

Application for Resource Consent or Fast Track Consent

Form 9 of the Resource Management Act 1991, Sections 87AAC and 88



This form provides the South Taranaki District Council with your contact details, and details about your proposal and its actual and potential effects on the environment. Note that all the information provided in your application is available to the public.

We recommend that you talk your proposal through with council staff before you fill in this form. If you have any questions, visit - www.southtaranaki.com, email - planning@stdc.govt.nz or phone us on **06 278 0555** or **0800 111 323**.

Send completed application to: Private Bag 902, Hawera 4640 or email - planning@stdc.govt.nz

PRE-APPLICATION INFORMATION

Have you had a pre-application meeting with the council regarding your proposal?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If Yes:	Date of meeting:	Council reference or council officer:	

It is important that you answer all questions fully.

SITE DETAILS FOR APPLICATION

Land use consent <input type="checkbox"/>	Subdivision consent <input checked="" type="checkbox"/>		
Fast-track consent: (Land use consent for a controlled activity)	Opt in <input type="checkbox"/>	Opt Out <input type="checkbox"/>	Note: An electronic address for service must be provided if you are applying for a fast-track resource consent application
Physical site which application relates:	No: 51	Street: Campbell Street	Suburb: Hawera
Legal Description(s):	Lot 46 DP 1275		
Valuation No:	1235006600	Property No:	

CONTACT DETAILS

Applicant	
Full name(s):	Christopher Paul Kissick and Jennifer Anne Kissick
Electronic Address or service:	chris.kissick@xtra.co.nz
Postal Address: (or alternative method of service under section 352 of the RMA):	51 Campbell Street, Hwera 4610
Phone (day): C/- Bland and Jackson Surveyors Ltd	Phone (mobile):

Agent/Consultant (if applicable):	
Name:	Tianlun Zhang
Company:	Bland & Jackson Surveyors Ltd
Electronic address for service:	terren.zhang@bjsl.co.nz
Postal address: (or alternative method of service under section 352 of the RMA):	19 Dawson Street, New Plymouth 4310
Phone (day): 06 758 6171	Phone (mobile): 0221609742

Owner of Site to which application relates (if different from above)	
Name:	
Electronic address for service:	
Postal address (or alternative method of service under section 352 of the RMA):	
Phone (day):	Phone (mobile):

Occupiers of the site to which the application relates (if different from above):	
Name(s):	
Electronic address for service:	
Postal address: <i>(or alternative method of service under section 352 of the RMA):</i>	
Phone (day)	Phone (mobile):

Invoices to be sent to:	C/- Bland & Jackson Office Applicant: <input checked="" type="checkbox"/> Agent: <input type="checkbox"/> Owner: <input type="checkbox"/>
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DESCRIPTION OF PROPOSED ACTIVITY

Describe your proposal clearly:

a Restricted Discretionary for a 2-lot subdivision which is effectively a boundary adjustment

SITE DESCRIPTION

Describe the site including its natural and physical characteristics and any adjacent uses that may be relevant to the consideration of the application (include the name of any relevant stream, river or other waterbody to which the application may relate, and proximity to any well-known landmark(s)):

Refer to the application and AEE

REASONS FOR RESOURCE CONSENT

List all of the areas of non-compliance with the rules in the <insert council> District Plan and any relevant National Environmental Standard (use additional pages if necessary).

Rule 4.1.3

OTHER ACTIVITIES

Choose either:

☒ There are no other activities that are part of the proposal to which this application relates

☐ The other activities that are part of the proposal to which the application relates are as follows:

Describe the other activities:

For any activities that are permitted activities, provide a compliance schedule and/or other supporting information to explain how the activity complies with the requirements, conditions, and permissions of any Plan or regulation so that a resource consent is not required for that activity:

ADDITIONAL RESOURCE CONSENTS

Choose either:

☒ There are no other resource consents required for this proposal

☐ The following additional resource consents are needed for the proposal:

	Resource consent required?	Resource consent applied for
Land use consent	<input type="checkbox"/>	<input type="checkbox"/>
Subdivision consent	<input type="checkbox"/>	<input type="checkbox"/>
Coastal Permit – Taranaki Regional Council	<input type="checkbox"/>	<input type="checkbox"/>
Water Permit – Taranaki Regional Council	<input type="checkbox"/>	<input type="checkbox"/>
Discharge Permit – Taranaki Regional Council	<input type="checkbox"/>	<input type="checkbox"/>

CONSULTATION		
Have you consulted with iwi?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, who did you consult with?		
Who else have you consulted?		
Did they have any concerns? If yes, please provide details:		
How have you addressed these concerns?		
Have you obtained the written approval of any potentially affected persons? <input type="checkbox"/> Yes (attached) <input checked="" type="checkbox"/> No		
If yes, please provide details (names, site address and electronic address for service):		

SITE VISIT REQUIREMENTS		
<i>In order to assess your application it will generally be necessary for the planning officer to visit your site. This typically involves an outdoor inspection only, and there is no need for you to be home for this purpose.</i>		
Do you require prior notice of any site visit?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any locked gates/security system restricting access?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any dogs on the property	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any other health and safety issues that the planning officer needs to be made aware of:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please provide details:		

