

# FILE

04 May 1999

P04956

Please Quote: P09456

Doc No: 116407

SJ Biebly & RW Rutledge  
107 Kawaha Point Road  
ROTORUA



Dear Sir/Madam,

**RESOURCE MANAGEMENT ACT 1991**  
**NON-NOTIFIED APPLICATION FOR RESOURCE CONSENT**  
**APPLICANT - SJ BIEBLY & RW RUTLEDGE**

I wish to advise that the following decision has been made under authority delegated to staff in respect of the above application:

*That pursuant to Sections 34(4), 94, 104, 105 and 108 of the Resource Management Act 1991, the Rotorua District Council grants consent to the application by SJ Biebly and RW Rutledge to construct a carport 1m from the side yard boundary at 170 Kawaha Point Road, Rotorua, legally described as Lot 2 DPS 47200.*

*This consent is subject to the following condition:*

- 1. That the proposal proceeds in accordance with the submitted plans (numbered P04956/1).*

***Advice Notes:***

***The applicants are advised that:***

- (a) Under section 357 of the Resource Management Act 1991, you have a right of objection to Council in respect of the above decision. Any such objection shall be made by notice in writing to the Council within 15 working days of receiving this decision.*
- (b) The above consent lapses on the expiry of 2 years after the date of commencement of the consent, unless the consent is given effect to.*

***The reasons for this decision are that:***

- 1. The site is zoned Residential B in the Proposed District Plan and the Proposal is a Controlled Activity.*
- 2. The proposal is in accordance with the provisions and requirements of the District Plan for the construction of a carport in a Residential B zone.*
- 3. The proposal is not contrary to the policies and objectives of the District Plan.*
- 4. All persons who may be adversely affected by the proposal have provided their written consent.*

5. *The proposal will have only a minor adverse effect on the environment, as the proposed carport will not encroach into any persons daylighting or privacy.*

If you have any questions, please do not hesitate to contact me.

Yours faithfully

Andy White  
Planner

RESOURCE CONSENT	
Approved.....	4-5-99
Appn No.....	1999/166B
Plan No.....	P04956/1
Date.....	4-5-99

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**TO: DIRECTOR, ENVIRONMENTAL SERVICES****FROM: Andy White****Land Use (Non-Notified) Resource Consent**

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**APPLICATION DETAILS:**

Consent No.: 2595

Assessment No: 07067/125.00A

Applicant SJ Bielby and RW Rutledge

Location: 170 Kawaha Point Rd, Kawaha Point, Rotorua

Legal Description: Lot 2 DPS 47200

**DESCRIPTION OF ACTIVITY:**

Construction of a carport 1m from the side yard boundary.

**PLAN DETAILS:**

Zone: Residential B

Activity Status: Controlled

RMA Section: s34(4), s94, s104 and s105

Rules: R7.1.20

**ASSESSMENT:****- Information Submitted:**

Is sufficient to assess the application

**- S94 Completed:**

No significant issues have arisen from a s94 analysis of this application.

**- Part II Matters:**

No significant Part II issues have arisen in regard to this application.

**A. DISTRICT PLAN CRITERIA:****Buffers**

R7.2.3

R7.3.3.2.2 (a)(vi) &amp; (b)

This application fails to comply with the side yard buffer provisions pursuant to R7.2.3. The adjoining landholders have given consent to the encroachment into the buffer by the proposed carport. Therefore the buffer provisions can be waived in terms of Rules R7.3.3.2.2 (a)(vi) & (b) as the Proposal meets the requirements of these provisions of the District Plan.

**B. SPECIFIC OBJECTIVES & POLICIES:**

			<u>Comments:</u>
<b>B1</b>	Objective:	2.2.2 Part Seven	The amenity values and the quality of the environment in the Residential Zone have not been adversely affected by the encroachment of the carport into the side yard buffer.
		2.4.2 Part Seven	See Above.
	Policy:	2.2.3.1 Part Seven	See Above.
		2.2.3.4 Part Seven	N/A
	Other Objectives/Policies		N/A

**C. SPECIFIC PERFORMANCE STANDARDS:**

<b>C2</b>	<b>R7.2. 3 Buffers</b>			
	Exceeds side yard requirement by			1.5 metres
<b>C4</b>	<b>R7.2.5 Parking and Manoeuvring</b>			
	Surfacing	Complies	YES	
	On-site Manoeuvring	Complies	YES	

