

# Decision on application for resource consent under the Resource Management Act 1991



## Restricted discretionary activity

**Application number:** LUC60069884  
**Applicant:** WFH Properties Ltd  
**Site address:** Arran Drive, Silverdale 0931  
**Legal description:** Lot 1001 DP 501394  
**Proposal:**

Blanket dispensation to redefine the yard setbacks on rear sites to allow one rear yard of 6m, one side yard of 3m and two side yards of 3m with the rear yard to be located opposite the access lot.

The resource consents required are:

## Land use consents (s9) – LUC60069884

### Auckland Unitary Plan (Operative in Part)

- I530.6.1. – to enable rear lots to provide one rear yard of 6m, one side yard of 3m and two side yards of 1m, where the plan requires all yards on rear lots for sites of 650m<sup>2</sup> or greater in area to be 6 metres, as a restricted discretionary activity.

## Decision

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104 and 104C the application is **GRANTED**.

## 1. Reasons

The reasons for this decision are:

1. The application is for restricted discretionary activity resource consent, as such under s104C only those matters over which council has reserved its control or restricted its discretion have been considered. Those matters are I530.8.1. under the AUP (OP).

In addition, conditions have only been included in relation to those matters.

2. In accordance with an assessment under s104(1)(a) of the RMA, and having regard to only those matters listed above, the actual and potential effects from the proposal will be less than minor as:

- The rear sites greater than 650m<sup>2</sup> have been considered and approved under a DCP. Allowing the same development rights as sites sized 450m<sup>2</sup>-650m<sup>2</sup> will ensure consistency in the scale, shape and form of development throughout the area.
  - The proposed yard reductions will allow for development of a shape and form consistent with existing development in the area.
  - The proposed yard reductions are not anticipated to result in development which will adversely affect sunlight access, shading, visual and/or aural privacy for surrounding properties.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular:

Auckland Unitary Plan – Operative in Part

*H3. Residential – Single House Zone*

Objectives: *H3.2. Objectives*

Policies: *H3.3. Policies*

4. As a restricted discretionary activity no other matters can be considered under s104(1)(c).
5. Under the Auckland Unitary Plan – Operative in Part (AUP OP) the sites are zoned Residential – Single House. This zone provides for low density suburban housing, generally characterised by one building per site of one or two storeys surrounded by areas of private open space. No buildings are proposed at this time however the blanket dispensation will allow dwellings to be erected with high on-site amenity with provision made for areas of private open space. The proposal is not considered to be contrary to the provisions of the Residential – Single House Zone.
6. Overall the proposal is considered to be consistent with Part 2 of the Resource Management Act as the adverse effects are considered to be less than minor and the proposal will provide for the social well-being of the future residents. The proposal is considered a sustainable development under Part 2 of the RMA.

## 2. Conditions

Under section 108 of the RMA, this consent is subject to the following conditions:

1. The restricted discretionary activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent number LUC60069884.
- Application Form, and Assessment of Environmental Effects prepared by Woods, dated April 2017.

Plan title and reference	Author	Rev	Dated
Precinct 7 – Arran Hill-Orewa West – Scheme Plan Lots 1-160, 200-204, 600-605, 800-806, 900-903, 1000 Being a Subdivision of Lot 1 DP 463561 (33405-P7-AH-BDP)	Woods		10/04/2017
Precinct 7 – Orewa West – Indicative Rear Yard Controls	Woods		April 2017

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - a. The consent is given effect to; or
  - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$300 (inclusive of GST), plus any further monitoring charge or charges to recover the actual and reasonable costs incurred to ensure compliance with the conditions attached to this consent.

**Advice note:**

*The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.*

4. For avoidance of doubt, the application of side and rear yards on rear lots on approved Lots 76, 90, 91, 95, 96, 141 and 142 (Precinct 7 Orewa West) shall consist of one 6m rear yard, one side yard of 3m, with the remaining yards being 1m. The rear yard shall be applied to the boundary located opposite the lot access.

## **Advice notes**

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please contact Northern Monitoring, Orewa at 09 301 0101 or [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council’s website [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: [www.mfe.govt.nz](http://www.mfe.govt.nz).*
4. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

6. *The consent holder shall place a covenant on any certificate of title issued for approved Lots 76, 90, 91, 95, 96, 141 and 142 (Precinct 7 Orewa West) to inform prospective owners of the application of side and rear yards as authorised by Land Use Consent LUC60069884.*

**Delegated decision maker:**

Name: Steve Seager

Title: Team Leader, Resource Consents

Signed:

Date:

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# Report for a restricted discretionary resource consent application under the Resource Management Act 1991 (RMA)



## 1. Application description

<b>Application numbers:</b>	LUC60070179
<b>Applicant's name:</b>	WFH Properties Limited
<b>Site address:</b>	Arran Drive, Silverdale (Precinct 7 Orewa West, Silverdale North)
<b>Legal description:</b>	Lot 1001 DP 501394
<b>Site area:</b>	17.954ha
<b>Auckland Unitary Plan (operative in part) (AUP Op in part) zoning &amp; precinct:</b>	Singe house zone Orewa 2 sub-precinct G
<b>AUP Op in part special features, overlays etc:</b>	Natural Resources: Significant Ecological Areas Overlay - SEA_T_2169, Terrestrial Natural Resources: Significant Ecological Areas Overlay - SEA-M2-72, Marine 2
<b>Non-statutory features:</b>	N/A

### Locality Plan



## Application documents (plans and reference documents)

The following information has been provided:

- Application Form prepared by Woods & Partners Consultants Ltd

<b>Report title</b>	<b>Author</b>	<b>Reference</b>	<b>Dated</b>
Assessment of Environmental Effects (AEE) titled "Assessment of Effects on the Environment – Precinct 7 Orewa West - Blanket Front Yard Rule Dispensation"	Woods & Partners Consultants Ltd	33405 – V1	April 2017

<b>Plan title</b>	<b>Author</b>	<b>Reference</b>	<b>Dated</b>
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-946	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-947	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-948	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-949	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-950	April 2016

## 2. The proposal, site and locality description

### Proposal

WFH Properties Ltd, "the applicant", seeks blanket dispensation in relation to approved lots within Precinct 7 Orewa West, Silverdale North. The proposal will allow for the following:

*Precinct 7 Orewa West, Silverdale North*

- Reduction of the required front yard setback to 3m on Lots 2, 3, 7, 60, 61, 134 and 135 (being all lots 650m<sup>2</sup> or greater within the subject site)

### Site and surrounding environment description

A comprehensive site description has been supplied in Sections 2.3 and 2.4 of the reports titled *Assessment of Environmental Effects – Precinct 7 Orewa West - Blanket Front Yard Rule Dispensation* prepared by Woods & Partners Consultants Ltd, dated April 2017. Having undertaken a site visit on 4 May 2017, I concur with the description of the site and have no further comment.



Figure 1: Lot 2



Figure 2: Lot 3



Figure 3: Lot 7



Figure 4: Lot 134



Figure 5: Lot 135



## Background

SLC-62000: The applicant has submitted a proposed Development Concept Plan for Precinct 7, Orewa West, together with resource consent applications for subdivision, earthworks, sediment control, stormwater discharge, contaminated land, vegetation/tree removal and subdivision for the entire precinct, granted on 12 September 2014

### 3. Reasons for the application

- C1.9(2) – an activity that is classed as a permitted activity, controlled or restricted discretionary activity but that does not comply with one or more of the standards applying that activity is a restricted discretionary activity unless otherwise specified by a rule applying to the particular activity.
  - I530.6.5 – Front yard (for sites 650m<sup>2</sup> or greater) – 6m

The proposal will reduce the required front yard setback from 6m to 3m on Lots 2, 3, 7, 60, 61, 134 and 135 (being all lots 650m<sup>2</sup> or greater within the subject site). This is a **Restricted Discretionary activity**.

