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FILE

File Ref: RM040835
Sonya Leusink

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19 July 2004

P and B Stinton
draw.co.nz
P O Box 1
MAPUA 7155

Dear Madam/Sir

RE: RESOURCE CONSENT APPLICATION NO. RM040835

In accordance with Section 114 of the Resource Management Act 1991, I enclose a copy of the Council's decision made under delegated authority on the above application.

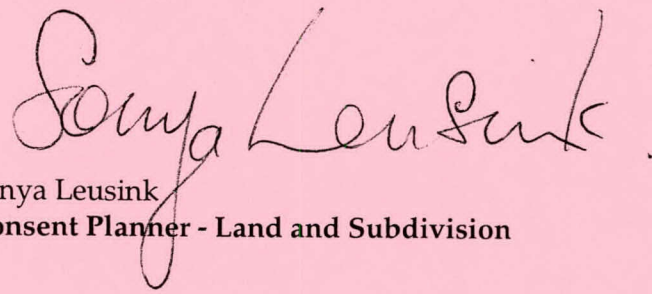
The applicant or any person who has made a submission has the right of review to the Council against the decision as provided for in Section 357 of the Resource Management Act 1991.

Any such review request must be made to the Council within 15 working days from the date of receipt of this notice.

In terms of Section 125 of the Resource Management Act 1991, this consent shall lapse five years after the date of consent (by this Council or, if relevant, the Environment Court) unless:

- (a) the person to whom it was granted has within that period given effect to the consent; or
- (b) the Council has, on an application made within three months after the expiry of that period, satisfied itself that the circumstances in Section 125(b) apply.

Yours faithfully



Sonya Leusink
Consent Planner - Land and Subdivision

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In the matter of the Resource Management Act 1991

and

In the matter of the application lodged by
P and B Stinton

For a resource consent under the provisions of Section
104 of the aforesaid Act

PROPOSAL

The application is to convert an existing garage into a second dwelling in the Residential Zone at Mapua. The subject allotment is partially affected by the Coastal Environment Area overlay.

The property is located at 67A Iwa Street, being legally described as Lot 5 DP 9998 held in Certificate of Title 5B/1198.

Discretionary activity consent is sought for the dwelling, which will be a second self-contained unit on the residential property.

No other consents are relevant to/required for this application for land use consent.

TASMAN RESOURCE MANAGEMENT PLAN AFFECTED RULES

Rule 17.1.4(m) – Residential Zone - Building Construction and Alteration (wall length)

Rule 17.1.4A – Residential Zone – Controlled Activity (second dwelling)

DECISION

Acting under authority delegated from the Council, the Consent Planner considered the resource consent application under the provisions of Section 104 of the Resource Management Act 1991 and resolved that the application be consented to on 19 July 2004 subject to the following conditions.

CONDITIONS

GENERAL

1. The proposed second dwelling extension and garage conversion shall be located and constructed in accordance with the documentation submitted with the application and with the plans attached to this consent marked Plan A and dated 19 July 2004.
2. Stormwater generated by the second dwelling shall be collected and disposed of to a Council approved system.

NOTATIONS

1. Any matters not referred to in this application for resource consent or are otherwise covered in the consent conditions must comply with the Proposed Tasman Resource Management Plan (PTRMP) or the Resource Management Act 1991.
2. The applicant shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

REASONS FOR THE DECISION

INTRODUCTION

1. The application is to convert an existing garage into a second dwelling in the Residential Zone at Mapua. The subject allotment is partially affected by the Coastal Environment Area overlay.
2. The property is located at 67 Iwa Street, being legally described as Lot 5 DP 9998 held in Certificate of Title 5B/1198.
3. Discretionary activity consent is sought for the dwelling, which will be a second self-contained unit on the residential property.
4. No other consents are relevant to/required for this application for land use consent.

ASSESSMENT

1. Subject to Part II matters, an assessment has been made in accordance with Section 104 of the Resource Management Act.
2. Section 104 requires that Council must have regard for any actual and potential effects on the environment of allowing the activity. Those matters considered most relevant in an effects assessment of this application for a second dwelling in the Residential Zone at Mapua are as follows:
 - (a) the effects of the location, design and appearance of the second dwelling on natural values including coastal amenity and character values;
 - (b) the overall impact of the proposed dwelling on amenity and character values of the site and locality;
 - (c) any visual effects of the garage conversion, with particular regard to the >15 metre wall, on amenity values of the coast and the character of existing development at Mapua;
 - (d) the additional user effects on traffic and road safety.
3. A site inspection was undertaken and particular attention was given to the boundary affected by the 'continuous wall' length. The overall character of the locality was also noted, that being, moderate density residential development in relative proximity to the coast.

