

Application for a Resource Consent – Resource Management Act 1991

This application form must be provided with applications to the council for new and replacement resource consents, and changes to the conditions on an existing resource consent.

If you would like to talk or meet with a consents officer to discuss your application prior to lodging with the council, please phone **0800 002 004** or email request to info@nrc.govt.nz.

PART 1: Administration Matters

1 Full Name of Applicant(s) *(the name(s) that will be on the resource consent document)*

Surname:

First Names:

OR

If the application is being made on behalf of a trust, the Trustee(s) who has/have signing authority for the trust must be named.

Trust Name: The Little Trust

Trustee's Name(s): Timothy Paul Elliot and Janice Hughes

OR

Company Name:

Contact Person:

Email address: tim@3danz.com

Please Note: *If an email address is provided, then all correspondence for this application will be via email.*

Postal address: 99A Aberley Road, Schnapper Rock, Auckland 0632

Telephone: *(please tick preferred contact number)*

Residential

Business

Mobile 0210 683 480

2 Details of the Address for Service of documents if different from the Applicant (e.g. Consultant). This address will be used for all documents if completed.

Company Name:

Contact Person:

Email address:

Please Note: If an email address is provided, then all correspondence for this application will be via email.

Postal address:

Telephone: (please tick preferred contact number)

Residential Business

Mobile

3 Invoices

Charges relating to the processing of this resource consent application should be sent to:

Applicant Address for service

Charges relating to the ongoing monitoring of a resource consent should be sent to:

Applicant Address for service

4 Name and Address of all Owners/Occupiers of the Site relating to Application if different from the Applicant

Owner(s):

Postal Address:

Telephone: (please tick preferred contact number)

Residential Business

Mobile

Occupier(s):

Postal Address:

Telephone: (please tick preferred contact number)

Residential Business

Mobile

Please Note: If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.

5 Extending Timeframes

The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however, these timeframes can be extended, if necessary, with the Applicant's agreement. If the council does not meet these timeframes, then it is required to refund 1% of the total processing cost of the application for each day it exceeds the timeframe up to a maximum of 50%.

Do you agree to the council extending RMA resource consent processing timeframes?

- Yes**, provided that I can continue to exercise my existing resource consent until processing of this application is completed.
(Replacement application only. No refund is required to be paid until after the existing resource consent expires.)
- Yes**, provided that the extension is for the specific purpose of discussing and trying to agree on resource consent conditions.
- Yes**, provided that the application process is completed before this date (dd/mm/yy):
- No**.

6 Deposit Fee

An initial minimum fee is payable with this application. These fees can be found on the council's website www.nrc.govt.nz – [Schedule of Minimum Estimated Initial Fees](#) information. Please contact council consents staff if you need assistance with determining the correct minimum initial fee.

Unless agreed to prior to lodging your application, the council will not commence processing your resource consent application until payment of the minimum initial fee is received (i.e. the statutory processing time for the application will not start).

This minimum initial fee may be paid online, by cheque, or by EFTPOS at one of the council's offices.

Instructions for paying online can be found on the council's website at "[Pay online](#)". Please use either the first six numbers of your resource consent (e.g. CONXXXXXX or AUT.XXXXXX), if known, or the Applicant's name as the Reference/Customer number when paying online.

If you do pay online, then please enclose evidence of payment so that the council is aware that the payment has been made.

If the costs of processing the resource consent application are greater than the minimum estimated initial fee, then the applicant will be required to pay the additional actual and reasonable costs of processing the application.

Note: Annual User Charges for Resource Consent Holders

Holders of resource consents will in most cases be required to pay a "Minimum Annual Charge" for administration of the resource consent once issued. There is also likely to be additional annual charges for the monitoring of the resource consent, which will be dependent on the type of activity the resource consent is for. These charges are detailed on the council's website www.nrc.govt.nz in the Annual Charges section of the council's [Charging Policy](#).

7 Applications for Activities within the Coastal Marine Area (CMA)

Prior to lodging an application with the council to undertake any activity in the coastal marine area (CMA), the applicant is required under the Marine and Coastal Area (Takutai Moana) Act 2011 to notify the application to all groups who have applied for customary marine title in that location, and seek their view on the application. This notification should, as a minimum, include a summary of the application that provides sufficient detail for a group to understand what is being proposed

The council cannot accept an application to undertake an activity in the CMA unless the applicant for the resource consent provides evidence of this notification occurring. A response from customary marine title groups is not required by the council.

To ensure you meet the above requirement, you are advised to contact council consents staff to obtain a list of all of the current customary marine title applicant groups within the area where you are proposing to apply for a resource consent.

Information on customary marine titles is available on the [Ministry of Justice/Marine and Coastal Area Applications](#) website.

8 Consultation

The RMA does not require any person, including the applicant or council, to consult with anyone. It is, however, best practice to do so and will allow the council to make a more informed decision.

It is important to remember that consultation does not require reaching an agreement – it is to allow you and the council to be informed about a person’s views. If you do consult, and there are concerns raised that cannot be resolved and you still want to go ahead with your application, then you should have made a genuine attempt to consult with that person(s) in an open and honest manner. Their views should be recorded so they can be taken into account by the council when considering your resource consent application.

PART 2: Application Details

1 Description of Activity

Please describe in detail the activity for which resource consent is being sought.

(1) To alter and extend structures in the coastal marine area; (2) To place use and occupy space in the coastal marine area with a building and mooring facility (inclusive of a building, holding tanks, decks, steps, boarding platform and piles, and mooring and berthing piles).....

.....

2 Location Description of Activity

Site Address: 377 Whangaroa Road, Kaeo 0478.....

Legal Description: N/A.....

(Legal description can be obtained from your Certificate of Title, valuation notice, or rates demand)

3 Site Plan

On a separate page (*minimum A4 size*), please provide a site plan showing the location of the activity, site layout, and surrounding environment in relation to property boundaries. Please include any buildings or developments on the site.

These plans should be provided electronically and be of good quality, to enable use in resource consent documentation.

If you do not have access to mapping software, we recommend you use the council's "[Property and Boundaries](https://localmaps.nrc.govt.nz/LocalMapsGallery/)" map available on our website <https://localmaps.nrc.govt.nz/LocalMapsGallery/>.

This council map contains aerial photography and shows property boundaries and details. You can carry out a property search and print maps of aerial photography.

4 Resource Consent(s) being Applied for

Coastal Permit

Mooring

Marine Farm

Structure

Pipeline/Cable

Other (*specify*) (1) To alter and extend structures in the coastal marine area; (2) To place use and occupy space in the coastal marine area with a building and mooring facility (inclusive of a building, holding tanks, decks, steps, boarding platform and piles, and mooring and berthing piles).....

Land Use Consent

Quarry

Earthworks

Dam Structure

Vegetation Clearance

Construct/Alter a Bore

Structure in/over Watercourse

Other (*specify*)

Water Permit

- Stream/Surface Take Damming Groundwater Take
 Diverting Water Other (specify)

Discharge Permit

- Domestic Effluent to Land General Discharge to Land Farm Dairy Effluent to Land/Water
 Air Water Other (specify)

5 Is this application to replace an existing or expired resource consent(s)? Yes No

If Yes:

(a) Please state the resource consent number(s):

This application is to extend AUT.005398.01.04; AUT.005398.02.01; that is due to lapse on 31 July 2023. On completion, the consent holder shall surrender AUT.005398.01.03

(b) Do you agree to surrender the existing resource consent once a new one has been issued:

Yes No

6 Is this application to change a condition of an existing resource consent? Yes No

If Yes, please state the resource consent number(s):

AUT.005398.01.04; AUT.005398.02.01

7 Please specify the duration sought for your resource consent(s) –

Only for new or replacement applications.

5 years

0 months

8 Do you also require consent(s) from a district council? Yes No

If Yes, please complete the following:

Type of consent required? A CODE COMPLIANCE CERTIFICATE dated 21 September 2018 has been issued establishing the lawful use of the building as "Residential". (see attached). The following new building consents will also be required:

(a) Penetrations: Addition of Skylights, Flue, Windows and Doors;

(b) Structures: Addition of second Water Tank on framework/poles with sewer holding tank beneath;

(c) Structures: Walkway and Decking;

(d) Plumbing & Electrics: Revisions to shower, kitchen and laundry

Has it been applied for? Yes No

Has it been granted? (If Yes, please attach) Yes No

PART 3: Assessment of Environmental Effects (AEE)

1 An AEE must be provided with your application that has been completed in accordance with the requirements of [Schedule 4 of the RMA](#).

As a minimum, your AEE must include the following:

- Description of the environmental effects of the activity.
- Description of ways in which adverse environmental effects can be avoided, remedied or mitigated.
- Names of people affected by the proposal.
- Record of any consultation you have undertaken, including with affected persons (if any).
- Discussion of any monitoring of environmental effects that might be required.
- An assessment of the activity against any relevant objectives, policies, or rules in the Regional Plans.
- For a coastal permit, an assessment of your activity against any relevant objectives and policies of the New Zealand Coastal Policy Statement.
- An assessment of effects on tangata whenua and their taonga.

This AEE needs to be provided in a separate document attached to this application form.

Any activity needing a resource consent will have some environmental effects. The council will not accept an AEE that says there are no environmental effects from the activity.

You will need to complete the AEE at a level that corresponds with the scale and significance of the effects that the activity may have on the environment. Depending on the scale of the activity, you may need to get help from an expert(s) to prepare your AEE.

The council has a set of standard AEE forms for a selection of common activities. These AEE forms do not cover the relevant objectives, policies, or rules in the Regional Plans nor effects on tangata whenua. If you use one of these forms, then you will need to provide a separate assessment of these matters. These AEE forms can be found on the council's website www.nrc.govt.nz – “Forms and Fees”.

It is important that you provide the council with a complete and well-prepared AEE, otherwise the council may not accept your application.

If your application is for a change to a condition of resource consent under Section 127 of the RMA, then your AEE only needs to cover the effects of the change being requested.

2 Assessment of Effects on tangata whenua and their taonga

The Regional Plan for Northland requires that an AEE must also include an assessment of the effects on tangata whenua and their taonga if one or more of the following is likely:

- Adverse effects on [mahinga kai](#) or access to [mahinga kai](#); or
- Any damage, destruction or loss of access to [wāhi tapu](#), sites of customary value and other ancestral sites and [taonga](#) with which Māori have a special relationship; or

- Adverse effects on indigenous biodiversity in the beds of waterbodies or the coastal marine area where it impacts on the ability of tangata whenua to carry out cultural and traditional activities; or
- Adverse effects on [taiāpure](#), [mātaītai](#) or Māori non-commercial fisheries; or
- Adverse effects on protected customary rights; or
- Adverse effects on sites and areas of significance to tangata whenua mapped in the Regional Plan for Northland (refer [Maps | Ngā mahere matawhenua](#)).

Your AEE must include an assessment of whether any of the above affects are likely to occur.

If they are likely to occur, then you will need to complete a Cultural Impact Assessment (CIA) and provide this with your resource consent application. The Regional Plan for Northland provides details of what must be included in this CIA, and should be referred to.