INFORMATION REQUIREMENTS	
Administrative Requirements:	
<input checked="" type="checkbox"/> 1 copy of application (including plans).	
<input type="checkbox"/> Application fee (refer to the councils fees and charges schedule):	
<input checked="" type="checkbox"/> Certificate of title (less than three months old)	
To satisfy the requirements of section 88(2) and Schedule 4 of the Resource Management Act 1991, please attached the following information to your application:	
<input checked="" type="checkbox"/> Plans (for example site plan, location plan, elevation plans)	
<input checked="" type="checkbox"/> ASSESSMENT OF ENVIRONMENTAL EFFECTS:	
<i>Please provide an assessment of the activity's environmental effects that covers the matters in clause 6 and clause 7 of Schedule 4 of the Resource Management Act 1991. The assessment must include such detail as corresponds with the scale and significance of the effects that the proposal may have on the environment.</i>	
<input checked="" type="checkbox"/> PART 2 ASSESSMENT	
<i>Please provide an assessment of the activity against the matters in Part 2 (sections 5, 6, 7 and 8) of the Resource Management Act 1991:</i>	
<input checked="" type="checkbox"/> SECTION 104(1)(b) ASSESSMENT	
<i>Please provide an assessment of the activity against the relevant provisions of any national environmental standards, other regulations, national policy statements, the New Zealand Coastal Policy Statement, operative or proposed regional policy statements and operative of proposed plans:</i>	

FOR APPLICATIONS AFFECTED BY SECTION 124 OR 165ZH(1)(C) OF THE RESOURCE MANAGEMENT ACT 1991 (WHICH RELATE TO EXISTING RESOURCE CONSENTS).

The value of the investment of the existing consent holder is [specify].

FOR ACTIVITIES IN AREA WITHIN THE SCOPE OF A PLANNING DOCUMENT PREPARED BY A CUSTOMARY MARINE TITLE GROUP UNDER SECTION 85 OF THE MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011.

I attach an assessment of the proposed activity against the resource management matters set out in [relevant planning document].

FOR SUBDIVISION CONSENTS

I attach information that adequately defines the following:

- ☒ the position of all new boundaries; and
- ☒ the areas of all new allotments (unless subdivision involves cross-lease, company lease or unit plan); and
- ☐ the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips; and
- ☐ the locations and areas of any existing esplanade reserves, esplanade strips, and access strips; and
- ☐ the locations and areas of any parts of the bed of a river or lake to be vested in the territorial authority under [section 237A](#) of the Resource Management Act 1991; and
- ☐ the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under [section 237A](#) of the Resource Management Act 1991); and
- ☐ the locations and areas of land to be set aside as new roads.

FOR RESOURCE CONSENTS FOR RECLAMATIONS

I attach information that shows the area proposed to be reclaimed, including its location, the position of all new boundaries (if practicable), and the portion of the area (if any) to be set aside as an esplanade reserve or esplanade strip.

RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD (NES) FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011

This site may be subject to or covered by the NES for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. Whether a resource consent is required under this NES is determined by reference to the Hazardous Activities and Industries List (HAIL) which identifies those activities and industries which are more likely to use or store hazardous substances. A full list can be found on the Ministry for the Environment's website

www.mfe.govt.nz/issues/hazardous/contaminated/hazardous-activities-industries-list.pdf

Has the piece of land subject to this application been used for (including its present use), or is it more likely than not to have been used for an activity on the HAIL? Yes ☐ No ☒

If 'Yes', and your application involves subdividing or changing the use of the land, sampling or disturbing soil, or removing or replacing a fuel storage system, then the NES may apply and you may need to seek consent for this concurrently in your application.

☐ ADDITIONAL INFORMATION REQUIRED

I attach the following further information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act: [list all further documents that you are attaching].

NOTES TO APPLICANT

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required. Incomplete applications will be returned. The Council may also request further information under Section 92 of the Resource Management Act 1991, to better understand the potential effects of the proposal. Processing of the application will be suspended until the further information is received.

You may apply for two or more resource consents that are needed for the same activity on the same form. If you lodge the application with the Environmental Protection Authority, you must also lodge a notice in form 16A at the same time.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any)

Notes on fast-track resource consents:

- Under the fast-track resource consent process, notice of decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.
- A fast track application may cease to be a fast track application if the consent authority gives public or limited notification of the application or a hearing is to be held for the application.

If your proposal involves building work or change of use of a building you may also require a building consent under the Building Act 2004. This must be applied for separately. Other consents or licences may also be required under such legislation as the Health Act 1956 and the Sale of Liquor Act 1989, dependent on the nature of the proposal.

If your application is to the Environmental Protection Agency, you may be required to pay actual and reasonable costs incurred in dealing with this matter (see section 149ZD of the RMA 1991).

SIGNATURE OF APPLICANT(S) OR AGENT

Note: a signature is not required if the application is made by electronic means. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

☒ I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

☒ I undertake to pay all actual and reasonable application costs incurred by the South Taranaki District Council.