**D. SPECIFIC ASSESSMENT CRITERIA:**

<b>D2</b>	<b>R7.3.3.2.2 Buffers</b>			
	<u>Assessment Criteria</u>	<u>Meets Criteria</u>		<u>Comments</u>
(a)	(i) sections have an unusual or irregular shape or topography; or		<input checked="" type="checkbox"/>	
	(ii) of the existence of rights-of-way, easements or similar land use restrictions; or		<input checked="" type="checkbox"/>	
	(iii) of the existence of a non-conforming building; or		<input checked="" type="checkbox"/>	
	(iv) the proposed extension cannot be located in a manner conforming with the Plan due to the existence of an item listed in <b>Appendix A</b> ; or		<input checked="" type="checkbox"/>	

	(v) the yard is to be used for the display of signs in the Transitional Development Zone; or		<input checked="" type="checkbox"/>	
	(vi) where the adverse effects on the environment (e.g.: privacy, daylighting and visual appearance) will be minor;	<input checked="" type="checkbox"/>		The residential amenity values experienced in this area will not be adversely affected by this proposal.
(b)	<u>Affected Parties Consents Obtained</u>	<input checked="" type="checkbox"/>		Adjoining landowner's consent has been received and checked.

**E. GENERAL ASSESSMENT CRITERIA:**

		(Comments)
<b>R7.3.2.1</b> Design and External appearance of buildings & structures.		The Amenity Values of the surrounding residential zone will not be adversely affected by the Proposal.
<b>R7.3.2.2</b> Landscape Design and Site layout.		As above
<b>R7.3.2.3</b> Location and design of vehicular and pedestrian access to and from the site.		The potential for any adverse affects on vehicular and pedestrian access will not increase as a result of this proposal.
<b>R7.3.2.4</b> Parking and manoeuvring.		Complies with the provisions of the District Plan.
<b>R7.3.2.5</b> Management of minor adverse effects on the environment.		As above
<b>R7.3.2.7</b> Natural Hazards		NA

Signed: AW Date: 4/5/99 Signed: DH Date: 4/5/99  
 Consent Manager Reviewer

## Non-Notified Resource Consent Approval Form

Consent No	2595	Planning file No:	1999/166B	Ass No:
Street address	170 Kawaha Point Road			
Legal address	Lot 2 DPS 47200			
Locality:	Kawaha Point			
Property File No's	04956			
Applicant Name	SJ Blielby and RW Rutledge			
Application Type	Land Use			
Due Date	25/05/1999			
Description of Application	Construction of a carport 1m from the side boundary.			

***I certify that this application can be considered under delegated authority as per Council's Delegation Manual***

Planner Officer: Andy White

Signed: A/W Dated 4.5.99

Supervisor / Peer Reviewer: \_\_\_\_\_

Signed: \_\_\_\_\_ Dated \_\_\_\_\_

Approved: \_\_\_\_\_  
**Manager / Director / District Manager**

Signed: DL Dated 4/5/99

**RESOURCE CONSENT VETTING AND FIELD NOTES**

APPLICANT: SJ Bielby + RW Rutledge DATE RECEIVED: 27.11.99  
ADDRESS: 170 Kawaha Point Road  
Kawaha Point

TARGET DATE: 25.5.99

**VETTING**

Further Information Req. [Eng]

YES/NO

RW 4.5/99

Further Information Req. [Plan]

YES/NO

**VETTING AND SITE NOTES**

Environment BOP

YES / NO

Environment Waikato

YES / NO

**RESOURCE CONSENT APPLICATION****APPLICATION TYPE:** Controlled 1999/166B**PLANNER:** \_\_\_\_\_**APPLICANT DETAILS****RECEIVED:** 07.11.99**Name:** SJ Bielby & RW Rutledge**TARGET DATE:** 05.5.99**Contact/Agent Address:** \_\_\_\_\_**Agent Reference:** \_\_\_\_\_**APPLICATION****Site Location:** 170 Kawaha Point Rd **Zoning:** Residential B**Locality:** Kawaha Point **Map No:** 17**Legal Description:** Lot 2 DPS N7200**Valuation Roll No:** 065N2/586.00**Description of Application:** Construction of a airport 1m from the side boundary.**FEES:****Fee:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Initial:** \_\_\_\_\_**Invoice:** \_\_\_\_\_ **Date:** \_\_\_\_\_**Receipt:** \_\_\_\_\_ **Date:** \_\_\_\_\_**RESERVE CONTRIBUTION****To Valuer:** \_\_\_\_\_ **To Applicant:** \_\_\_\_\_**Assessed Value:** \_\_\_\_\_**Received:** \_\_\_\_\_**Paid:** \_\_\_\_\_**VETTING****Planning****Information Requested:** \_\_\_\_\_**Information Received:** \_\_\_\_\_**Resource Engineer****Information Requested:** \_\_\_\_\_**Information Received:** \_\_\_\_\_**Acknowledgement Letter:** \_\_\_\_\_**NOTIFICATION****Application to be Non-Notified/Notified:****Reasons:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Section 94 Assessment Required:** Yes ☒ No**INFORMATION****Complete Resource Consent Application (Section 88)** ☒**Complete Assessment/Effects Fourth Schedule** ☒**DETAILS OF AFFECTED PERSONS****Location Plan** ☒**Adjoining property owners confirmed by Council records at time of application:**checked / \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**Received pursuant to Section 88(4) of the Resource Management Act 1991:****Date:** 4.5.99 **Signed:** RW



