Far North District Council

FAR NORTH DISTRICT COUNCIL

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

Resource Consent Number: 2200355-RMALUC

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

Kingfish Lodge 2016 Limited

The activity to which this decision relates:

To construct an accommodation and living wing, and standalone boat house and undertake associated earthworks to replace the recently demolished south accommodation wing and barracks buildings.

Subject Site Details

Address:	Lot 1, Whangaroa Harbour, Kaeo 0478
Legal Description:	Lot 1 DP 198828
Certificate of Title reference:	CT-788895

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

1. The activity shall be carried out in general accordance with the approved plans prepared by + MAP Architects (2016), referenced Kingfish Lodge Whangaroa Harbour, dated 26/03/2021

   i. Proposed Site Plan, dated 26/03/2021, Ref RC05 rev M
   ii. Proposed Ground Floor Plan, dated 26/03/2021, Ref RC07 rev M
   iii. Proposed First Floor and Roof Plan, dated 26/03/2021, Ref RC08 rev H
   iv. Proposed Elevations dated 26/03/2021, Ref RC09 rev I

   And plans prepared by Hawthorn Landscape Architects referenced Appendix 5 – Lodge Landscape Plan, Revision B dated 19.03.20.

   These plans are attached to this consent with the Council's "Approved Stamp" affixed to them.

2. The building is to be finished in the following schedule of colours and materials, or other similar material approved by Council:

Cladding Type	Location	LRV
Exterior Structural Steel	Lodge & Boat shed	Black/Uracryl 404 - 6%
Iron Bark Timber	Lodge features timber	Natural Uncoated

	structure	
Rough Sawn Accoya Horizontal Weatherboards	Lodge & Boat shed exterior walls	Resene waterborne woodsman riverstone oil stain
Zinc quartz NG euro-tray roll seam roofing	Lodge & Boat shed Roofs	Quartz Zinc - 14-20%
Tarc V25 interlocking Zinz Panel System	Lodge & Boat shed exterior walls	Anthra Zinc - 9%
Touch on membrane roofing	Lodge Roof	Sem 145 Black - 4%
Touch on membrane roofing		Sem 148 Light Grey - 28%
Aluminium Flashings	Lodge & Boat shed Roofs	Black Anodised – 5 %
Of the board finish insitu/precast concrete	Lodge exterior walls	Aquron 1200 water repellent 25-40%
Window & Door Frames	Lodge & Boat shed exterior walls	Black Anodised – 5 %
Windows	Lodge & Boat Shed	Non reflective glass

3. All concreted surfaces (including access) required shall be tinted to remove any potential visual impacts.

   Note: The existing entry path is considered an acceptable solution.

4. Implementation of the landscape plan prepared by Hawthorn Landscape Architects, dated 19.03.20,, provided with RMALUC 2200355 is to be undertaken within the first two planting seasons (approximately March-September) directly following completion of the exterior building works relating to this consent and maintained by the consent holder thereafter, all to the satisfaction of the Far North District Council or duly delegated officer.

5. Prior to the occupation of the building, clear the carpark located at Lot 5 DP 89743 of building materials, and mark the 16 carparking spaces on site.

6. Install the sediment control measures proposed in the application, prior to earthworks commencing, and maintain the measures until non erodible cover is established over the site.

6. No building, or part thereof, excavation or other work shall be left unfinished, or shall be allowed to fall into such a condition; and no land shall be allowed to deteriorate or to remain in such a condition that it would, in the opinion of the Council, visually detract from the amenities of the property, or adjoining properties, or the neighbourhood.

Further Resolution

Pursuant to Section 221 (3) of the Resource Management Act 1991, the Council approves the following variation to consent notice 10942375.1 in so far as it relates to Lot 1 DP 198828 as shown below.

The keeping of dogs, cats and mustelids is prohibited. with the exception of a maximum of two dogs that are registered to the caretaker or the property owner.

A maximum of two dogs are exempt from this condition if they are:

a) micro-chipped,
b) within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area,
c) kept in a kennel or tied up at night.
d) For any dog written confirmation that the dog has current kiwi aversion training certification along with the expiry date for the certification.

Prior to the keeping of introduction of any working dog to the site the occupier must provide the following to the Councils Resource Consent Monitoring Officer:-

a) A photograph of the dog;
b) Written confirmation that the dog(s) have been micro-chipped;
c) A plan showing the extent of the dog proof fenced area;

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. This consent does not provide for part of any building to be located within the Marginal Strip. Additional consent may be required should there be any encroachment onto the Marginal Strip..

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 Breached:

- Rule 10.6.5.1.1 Visual Amenity
- Rule 10.6.5.1.4 Building Height
- Rule 10.6.5.1.5 Sunlight
- Rule 10.6.5.1.7 Setback from Boundaries
- Rule 12.3.6.1.2 Excavation and/or Filling, in the General Coastal Zone.
- Rule 12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area

- Rule 12.7.6.1.2 Setback from Smaller Lakes, Rivers and Wetlands
- 12.7.6.1.4 Landuse Activities involving Discharges of Human Sewage Effluent

Adverse effects will be minor:

The relevant and potential effects have been addressed within the notification report, and it has been concluded that, subject to the conditions imposed, the adverse effects will be minor.

Objectives and policies of the District Plan:

Chapter 10 and 10.6 – General Coastal

The Objectives and Policies within both the Coastal Environment and the General Coastal zone allow for the use of the zone for various activities provided they take place in a manner that is sustainable for both the natural and physical resource of the area. They also focus on the natural character of the coastal environment and the protection of inappropriate use and development of it. The proposed buildings are in keeping with the existing development pattern of the surrounding environment, and the previous buildings on the subject site. Conditions have been imposed to protect the natural character and visual value of the coastal environment. A natural and recessive colour scheme, and landscape plan has been provided in support of the application.

Chapter 12.3 – Soils and Minerals
located at Lot 5 DP 89743
The objective and polies of this chapter relate to the protection of the life supporting capacity of the soils, and ensuring adverse effects by the design, constructions and operation of works that require consent. Conditions have been imposed to protect the adjacent waterways from sedimentation and protect areas outside of the approved earthworks area.

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 Act. The proposal is consistent with the relevant statutory documents.

   a. The Northland Regional Policy Statement 2018
   b. Regional plans (including proposed)
   c. New Zealand Coastal Policy Statement 2010
   d. National Environmental Standards (Air/ NESCS/ Forestry)

4. In accordance with an assessment under s104(1)(c) of the Act. No non – statutory documents were considered relevant in making this decision.

5. 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.

6. In summary it is considered that the activity is consistent with the sustainable management purpose of the Act.

Approval

This resource consent has been prepared by Whitney Peat Intermediate 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: 19th July 2021

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.