The best way to find out what the effects of your proposal may be on tangata whenua is to contact local iwi/hapū groups (who represent tangata whenua) and discuss your proposal with them. Council consents staff can provide a list of contact details for local iwi/hapū groups in the area of your proposal. You can then send a copy of your proposal to these groups and seek feedback from them prior to lodging your application. Some iwi/hapū have also developed iwi/hapū Environmental Management Plans that are useful documents that can assist to identify issues of concern to those iwi/hapū for activities occurring in their rohe. The iwi/hapū Environmental Management Plans can be obtained directly from the iwi/hapū or from the council upon request.

3 Assessment of Affected Persons

If the adverse effects of your activity on a person are likely to be minor, or more than minor, then that person is deemed to be an “affected person” for your resource consent application.

An affected person may include neighbouring land owners and occupiers, and/or organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Fish and Game Council, Iwi and Hapū, and community groups.

If you do not think there will be any affected persons for your resource consent application, then you do not need to provide any details on this matter in your AEE. However, the council will still undertake an assessment of whether there are any affected persons as part of processing the resource consent application.

If there are persons you have identified who may be affected, and you have discussed your proposal with these persons, please record any comments made by them and your response, and include this information with your application. If you have written approvals from these parties, then these should be provided as well. The council has a written approval form that can be used for this purpose.

Iwi Settlement Acts

If there is an **Iwi Settlement Act** that covers the area of your application, then there may be “Statutory Acknowledgement” areas which could be adversely affected by your activity. If the location of your activity is within, adjacent to, or may have an adverse effect on, a Statutory Acknowledgement area, then you will need to assess whether the trustees of the Statutory Acknowledgement are affected persons. Information about Statutory Acknowledgements in Northland can be found on the council’s webpage at [“Statutory Acknowledgements in Northland”](#).

Checklist

The following information **must** be included in your application to ensure that is not returned as incomplete under Section 88 of the RMA.

- All applicable application form details have been completed.
 - Assessment of Environmental Effects in accordance with Schedule 4 of the RMA.
 - Assessment of effects on tangata whenua and their taonga.
 - Site plan(s). These are required to be of good quality, and preferably electronically, to enable use in resource consent documentation.
 - Evidence of payment of the required minimum estimated initial fee.
 - If you are applying for a coastal permit, evidence that you have provided notice of your application to all groups who have applied for customary marine title in the location of your application and that you have sought their view on the application. The council cannot legally accept an application without evidence of this.
-

Information Privacy Issues

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application. The information will be held by the council and is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public.

Under Section 88 and/or 127 of the Resource Management Act 1991 (RMA), the undersigned makes this application for resource consent(s).

- 1 I/We confirm that I have authority to sign on behalf of the person(s) named as the applicant(s) for this application for resource consent.**
- 2 I/We have read, and understand, all of the information contained within this application form, including the requirement to pay any additional actual and reasonable costs for the processing of the application.**
- 3 I/We confirm that all of the information provided is true and correct and I understand that any inaccurate information provided could result in my resource consent (if granted) being cancelled.**

Signature(s): Tim Elide

Date: 19/12/2022

Signature(s): _____

Date: _____

Signature(s): _____

Date: _____

Please note that a signature is not required if submitting application electronically.



FORM 7

CODE COMPLIANCE CERTIFICATE (issued subject to Waiver or Modification)

Section 67 & 95, Building Act 2004

Building Consent Number: BC-1997-1038/1

THE BUILDING

Street Address of Building

Lot 999, Whangaroa Road, Kaeo 0478

Legal description of land where building is located:

50 FT X 40 FT BOAT SHED SITE IN WHANGAROA HARBOUR MD 13188 BLK VII WHANGAROA

Building Name:

Level/Unit Number:

Current, lawfully established, use:

Residential - Re-build

Location of Building within site / block number:

Year first constructed:

2000

THE OWNER

Name of Owner:

Joachim Kupiec

Contact Person Name:

Joachim Kupiec

Mailing Address:

PO Box 920

Kerikeri 0245

Street Address / Registered Office:

Phone Number:

Landline:

Mobile:

0274 864776

Daytime:

After Hours:

Facsimile Number:

09 405 0748

Email Address:

joachim@wec.co.nz

Website:

First point of contact for communications with the building consent authority:

Far North District Council

Freephone: 0800 920029

Memorial Avenue

Phone: (09) 401 5200

Private Bag 752

Fax: (09) 401 2137

Kaikohe 0440

Email: ask.us@fndc.govt.nz

New Zealand

Website: www.fndc.govt.nz

BUILDING WORK

The following building work is authorised and issued by Far North District Council:

Re-Build Fire Damaged Building

AMENDMENT TO ORIGINAL BUILDING CONSENT

This code compliance certificate has been issued subject to a modification of Clause B2.3 of the New Zealand Building Code. The modification has the effect that the required durability periods for building elements put in place during the course of the work carried out under this building consent, are to be measured from the date of substantial completion of the building work being the agreed date. The agreed date is 30 March 2000, not the date of issue of the code compliance certificate.

Signature:

p.p. [Signature]

Position:

Trent Blakeman Building Control Officer

On behalf of:

Far North District Council (Building Consent Authority)

Date:

21 September 2018

I, Timothy Paul Elliot, as Trustee for The Little Trust (consent holder), makes application under S125 of the Act (to extend the lapse date); and under S127 of the Act on behalf of the Trust to change the purpose of the consent or conditions on file # : 5398 concerning the structures at address: 377 Whangaroa Road, Kaeo 0478. A number of consents have been issued. The ones I seek to vary are AUT.005398.02.01 (Alterations and Extensions) and AUT.005398.01.04 (Occupy space in the CMA). The scope can generally be summarized as changes to the approved drawings per paragraph 22 of the Consent and in particular, Northland Regional Council Plan Numbers 4816/1, 4816/2, 4816/3, 4816/4 and 4816/5. It is submitted that the revisions sought to be approved are in general accordance with those previously lodged and approved / consented. Critically, there is no increase to the overall footprint area of the consented structure. Neither are there alterations to the most sensitive aspect of the existing consent covered by paragraphs 11 through 13. However, the method of achieving compliance has been more clearly defined, proposed and communicated through this application, replacing the schematic on NRC Plan Number 4816/5 with a more detailed and precise method in a revised schematic.

Reasons justifying the Application:

1. The original consent was sought by the original applicant JOACHIM KUPIEC who used a company called 'Cadplanz' to prepare the scheme proposals that were accepted and approved for consent purposes.
2. As the new consent holder, through consulting with proposed contractors, I have made some effort to comply with those drawings 4816/1, 4816/2, 4816/3, 4816/4 and 4816/5. However, a number of structural clashes have been identified which renders the scheme problematic as originally drawn. The identified structural clashes are as follows:
 - (a) The proposed 13,135mm long walkway detailed on plans 4186/1 and 4186/3 shows a walkway of passage width 850mm plus 140mm balustrade (1:25 detail on plan 4186/3). Whilst the plan (bottom left corner of plans 4186/1 and 4186/3 suggests adequate clearance between the building and the existing pole supports for the water tanks, this is NOT the case in reality. Moreover, the structural clash creates an unacceptable constraint upon / obstacle to persons escaping the building in the event of fire. Whilst this is better appreciated from the left corner of the south elevation on plan 4186/1, even this is not representative of reality as access is severely constrained by the north eastern pole in particular, which the somewhat simplified drawings do not show. This oversight is otherwise fatal to the scheme without modification.
 - (b) Plan 4816/3 identifies a square drawn central to the building. This is in fact a

150mm square structural support for the roof truss. As such it extends from the central pile through to the underside of the roof surface. The dashed line on this plan indicates the outline of the upper level. Plan 4186/4 identifies this square (in plan) in the centre of bedroom 1. This is totally impractical for a bedroom of this size to have a major structural column rising through the centre of proposed bedroom. Again, this oversight is somewhat fatal to the scheme as it stands.

(c) Also on plan 4186/4 is indicated a new living room window at upper floor level of size 1410mm High x 3610mm wide. Again, this clashes directly to the North Elevation structural support to the Roof Truss (provided by two columns of paired timbers forming two 250mm x 100mm poles set with a clear gap of 800mm between). This Window therefore directly clashes with this important structural support. It also clashes with the existing bracing. Again, these oversights are somewhat fatal to the scheme as it stands.

(d) The shallow waters available at high tide for boating are extremely well sheltered from south easterly, easterly and north easterly winds. However, the site is extremely exposed to westerly and south westerly winds. When these whip up at shallow high tide the wavelength is short and the height pronounced. Experience informs me that a conventional pontoon and access ramp would not easily withstand the buffeting of waves in these weather conditions. In fact, if built, such a structure might pose a threat to the structural integrity of the whole building in storm or tidal wave conditions.

(e) The existing wharf offers no shelter from some wind conditions, and no shade from summer sun. Conversely, it offers no warm winter morning sunlight due to shadowing caused by adjacent hills.

3. The newly submitted drawings attached to this application are proposed to replace the entire set of drawings currently on file and relevant to these resource consents. The new drawings document design proposals within the scope of "general accordance" with the scheme of the original drawings. Beneficially, these drawings propose rigorous design solutions that resolve all of the above issues without extending the footprint of the building, its impact on the environment and its neighbours, or its purpose.
4. In summary, the proposal seeks to sacrifice the large foot print proposal for the ramp and pontoon (7900 mm x 1605mm [12.6795 Sq M]) for a much smaller footprint fixed steps and boat boarding platform with ladder beneath (4316mm x 896mm [3.867 Sq M]). The steps and platform will be in a GRP Gracol safety tread with adequate grid

cell size to offer minimal resistance to rogue or storm waves, excellent drainage, non-slip safety, durability, and longevity without sacrificing structural integrity. The treads and platform are not lower than MHW. A built in ladder is proposed to extend below the boarding platform to the sea bed for canoe or kayak access in shallower water. By sacrificing a large footprint, moderate risk, floating solution (described at (d) above and detailed on plans 4816/1 and 4816/3) for a small foot print very low risk fixed solution, a balance of foot print square metreage [8.8123 Sq M] is available for other solutions to problems described at (e) above, and to add a short extension in the form of a balcony/deck to the 13,135mm long proposed walkway, now proposed to occupy space on the east elevation.

5. The newly proposed walkway is shorter at 11.49M long and occupies an area of 9.7Sq M (i.e., a saving of 1.4 Sq M. The balcony/deck extending the walkway occupies a space of 5.1039 Sq M. It is proposed that this balcony/deck is reflected in plan to the west elevation, thus solving the problems identified at (e) above.
6. The net gain or loss in foot print by the newly proposed design (sacrificing the pontoon and ramp) is Zero as illustrated in the following table of areas:

Area of original walkway (13135mm x 850mm)	11.16475
Area of new walkway to new balcony (11490mm x 850mm)	9.7665
Walkway Footprint Saved	1.39825
Area of pontoon and ramp sacrificed = (7900 mm x 1605mm)	12.6795
	<u>Balance:</u>
Total Foot Print Saved	14.07775

LESS:		<u>Remainder</u>
Area of alternate boat access steps (4316mm x 896mm)	3.867136	10.2106
Area of West Balcony/deck (3975 mm x 1284mm)	5.1039	5.1067
Area of East Balcony/deck (3975 mm x 1284mm)	5.1039	0.0028
Net Gain or Loss in Foot Print		Zero

7. With regard to the remaining structural clashes:
 - (i) referring to (b) above, the upper level mezzanine as now proposed is set back from the north elevation wall and is proposed to be supported on posts directly supported by the structural piles to sea bed. This has the advantage of meeting

the District Council's recommendations and avoids the structural obstacle of the central support for the roof truss rising in the middle of the bedroom.