# Resource Consent Application

## under the Resource Management Act 1991

PLEASE FILL OUT ALL PARTS OF THIS FORM UNLESS OTHERWISE STATED  
(Failure to do so may result in delays in processing your application.)

### 1. APPLICANT'S NAME AND ADDRESS

Applicant's name: S.J. BIELBY + R.W. RUTLEDGE  
Applicant's postal address: 170 KAWAHA PT RD  
ROTORUA.  
Contact name and address  
(if different from above): A.A.  
Contact telephone number: 07 3502255. Fax: 07 3502266.

### 2. OWNER AND OCCUPIER OF PROPERTY

Owner of property to which the  
application relates:  
(If different from applicant)

Name: A.A.  
Address: \_\_\_\_\_  
\_\_\_\_\_

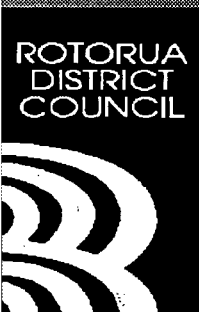
Occupier of property to which the  
application relates:  
(If different from applicant)

Name: AA.  
Address: \_\_\_\_\_  
\_\_\_\_\_

### 3. LOCATION OF ACTIVITY

Describe the location of the application to which this application relates in a way which will  
enable it to be readily identified (e.g. street address and legal description).

Lot 2 DPS 47200  
170 KAWAHA PT. RD  
ROTORUA.



ENVIRONMENTAL  
SERVICES

Private Bag 3029

Rotorua

Ph (07) 348 4199

Fax (07) 346 3143

Version 1, Version Date: 31/03/2009

#### 4. RESOURCE CONSENT INFORMATION

- a. I am applying for: ☒ Resource Consent  
☐ Subdivision Consent
- b. List any other resource consents that you require from other consent authorities to carry out the proposed activity (e.g. discharge or water permit or resource consent from Environment BOP or Environment Waikato):

- c. Please provide a brief description of the activity to which this application relates:

Carport on side boundary (1m from).

Attach any further sheets needed.

#### 5. OTHER INFORMATION REQUIREMENTS

I have attached:

- ☒ A completed environmental effect checklist
- ☒ A plan/plans showing the location of the activity and what is proposed
- ☐ All required neighbours consent forms and plans signed by them  
(Please check with the Planning Services Section to find out who you need to obtain consents from)
- ☐ An assessment of any effects that the proposed activity may have on the environment in accordance with Section 88 and the Fourth Schedule to the Act  
(NOTE: this assessment is not always required - please check with Planning Services to find out if you need to complete one)

#### SUBDIVISION CONSENT APPLICATIONS ONLY

- ☐ I attach sufficient information in accordance with Section 219 of the Act to adequately define:
- The position of all new boundaries;
  - The areas of all new allotments (Not required for cross leases, company leases, or unit plans);
  - The location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under Section 230 of the Act.
  - The location and areas of esplanade strips to be created under Section 232 of the Act;
  - The location and areas of any existing esplanade reserves, esplanade strips, or access strips;
  - The location and areas of land of any part of the bed of a river or lake which is to be vested in the Crown or local authority under Section 237A of the Act;
  - The location of any areas of land to be set aside as new road.

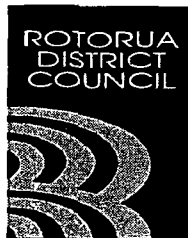
ROTORUA  
DISTRICT  
COUNCIL



Bielb  
Signature of applicant or person authorised  
to sign on the applicants behalf

Date

13/4/99



# RESOURCE MANAGEMENT ACT 1991

## Environmental Effect Checklist For Land Use Consents

The effects of your proposed activity will be one of the key considerations when your application is assessed. This checklist has been compiled to assist you to prepare an application which will meet the requirements of the *Resource Management Act 1991*. Your application must be accompanied by this completed checklist.