### 4. Status of the applications

The appropriate practice is to consider the applications together if there is an overlap between: the consents required, the matters over which the plan(s) has/have limited its discretion, the effects of the activities, and whether consideration of one would likely affect the outcome of another. In this instance the consents required and relevant plans overlap and are considered together as a **Restricted Discretionary Activity**.

### 5. Notification Assessment

#### Public notification assessment (sections 95A, 95C-95D)

Section 95A gives the council discretion in deciding whether to publicly notify an application or not. However an application must be publicly notified if (a) the activity will have or is likely to have adverse effects on the environment that are more than minor; (b) the applicant requests public notification of the application; or (c) a rule or national environmental standards (“NES”) requires public notification.

The application has not requested public notification.

No further information was requested under s92.

No rules in the plan or in any NES preclude or require public notification of this application.

The following assessment addresses the adverse effects of the activity on the environment. The council must decide whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

## Adverse effects assessment (sections 95A and 95D)

### Effects that must be disregarded

#### Effects on persons who are owners and occupiers of the land in, on or over which the application relates, or of land adjacent to that land

Under section 95D the council is to disregard any effects on persons who own or occupy any adjacent land. The land adjacent to the subject sites is:

#### **Table 1**

##### Address

Lot 8 being Lot 1001 DP 501394

Lot 6 being Lot 1001 DP 501394

Lot 23 being Lot 1001 DP 501394

Lot 4 being Lot 1001 DP 501394

Lot 118 being Lot 1001 DP 501394

Lot 119 being Lot 1001 DP 501394

Lot 133 being Lot 1001 DP 501394

Lot 102 being Lot 1001 DP 501394

Lot 101 being Lot 1001 DP 501394

Lot 136 being Lot 1001 DP 501394

Lot 156 being Lot 1001 DP 501394

Lot 157 being Lot 1001 DP 501394

Lot 158 being Lot 1001 DP 501394

Lot 159 being Lot 1001 DP 501394

#### Any effect on a person who has given written approval to the application

No written approval has been provided, however it is noted that the applicant is the owner of all Lots to which this application relates. Approval from these lots is therefore considered inherent.

### Effects that may be disregarded

#### Permitted baseline

The permitted baseline may be taken into account and the council has the discretion to disregard those effects. In this case the permitted baseline is that which is permitted within the Orewa 2 sub-precinct G and Residential – Single House zones, including 6m front yard setback for the site 650m<sup>2</sup> or greater.

## Assessment

### Receiving Environment

The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights of resource consent), and any unimplemented resource consent that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed.

### Adverse effects

Having regard to the above and after an analysis of the application, including any proposed mitigation measures and specialist reports, the following assessment addresses the adverse effects of the activity on the environment. As a restricted discretionary activity only those effects that fall within the scope of discretion restricted under Rule H3.8.1(2) are considered.

### Adverse effects

The applicant's agent has provided in accordance with schedule 4 of the RMA, an assessment of adverse environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment. This can be found on pages 6, 7 and 8 of the AEE report titled "Assessment of Environmental Effects (AEE) titled "Assessment of Effects on the Environment – Precinct 7 Orewa West - Blanket Front Yard Rule Dispensation", prepared by Woods & Partners Consultants Ltd, dated April 2017. I concur with this assessment.

The AEE concludes that "The assessment has shown that the proposed development will have less than minor effects on the environment. There are no special circumstances and identified affected parties need to be taken into account."

I would make the following additional comments:

- The proposed front yard reduction to 3m on the subject sites is consistent with the front yard requirements for sites lesser than 650m<sup>2</sup>, and is considered to be sufficient distance to maintain the suburban built character of the streetscape, provide sufficient space for landscaping within the front yard and maintain a reasonable standard of residential amenity for adjoining sites.
- No building has been completed to date on the subject sites. The blanket dispensation proposed by this application will allow buildings to be erected that are consistent with existing development in the area, as similar blanket consents have been approved throughout Silverdale North. The proposal is therefore not considered to result in adverse visual effects, as buildings will not appear out of character when viewed in the context of the wider area.
- The usefulness and privacy of rear yards for outdoor living will not be compromised by the proposed yard reductions, given rear yards are only to be reduced by 2-4m. A 6m rear yard is considered sufficient to provide for the day to day outdoor activities of residents and as assessed above, privacy is not considered to be reduced by the proposal.

## Special circumstances and general discretion

### Special circumstances

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary;
- outside of the common run of applications of this nature; or
- circumstances which makes notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

Therefore in this instance I conclude there are no special circumstances under s95A(4).

### General discretion

I have also considered the residual discretion left under s95A(1), and whether the substantive decision making, in terms of achieving the sustainable management purpose of the RMA, would benefit from information brought about via public notification of this application. I consider there is adequate information, and there is nothing about the specifics or issues of the proposed activity that warrants exercise of any residual discretion under s95A(1) for public notification to better inform substantive decision making in achieving the purpose of the RMA.

### Public notification conclusion

These applications can be processed without public notification for the following reasons:

- Adverse effects are considered to be less than minor for the reasons expressed above.
- There are no special circumstances to warrant notification as the proposal represents no significant deviation from the range of effects anticipated by the ACDP RS.
- No reasons exist to exercise the general discretion under s95A(1).

## **6. Limited notification assessment (sections 95B, 95E-95G)**

If the applications are not publicly notified the council must decide if there are any affected persons, or customary rights or title groups. These persons must then be notified.

There are no rules that preclude limited notification. In deciding if a person is affected:

- A person is affected if the adverse effects of the activity on that person are minor or more than minor (but not less than minor).
- Adverse effects permitted by a rule in a plan (the permitted baseline) may be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.
- The council must have regard to any statutory acknowledgement under schedule 11. Within the Auckland region the following are relevant:
  - Te Uri o Hau Claims Settlement Act 2002
  - Ngāti Manuhiri Claims Settlement Act 2012
  - Ngāti Whātua Ōrākei Claims Settlement Act 2012

- Ngāti Whātua o Kaipara Claims Settlement Act 2013
- Te Kawerau ā Maki Claims Settlement Act 2015

### Adversely affected persons assessment (section 95E)

No persons are considered to be adversely affected by the activities because:

- Those sites 650m<sup>2</sup> or greater than have been considered and approved under a DCP. Allowing the same development rights as sites sized lesser than 650m<sup>2</sup> will ensure consistency in the scale, shape and form of development throughout the area.
- The proposed yard reductions will allow for development of a shape and form consistent with existing development in the area.
- The proposed yard reductions are not anticipated to result in development which will adversely affect sunlight access, shading, visual and/or aural privacy for surrounding properties.
- The proposal is not located in or impact on land or a resource contained in any statutory acknowledgment area.

Therefore, it is recommended that these applications be processed without limited notification because there are no affected persons under s95E.

## 7. Notification recommendation

### Non-notification

For the above reasons under section 95A these applications may be processed without public notification.

In addition under section 95B limited notification is not required.

Accordingly I recommend that these applications are processed non-notified.

Cindy Yin

Date

Intermediate Planner

Resource Consents

## 8. Notification determination

Acting under delegated authority, and for the reasons set out in the above assessment and recommendation, under sections 95A and 95C to 95D, and 95B and 95E to 95G of the RMA these applications shall be processed non-notified.

Steve Seager

Date

Team Leader

Resource Consents

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**LUC60070179**

Approved Resource Consent Plan

09/05/2017

# Decision on application for resource consent under the Resource Management Act 1991



## Restricted Discretionary activity

**Application number:** LUC6006770179  
**Applicant:** WFH Properties Limited  
**Site address:** Arran Drive, Silverdale  
(Precinct 7 Orewa, Silverdale)  
**Legal description:** Lot 1001 DP 501394

### Proposal:

Blanket dispensation to allow for the reduction of front yard from 6m to 3m on all identified lots sized 650m<sup>2</sup> or greater.

