

Your Ref

In reply please quote
LUC0199/23

If calling, please ask for
Ciara McMenamin
Consultant



01 December 2022

BCD Group Limited
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Waikato Mail Centre
Hamilton 3240

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Private Bag 544, Ngaruawahia 3742
New Zealand

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Digitally Delivered

Dear Sir/Madam

DECISION ON APPLICATION FOR RESOURCE CONSENT UNDER THE RESOURCE MANAGEMENT ACT 1991

Application number(s):	LUC0199/23
Applicant	P J K Banks, D J Banks
Address:	386 Horotiu Road TE KOWHAI
Legal Description	Lot 1 DP 325496 Comprised in Record of Title 103002
Proposal:	<u>Operative District Plan:</u> To convert an existing sleepout that is not attached to the existing dwelling for it to become the second dwelling on a site less than 40ha in the Rural Zone.

I wish to advise you of Council's decision to **grant** your application for resource consent under the Resource Management Act 1991 (RMA). Please see below for the details of the decision and conditions of consent.

The following information provides you with some guidance on your rights and what to do next. It is recommended that you seek independent advice if you are in any doubt as to the processes to be followed:

Objections

If you disagree with any part of this decision or any conditions of this consent, you may lodge an objection in writing to Council within **15 working days** of the receipt of this letter. Your objection must be in accordance with section 357 of the RMA and must include the reasons for your objection.

If you decide to lodge an objection to this consent, please note that you cannot lodge a section 223/224 application for subdivision.

Compliance with conditions

Your resource consent permits the land use to be established at the site as long as the activity complies with the stated conditions on an ongoing basis. It is important that you fully understand and comply with all the conditions of your consent.

Please notify Council's monitoring team prior to the commencement of activities associated with this consent. The role of Council's monitoring team is to monitor compliance with the conditions of consent and may involve site visits.

Council's monitoring team can be contacted at monitoring@waide.govt.nz or 07 824 8633. Please reference the consent number and address of the property when emailing or calling.

Lapsing of Consent/s

This resource consent lapses 5 years after the commencement of the consent, unless the consent is given effect to by the end of that period.

The commencement date of a resource consent is determined by section 116 of the Resource Management Act 1991.

Yours faithfully



Melissa Muir

CONSENTS ADMINISTRATION

Cc: P J K Banks, D J Banks

Email: peteanddalebanks@gmail.com

Resource Consent

(Resource Management Act 1991)

DECISION ON APPLICATION: LUC0199/23

Pursuant to Sections 34A (1), Section 104, 104B, 108 and 108AA of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants land use consent for a Discretionary Activity under the Operative District Plan:

Activity: Operative District Plan:
To convert an existing sleepout that is not attached to the existing dwelling for it to become the second dwelling on a site less than 40ha in the Rural Zone.

Applicant: Pete and Dale Banks

Location Address: 386 Horotiu Road. Te Kowhai

Legal Description: Lot 1 DP 325496 Comprised in Record of Title 103002

This consent is subject to the conditions detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.



CONSENTS TEAM LEADER

Dated: 30 November 2022

Conditions of Consent

Resource Consent No: LUC0199/23

General Conditions

- 1 The development shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number (LUC0199/23) and officially received by Council on 17 October 2022 as amended by the conditions below.

Copies of the approved plans are attached. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.

- 2 Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.

Advisory Notes

Lapse Date

- 1 This Resource Consent for land use lapses five years after the commencement of the consent, unless:
 - (a) the Consent is given effect to prior to that date.
or
 - (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
 - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

Other consents/permits may be required

- 2 To avoid doubt; except as otherwise allowed by this resource consent, all land uses must comply all remaining standards and terms of the relevant Waikato District Plan. The proposal must also comply with the Building Act 2004, Regional Infrastructure Technical Specifications, Waikato Regional Plans and National Environmental Standards. All necessary consents and permits shall be obtained prior to development.

Enforcement Action

- 3 Failure to comply with the conditions of consent may result in Council taking legal action under the provisions of Part 12 of the Resource Management Act (1991).

Private Covenants

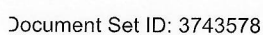
- 4 Please be aware if a private covenant is registered on the Record of Title, it is the responsibility of the consent holder to investigate the relevance of that covenant, as some covenants may restrict certain activities occurring on the site.