(ii) referring to (c) above, a significantly smaller portrait window is substituted for the landscape window at upper level to the north elevation thus avoiding clashes with the roof truss structural support.

8. The last drawing in the new set (attached) is a revised schematic for the alarm for the proposed and existing sewer tanks. This application seeks to substitute this drawing for the original plan 4186/5. The reasons for this are as follows: (i) The original drawing is in fact in conflict with the consent. The consent, at paragraph 13, calls for an "alarm system including the water pump shut-off system". The drawing however, substitutes a solenoid for the pump. The header tank is still shown as a gravity fed system with the "head" below that of the external water storage tanks. This creates a risk of syphoning in the event of solenoid failure which is contrary to the goal. By siting the header tank at a much higher level above the gravity feed line, syphoning is not possible. Moreover, it requires a domestic water transfer pump as anticipated at paragraph 13 of the consent. (ii) The new solution incorporates off-the-shelf solutions from E-One Sewer Systems and level sensors and level relays by Finder, as opposed to the original proposal that proposed solving the problem via a bespoke design which in turn required maintenance by the system's own designer. Conversely, this off-the-shelf solution only requires installation and routine maintenance checking by a local electrician. Accordingly, I ask that the Council gives consideration to this solution which meets or exceeds the requirements of the resource consent, and ask the Council to relax the compliance advice note and/or other clauses in paragraph 13 to "suitably qualified effluent disposal specialists, plumbers and electricians as appropriate".
9. To this end, this application seeks the scheme proposed by these drawings to be adopted by the Council in substitution for those currently on file.
10. Please refer to the 8 pages of drawings attached to this application.

Signed:



Timothy Paul Elliot on behalf of The Little Trust

Dated: 19th December 2022

Assessment of Environmental Effects in accordance with Schedule 4 of the RMA.

I have previously acted as an Expert Witness in the Environment Court on environmental effects issues. The following is my personal assessment in the context of schedule 4:

(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

- No adverse effects are anticipated by this s 125 and s 127 application
- Adverse effects, if any, were fully considered when the resource consent was originally granted. No other additional effects are presented by the application that have not already been fully considered for which solutions were consented.
- In terms of alternatives, off-the-shelf solutions are now proposed that exceed the conditions of paragraphs 11 through 13 of the original consent.
- In terms of alternatives, the conditions now sought substitutes a fixed boarding platform with Gracol grating platform and steps in substitution for a floating pontoon. It is submitted that this alternative solution is safer in its mitigation of the risks posed by sou'wester to westerly storm conditions; or tidal waves. The location is otherwise fully sheltered from other wind directions.

(b) an assessment of the actual or potential effect on the environment of the activity:

- None (i.e., minor or less than minor)

(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:

- None (other than during the construction phase. Mitigation of construction effects, if any, were fully considered when the resource consent was originally granted. Paras 28 to 31 adequately cater for all risks and remedies. No other additional effects are presented by the application that have not already been fully considered for which more than adequate conditions were stipulated).

(d) if the activity includes the discharge of any contaminant:

- Not Applicable. A condition of the consent forbids / prohibits all discharges to the sea. Variation of this sensible condition is not sought.

(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect

- Potential risks are mitigated by consent conditions in paragraphs 11 through 13 in the existing consent AUT.005398.01.04 – Structures.
- It is not proposed to alter paragraphs 11 and 12.
- With regard to paragraph 11, the application proposes replacing schematic in NRC Plan 4816/5 with a new schematic that exceeds conditions detailed in paragraphs 11 through 13.
- As this revised schematic proposes an off-the-shelf solution of the kind that meets or exceeds the criteria stipulated at paragraph 11 of the existing consent, the solution simply requires installation and routine maintenance checking by a local electrician. Accordingly, this s 127 application seeks that the maintenance condition in paragraph 13 is relaxed to: *“suitably qualified effluent disposal specialists, plumbers and electricians as appropriate”*.

(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

- There are very few if any immediate neighbours impacted by the proposed changes.
- In terms of visual impact of the relocated walkway (which can be glimpsed at between the mangroves), the neighbours Bruce & Janice at 378 Whangaroa Road were consulted on 19th December 2022. I showed the plans to Bruce who said he would share them with Janice. Bruce did not raise any objection whatsoever to the proposed walkway, deck and b-fold doors. Bruce doubted that Janice would raise any objection. If received, this will be communicated to the Council.

(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

- Paragraph 10 of the existing consent sensibly assigns monitoring to the Council's appointed monitoring officer.
- Paragraph 14 of the existing consent sensibly seeks reports from a Chartered Professional (Structural) Engineer at ten yearly intervals.
- Any remedial work required is to be reported to the monitoring officer when completed (Paragraph 15).
- This application does not add to the burden of monitoring which is satisfactory.

(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

- The modification to the conditions of the consent that are sought through this s 127 application do not have adverse effects that are more than minor on the exercise of a protected customary right

Subclause (1)(f) of Schedule 4 obliges an applicant to report as to the persons identified as being affected by the proposal

- Any effects by this s 127 application are minor or less than minor
- The relocation of the walkway (decks) may have minor or less than minor visual impact on neighbours Bruce and Janice of 378 Whangaroa Road, Kaeo 0478. The applicant has shared drawings with Bruce and Janice. No objection was raised. The neighbour's visual amenity is not affected. If anything the aesthetic appeal of the structure is enhanced.
- The balcony decks, vessel boarding platform, steps and windows may have minor or less than minor visual impact on the employees of the neighbouring commercial activity of the Moana Oyster Farm. The amendments sought to the conditions creates no activity that will or might impact on the Oyster Farm.

Assessment of effects on tangata whenua and their taonga.

- Paragraph 33 of the existing consent requires that in the event of archaeological sites or kōiwi being uncovered, activities in the vicinity of the discovery shall cease and the Consent Holder shall contact Heritage New Zealand Pouhere Taonga.



Whangaroa
Marina

WHANGAROA ROAD

KENT STREET

Whangaroa

LEWER ROAD

WHANGAROA ROAD

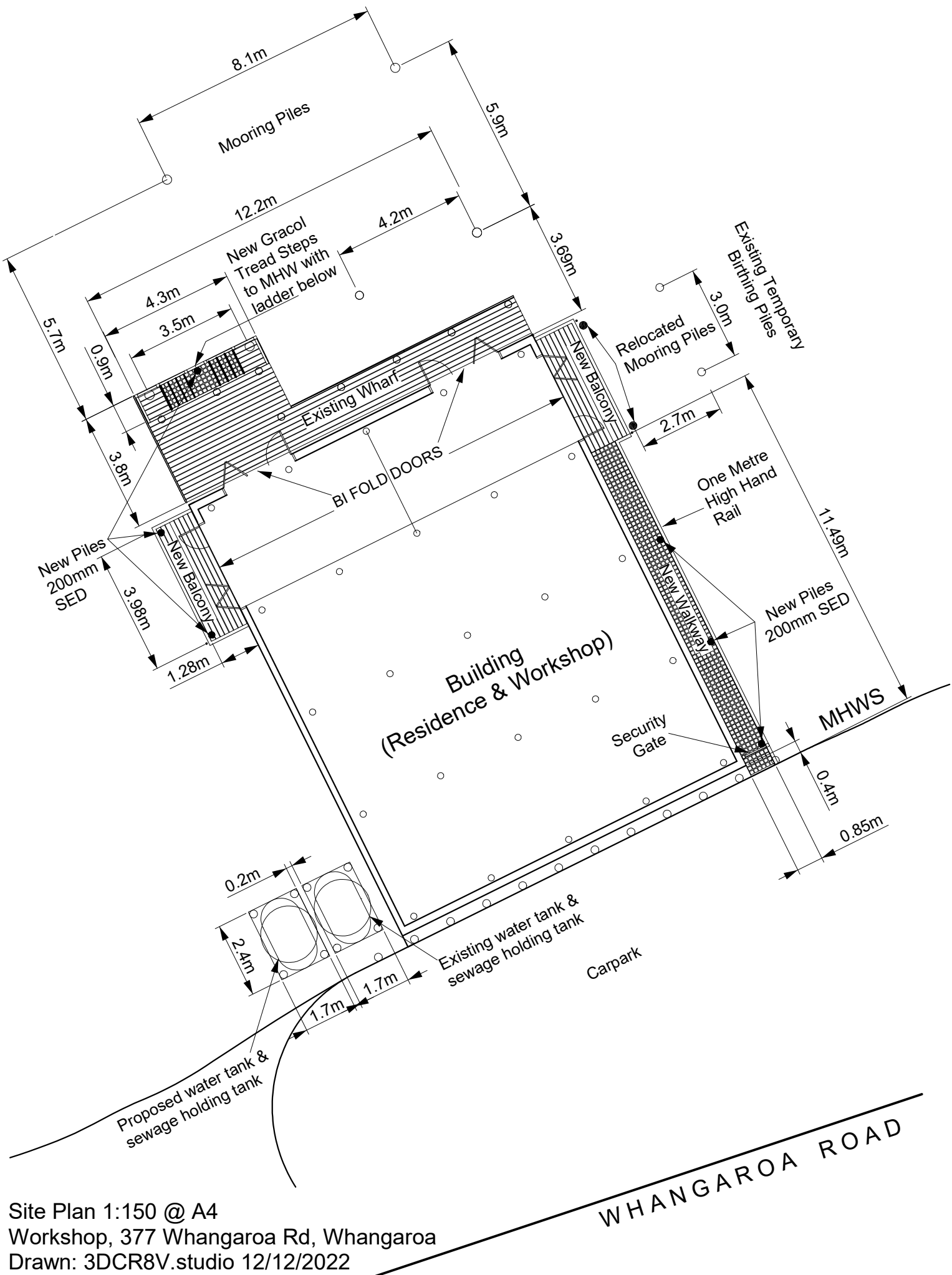
WAINUI ROAD

WHANGAROA ROAD

Site Location:

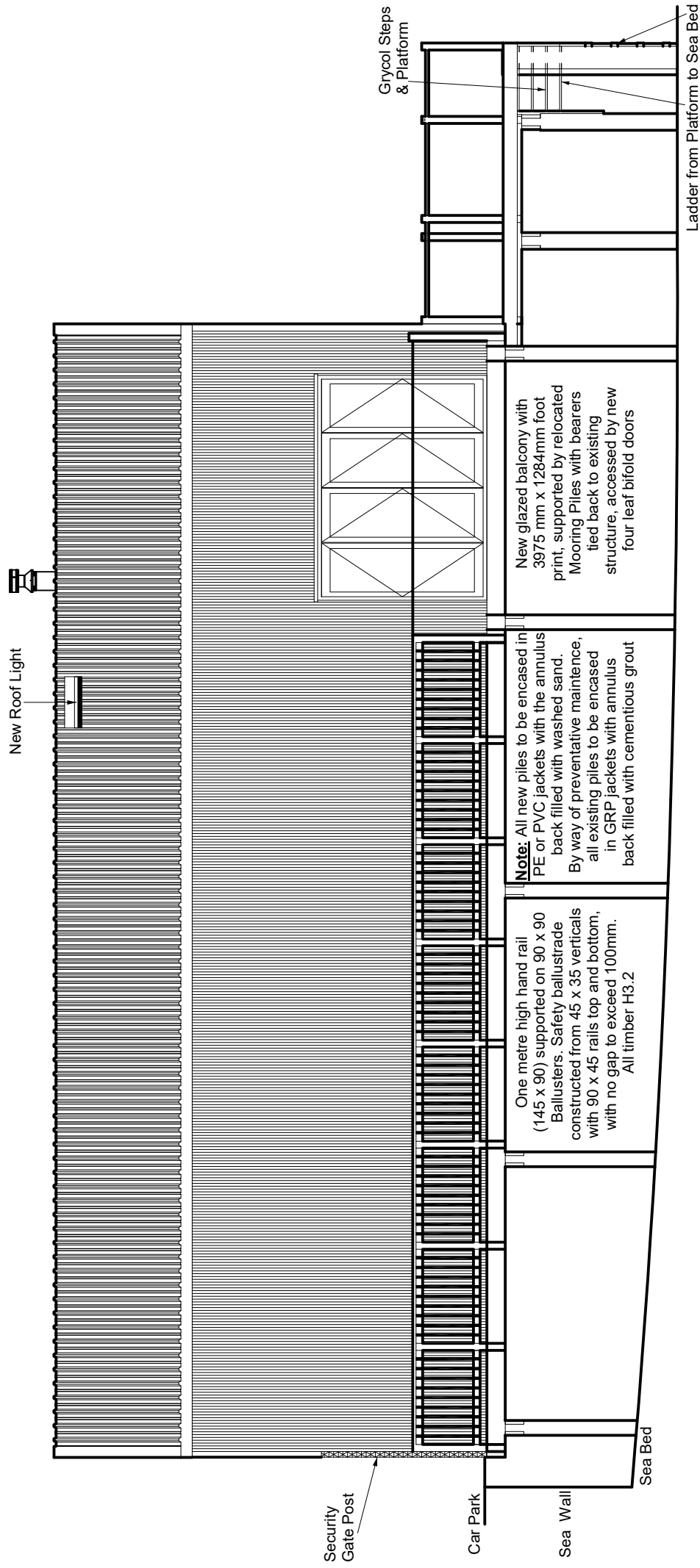
377 Whangaroa Rd,
Kaeo 0478

100 m
500 ft

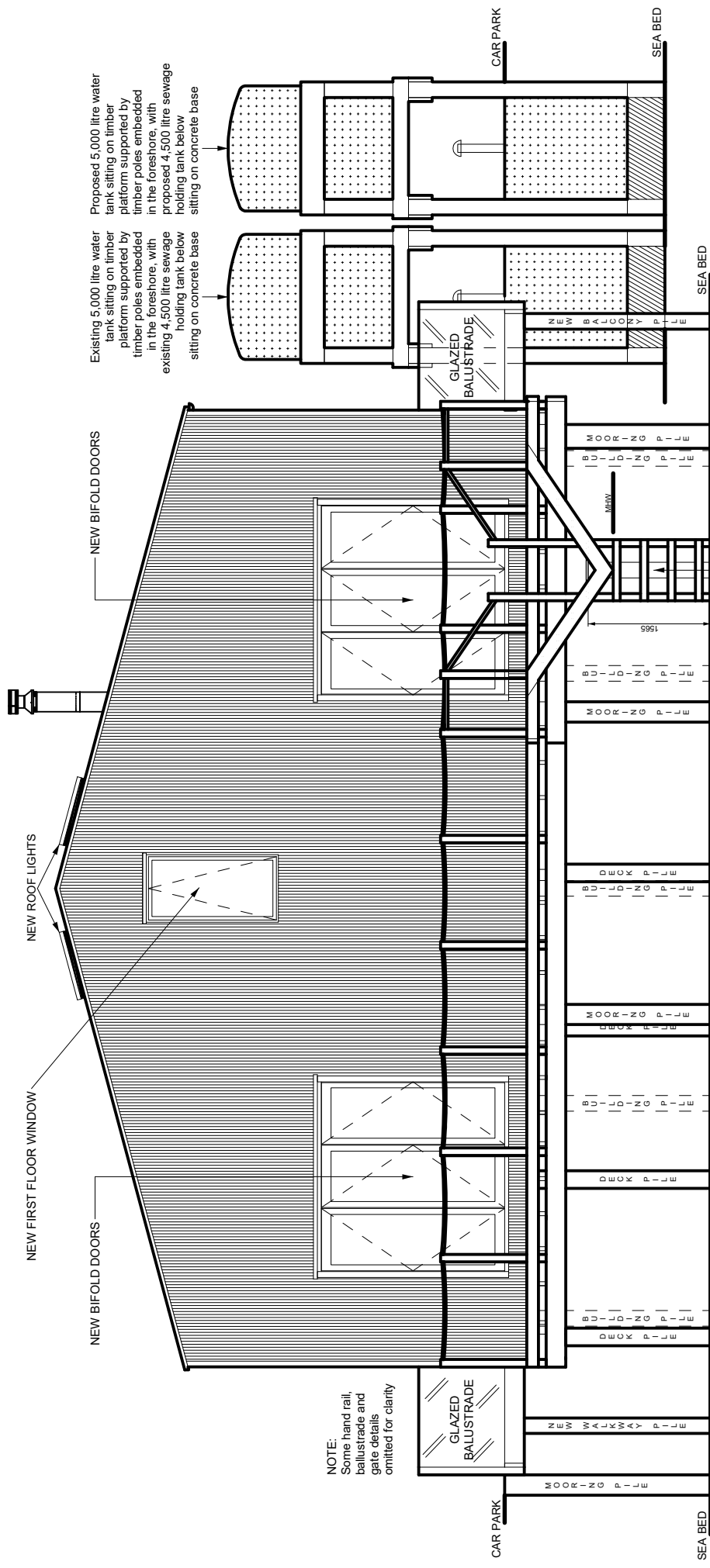


Site Plan 1:150 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/2022

WHANGAROA ROAD



East Elevation 1:75 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/2022

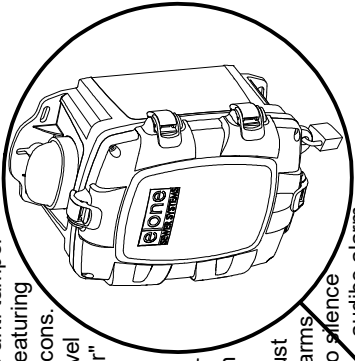


NOTE:
Some hand rail,
ballustrade and
gate details
omitted for clarity

New low (1565mm) pile to support
stringers and Gracoi steps / platform
to sit above median high tide with wave
clearance, plus ladder to access sea bed

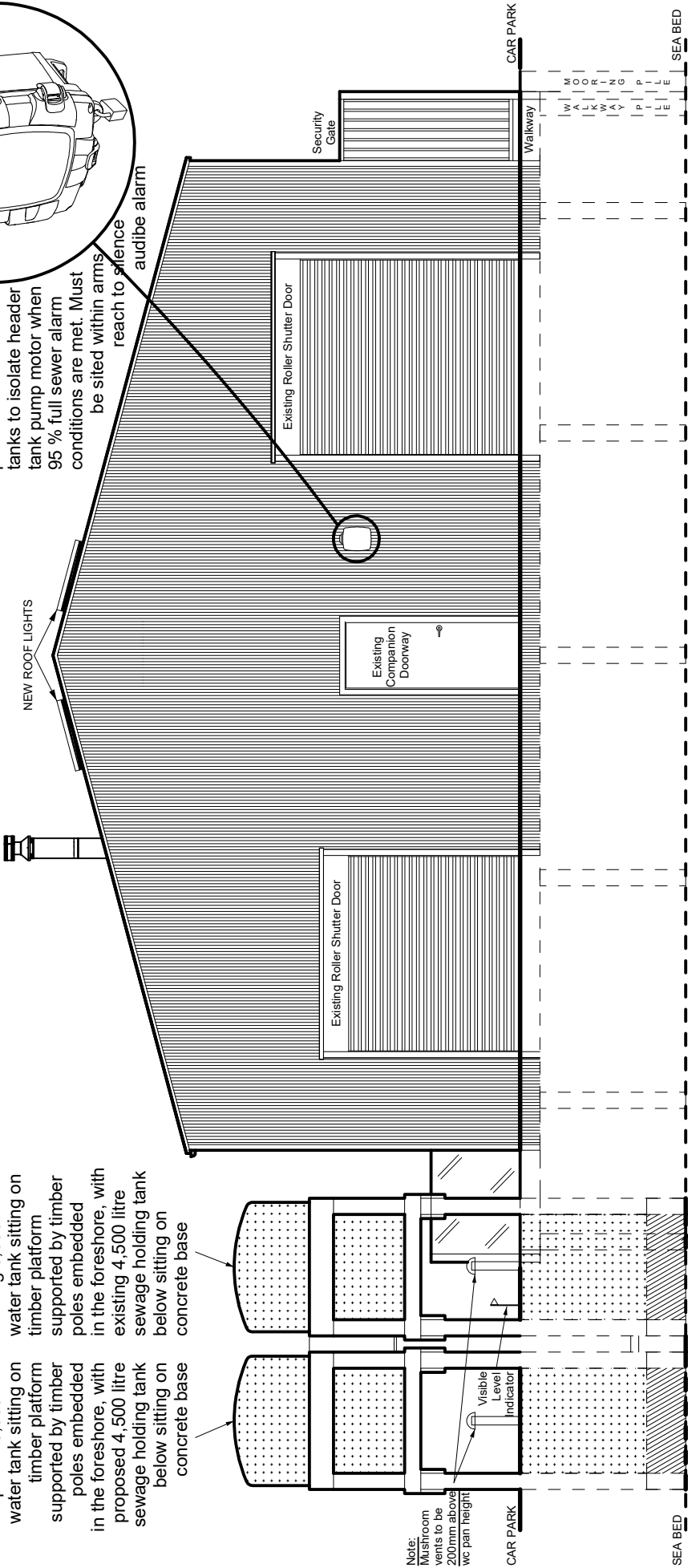
North Elevation 1:75 @ A4
Workshop, 377 Whangaroa Rd, Whangaroa
Drawn: 3DCR8V.studio 12/12/2022

E-One Sewer Systems anti-tamper "Sentry" Alarm Panel featuring audible and visual beacons. Fitted with "Finder" Level Relays wired to "Finder" sensors in both sewer holding tanks and potable water header tanks to isolate header tank pump motor when 95 % full sewer alarm conditions are met. Must be sited within arms reach to silence audible alarm