Through consultation with Council staff and the affected parties, you should be able to identify the significant environmental effects which should be addressed in your application. We strongly recommend that you consult at an early stage. The formal process of the statutory application will be much smoother if you have done so.

Should you answer YES to any of the following questions, you may be required to provide an assessment of the effects from a professional person experienced in assessing the effects of your proposed activity, eg. soil engineer, or environmental health expert. This assessment should also accompany the application. If there is any doubt, discussions with Council staff may assist.

**NOTE:** Unless the question is clearly not applicable to the application, it is unacceptable to claim without any reason that the proposed activity will have no effect on the environment. Applications with such incomplete assessments will not be processed until the relevant information is provided.

The assessment should include but not be limited to:

- a) the type of effect (positive/negative/cumulative);
- b) the extent of the effect (geographic spread/duration/volume; and
- c) possible actions to reduce (avoid, remedy or mitigate) adverse effects.

### 1. Are any of the following natural constraints or hazards present on the site?

- Is there any stormwater or flood-flow path?
  - Is the land unstable or on a slope greater than 20°?
  - Is the site in or adjacent to a gully?
  - Is the site within 20 metres of a permanent watercourse?
  - Are there any geothermal features on the site?
  - Are there any geothermal bores on the site?
  - Has the site been subject to landfill?
  - Are there any other natural constraints to the site?
- (If YES, what are they?)

- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |

SHOW ON PLAN

### 2. Is there any waahi tapu or archaeological site present which may be affected by the proposed development?

- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
|------------------------------|--|

Is there any historic or significant building, tree, object or site affected by the proposed development?

- |                              |  |
|------------------------------|--|
| <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
|------------------------------|--|

**Note 1:** The District Plan contains registers of the above features for reference, see Appendix A.

**Note 2:** If the above feature is registered under the *Historic Places Act 1993* the consent of the Historic Places Trust will be required. In addition a survey of archaeological sites, including registered, non-registered and NZAA listed and previously unlisted sites may be required to be undertaken.

DESCRIBE THE EFFECT OF THE PROPOSAL ON THE ABOVE FEATURE.

Has the value of any of the above listed items been assessed and relevant parties consulted?

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
|   | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

Does the proposed development affect tangata whenua?

If YES outline how you have taken account of the principles of the Treaty of Waitangi. See Part Five of the District Plan for an explanation of these principles.

SHOW ON PLAN

PTO..

**3.** Does the site or neighbouring site contain:

Any wildlife habitat, wetland or area of indigenous vegetation that could be affected by the proposed activity?

☐ YES ☒ NO

Any trees that will be affected by the proposed activity?

☐ YES ☒ NO  
SHOW ON PLAN

**4.** Will the proposed development generate:

Any additional utility service requirements?

☐ YES ☒ NO

Any additional vehicular traffic?

☐ YES ☒ NO

Any additional noise?

☐ YES ☒ NO

Any dust that can drift beyond the site?

☐ YES ☒ NO

Any odour beyond the site?

☐ YES ☒ NO

Where 'YES' will the above be during the construction period?

☐ YES ☒ NO

Where 'YES' will the above be when the development is completed?

☐ YES ☒ NO

**5.** Will the property have direct access to a State Highway?

☐ YES ☒ NO

(If YES, the written comments of Transit New Zealand will be required for both existing and proposed vehicular access points)

**6.** Will the development produce any waste materials?

☐ YES ☒ NO

**7.** Will you be applying for a liquor licence in relation to this activity?

☐ YES ☒ NO

**8.** Will you be storing, using, transporting or disposing of any hazardous substance or contaminant?

☐ YES ☒ NO

Will any activity produce contaminated wash waters/effluent run off

☐ YES ☒ NO

**9.** Will the scale/size/use of your development have any adverse effect on the environment or the amenities of the neighbourhood and the resources and services already provided to support such a use?

☐ YES ☒ NO

**10.** Describe the visual effects of the proposed development

*Minimal - may provide some privacy for neighbours!*

To the best of my knowledge the answers on this form are correct. Where the answer is "YES" I have included an assessment from a recognised professional or addressed the issue in consultation with Council staff and have shown on a plan of the site those particular features.