4. The effect of the continuous wall length is considered to be negligible. The garage is existing and the proposed conversion will not affect this situation.
5. The second dwelling is considered to be in general keeping with residential amenity and character values at Mapua. It was noted that Mapua includes mixed uses and varying degrees of development density. The proposed garage conversion into a second dwelling is considered to be consistent with the existing values associated with this diverse residential setting.
6. There will be no visual effects of the dwelling conversion that will be more than minor. The proposed extension can meet all permitted activity performance standards and conditions.
7. Additional parking associated with the increase in residential activity may be accommodated on-site. The second dwelling will include a double garage, additional to the two car parks for the existing dwelling. The existing vehicle crossing is considered to be acceptable.
8. Section 104 also requires that Council have regard for any relevant national or regional policy statements, regional plans, regulations, designations, heritage orders and/or other matters necessary to determine the application. No matters of relevance additional to the above assessment have been identified with regards to the proposed dwelling.
9. Section 104 requires that Council consider consistency of the proposal with Tasman Resource Management Plan objectives and policies. The second dwelling will be consistent with amenity and character expectations of the site and surrounding environment, including that of the coast, and not result in any adverse off-site effects that are more than minor (Objectives 5.1, 5.2, 5.3, 8.2 and 6.6).

NOTIFICATION

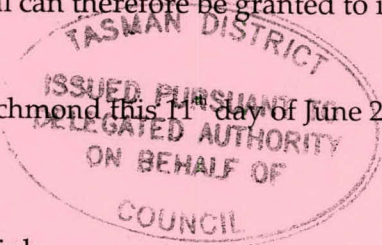
1. The application has not been notified in accordance with Section 94 of the Resource Management Act 1991 as the Council is satisfied that, provided the recommended conditions are adhered to, the adverse effects on the environment will be no more than minor.
2. Affected parties' written approvals have been obtained by the applicant. Those neighbours deemed to be affected by the proposal include landowners directly adjoining the application site.

CONCLUSION

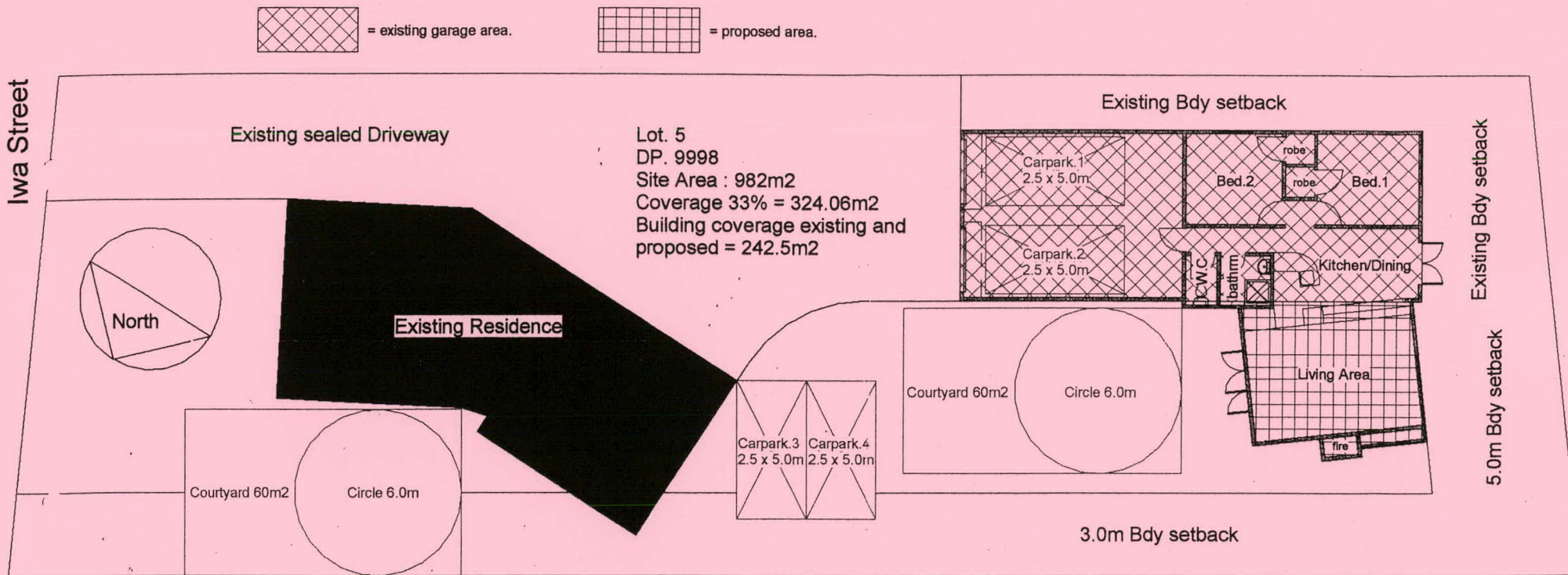
The adverse effects of the proposed development will be very minor. The application is consistent with the Purpose and Principles contained in Part II of the Resource Management Act. Consent to the proposal can therefore be granted to it.

Dated at Richmond this 11th day of June 2004

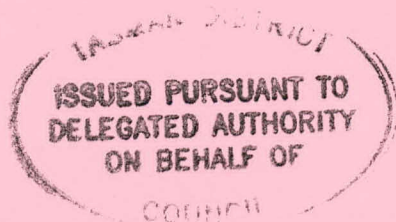
Sonya Leusink
Consent Planner – Land and Subdivision



Iwa Street



Plan A
19 July 2004



Mapua Reserve

Proposed Office	Designed by: draw. co. nz ltd.	Site Layout	1 : 150
Lot. 5, DP. 9998, Iwa Street, Mapua	Pam and Bill Stinton	29/06/2004 11:27:25 a.m.	1