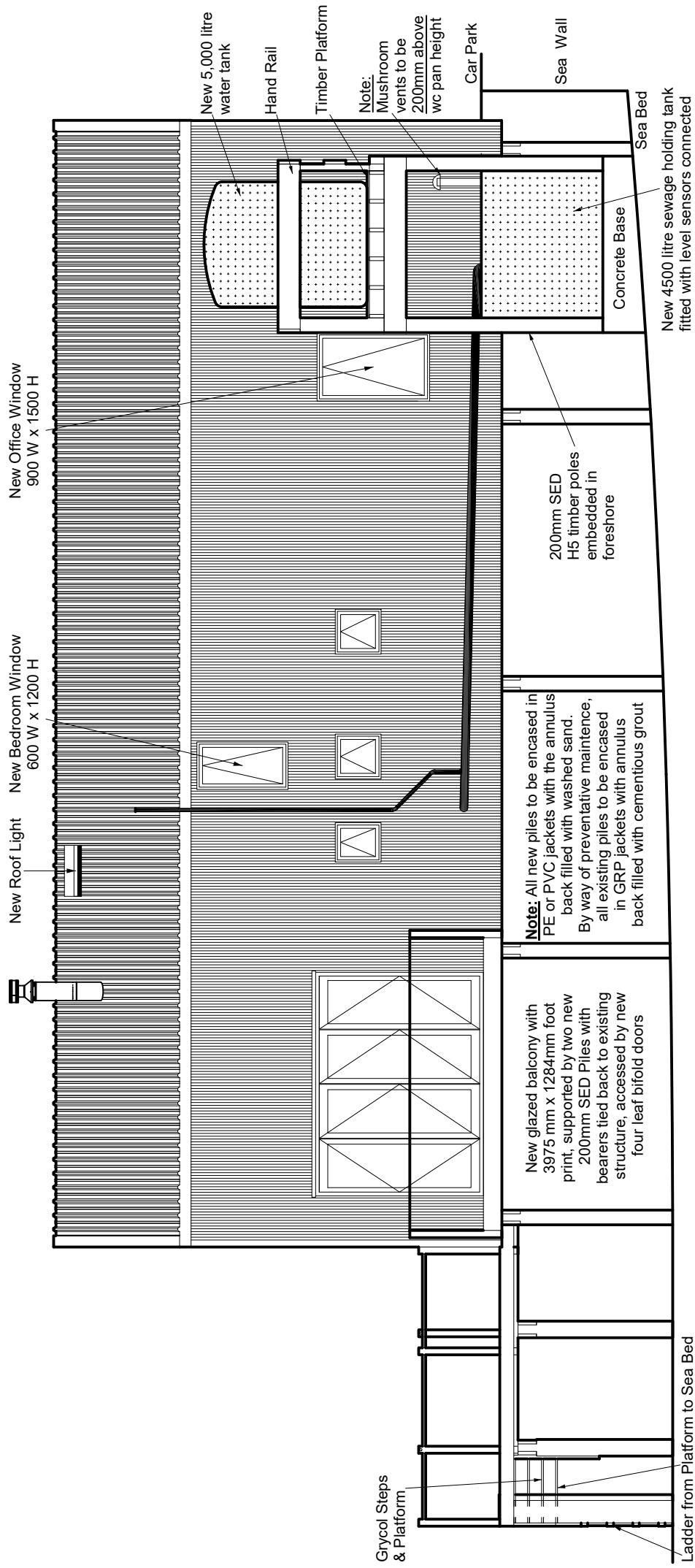
Proposed 5,000 litre water tank sitting on timber platform supported by timber poles embedded in the foreshore, with proposed 4,500 litre sewage holding tank below sitting on concrete base

Existing 5,000 litre water tank sitting on timber platform supported by timber poles embedded in the foreshore, with existing 4,500 litre sewage holding tank below sitting on concrete base

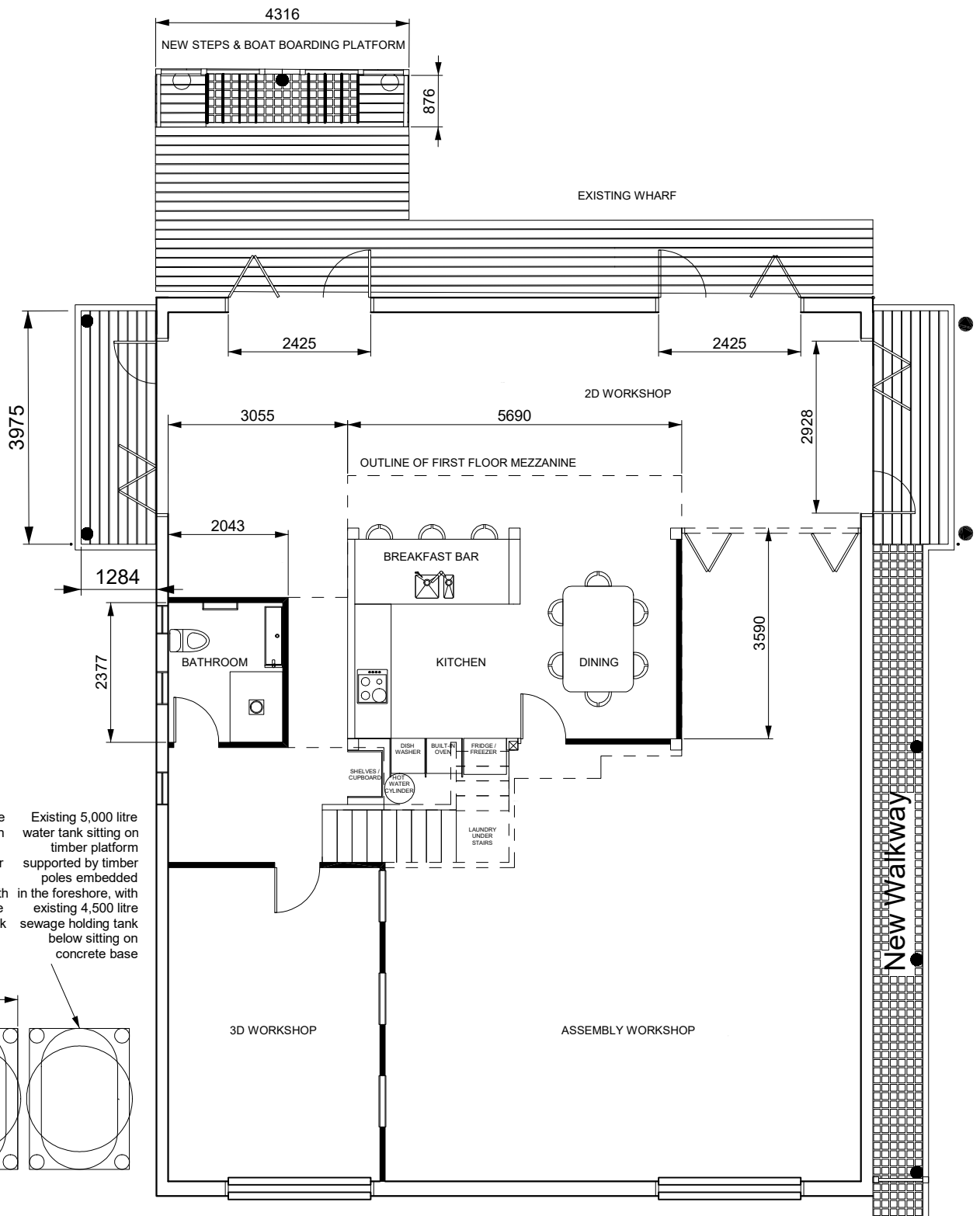


Note: Mushroom vents to be 200mm above wc pan height

South Elevation 1:75 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/2022

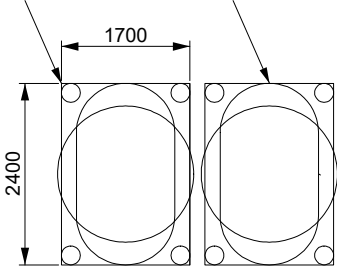


West Elevation 1:75 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/2022

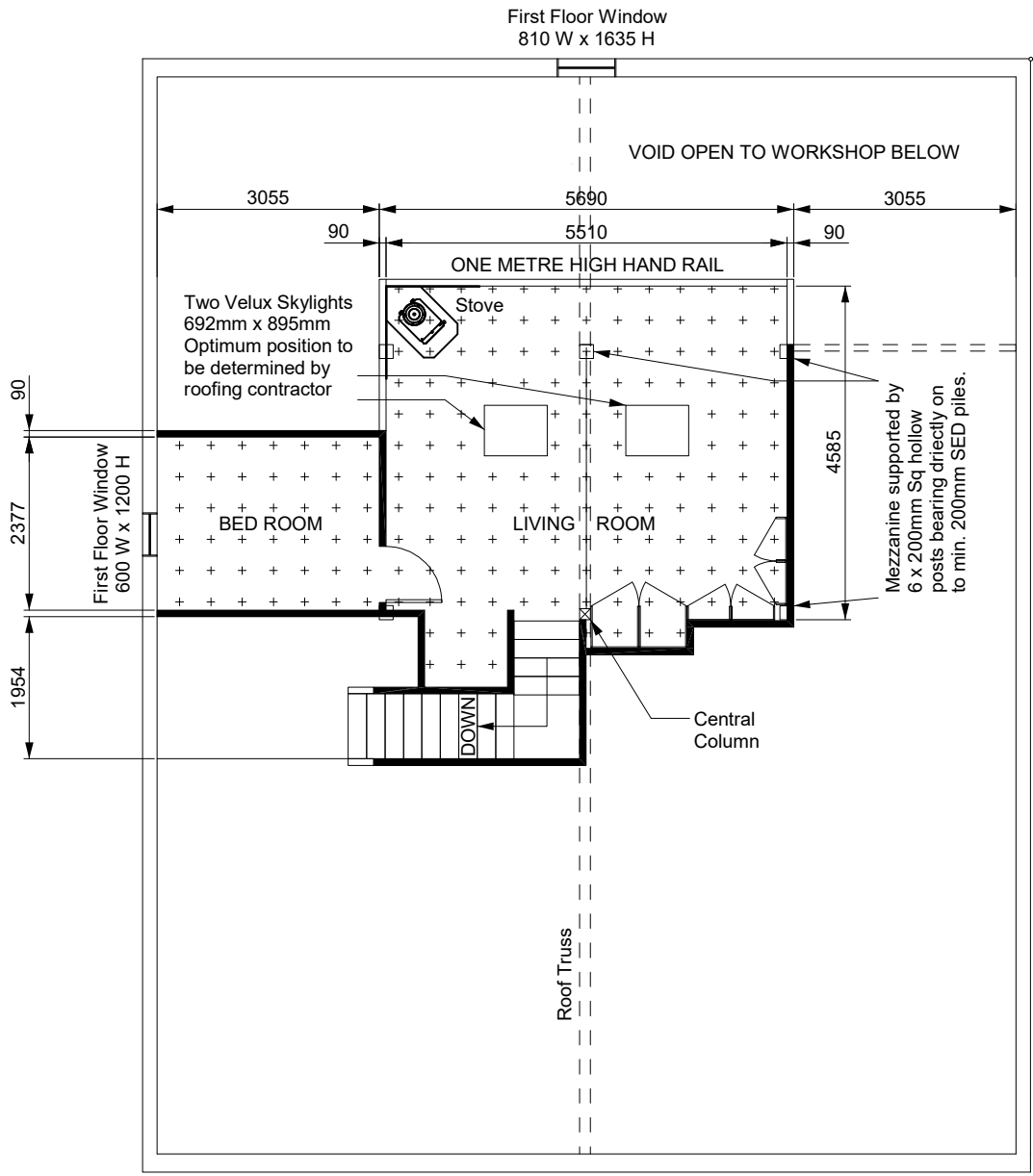


Proposed 5,000 litre water tank sitting on timber platform supported by timber poles embedded in the foreshore, with proposed 4,500 litre sewage holding tank below sitting on concrete base

Existing 5,000 litre water tank sitting on timber platform supported by timber poles embedded in the foreshore, with existing 4,500 litre sewage holding tank below sitting on concrete base

