puriri Tree marked as #5, and consideration of planting identified as #9, illustrated on the Landscape Design Proposal provided under Appendix 4 of the application, prepared by Stephen Neate dated 12 February 2019.

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. Prior to any work being undertaken on Legal Road for the construction of vehicle crossings and/or servicing, the consent holder shall secure written approval from Councils Manager for Roading or duly delegated officer, for work to be undertaken and provide evidence that a Traffic Management Plan (TMP) has been approved by Councils Corridor Access Engineer and a Corridor Access Request (CAR) obtained.

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 minor and that written approval has been obtained from the Councils Roading Department, being the only person considered to be adversely affected to a minor or more than minor extent by the proposed activity.
2. In accordance with Section 104(1)(a), the actual and potential adverse effects of the proposal have been assessed as minor and therefore are acceptable in the receiving environment. As per Section 104C(1)(b), the effects requiring consideration are restricted to those identified under Rule 8.6.5.3.4 Setback from Boundaries. Those effects are assessed as minor and therefore acceptable in the receiving environment, noting that Councils Roading Department has given written approval to the proposal.
3. In terms of conditions required under Section 108, a general accordance condition will ensure the activity is carried out in accordance with the information provided. Noting the restriction under Section 104C(1)(3)(b), it is considered that the only additional condition required to be imposed addressing the building setback matter relates to the landscape planting plan provided with the application. More particularly, the condition requires consideration of potential effects of proposed planting limiting sightlines and visibility for traffic.
4. Section 104(1)(b) requires the council to have regard to the relevant planning provisions. Section 6 of the application includes a detailed assessment of the relevant Operative District Plan provisions. That assessment and conclusion that the proposal is consistent with the District Plan is accepted and adopted for the purpose of this report.
5. Section 104(1)(c) requires consideration of any other matters that may be relevant or reasonably necessary to determine the application. There are no known matters that require consideration under this Section.
6. Given the minor nature of the proposal, and the assessment contained in this report, no detailed assessment of matters under Part 2 of the Act is required.
7. Taking into account the limited nature and scope of the identified infringement, the written approval provided from the Councils Roading Department, and the general consistency of the application with the District Plan provisions, it is considered that the activity is consistent with the sustainable management purpose of the RMA. Consent can therefore be granted subject to conditions pursuant to Sections 104 and 104C.

8.

Approval

This resource consent has been prepared by A Hartstone, Consultant 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: 18th April 2019

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;

- a) The consent is given effect to; or
- b) 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.

Released under the Official Information Act 1982