

Our Reference: RC135396/140213013664

Valuation Reference: 21591-251-00

13 February 2014

The Burke Family Trust
C/- J & M Burke
17 Paisley Road
RD 1
KAIAPOI 7691

Dear Sir/Madam

**DECISION ON RESOURCE CONSENT APPLICATION
THE BOURKE FAMILY TRUST – 17 PAISLEY ROAD, FLAXTON**

Please find enclosed a copy of the decision reached by the District Plan Manager under delegated authority from the Council on the above application.

We also enclose information relating to rights of appeal, lapsing of consent (where applicable), and other legal requirements.

Yours faithfully



Mike Allard
PLANNING OFFICER

Encl



WAIMAKARIRI DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application lodged by **The Burke Family Trust** for a resource consent under Section 88 of the aforementioned Act.

APPLICATION

The applicants sought a resource consent to erect a secondary dwelling on a rural site. The dwelling is to be erected under the '*Temporary Residential Accommodation - Single Additional Unit on Any one Lot*' policy

DECISION

The District Plan Manager, on the 13th February 2014, approved:

THAT pursuant to Section 104B of the Resource Management Act 1991 consent be granted to erect a relocated residence as a secondary dwelling at 17 Paisley Road, Flaxton, being Lot 1 DP 61798, as a non-complying activity subject to the following conditions which are imposed under Section 108 of the Act:

1. The activity shall be carried out in accordance with the attached approved application plan.

2. **Date of Removal**

The Consent Holder shall remove a dwelling from the site prior to the 16th of April 2016.

3. **Relocated Dwelling**

3.1 Within one month of the dwelling arriving on site it shall be sited on permanent foundations and where appropriate be complete with base linings.

3.2 The external fabric of the building shall be replaced or repaired within six months of it being relocated where damage has resulted from relocation.

4. **Finished Floor Levels**

4.1 The Consent Holder shall ensure that the dwelling to be relocated onto Lot 1 DP 61798 has a minimum finished floor level of 600mm above the adjacent natural ground level.

5. **Inspection**

5.1 Compliance with the above conditions may be verified by inspection by a Council Officer pursuant to Section 35(2)(d) of the Resource Management Act

1991. Should an inspection be necessary, the Consent Holder shall pay to the Council charges pursuant to Section 36(1)(c) of the Resource Management Act 1991 to enable the Council to recover its actual and reasonable costs in carrying out the inspections.

ADVICE NOTES

- a) This consent does not constitute consent in terms of the Building Act 2004, or the Natural Resources Regional Plan.

REASONS FOR DECISION

Pursuant to Section 113 of the Act the Council considered the following factors in determining the application:

- *Temporary Residential Accommodation - Single Additional Unit on Any one Lot* Policy requires the consent to be processed as non-notified.
- The dwelling meets the required 20 metre setback in the Rural Zone.
- The applicants have confirmed that consent for a secondary dwelling is sought until April 2016.

DATED at Rangiora this 13th day of February 2014

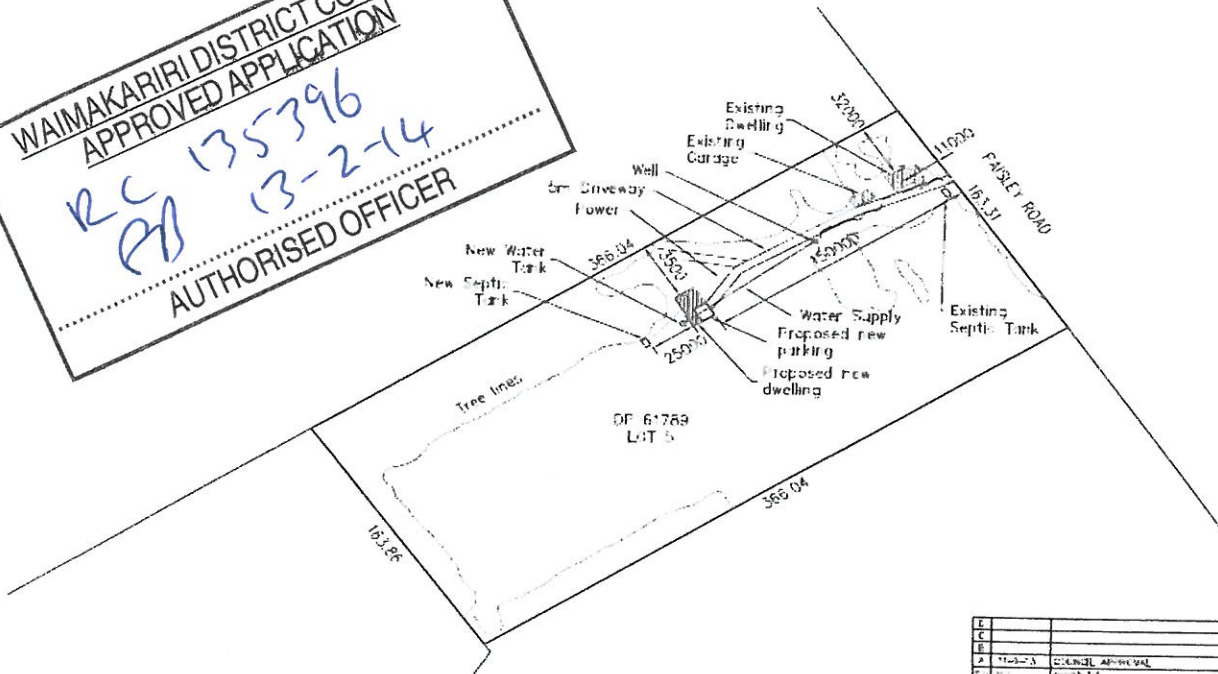


SIGNED by Mike Allard
PLANNING OFFICER



Existing Dwelling location – 1017b Lower Styx Road, Brooklands

WAIMAKARIRI DISTRICT COUNCIL
APPROVED APPLICATION
 RC 135396
 PD 13-2-14
AUTHORISED OFFICER



E						
C						
B						
A	13-2-14	COUNCIL APPROVAL	PT	PT	SB	
P1	WAIMAKARIRI FAMILY HOUSING					
P2	17 PAISLEY ROAD					
P3	PROPOSED NEW DWELLING					
1:1 ESTIMATED 1:1 PTH PLAN 1:1 2000 A1 SHEET						

Proposed dwelling site plan: 17 paisley road



WAIMAKARIRI DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

RIGHTS OF OBJECTION

The applicant may, within 15 working days after the decision being received by them, lodge an objection with the Council against one or more conditions of consent, in accordance with Section 357 of the Resource Management Act 1991.

The objection is required to be made by notice in writing to:

*The District Plan Manager
Waimakariri District Council
Private Bag 1005
RANGIORA 7440*

If you are in any doubt, as to the procedure to be followed, or any matter arising out of the same, it is strongly recommended that you seek professional advice.

LAPSING OF CONSENT

Attention is drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent shall lapse **five years** from the date of commencement of the consent or after the expiry of such shorter or longer period as is expressively provided for in the consent unless:

- (a) The consent is given effect to; or
- (b) An application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account:-
 - (i) whether substantial progress or effort has been, and continued to be, made towards giving effect to the consent; and
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by granting of the extension; and
 - (iii) the effort of the extension on the policies and objectives of any plan or proposed plan.

OTHER LEGAL REQUIREMENTS

Section 23 of the Resource Management Act 1991 provides that compliance with the Resource Management Act 1991 (eg; by obtaining of an appropriate resource consent) does not remove the need to comply with all other applicable Acts, Regulations, Bylaws and rules of law.