Applicants/Agents name: Tianlun Zhang

Applicants/Agents signature:



Date: 08/09/2022

Resource Consent Application and Assessment of Environmental Effects for a 2-Lot Subdivision (Boundary Adjustment) at 51 Campbell Street, Hawera in the Residential Zone

Date 19 August 2022

Version R00

Job Number 10753

Prepared by Terren Zhang
Planner

Reviewed by Vaughan Redshaw
Director BJSL

Address for Service Bland and Jackson Surveyors Ltd
19 Dawson Street
New Plymouth

Application Status Restricted Discretionary Activity

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1 **Introduction**

Resource Consent Application and Assessment of Environmental Effects for a proposal undertake 2-lot subdivision from one Record of Title.

Applicants	CP & JA Kissick
Address	51 Campbell Street, Hāwera 4610
Legal Description	Lot 46 DP 1275
Record of Title	TN95/136
Land Area	1012m ²
Operative District Plan	South Taranaki District Plan (Operative 2021)
Operative Zoning	Residential Zone (Urban Map 12J)
Operative Overlays	No

Bland and Jackson (The Agent) on behalf of CP & JA Kissick (The Applicants) is applying for subdivision consent to undertake a 2-lot subdivision (boundary adjustment) at 51 Campbell Street within the Residential Zone.

This report provides supporting information to the proposal and an Assessment of Environmental Effects.

2 Description of Subject Site and Surrounding Area

The subject site is located on the southwestern side of Campbell Street, within the northeastern part of the Hawera city area.

The site is located within the residential area approximately 50m distance to the northwest end of the formation of Campbell Street, and larger rural/residential units are located further northwest.

An existing dwelling is contained within the site. A garage fronting the road, with a shared common wall with 49 Campbell Street is located to the east and in front of the existing dwelling.

In the wider environment, the site is surrounded by residential properties, while the rural zone is approximately 60m in the northwest. Industrial activities are approximately 118m to the south on Scott Street. Residential activities dominate the immediate area, but rural and industrial activities are in the wider environment.



Figure 1.1: The frontage of the subject site (Source: Google Map Street View)



Figure 1.2: Subject Site (Source – Taranaki Regional Council Local Maps-Property Information)

3 Proposal

The proposal is to undertake a 2-lot subdivision of one property for creating an additional residential allotment in the Residential Zone.

The applicant wishes to have the ability to sell the proposed Lot 2 with the existing dwelling and utilise the additional allotment as a large backyard by amalgamating the proposed Lot 1 with the neighbouring residential property - Lot 45 DP 1275 under the same Record of Title.

3.1 Subdivision

Proposed allotments to be established are:

Lot 1: an area of 534m².

Lot 2: an area of 477m².

- The existing dwelling: approximately 114m²
- The shed: approximately 10m²
- Half of the garage: approximately 18m²
- The total site coverage: 29.8%

There is a small iron garden shed on the eastern corner of Lot 1, which will be maintained on the site.



Figure 2.1: Standing in the Proposed Lot 1 and facing the shed

3.2 Services

There are Council's reticulated services and utilities within Campbell Street. The existing dwelling within Lot 2 will maintain the current water supply and sewer connections from the mains at the frontage. Stormwater is dealt with by way of onsite soak holes. Easements for rights to convey gas, telecom and electricity are proposed in favour of Lot 2 over part Lot 1 marked area 'A' in scheme plan. The actual location of these will be detected and easements created as required.

The proposed Lot 1 is able to implement similar approach to obtain three waters in the future should they be required. The applicant proposes to amalgamate Lot 1 with the adjoining 53 Campbell Street (Lot45 DP 1275), which contains an existing dwelling with connections to the

services and utilities. Therefore, no new connections will be provided to Lot 1 as part of this application due to the amalgamation condition proposed.

3.3 Access

There is an existing vehicle crossing providing vehicle access directly from Campbell Street to the garage. This will be retained by the proposed Lot 2.

The proposed Lot 1 is to be amalgamated with Lot 45 DP 1275, which already has a crossing to the Street. Access to the proposed Lot 1 is available from Lot 45 should it be required.

The existing vehicle crossing can reach 45m sight distances in both directions. The distance to the nearest intersection of Campbell Street with Tannahill Street is approximately 83m.

Onsite parking is provided by the garage in Lot 2, Lot 1 does not require parking as it is to be amalgamated with Lot 45 DP 1275. No manoeuvring space is provided in Lot 2, which is acceptable in this locality because Campbell Street is a local road.