The resource consents required are:

## Land use consents (s9) – LUC60067490

### Auckland Council Unitary Plan Operative in Part

- C1.9(2) – an activity that is classed as a permitted activity, controlled or restricted discretionary activity but that does not comply with one or more of the standards applying that activity is a restricted discretionary activity unless otherwise specified by a rule applying to the particular activity.
  - I530.6.5 – Front yard (for sites 650m<sup>2</sup> or greater) – 6m

The proposal will reduce the required front yard setback from 6m to 3m on Lots 2, 3, 7, 60, 61, 134 and 135 (being all lots 650m<sup>2</sup> or greater within the subject site). This is a **Restricted Discretionary activity**.

## Decision

I have read the application, supporting documents, and the report and recommendations on the consent application. I am satisfied that I have adequate information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

Acting under delegated authority, under sections 104 & 104B the application is **GRANTED**.

### 3. Reasons

The reasons for this decision are:

1. In accordance with an assessment under s104(1)(a) of the RMA the actual and potential effects from the proposal will be less than minor as:
  - Those sites 650m<sup>2</sup> or greater have been considered and approved under a DCP. Allowing the same development rights as sites sized 650m<sup>2</sup> or lesser will ensure consistency in the scale, shape and form of development throughout the area.
  - The proposed yard reductions will allow for development of a shape and form consistent with existing development in the area.
  - The proposed yard reductions are not anticipated to result in development which will adversely affect sunlight access, shading, visual and/or aural privacy for surrounding properties.
2. In terms of positive effects:
  - The proposal will allow for the efficient use of a land resource and will ensure consistency in development throughout the area.
3. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents. In particular:

Auckland Unitary Plan – Operative in Part

*H3. Residential – Single House*

*Zone Objectives: H3.2. Objectives*

*Policies: H3.3. Policies*

*I530. Orewa 2 Precinct*

*Objectives: I530.2. Objectives*

*Policies: I530.3. Policies*

In terms of the AUP Op in part the proposal is considered to be consistent with relevant objectives and policies for the Single House zone and Orewa 2 precinct, as the character and amenity values of neighboring residential area and existing landform will be maintained in general. The proposed development will not be contrary to the relevant objectives and policies for the zone and precinct.

4. In accordance with an assessment under s104(1)(c) of the Resource Management Act no other matters are considered relevant.
5. This application is considered to be consistent with Part 2 of the Resource Management Act. With regards to Section 5 of the RMA, the effects of the proposal will be acceptable, and the proposal will enable the owner of the subject site to provide for their well-being. In this instance Section 6 of the RMA is not relevant as the application will not have any effects on the matters of national importance. The proposal is consistent with Section 7 as it will allow the efficient use of land resources while maintaining the quality of the environment. With regards to Section 8, local iwi had the opportunity to comment on the application. It is considered that there are no Treaty matters of significance to this



application.

Overall it is considered that the proposal will have actual and potential effects on the environment that are no more than minor. The proposal is consistent with the objectives and policies of the Auckland Unitary Plan Operative in Part and the purpose and principles of the RMA.

## 4. Conditions

Under section 108 of the RMA, these consents are subject to the following conditions:

### General conditions

These conditions apply to all resource consents.

1. The restricted discretionary activity shall be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the council as consent number LUC60070179.

- Application Form prepared by Woods & Partners Consultants Ltd

<b>Report title</b>	<b>Author</b>	<b>Reference</b>	<b>Dated</b>
Assessment of Environmental Effects (AEE) titled "Assessment of Effects on the Environment – Precinct 7 Orewa West - Blanket Front Yard Rule Dispensation"	Woods & Partners Consultants Ltd	33405 – V1	April 2017

<b>Plan title</b>	<b>Author</b>	<b>Reference</b>	<b>Dated</b>
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-946	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-947	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-948	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-949	April 2016
Proposed front yards Lots 2-3, 7, 60-61, & 134-135	Woods & Partners Consultants Ltd	37000-02- MSC-950	April 2016

2. Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - a. The consent is given effect to; or
  - b. The council extends the period after which the consent lapses.
3. The consent holder shall pay the council an initial consent compliance monitoring charge of \$300 (inclusive of GST), plus any further monitoring charge or charges to recover the actual

and reasonable costs incurred to ensure compliance with the conditions attached to these consents.

*Advice note:*

*The initial monitoring deposit is to cover the cost of inspecting the site, carrying out tests, reviewing conditions, updating files, etc., all being work to ensure compliance with the resource consent. In order to recover actual and reasonable costs, monitoring of conditions, in excess of those covered by the deposit, shall be charged at the relevant hourly rate applicable at the time. The consent holder will be advised of the further monitoring charge. Only after all conditions of the resource consent have been met, will the council issue a letter confirming compliance on request of the consent holder.*

4. For the avoidance of doubt, the application of front yards on approved Lots 2, 3, 7, 60, 61, 134 and 135 shall consist of a 3m minimum front yard.

## **Advice notes**

1. *Any reference to number of days within this decision refers to working days as defined in s2 of the RMA.*
2. *For the purpose of compliance with the conditions of consent, “the council” refers to the council’s monitoring inspector unless otherwise specified. Please contact [monitoring@aucklandcouncil.govt.nz](mailto:monitoring@aucklandcouncil.govt.nz) to identify your allocated officer.*
3. *For more information on the resource consent process with Auckland Council see the council’s website [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz). General information on resource consents, including making an application to vary or cancel consent conditions can be found on the Ministry for the Environment’s website: [www.mfe.govt.nz](http://www.mfe.govt.nz).*
4. *If you disagree with any of the above conditions, or disagree with the additional charges relating to the processing of the application, you have a right of objection pursuant to sections 357A or 357B of the Resource Management Act 1991. Any objection must be made in writing to the council within 15 working days of notification of the decision.*
5. *The consent holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
6. *The consent holder shall place a covenant on any certificate of title issued for approved Lots 2, 3, 7, 60, 61, 134 and 135 (being all lots 650m<sup>2</sup> or greater within the subject site) to inform prospective owners of the encroachment of buildings into the front yard to allow for a 3m minimum front yard as authorised by Land Use Consent LUC60070179.*

Delegated decision maker:

Name: Steve Seager

Title: Team Leader, Resource Consents

Signed:

Date:

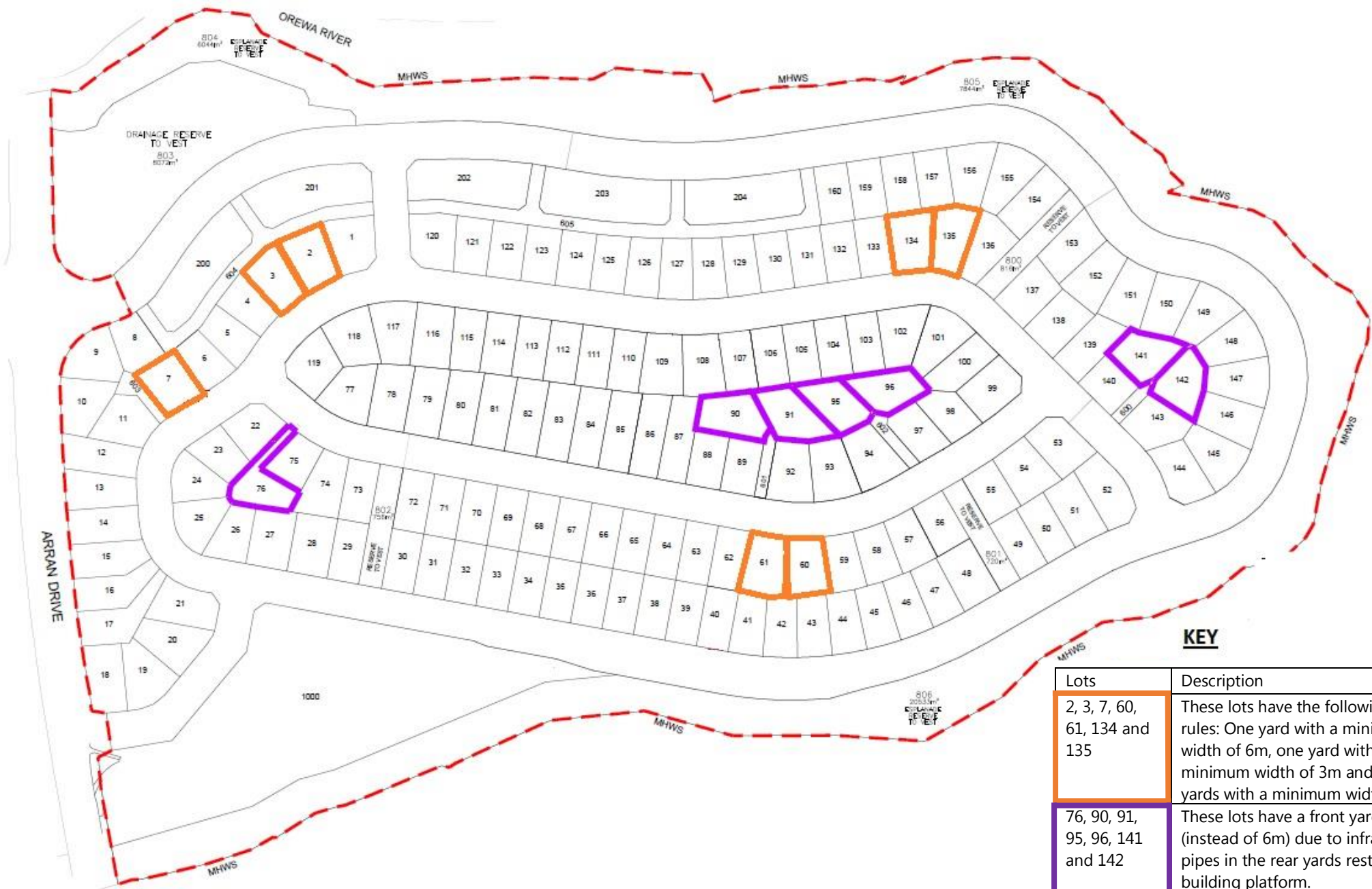
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Auckland Council  
Te Kauhanga o Tamaki-Māhauora



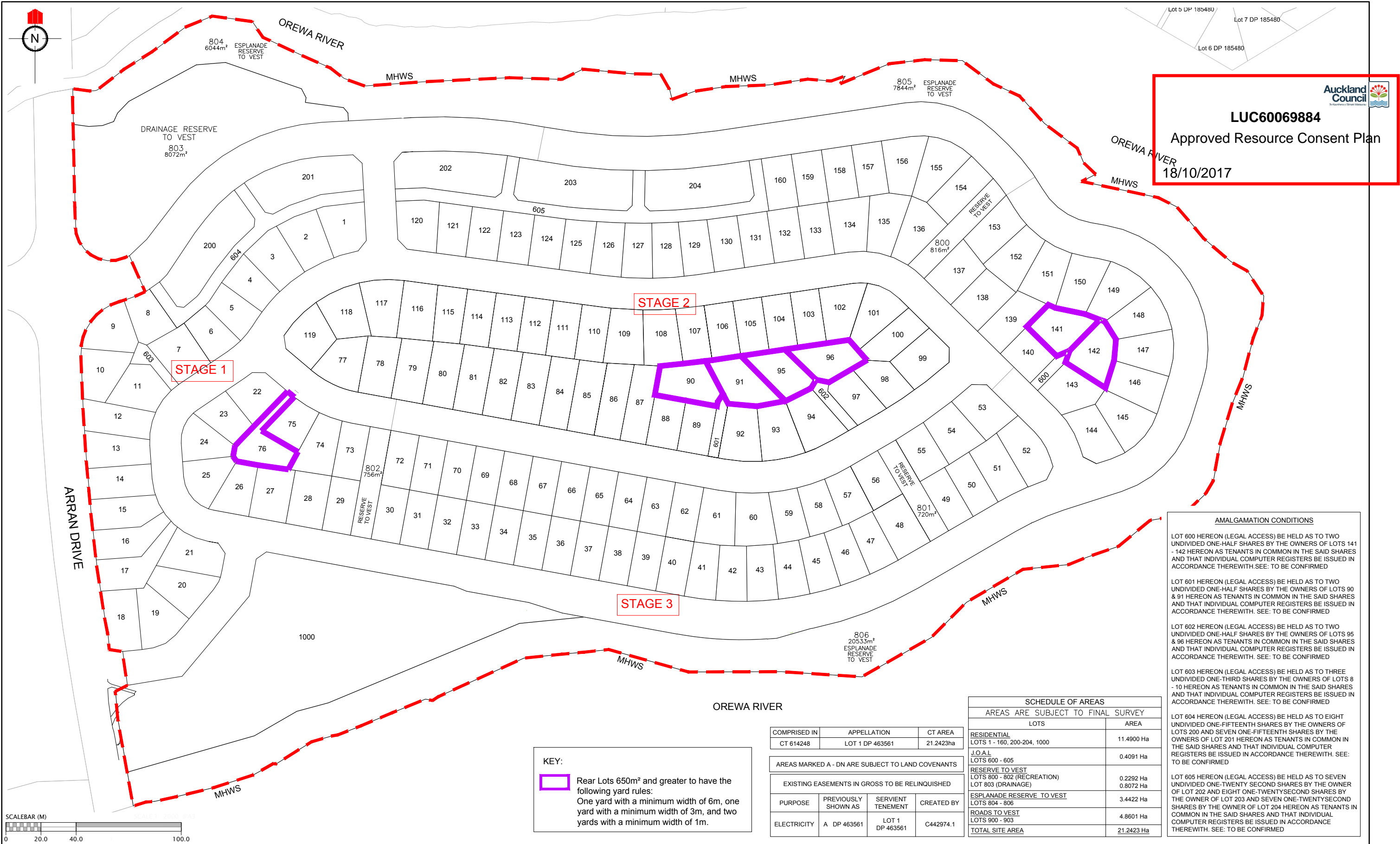
**LUC60070179**  
Approved by Delegated Officer


09/05/2017



**KEY**

Lots	Description
2, 3, 7, 60, 61, 134 and 135	These lots have the following yard rules: One yard with a minimum width of 6m, one yard with a minimum width of 3m and two yards with a minimum width of 1m.
76, 90, 91, 95, 96, 141 and 142	These lots have a front yard of 3m (instead of 6m) due to infrastructure pipes in the rear yards restricting building platform.