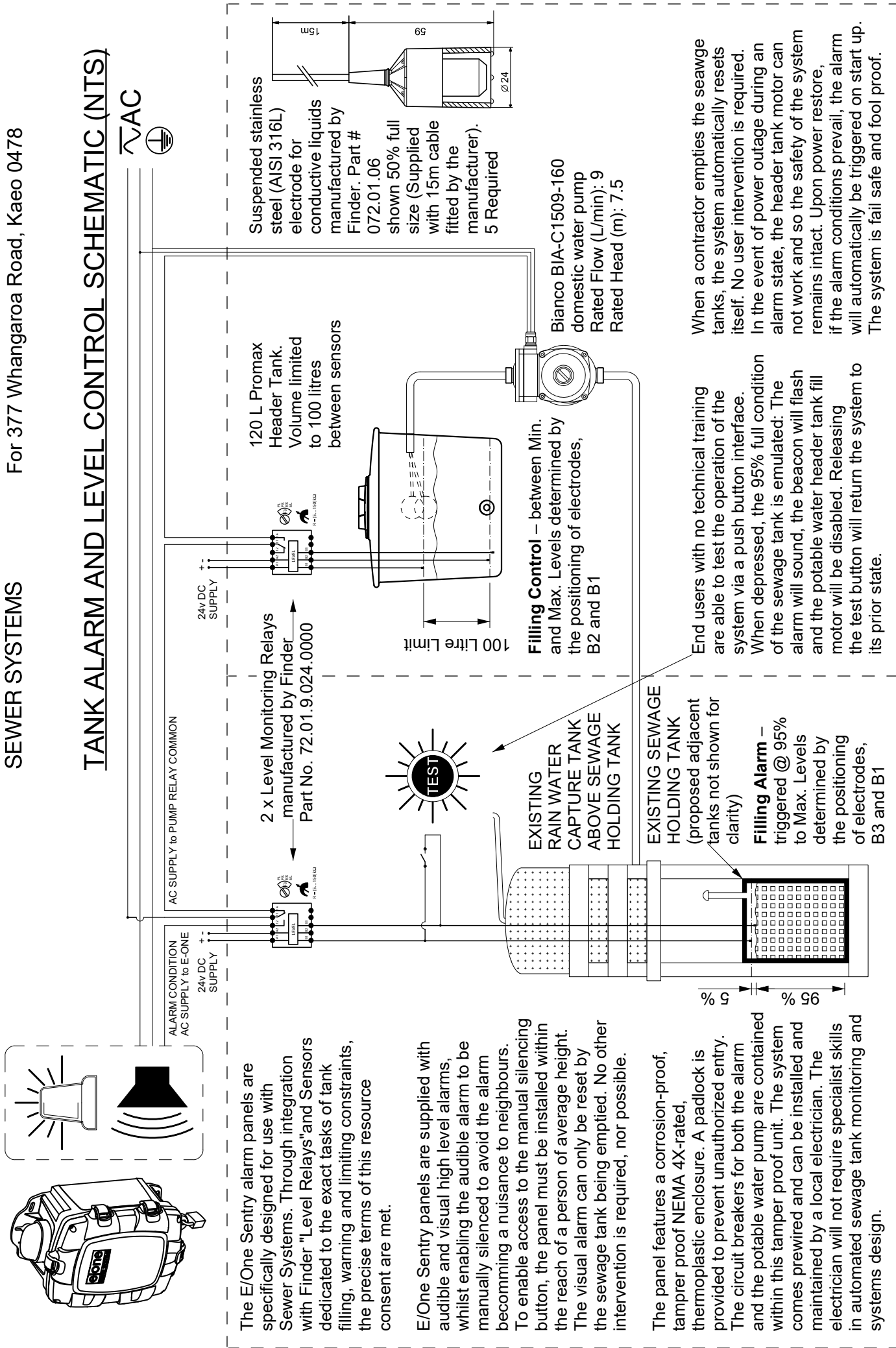


Proposed Lower Level Floor Plan 1:100 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/222



Proposed Upper Level Floor Plan 1:100 @ A4
 Workshop, 377 Whangaroa Rd, Whangaroa
 Drawn: 3DCR8V.studio 12/12/222

TANK ALARM AND LEVEL CONTROL SCHEMATIC (NTS)



The E/One Sentry alarm panels are specifically designed for use with Sewer Systems. Through integration with Finder "Level Relays" and Sensors dedicated to the exact tasks of tank filling, warning and limiting constraints, the precise terms of this resource consent are met.

E/One Sentry panels are supplied with audible and visual high level alarms, whilst enabling the audible alarm to be manually silenced to avoid the alarm becoming a nuisance to neighbours. To enable access to the manual silencing button, the panel must be installed within the reach of a person of average height. The visual alarm can only be reset by the sewage tank being emptied. No other intervention is required, nor possible.

The panel features a corrosion-proof, tamper proof NEMA 4X-rated, thermoplastic enclosure. A padlock is provided to prevent unauthorized entry. The circuit breakers for both the alarm and the potable water pump are contained within this tamper proof unit. The system comes prewired and can be installed and maintained by a local electrician. The electrician will not require specialist skills in automated sewage tank monitoring and systems design.

End users with no technical training are able to test the operation of the system via a push button interface. When depressed, the 95% full condition of the sewage tank is emulated: The alarm will sound, the beacon will flash and the potable water header tank fill motor will be disabled. Releasing the test button will return the system to its prior state.

When a contractor empties the sewage tanks, the system automatically resets itself. No user intervention is required. In the event of power outage during an alarm state, the header tank motor can not work and so the safety of the system remains intact. Upon power restore, if the alarm conditions prevail, the alarm will automatically be triggered on start up. The system is fail safe and fool proof.

Resource Consent

Document Date: 05.11.2020

*Pursuant to the Resource Management Act 1991, the Northland Regional Council
(hereinafter called "the council") does hereby grant a Resource Consent to:*

**THE LITTLE TRUST, TIMOTHY PAUL ELLIOT AND JANICE MARGARET HUGHES, 25 PONSONBY
TERRACE, PONSONBY, AUCKLAND 1011**

To undertake the following activities in the coastal marine area adjacent to 377 Whangaroa Road, Kaeo at or about location co-ordinates 1667896E 6120125N:

Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection.

AUT.005398.01.04 **To place use and occupy space in the coastal marine area with a building and mooring facility (inclusive of a building, holding tanks, decks, a ramp, pontoon and piles, and mooring and berthing piles).**

AUT.005398.02.01 **To alter and extend structures in the coastal marine area.**

Subject to the following conditions:

AUT.005398.01.04 – Structures

- 1 This consent applies only to the structures identified on the **attached** Cadplanz drawing referenced as Northland Regional Council Plan Number **4816/1**.
- 2 The building and other structures covered by this consent shall be maintained in good order and repair.
- 3 The building shall be marked with the number **5398** in black lettering on a white background clearly displayed and in such a manner as to be clearly visible from land and sea.
- 4 The building is authorised to be used a workshop and for residential accommodation. The building shall not be used for the purposes of commercial accommodation.
- 5 The building may only be used for accommodation for short stays of no more than two consecutive nights in a seven day period, unless it complies with Building Act 2004 requirements and holds a current building consent, or code compliance certificate, from the Far North District Council authorising the building to be used for accommodation purposes. A copy of a current building consent or code compliance certificate shall be provided to the council's assigned monitoring officer immediately on written request.

- 6 No oil, liquid wastes, debris or rubbish shall enter the coastal marine area from a vessel, or persons, using the the building and other structures or during construction or maintenance of these structures.
- 7 Boat maintenance that is likely to cause contaminants to enter the coastal marine area shall not be carried out at or on any of the structures (e.g. removal or application of paint or antifouling, activities involving grease or oil, sanding of fibreglass).
- 8 No person shall stay overnight on a vessel while berthed at the pontoon or temporary berthing piles unless:
 - (a) The vessel is equipped with a sewage holding tank that has an effective outlet sealing device installed to prevent sewage discharges; and
 - (b) The outlet sealing device is in the sealed state or position at all times.
- 9 No person may stay overnight on a vessel berthed at the pontoon or temporary berthing piles if one or more people have stayed overnight on board the vessel for more than five nights, and within the five nights the vessel has not:
 - (a) Pumped out all of the sewage from the vessel's holding tank at a sewage pump out facility; or
 - (b) Navigated into waters where the discharge of sewage from the vessel is permitted and disposed of all its sewage into those waters.
- 10 Within 24 hours of request by the council's assigned monitoring officer, the Consent Holder shall provide sufficient details and information to enable the council's assigned monitoring officer to verify compliance with Condition 8 and/or Condition 9(a) or 9(b).
- 11 An audible and visual high water level alarm system shall be installed and maintained on the wastewater holding tanks which indicates the tanks have reached 95% capacity. In addition, A system shall be installed to automatically shut-off water supply to the building once the alarm is activated, leaving no more than 100 litres reserve capacity in the header tank.
- 12 Any overflow outlets on the tanks shall be sealed, at all times to prevent the discharge of effluent into the coastal marine area. In addition, any outlet venting air from the effluent tanks shall be positioned higher than the lowest wastewater overflow point within the building, at all times.
- 13 The wastewater holding tanks and all associated components, including pipes and alarms, shall be maintained by a suitably qualified and experienced person so they are working effectively, at all times. Maintenance shall include, but not be limited to, regular emptying of the tanks and servicing of the alarm system including the water pump shut-off system. A written record of all maintenance undertaken shall be kept and a copy forwarded to the council's assigned monitoring officer before 31 July each year for the period 1 July to 30 June of the previous year or immediately on written request.

Advice Note: *For compliance purposes, a "suitably qualified and experienced person" is a person employed or trained by the manufacturer of the wastewater system, or someone who can provide evidence of satisfactory qualifications and/or experienced in maintaining the type of system installed.*

- 14 The Consent Holder shall have the structural integrity of the building and its associated structures inspected and reported on by a Chartered Professional (Structural) Engineer. The first inspection shall be undertaken prior to 28 February 2028 and the facilities shall be re-inspected at ten yearly intervals in the month February in 2038 and 2048, with a final inspection being undertaken within six months of the expiry date of this consent. An inspection report from the Chartered Professional Engineer shall be provided to the council's assigned monitoring officer within two weeks of completion of the inspection. The inspection report shall identify any maintenance that is required, the timeframe within which this maintenance is required to be carried out and shall confirm, or otherwise, the ongoing structural integrity and security of the structures.
- 15 The Consent Holder shall carry out all the maintenance required as a result of the inspections undertaken in accordance with Condition 14 within the timeframe(s) prescribed in the inspections report. The Consent Holder shall notify the council's assigned monitoring officer as soon as the maintenance works have been completed.
- 16 In the event of failure or loss of structural integrity of any part of the building or associated structures, the Consent Holder shall immediately:
- (a) Retrieve all affected elements and debris that might escape from the structure and dispose of these on land where they cannot escape to the coastal marine area; and
 - (b) Advise the Regional Harbourmaster for Northland and the council's Compliance Manager of the event and the steps being taken to retrieve and dispose of the affected elements and debris.