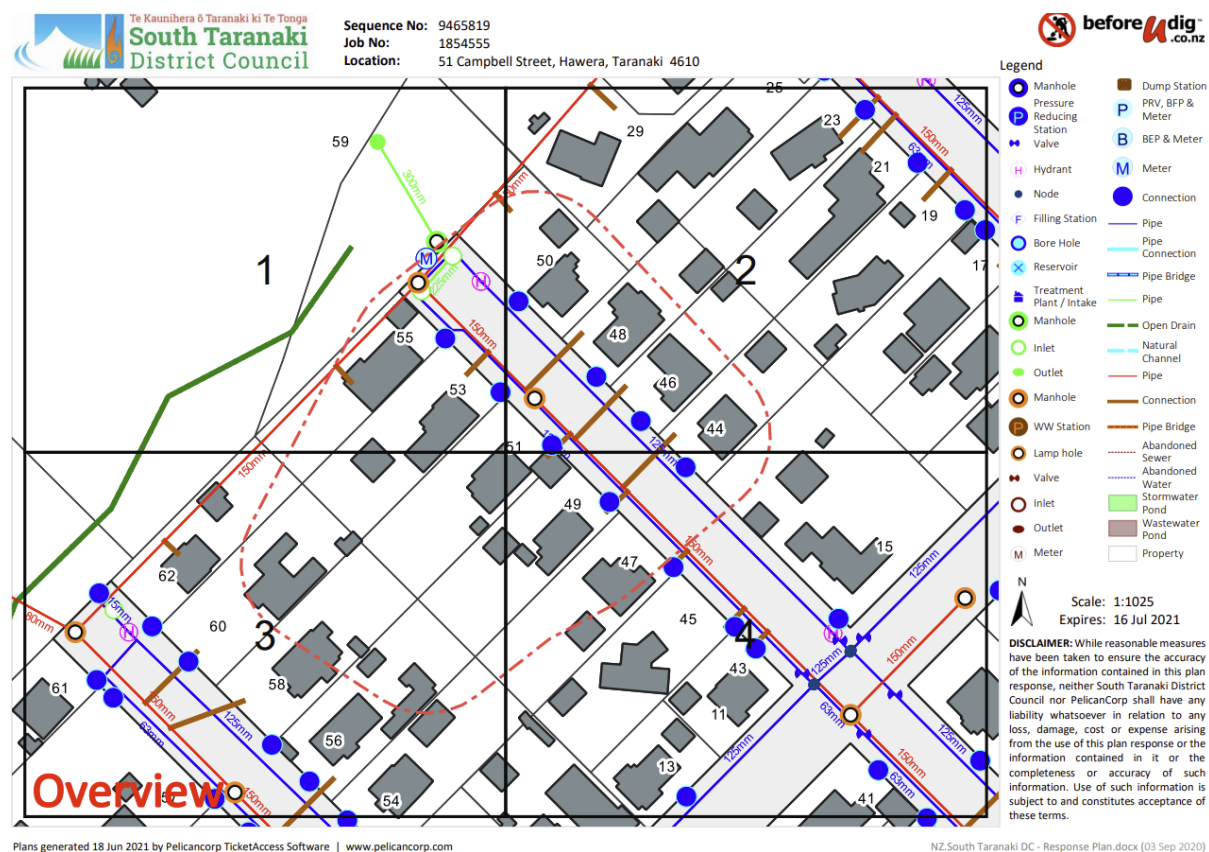


Figure 2.2: Services layout for Council's records

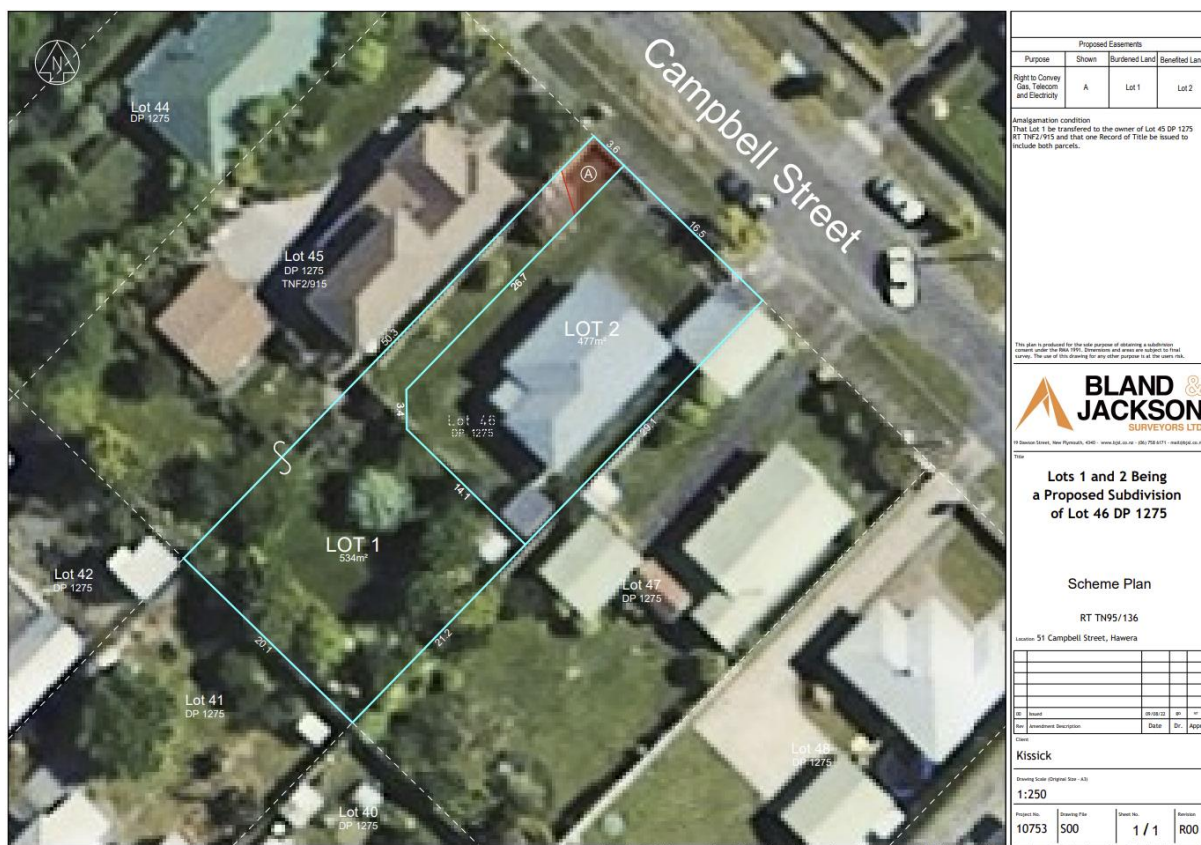


Figure 3: Scheme Plan

4 Reasons for Application

4.1 Operative South Taranaki District Plan

The proposal is subject to the rules of the **South Taranaki District Plan** which was deemed operative on 22 January 2021.

The site is located within the **Residential Zone**. The site is not subject to any overlay.

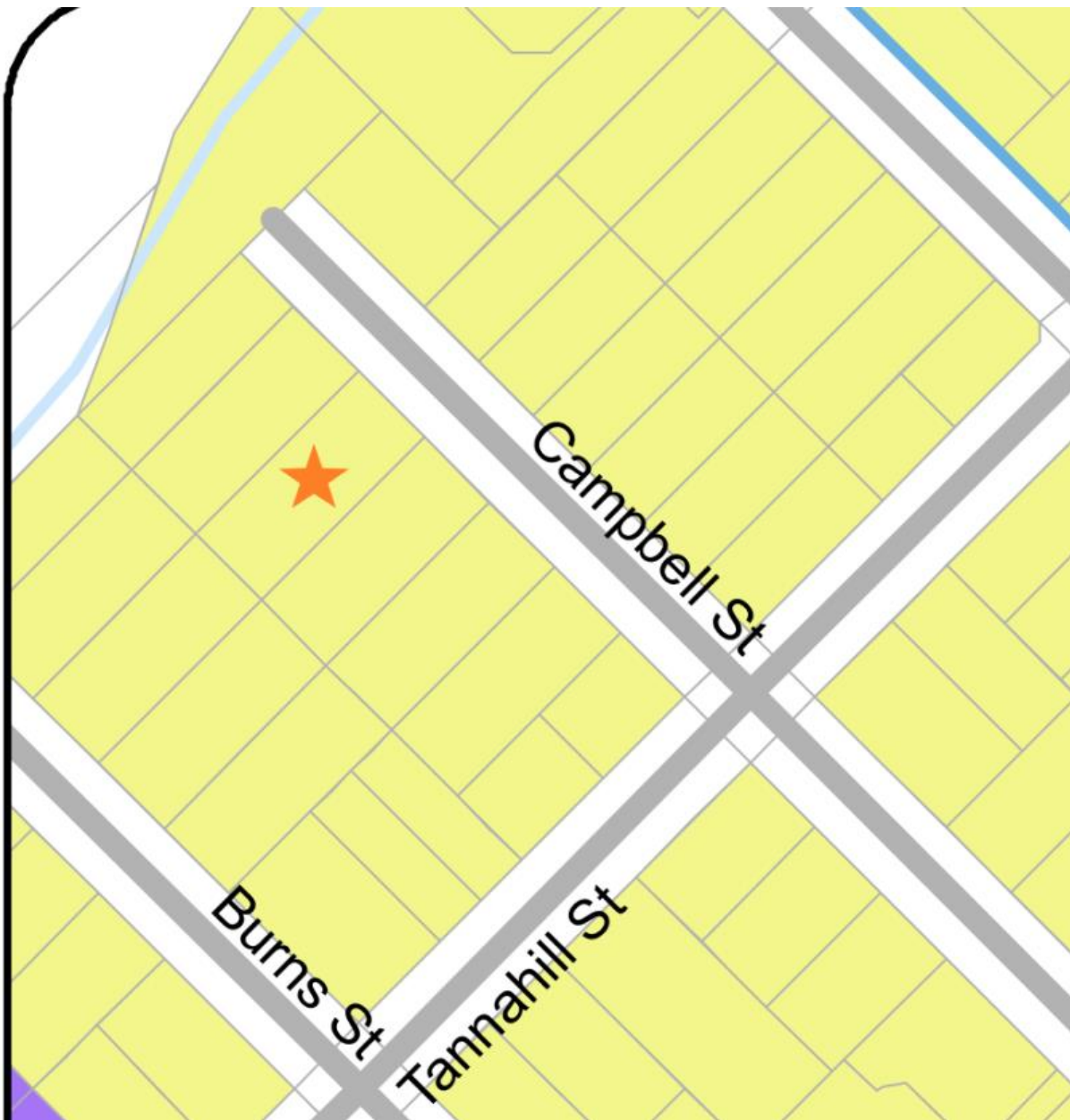


Figure 4: Operative District Planning Map (Subject site shown with orange star)

The proposal is subject to the following rules:

Rule Number	Parameter	Activity Status	Comment
Section 9: Subdivision and Development Rules			
Section 9.1: Categories of Activities			
9.1.2	Controlled Activities	Controlled	<p>The proposed subdivision is able to comply with standards from Section 9 subdivision, and Section 10 parking and transportation.</p> <p>But the existing shed behind the dwelling is requested to be on the new common boundary between Lots 1 and 2 and would therefore be unable to have 1.5m setback distances from the new side boundary (Standard 4.2.2) specified in Section 4 Residential Zone.</p> <p>Therefore, the proposed subdivision is a controlled activity. However, the subject site is located within the Residential Zone as a Restricted Discretionary Activity due to the non-compliant side boundary setback, relevant assessment will be undertaken below.</p>
9.1.3	Restricted Discretionary Activities	N/A	
9.1.4	Discretionary Activities	N/A	
9.1.5	Non Complying Activities	N/A	
Section 9.2: Performance Standards			
9.2.1	Lot Design and Parameters	Complies	The proposed Lots 1 & 2 are greater than 400m ² .