  
**LUC60069884**  
 Approved Resource Consent Plan  
 18/10/2017

**AMALGAMATION CONDITIONS**

LOT 600 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 141 - 142 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED

LOT 601 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 90 & 91 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED

LOT 602 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 95 & 96 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED

LOT 603 HEREON (LEGAL ACCESS) BE HELD AS TO THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 8 - 10 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED

LOT 604 HEREON (LEGAL ACCESS) BE HELD AS TO EIGHT UNDIVIDED ONE-FIFTEENTH SHARES BY THE OWNERS OF LOTS 200 AND SEVEN ONE-FIFTEENTH SHARES BY THE OWNERS OF LOT 201 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED

LOT 605 HEREON (LEGAL ACCESS) BE HELD AS TO SEVEN UNDIVIDED ONE-TWENTY SECOND SHARES BY THE OWNER OF LOT 202 AND EIGHT ONE-TWENTYSECOND SHARES BY THE OWNER OF LOT 203 AND SEVEN ONE-TWENTYSECOND SHARES BY THE OWNER OF LOT 204 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH. SEE: TO BE CONFIRMED


SCHEDULE OF AREAS	
AREAS ARE SUBJECT TO FINAL SURVEY	
LOTS	AREA
RESIDENTIAL LOTS 1 - 160, 200-204, 1000	11.4900 Ha
J.O.A.L LOTS 600 - 605	0.4091 Ha
RESERVE TO VEST LOTS 800 - 802 (RECREATION)	0.2292 Ha
LOT 803 (DRAINAGE)	0.8072 Ha
ESPLANADE RESERVE TO VEST LOTS 804 - 806	3.4422 Ha
ROADS TO VEST LOTS 900 - 903	4.8601 Ha
<b>TOTAL SITE AREA</b>	<b>21.2423 Ha</b>

COMPRISED IN	APPELLATION	CT AREA
CT 614248	LOT 1 DP 463561	21.2423ha

AREAS MARKED A - DN ARE SUBJECT TO LAND COVENANTS			
PURPOSE	PREVIOUSLY SHOWN AS	SERVIENT TENEMENT	CREATED BY
ELECTRICITY	A DP 463561	LOT 1 DP 463561	C442974.1

**KEY:**

 Rear Lots 650m<sup>2</sup> and greater to have the following yard rules:  
 One yard with a minimum width of 6m, one yard with a minimum width of 3m, and two yards with a minimum width of 1m.

LATEST REVISION DETAILS	NAME	DATE
1. ISSUED FOR RESOURCE CONSENT	MB	SEPT 2013

CLIENT:

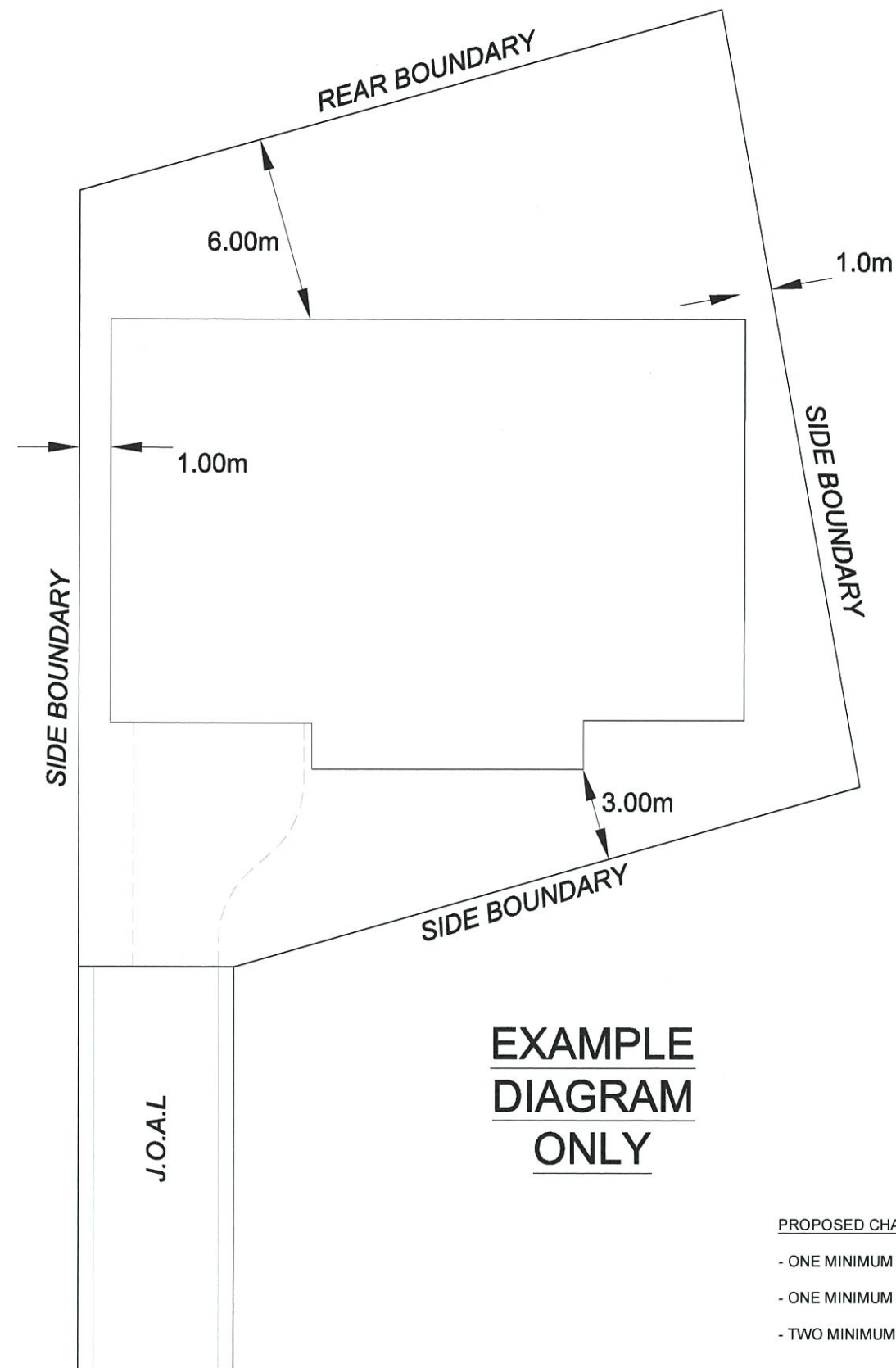


**ARRAN HILL**  
 PRECINCT 7 -ARRAN HILL-OREWA WEST -SCHEME PLAN  
 LOTS 1-160, 200-204, 600-605, 800-806, 900-903, 1000  
 BEING A SUBDIVISION OF LOT 1 DP 463561  
 AUCKLAND COUNCIL



PO BOX 6752, WELLESLEY ST, AUCKLAND 1141  
 LEVEL 1, BUILDING B, 8 NUGENT ST, GRAFTON, AUCKLAND 1023  
 PHONE +64 9 571 2470 FAX +64 9 571 3405 WWW.WOODS.CO.NZ

DESIGNED:	FOR RESOURCE CONSENT
MB	
CHECKED:	DRAWN: MB
APPROVED:	SURVEYED:
JOB NUMBER: 33405	SCALE: 1:2000 @ A3
ISSUED: APRIL 2017	
DWG. NO. 33405-P7-AH-BDP	REV. 1



LATEST REVISION DETAILS	NAME	DATE	CLIENT:



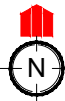
**PRECINCT 7 - OREWA WEST**

INDICATIVE REAR YARD CONTROLS

AUCKLAND COUNCIL

PO BOX 6752, WELLESLEY ST, AUCKLAND 1141  
BLDG 3, LEVEL 4, 666 GREAT SOUTH ROAD, PENROSE  
PHONE +64 9 571 2470 FAX +64 9 571 3405 WWW.WOODS.CO.NZ

DESIGNED: RP	<b>ISSUED FOR INFORMATION</b>
CHECKED:	DRAWN: TUI
APPROVED:	SURVEYED: N/A
JOB NUMBER: 31701	SCALE: 1:200 @ A3
ISSUED: APRIL 2017	
DWG. NO. 03	REV.:



**LEGEND**

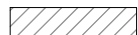
APPROVED SW POSITION



APPROVED SS POSITION



REINFORCED EARTH SLOPE



MASS BLOCK RETAINING WALL



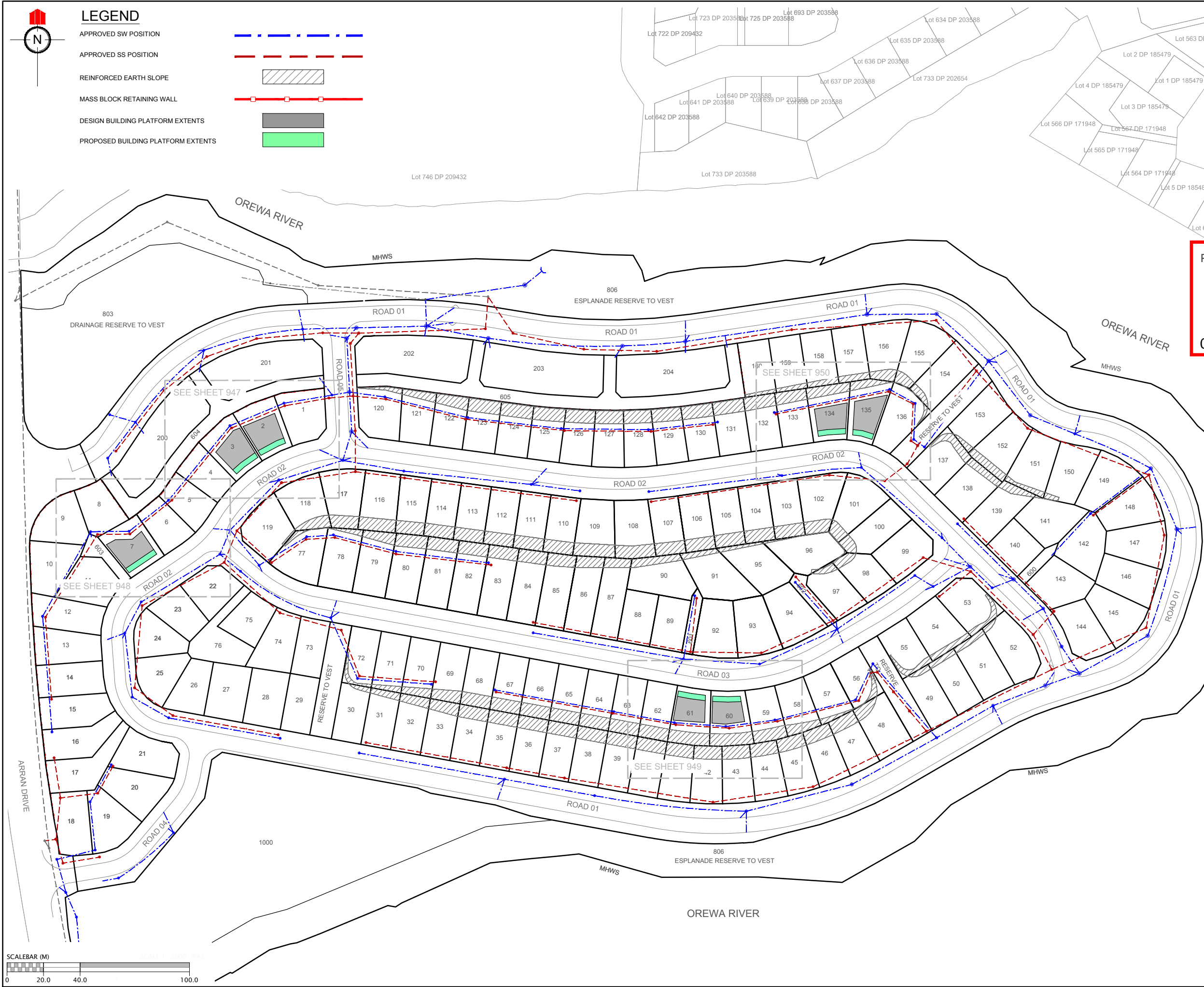
DESIGN BUILDING PLATFORM EXTENTS



PROPOSED BUILDING PLATFORM EXTENTS



REVISION DETAILS	NAME	DATE
1. ISSUED FOR CONSENT	AF	APR 2016



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**LUC60070179**

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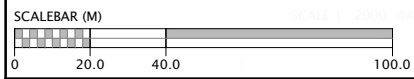
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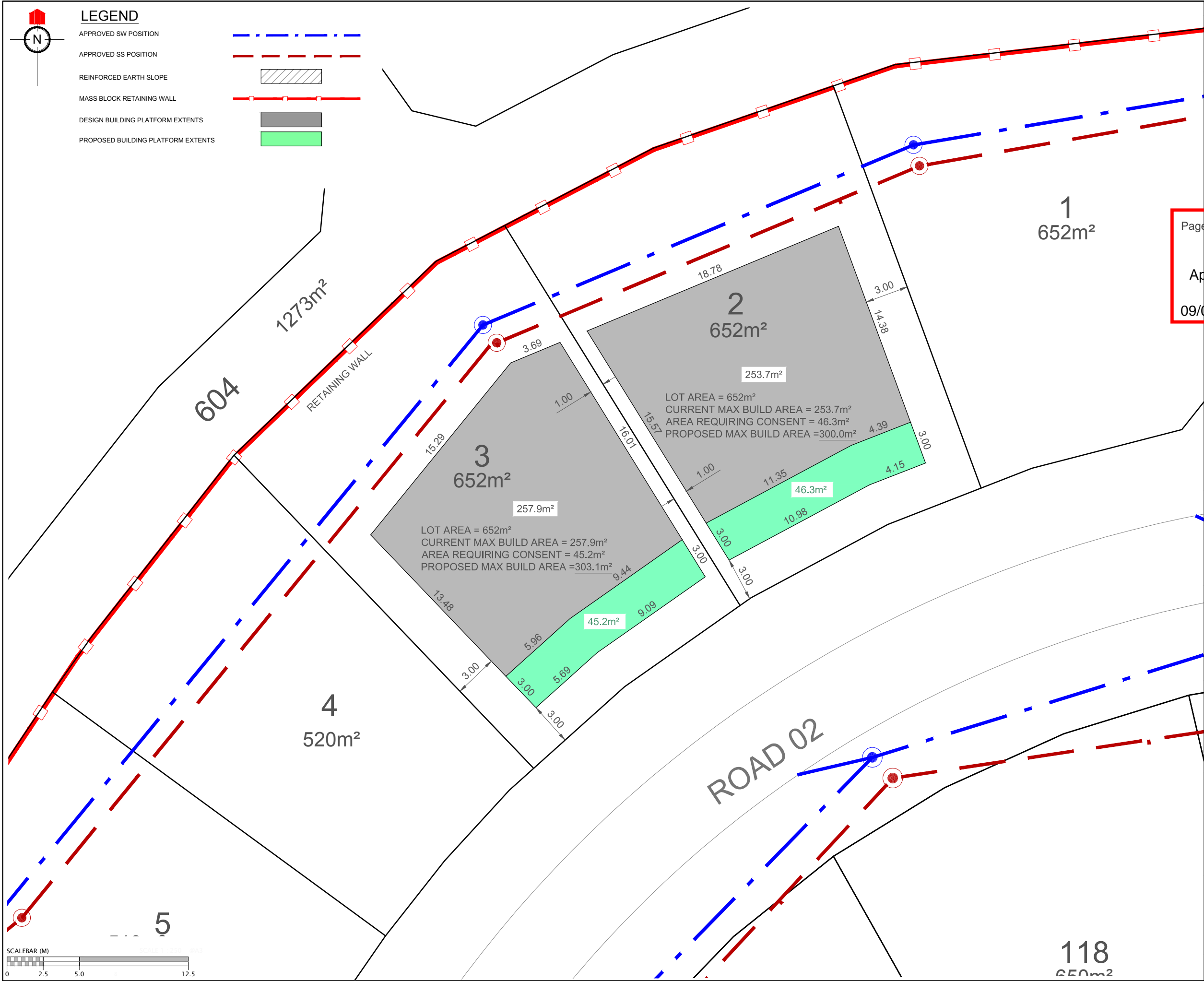
**MILLWATER  
ARRAN POINT**