Advice Note: *The principle purpose of this condition is to avoid navigation safety being compromised by floating debris (e.g. pontoons or timber from the building and associated structures) and avoid contamination of the coastal marine area by debris arising as a result of loss of structural integrity of the structures.*

- 17 The Consent Holder shall keep the coastal marine area free of debris resulting from the Consent Holder's activities.
- 18 The exercise of this consent shall not result in any conspicuous oil or grease film, scums or foams, floatable or suspended materials, or emissions of objectionable odour, as measured in the coastal marine area at any point 10 metres from the building.
- 19 The Consent Holder shall, for the purposes of adequately monitoring this consent as required under Section 35 of the Act, on becoming aware of any contaminant associated with the Consent Holder's operations escaping otherwise than in conformity with this consent:
- (a) Immediately take such action, or execute such work as may be necessary, to stop and/or contain such escape; and
 - (b) Immediately notify the council by telephone of an escape of contaminant; and
 - (c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the escape; and
 - (d) Report to the council's Compliance Manager in writing within one week on the cause of the escape of the contaminant and of the steps taken or being taken to effectively control or prevent such escape.

For telephone notification during the council's opening hours, the council's assigned monitoring officer for the consent shall be contacted. If that person cannot be spoken to directly, or it is outside of the council's opening hours, then the council's Environmental Hotline shall be contacted.

Advice Note: *The Environmental Hotline is a 24 hour, 7 day a week, service that is free to call on 0800 504 639.*

- 20 The council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent annually during the month of February to deal with any adverse effects on the environment that may arise from the exercise of this consent and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.
- 21 Prior to the expiry or cancellation, of this consent, the Consent Holder shall remove all structures and other materials and refuse associated with this consent from the consent area, and shall restore the consent area to the satisfaction of the council, unless an application has been properly made to the council for the renewal of this consent or the activity is permitted by a rule in the Regional Plan.
- 22 This consent does not commence until resource consent AUT.005398.01.03 has expired, or has been surrendered, in writing, to the council.

AUT.005398.02.01 – Alterations and Extensions

- 23 The alterations shall be constructed in general accordance with the **attached** Cadplanz drawings referenced as Northland Regional Council Plan Numbers **4816/1, 4816/2, 4816/3, 4816/4 and 4816/5.**
- 24 The Consent Holder shall notify the council's assigned monitoring officer in writing of the date works associated with these consents are intended to commence, at least two weeks beforehand. The Consent Holder shall arrange for a site meeting between the Consent Holder's contractor and the council's assigned monitoring officer. No works shall commence until the council's assigned monitoring officer has completed the site meeting.

Advice Note: *Notification of the commencement of works may be made by email to mailroom@nrc.govt.nz.*

- 25 A copy of this consent shall be provided to the contractor who is undertaking the construction works prior to commencement of any work on site. A copy of the consent shall be held on site and be available for inspection by the public, during construction.
- 26 A copy of any building consent (including approved plans) issued by the Far North District Council in respect of the altered or extended structures covered by these consents shall be provided to the council's assigned monitoring officer at least one week prior to the commencement of their construction.
- 27 No works within the coastal marine area associated with construction of the holding tanks may be undertaken during periods when the construction area is inundated by high tides.
- 28 Work associated with the construction and maintenance of the building shall only be carried out during the hours between 7.00 a.m. and sunset or 6.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.

29 Prior to undergoing maintenance or construction work on tanks or pipework that has the potential to discharge waste water or other contaminants into the coastal marine area, measures shall be taken to avoid discharge.

Advice Note: *Measures to avoid contaminant discharge from pipework being disconnected include, but are not necessarily limited to: flushing with clean water prior to disconnection, the capture of discharge and disposal.*

30 No vehicles associated with the exercise of this consent shall enter the coastal marine area.

31 All machinery or equipment entering the coastal marine area associated with the exercise of this consent shall be in a good state of repair and free of any leaks e.g. oil, diesel etc. Refuelling and servicing of equipment used shall not be undertaken within the coastal marine area.

32 An oil spill kit, appropriate to the plant and equipment being used, is to be provided and maintained on site during construction works.

33 In the event of archaeological sites or kōiwi being uncovered, activities in the vicinity of the discovery shall cease and the Consent Holder shall contact Heritage New Zealand Pouhere Taonga. Work shall not recommence in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga approval has been obtained.

Advice Note: *The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to destroy, damage or modify the whole or any part of an archaeological site without the prior authority of Heritage New Zealand Pouhere Taonga.*

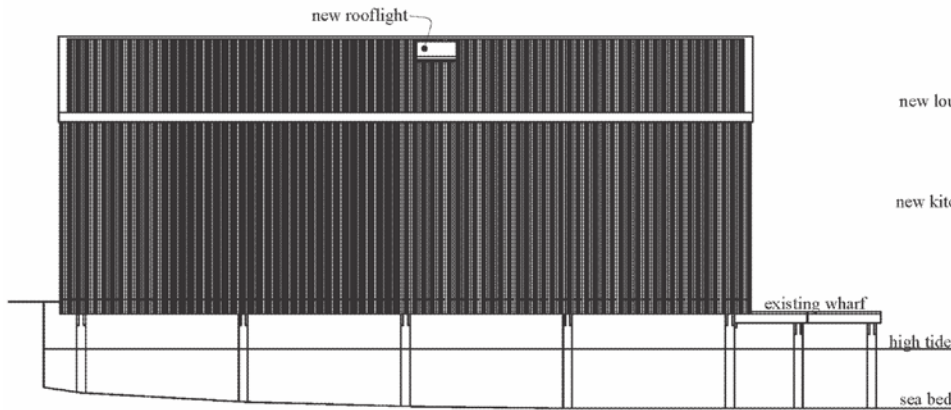
34 The Consent Holder shall notify the council's assigned monitoring officer in writing as soon as the works have been completed. As part of this notification the Consent Holder shall surrender, in writing, resource consent AUT.005398.01.03.

35 This consent shall lapse on 31 July 2023, unless before this date the consent has been given effect to.

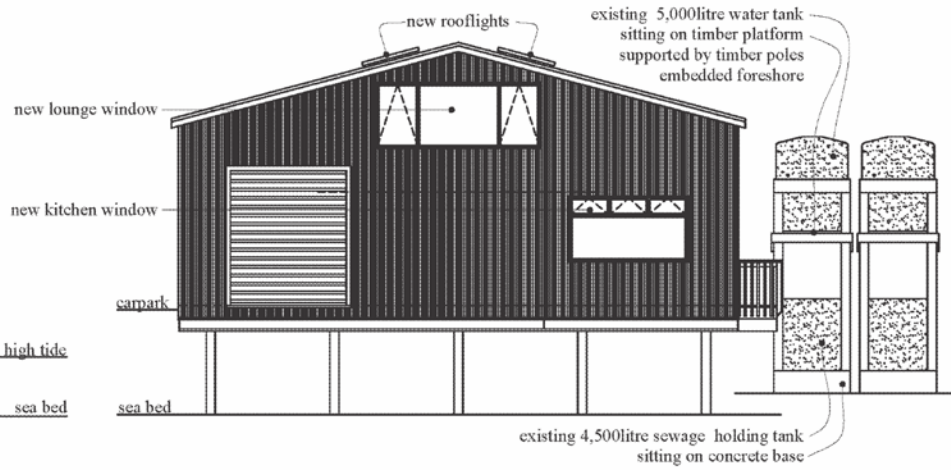
Advice Note: *An application can be made to the council in accordance with Section 125 of the Act to extend the date after which the consents lapse. Such an application must be made before the consents lapse.*

EXPIRY DATE: 28 FEBRUARY 2053

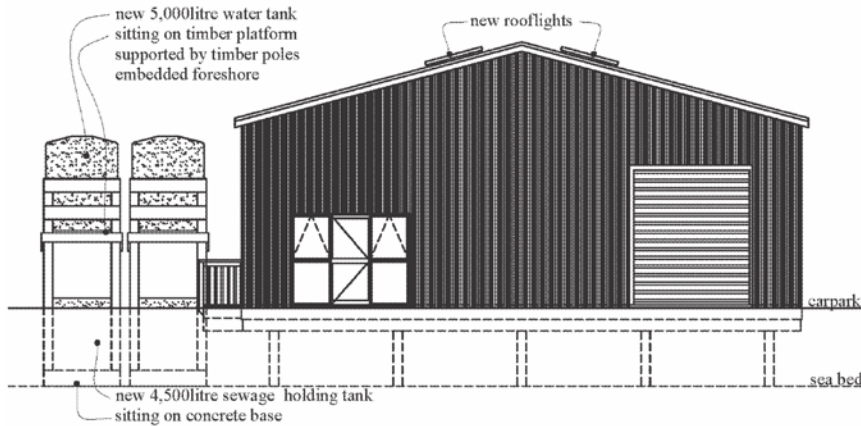
These consents were granted on 11 July 2018 under delegated authority from the council by Paul Maxwell, Coastal & Works Consents Manager. Pursuant to section 133A of the Resource Management Act 1991, minor corrections were made on the 04 February 2019 to insert Condition 22 and to amend an error in Condition 34. An additional minor correction was made to amend an error in Condition 22. This correction was authorised under delegated authority from the Council by Stuart Savill, Consents Manager, on 05 February 2019.