	Residential Zone: Minimum lot size 400m ²		
9.2.2	Utilities and Services	Can comply	<p>The existing dwelling in Lot 2 will maintain the current setup for services and utilities. Stormwater from the hard surfaces within Lot 2 is disposed of on the ground.</p> <p>Lot 1 is able to connect to reticulated water supply, sewer, electricity, gas, and telecom via its access leg. But at this stage, a proposed amalgamation condition will allow Lot 1 to be serviced by the existing service and utility setups via the property at 53 Campbell Street. Therefore, no new connections will be implemented as part of this application.</p>
9.2.3	Roads and Access	Can Comply	<p>The existing vehicle crossing will be utilised by Lot 2.</p> <p>Access to Lot 1 will be via 53 Campbell Street which is already serviced by a vehicle crossing.</p> <p>Sight distances on both directions are more than 45m, and nearest intersection with Tannahill Street is in excess of 10m on the southeast of subject site.</p>
9.2.4	Structure Plans	N/A	
9.2.5	Financial Contributions	Will Comply	As Lot 1 is to be amalgamated with Lot 45 DP 1275 there will be no increase in titles being issued and therefore no

			financial Contributions are required.
9.2.6	Esplanade Reserves/ Strips	N/A	
Section 4 Residential Zone Rules: Performance Standards			
Section 4.1: Categories of Activities			
4.1.1	Permitted Activities	N/A	The proposed subdivision is for residential purposes.
4.1.2	Controlled Activity	N/A	
4.1.3	Restricted Discretionary Activities	Restricted Discretionary	<p>The existing dwelling meets the performance standards. The shed in the southeast corner of Lot 2 will have side boundary setback less than 1.5m. Standard 4.2.2 will not be met.</p> <p>Therefore, the proposal is a Restricted Discretionary Activity.</p>
4.1.4	Discretionary Activities	N/A	
4.1.5	Non Complying Activities	N/A	
Section 4.2: Performance Standards			
4.2.1	Net Site Area	Complies	Both Lots 1 & 2 have lot sizes greater than the 400m ² minimum lot size.
4.2.2	Bulk and Location Dwelling unit: 4.5m setback to road boundaries 50m ² outdoor living spaces for dwelling units. Maximum Building Height is 8m Maximum Site Coverage is 40%	Not Compliant	<p>The existing dwelling has a compliant setback distance from the road boundary and side boundaries.</p> <p>The garage fronting the road boundary with less than 4.5m distance is a permitted activity when it was erected.</p> <p>As the garage has a common wall along a boundary, it complies with the setback exemption.</p>

			<p>The shed behind the dwelling will have setback distance less than 1.5m.</p> <p>The site coverage in Lot 2 is approximately 29.8%. More than 20m² outdoor living space is secured by the compliant site coverage.</p> <p>The height of the existing single level dwelling is below 8m.</p>
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4.2 Plan Changes to the Operative South Taranaki District Plan

There are no plan changes that relate to these sites.

4.3 National Environmental Standards

Regulation 5(5) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES CS) describes subdivision as an activity to which the NES CS applies where an activity that can be found on the Ministry for the Environment Hazardous Activities and Industries List (HAIL) has occurred.

Having checked the Taranaki Regional Council Selected Land Use register, there is no evidence of a HAIL activity having occurred on the site. The NES F is not applicable to this application.

4.4 Relevant Title Interests

There are no interests and easements registered on the title that will restrict the proposed subdivision from going ahead.

An easement is proposed for the right to convey gas, telecom and electricity over part Lot 1 marked area 'A' in favour of Lot 2. Confirmation of the service locations will be undertaken and easements created as necessary.

An amalgamation condition is proposed that:

- Lot 1 be transferred to the owner of Lot 45 DP 1275 (held under the record of title TNF2/915) and that one Record of Title be issued to include both parcels.

No other interests and easements are proposed by this application.

4.5 Overall Activity Status

Overall, the application is a **Restricted Discretionary Activity** under the Operative South Taranaki District Plan.

5 **Environmental Effects**

Under section 88(2) of the RMA, an application must be in the prescribed form and manner and is required to include *“the information relating to the activity, including an assessment of the activity's effects on the environment, as required by Schedule 4”*. The assessment of environmental effects is to include *“such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.”*

As the application is for resource consent for a Restricted Discretionary Activity under the Operative District Plan, the assessment of effects is restricted by Council, however the matters relevant to the assessment of the proposal are considered to be:

- Residential Character and Amenity and Services Effects
- Traffic Effects
- Services and Infrastructures

5.1 **Residential Character and Amenity**

The Operative District Plan outlines the attributes that contribute to residential character as follows:

- Predominately a living environment with a range of housing to accommodate different and residential needs.
- Generally low residential density.
- Recreational open spaces.
- Access to privacy, open space around buildings, and quality outdoor living space.
- Off-street parking.