13/4/99

(date)

*[Signature]*  
(Signature of applicant or agent for applicant)

ROTORUA DISTRICT COUNCIL, PRIVATE BAG RO 3029, ROTORUA, NEW ZEALAND  
PH: 07 348 4199 FAX: 07 346 3143



Private Bag RO 3029  
Rotorua  
New Zealand  
Telephone 07-348 4199  
Fax 07-346 3143  
E-mail mail@rdc.govt.nz

Address all  
communications to:  
District Manager  
Rotorua District Council  
EDGE

# **PARKING AND ON-SITE MANOEUVRING OF VEHICLES IN**

## **CONJUNCTION WITH BUILDING CONSENT NO. 60/98/**

In accordance with the provisions of Appendix F of the Rotorua District Council's Proposed Plan

I/We SUSAN JANE BIEBY + RICHARD WAYNE RUTLEDGE  
(State Full Name)

Being owner/s of 170 KAWAHA POINT ROAD ; ROTORUA

(State full legal description)

with a situation address of AS ABOVE

Agree to meet all requirements for on-site parking and manoeuvring areas, including access to road to be designed, formed, drained, constructed and surfaced with permanent wearing materials as part of the overall development.

Materials to be used

(tick applicable box)

☐ Concrete

☒ Cobblestones

☒ Asphalt

☐ Other (Please Specify) .....

(Delete if not applicable) As I / We ~~is~~ are unable to conform with this provision at this present time I / We intend to complete this work in the near future.

Furthermore I / We understand that should Council wish to enforce the provisions of the District Plan or a complaint is made to Council from an adjoining / adjacent or interested party regarding dust, gravel, run-off and/or erosion from the unformed driveway and parking areas, and as a result of this Council issues a notice to conform to the Performance Standards of the Zone that I / We will carry out such work as is necessary to the satisfaction of Council's Planning Officers promptly.

Signed: Bieby

Dated: 12/4/99

Received by Planning .....

SISTER CITIES:  
Klamath Falls, Oregon, U.S.A.  
Beppu City, Oita, Japan.

# Affected Parties Consent Form

**Consent of affected property owner/occupier to a  
proposed activity or building work**

TO: The District Manager  
Rotorua District Council  
Private Bag  
ROTORUA

I G. R. I. P. Scrivener being the owner/occupier  
of 2 Grand Vue Rd (address),

having studied the proposal of SUSAN BIELBY + RICKY LUTEDGE (name)

located at 170 KAWAHA POINT ROAD  
ROTORUA (address)

consent to the following proposed activity (state exactly what has been agreed to):

The siting of a carport as per the  
attached plan specifications at a distance  
no closer than one metre from our common  
boundary.

The applicant must also show you a copy of the proposed plans and an assessment of environmental effects. You need to sign these documents as well as this form.

Date: 26/4/99

Signature: [Signature]

Contact name/address: \_\_\_\_\_

(if different from above) \_\_\_\_\_

Phone: (07) 348 7430 Fax: \_\_\_\_\_

ROTORUA  
DISTRICT  
COUNCIL



ENVIRONMENTAL  
SERVICES

Private Bag 3029

Rotorua

Ph (07) 348 4199

Fax (07) 346 3143

Version: 1. Version Date: 31/03/2009

05 November 1998

Please Quote: P04956

Doc. No: 102345

R Rutledge & S Bielby  
170 Kawaha Point Road  
ROTORUA



Private Bag RO 3029  
Rotorua  
New Zealand  
Telephone 07-348 4199  
Fax 07-346 3143  
E-mail mail@rdc.govt.nz

Address all  
communications to:  
District Manager  
Rotorua District Council

Dear Sir/Madam,

**NOTICE TO SUSPEND PROCESSING OF CONSENT APPLICATION  
PURSUANT TO THE BUILDING REGULATIONS 1992 SECTION 6(2)  
APPL NO. 98/1755 - PROPOSED CARPORT  
STREET ADDRESS - 170 KAWAHA POINT ROAD**

Receipt of your building consent application is acknowledged. You are hereby notified that the processing of this consent is suspended on the following grounds:

**Planning:**

A Resource Consent is required for the encroachment by the proposed carport into the 2.5m rear site yard. Please fill out the enclosed forms and return them to the Council so that the processing of this Resource Consent can begin.

**Plumbing and Drainage:**

*7 Necess*  
Registered drainlayer to be nominated on consent form who is to install stormwater disposal.

Receipt of your advice in respect of the above matters will enable your consent to be more fully considered.

PLEASE DIRECT ALL REPLIES/ENQUIRIES TO THE DUTY BUILDING OFFICER.