**PROPOSED FRONT YARDS  
LOTS 2-3, 7, 60-61, & 134-135**

AUCKLAND COUNCIL

DESIGNED: MB	<b>FOR CONSENT</b>
CHECKED:	DRAWN: AF
APPROVED:	SURVEYED:
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ISSUED: APRIL 2016	
DWG. NO. 37000-02-MSC-946	REV. 1





REVISION DETAILS	NAME	DATE
1. ISSUED FOR CONSENT	AF	APR 2016

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CLIENT:

**WFH**  
PROPERTIES

**WOODS**  
Engineers. Surveyors. Planners.

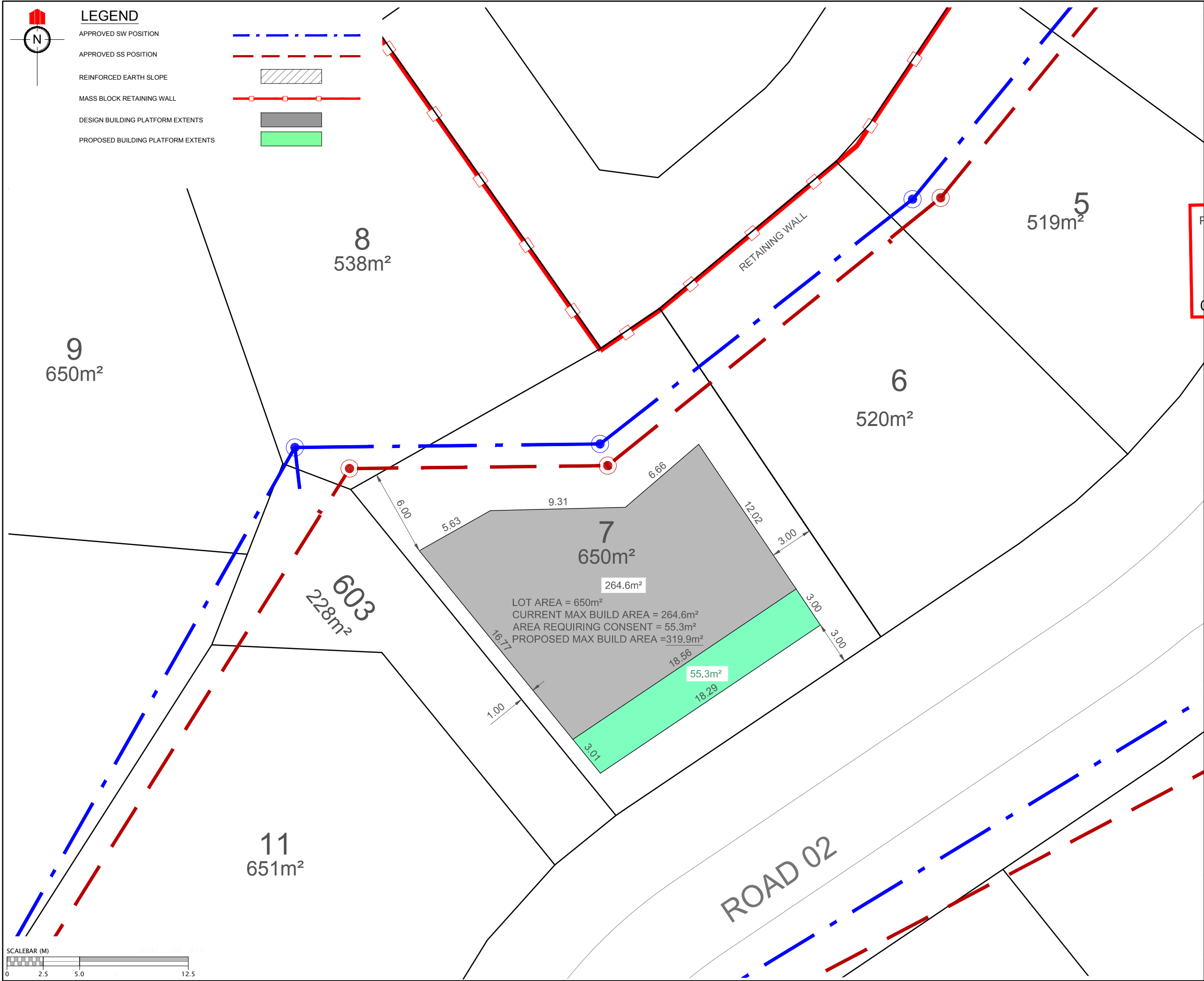
**MILLWATER  
ARRAN POINT**

PROPOSED FRONT YARDS  
LOTS 2-3, 7, 60-61, & 134-135

AUCKLAND COUNCIL

DESIGNED: MB	FOR CONSENT
CHECKED:	DRAWN: AF
APPROVED:	SURVEYED:
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DWG. NO. 37000-02-MSC-947	REV. 1





REVISION DETAILS	NAME	DATE
1. ISSUED FOR CONSENT	AF	APR 2016

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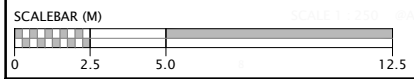


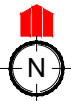
**MILLWATER  
ARRAN POINT**

PROPOSED FRONT YARDS  
 LOTS 2-3, 7, 60-61, & 134-135

AUCKLAND COUNCIL

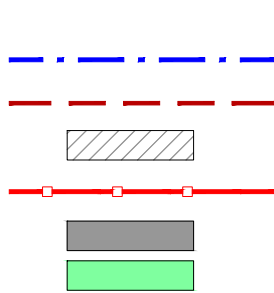
DESIGNED: MB	FOR CONSENT
CHECKED:	DRAWN: AF
APPROVED:	SURVEYED:
JOB NUMBER: 37000	SCALE: 1:250 @ A3
ISSUED: APRIL 2016	
DWG. NO. 37000-02-MSC-948	REV. 1