Reasons for Decision

Resource Consent No: LUC0199/23

- I The actual and potential effects created by the proposal are acceptable for the following reasons:
 - (a) The character and amenity of the area will not be affected by the proposal as the proposed second dwelling is already existing as a sleepout/workshop and will be a sufficient distance from all boundaries and will retain the existing Rural (Operative District Plan) and General Rural Zone (Proposed Waikato District Plan – Appeals Version) character within the surrounding environment.
 - (b) The proposed dwelling is not considered to be obtrusive and will fit in with the character of the surrounding area. The proposed works seek to extend the existing kitchenette of the building to a functional kitchen. This will involve works such as the addition of a dish drawer, a benchtop hob, an oven, and extractor fan. All works are occurring internally and will not be viewed from the immediate environment or wider environment.
- 2 The proposal is consistent with the relevant objectives and policies of the Operative District Plan.
- 3 The proposal is a Permitted Activity under the Proposed District Plan – Appeals Version and is therefore consistent with the relevant objectives and policies of the Proposed District Plan – Appeals Version.
- 4 The proposal is consistent with the operative Waikato Regional Policy Statement, and all other relevant matters.
- 5 Overall, the proposal meets the purpose (section 5) and principles (sections 6-8) of the Resource Management Act 1991.

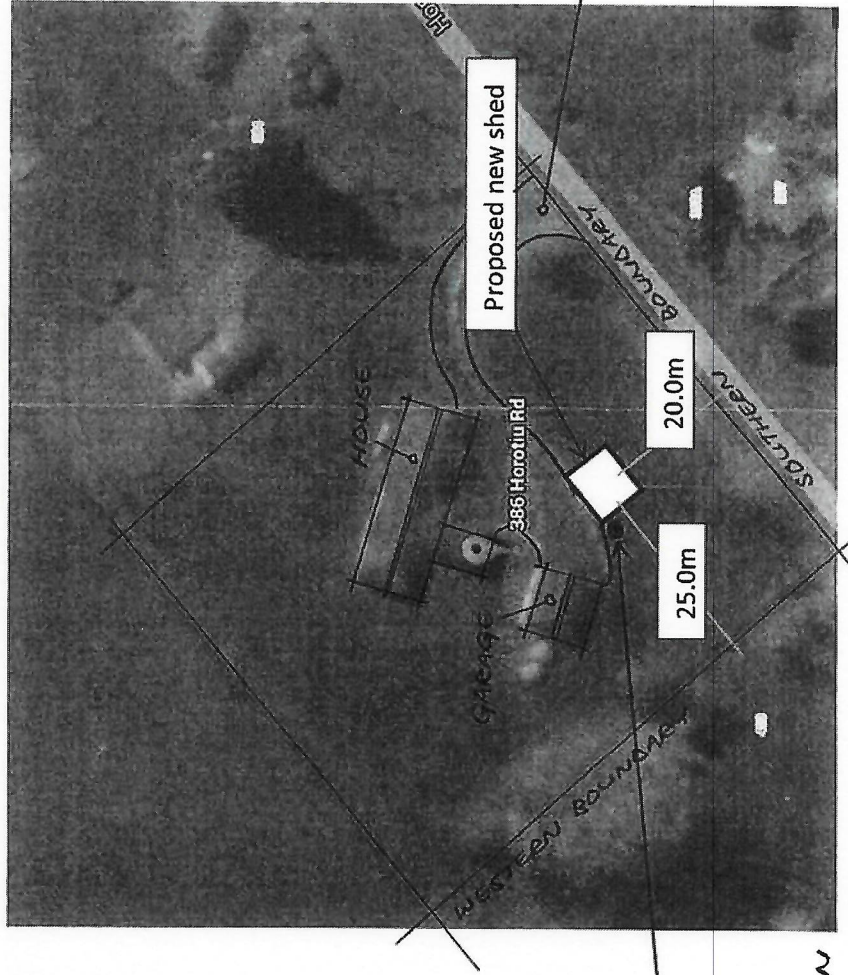
Our alterations



CUSTOMER SUPPORT
 Date Received By
 31 MAR 2015

WAIKATO SHED
 COLOUR SHEDS LTD
 great sheds, done right!

Site / location plan

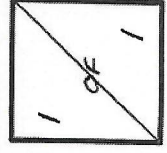


HOUSE = 357 m²
 GARAGE = 80 m²
 PROPOSED NEW
 SHED = 84 m²
 TOTAL = 521 m²

APPROVED PLANS
 No: LUC0199/23
 Approved by: Ciara McMenamin
 Date: 09 November 2022
 NOT FOR CONSTRUCTION

STORMWATER TO NEW
 15,000L PLASTIC TANK.
 (2520mm ABOVE GROUND
 LEVEL)
 COLOUR: BEIGE
 20m SET-BACK FROM WESTERN
 BOUNDARY
 25m SET-BACK FROM SOUTHERN
 BOUNDARY

APPROVED
 10 APR 2015
 NABHIN 386
 LUC0300/15



ADDRESS: 386 Horotiu Road,
 Horotiu

DATE: 16.03.15 SCALE: NTS
 27 MAR 2015 Amended to include water tank.