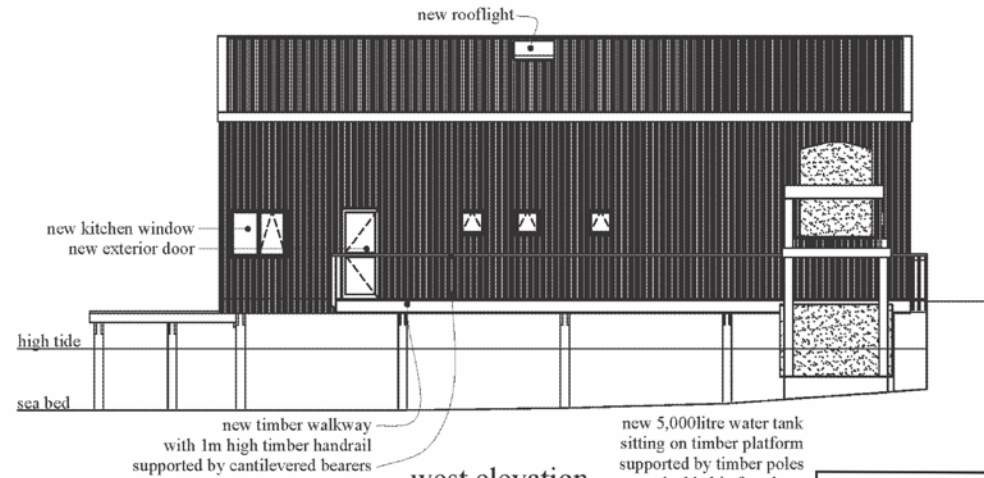
east elevation



north elevation



south elevation



west elevation

Note:
some handrail components
omitted for clarity

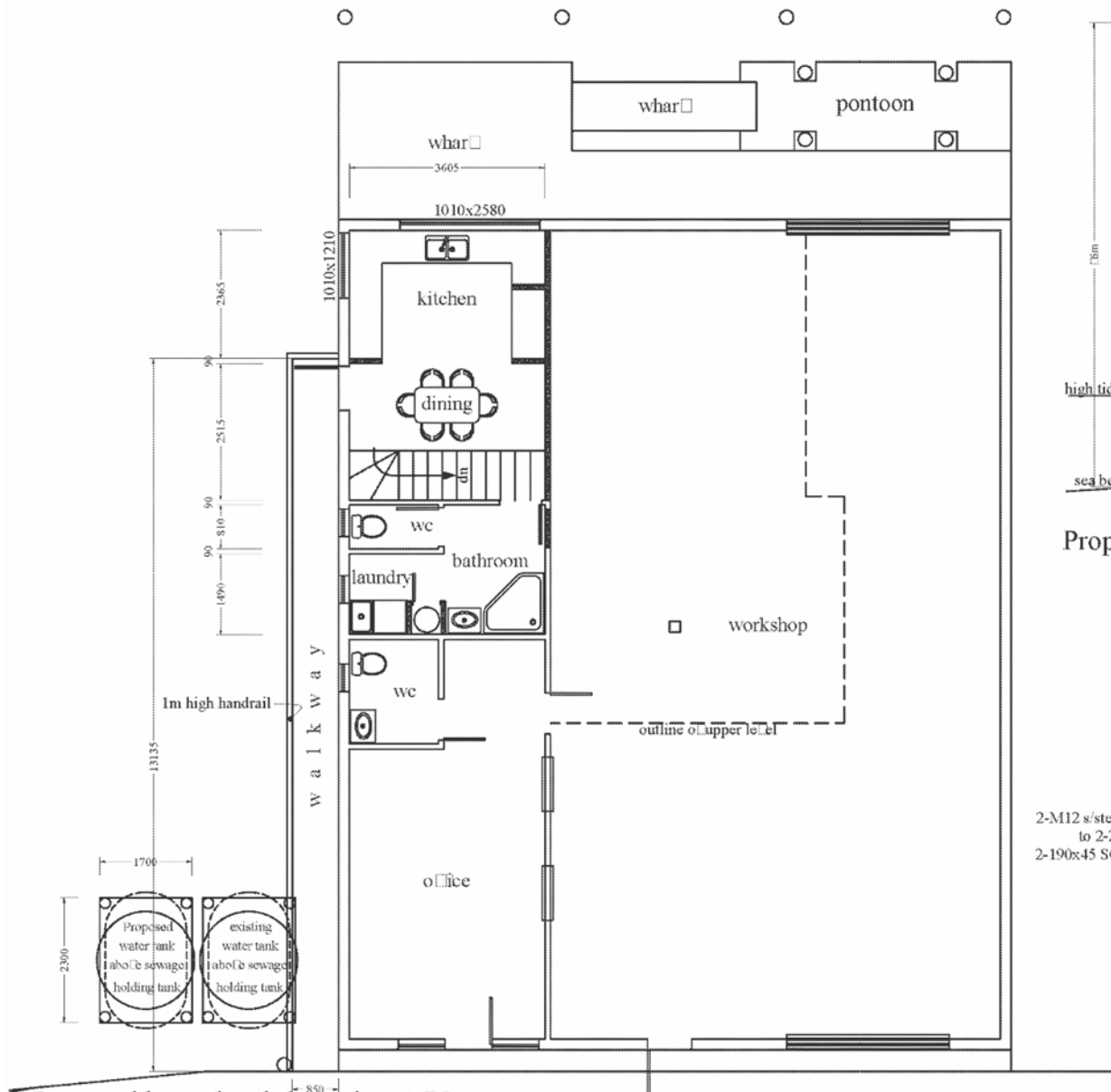
elevations 1:100

Workshop, 377 Whangaroa Road, Whangaroa

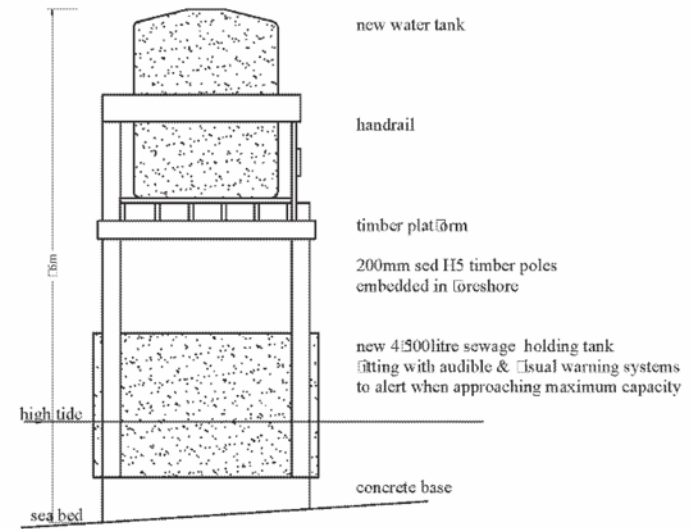
21/05/2018



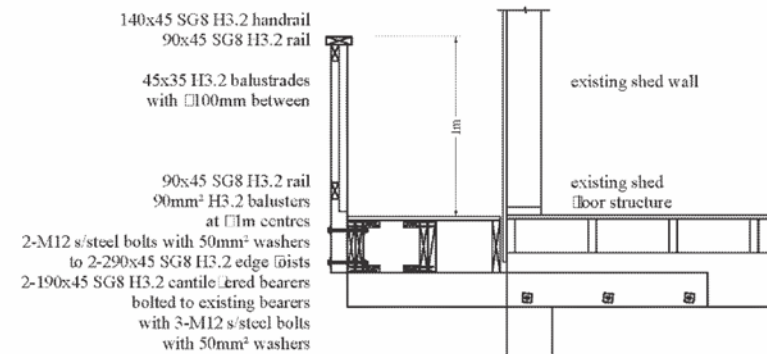
NORTHLAND
REGIONAL
COUNCIL
REF : 005398
Plan
Number 4816/2



Proposed lower level floor plan 1:75
Workshop, 377 Whangaroa Road, Whangaroa

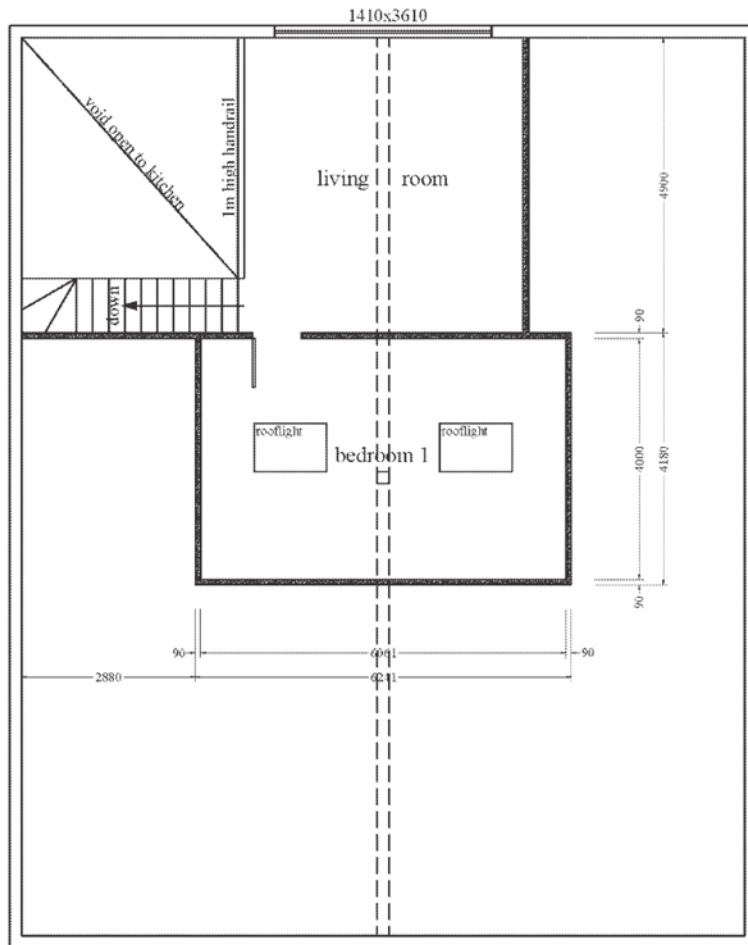


Proposed water & sewage holding tank stand 1:50



Proposed cantilevered walkway detail 1:25

REF : 005398	
Plan Number	4816/3



Proposed upper level floor plan 1:75
Workshop, 377 Whangaroa Road, Whangaroa

21/05/2018 5

NORTHLAND REGIONAL COUNCIL		
REF : 005398		
Plan Number	4816/4	

Notes

The visible sewage holding tank level indicator will give early warning prior to tank nearing capacity

The float switch in sewage holding tank is set to go off when 95% capacity is reached

Then ...

1. the solenoid valve shuts off the water supply to the pump
2. the power outlet which supplies the water pump automatically switches off
3. the audible alarm goes off inside the building
4. the red warning light mounted on the exterior of the building starts flashing

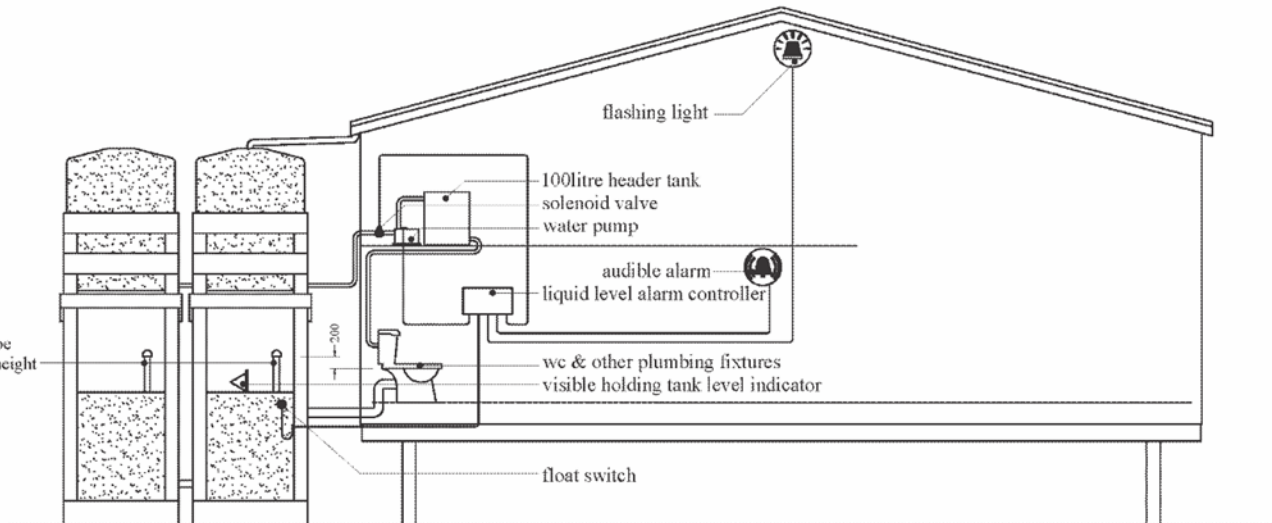
The solenoid valve and the power supply to the water pump remains off

until the level in the sewage holding tank subsides

The buzzer can be muted but the warning light stays flashing until

the level in the sewage holding tank subsides

Note:
mushroom vents are to be
200mm above wc pan height



schematic plan of water & sewage system

Workshop, 377 Whangaroa Road, Whangaroa

21/06/2018

NORTHLAND REGIONAL COUNCIL	
REF : 005398	
Plan Number	4816/5