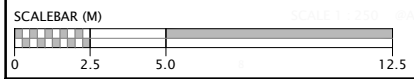
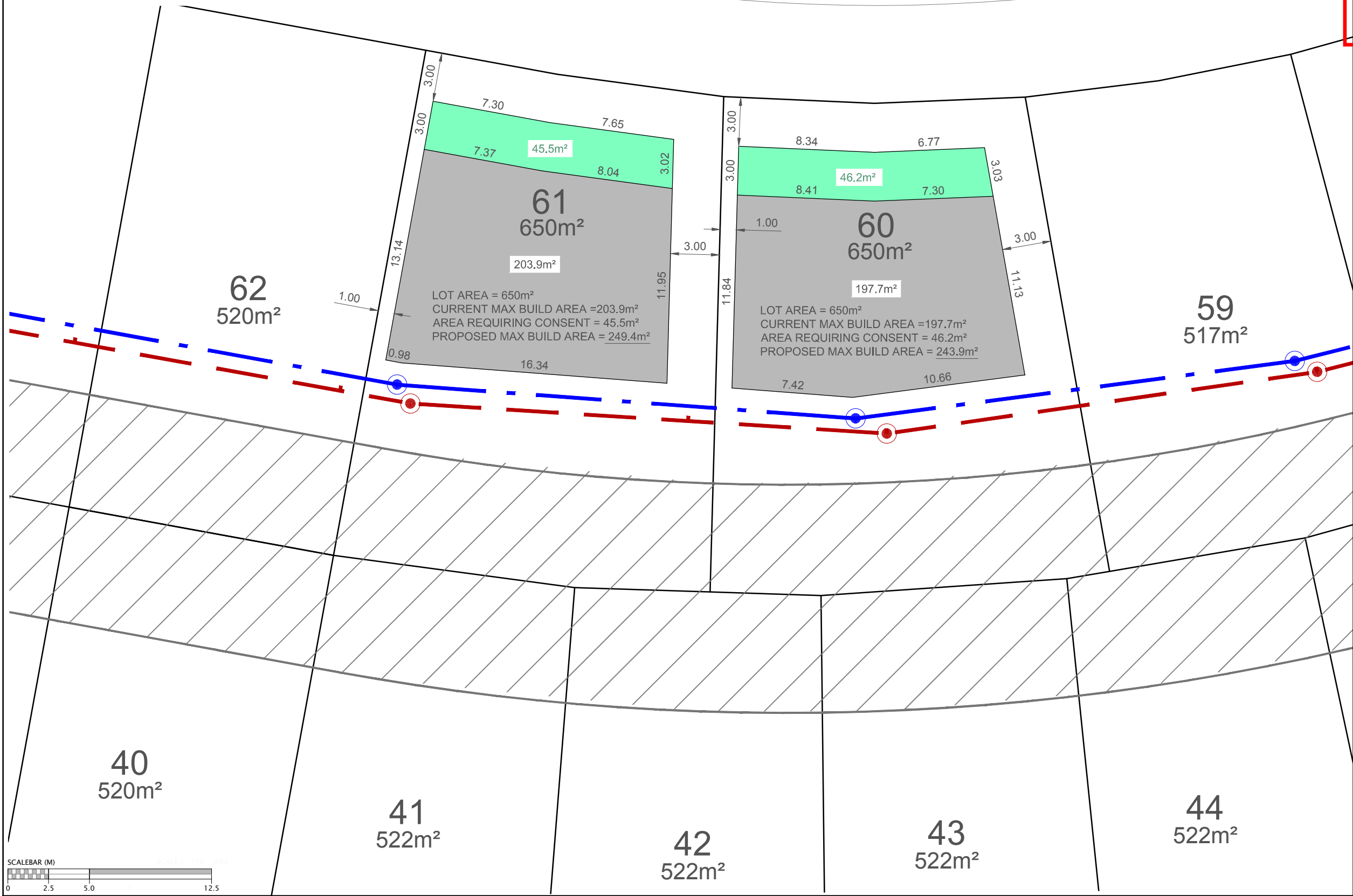


**LEGEND**

- APPROVED SW POSITION
- APPROVED SS POSITION
- REINFORCED EARTH SLOPE
- MASS BLOCK RETAINING WALL
- DESIGN BUILDING PLATFORM EXTENTS
- PROPOSED BUILDING PLATFORM EXTENTS



ROAD 03



REVISION DETAILS	NAME	DATE
1. ISSUED FOR CONSENT	AF	APR 2016

Page 4 of 5

**Auckland Council**

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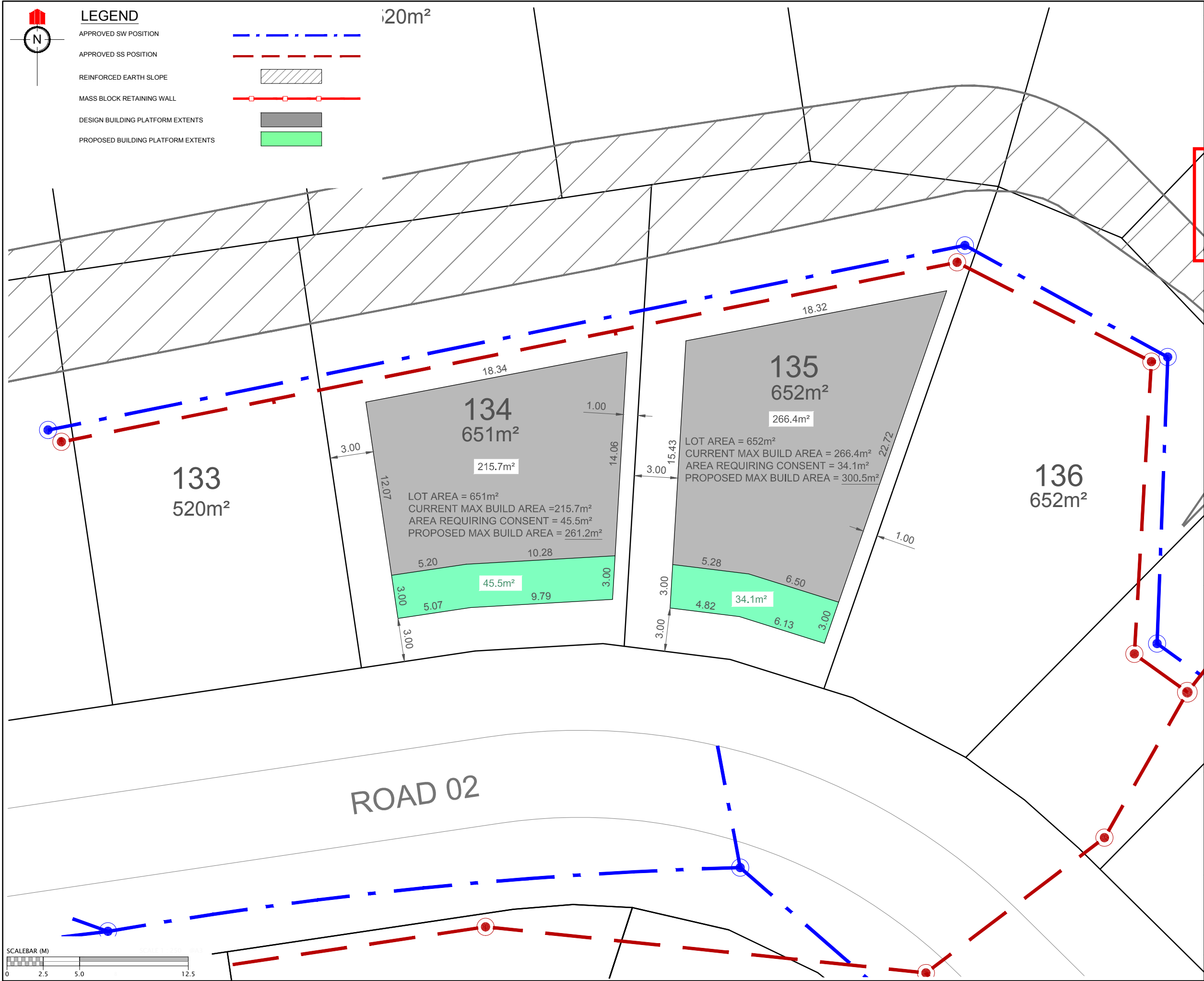


**MILLWATER  
ARRAN POINT**

PROPOSED FRONT YARDS  
LOTS 2-3, 7, 60-61, & 134-135

AUCKLAND COUNCIL

DESIGNED: MB	FOR CONSENT
CHECKED:	DRAWN: AF
APPROVED:	SURVEYED:
JOB NUMBER: 37000	SCALE: 1:250 @ A3
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REVISION DETAILS	NAME	DATE
1. ISSUED FOR CONSENT	AF	APR 2016

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**MILLWATER  
 ARRAN POINT**

**PROPOSED FRONT YARDS  
 LOTS 2-3, 7, 60-61, & 134-135**

AUCKLAND COUNCIL

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CHECKED:	DRAWN: AF
APPROVED:	SURVEYED:
JOB NUMBER: 37000	SCALE: 1:250 @ A3
ISSUED: APRIL 2016	
DWG. NO. 37000-02-MSC-950	REV. 1