The site is characterized as representative of a typical rectangle allotment found in the developed residential area where the reticulated services are connected and still can meet the community's needs. The proposed subdivision is considered a Controlled Activity in terms of the subdivision itself meeting all performance standards under the Operative District Plan. The proposal reflects the existing occupation of the land and adjusts the existing allotments with an appropriate lot size and shape for Lot2, which is consistent with the District Plan.

The proposed allotment fronting the road retains the existing dwelling and maintains the existing streetscape as intact as possible. An additional allotment, potentially for future residential purposes is created and located at the rear, this is not seen from the road.

Open spaces, or outdoor living spaces, are maintained within the two sites. Lot 2 will include two outdoor living spaces (front yard and backyard) which achieves approximately 100m² and can accommodate a 2.5m diameter circle. Lot 1 is to be amalgamated with Lot 45 DP 1275 and therefore meets any outdoor living requirements.

In terms of the non-compliant setback, we consider the adverse effects on the adjoining properties are less than minor due to the following reasons:

1. The proposed new boundary is almost aligning with the existing fence/side of shed.

2. The proposal will not alter any existing setback distances from the neighbouring properties/buildings.
3. The reduced side boundary setback is an internal matter between Lots 1 & 2.

Therefore, the reduced setback will not compromise the privacy and outlook on the adjoining sites.

Accordingly, it is considered that the actual and potential residential character and amenity effects of the proposed subdivision will be no more than minor.

5.2 Traffic Effects

Campbell Street is categorized as a local road in this location with a posted speed limit of 50kph.

Lot 2 will retain the existing use rights of the existing vehicle crossing, while Lot 1 will be accessed by Lot 45 DP 1275.

The sightlines to both directions exceed the required 45m from both crossings. No intersection is located within the 10m distance from any vehicle crossings, as the nearest one with Tannahill Street is over 80m away.

No extra traffic will be generated by the subdivision. The impacts on traffic efficiency are nil.

The safe operational environment along Campbell Street will be maintained by the provided compliant sight distances and appropriate separation from the intersection.

It is therefore considered that any adverse effects arising from the proposal in relation to traffic amenity, safety and efficiency will be no more than minor on the environment.

5.3 Services and Infrastructures

There is a 125mm diameter water main and a 150mm diameter sewer main at the frontage.

As Lot 1 is to be amalgamated under s240 of RMA with the neighbouring property there is no change to the use of the infrastructure as a result of this subdivision/boundary adjustment.

The existing connections in terms of water supply will be utilised by Lot 2. The provision of easements for the relevant interests is proposed as needed.

Given that the proposed subdivision has been deemed a Controlled Activity by meeting all subdivision and development performance standards outlined in the District Plan, no reserve sensitivity issue on the services and infrastructures will be expected. The proposal does not change the existing use of the land. No Significant change to the activity on the property will take place. The network utilities will retain the current use and setup, and all services will be offered within their capabilities.

There are no more than minor adverse servicing effects on the environment.

5.4 Conclusion on Effects

Accordingly, it is considered that the actual and potential adverse effects of the proposed subdivision will be adequately avoided, remedied or mitigated. Overall, the adverse effects of the proposal would not be more than minor on the environment and therefore, the effects of the proposal will be acceptable.

6 Notification of the Proposal

Section 95A and 95B provide guidance to identify a public notification or limited notification is required.

6.1 Public Notification

As a restricted discretionary activity, the subdivision is not precluded from public notification. As discussed above in Section 5 of the application, the effects of the proposal upon the environment are considered to be no more than minor.

There are no special circumstances that would warrant the application being publicly notified.

6.2 Limited Notification

We consider the adverse effects on any neighbouring properties is less than minor for the following reasons:

- Open space/front yard is retained by the consideration of the compliant site coverage.
- Any future dwelling in Lot 1 (if it were to be subdivided from Lot 45 DP 1275) will comply with the requirements in terms of bulk and size.
- The non-compliant setback from the new side boundary is an internal matter with no change on the existing setback distance from the side boundary to the shed.
- The garage is separated by a common wall and under use for many years by the subject site and number 49 Campbell Street.
- The proposed lots can be adequately serviced.
- Traffic effects are acceptable, with clear sight lines available from vehicle entrances.
- Onsite parking is provided.

Considering the ability to provide appropriate onsite amenities and ensure the privacy and outlook on the neighbouring property, the adverse effects on the adjoining properties are less than minor.

6.3 Conclusion on Notification

In conclusion, any adverse effects resulting from the Restricted Discretionary subdivision would be no more than minor on the environment and no one is considered to be affected by the proposal. For this reason, the application is not required to be notified.

7 Section 104 RMA Assessment

Section 104 addresses the consideration of applications by Consent Authorities. Consent Authorities must, subject to Part II of the Act, have regard to any actual and potential effect on the environment of allowing the activity, any relevant provisions of the relevant policy statement or plan and any other matter the consent authority considers to be relevant.