Yours faithfully

*pp Rutledge*

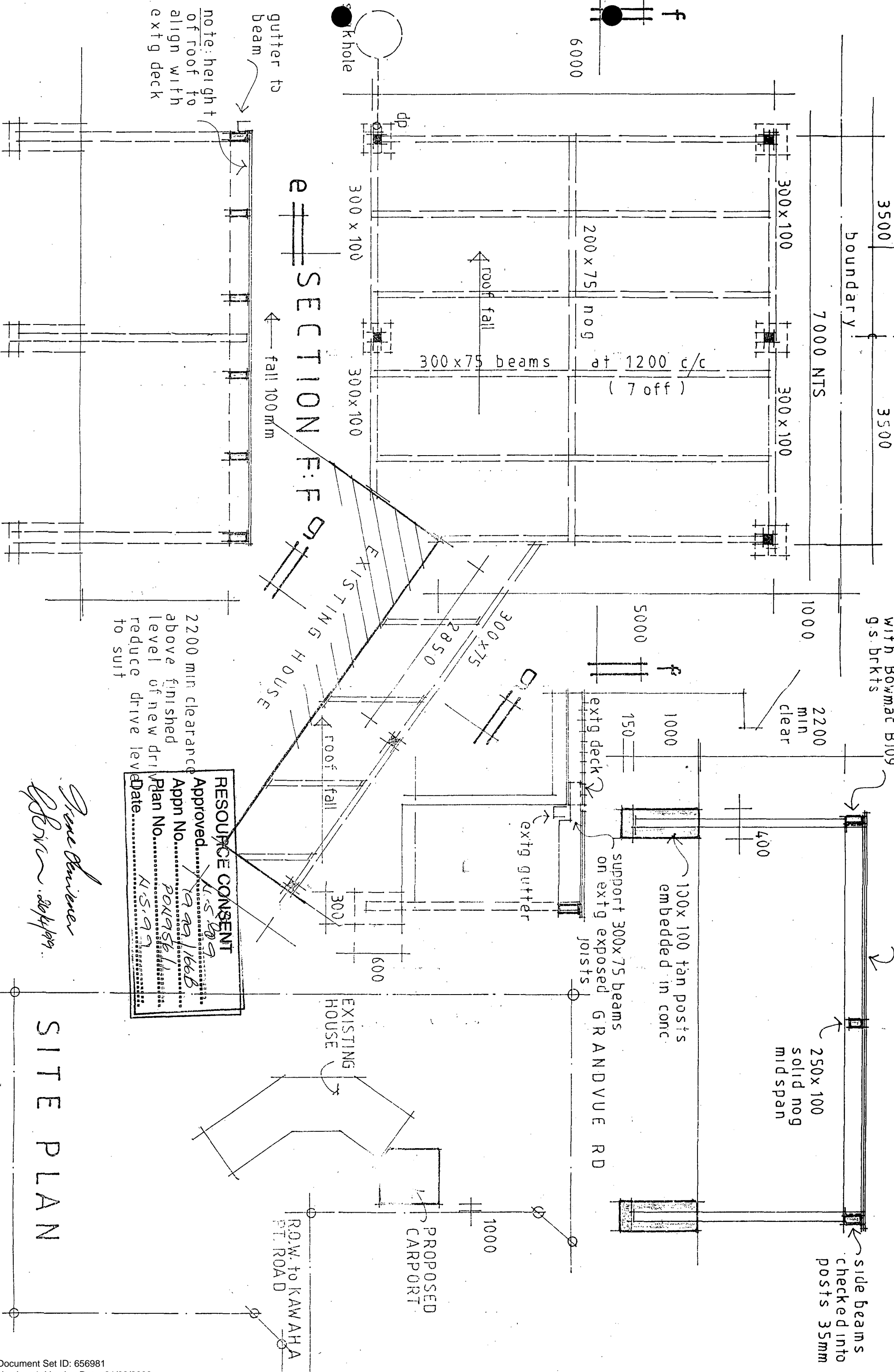
P. Lawrence  
Building Control Manager

3488008

SISTER CITIES:  
Klamath Falls, Oregon, U.S.A.  
Beppu City, Oita, Japan.  
Lake Macquarie, NSW, Australia

# FLOOR PLAN 1:50

## SECTION E:E



**RESOURCE CONSENT**  
 Approved.....  
 Appn No.....  
 Plan No.....  
 Date.....

*Prave Devineer*  
*20/1/2009*

SITE PLAN