This report provides an assessment of the relevant actual and potential effects on the environment within Section 5 above. This meets the requirements of the Act and focuses on those effects that are relevant to the proposal. It is concluded that the effects of the proposal will be acceptable on the environment (s104(1)(a)).

The applicant has also assessed the applicable provisions of the relevant planning instruments within Section 8 below (s104(1)(b)). An assessment in terms of Part II matters is also provided within Section 9 below. No other matters need to be considered to determine this application (s104(1)(c)).

8 Planning Documents

8.1 National Policy Statement

The National Policy Statement on Urban Development 2020 came into effect on 20 August 2020, replacing the National Policy Statement on Urban Development Capacity 2016. The purpose of National Policy Statement on Urban Development Capacity (NPS-UDC) is to ensure local authorities enable development capacity for housing and business — through their land-use planning and infrastructure — so that urban areas can grow and change in response to the needs of their communities.

The proposal is consistent with the objectives and policies of the NPS UDC by providing an additional residential section in the urban area with suitable lot size and location.

8.2 Taranaki Regional Policy Statement

The activity is consistent with the Taranaki Regional Policy Statement particularly relating to the chapter on the Built Environment.

8.3 Taranaki Regional Plans

The proposal is a permitted activity under the Taranaki Regional Plans.

8.4 Operative South Taranaki District Plan

The proposal's relationship to the relevant objectives and policies of the Operative South Taranaki District Plan have been examined and are outlined below.

Objective 2.2.3

The Residential Zone is predominately a living environment with a range of housing to accommodate different lifestyles and residential needs.

Objective 2.2.4

To allow complementary and compatible non-residential activities to support the functioning of the local community, provided that the adverse effects are avoided, remedied or mitigated.

Policy 2.2.5

To maintain and enhance the character and amenity values of residential neighbourhoods ensuring:

- (a) Residential density is generally low, except where quality medium and high density developments are appropriately located and designed.
- (b) Activities do not detract from amenity values.
- (c) The appropriate use, development and protection of Council's open spaces within residential areas shall contribute to character and amenity of places, and provide access to formal and informal recreation activities.
- (d) Access to privacy, open space around buildings, and quality outdoor living space.
- (e) Open street frontages.
- (f) Protection from noise, vibration, odour, dust and glare.
- (g) Separation of dwellings from industry.

(h) Front yards and public places are landscaped.

(i) Adequate footpaths and cycleways.

(j) Off-street parking.

Policy 2.2.6

Provide for a range of housing opportunities by enabling standard residential development and as well as a greater intensity of residential development where it can be designed to minimise adverse effects on residential character and amenity.

Policy 2.2.8

Provide for denser housing throughout the Residential Zone which enables more intensive housing (compared to a standard residential development) where the effects on the surrounding residential character and amenity can be avoided, remedied or mitigated by achieving an appropriate site layout, scale, and design of housing.

Policy 2.2.11

Ensure denser housing developments are designed to maximise on-site amenity and to manage adverse effects on the surrounding residential character and amenity.

Policy 2.2.14

Ensure the provision of quality private outdoor spaces within more intensive residential developments to ensure a high quality living environment and enhanced amenity values.

Policy 2.2.15

Protect visual amenity by maintaining a relatively low building height and open space between buildings, and requiring outdoor storage to be appropriately screened or kept tidy.

Comment

The proposal is appropriately located in the Residential Zone for residential activity. The site is able to provide the required minimum 1.5m setback distance from the new side boundary, however due to the physical characteristics the clients wish to reduce this to have the shed wall running adjacent to the proposed boundary, this non-compliance is considered an internal issue.

The proposal would not compromise the neighbour's privacy and outlook or the residential character and amenity. The separation distances from the existing buildings to other adjoining properties are maintained with no change.

Quality of living is retained, and the proposal will provide a standard residential section to help relieve the housing shortage.

The adverse effects are expected to be no more than minor on the environment and less than minor on people because the proposal reflects the underlying zoning purposes by meeting subdivision standards, while the locality of the new allotment is able to mitigate any potential visual effects on the road frontage.

The proposal is consistent with these objectives and policies.

Objective 2.8.5

Safe and efficient road and rail networks to ensure the reliable movement of people and goods.

Objective 2.8.6

Well-designed and located vehicle access and parking to ensure the safety of people, pedestrians, cyclists and vehicles and the efficient operation of the adjoining road network.

Policy 2.8.11

Establish a consistent approach to roading, access and subdivision design, in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure (including local amendments adopted by NPDC and STDC) and accepted national standards or guidelines, and require all works to be designed and constructed to meet these standards.

Policy 2.8.13

Require activities to provide off-street parking that: Has both parking and loading spaces of such size, shape and layout to allow ingress and egress of vehicles without adversely affecting the safe and efficient function and operation of the adjoining road network.

Comment

Both the existing vehicle access points can reach the required sight distances with appropriate separation from any of the intersections.

The proposal will not generate additional traffic trips from daily residential activities as the new allotment is to be amalgamated with the neighbouring property. The proposal is considered consistent with the objective and policy.

8.5 Conclusion on Planning Documents

In conclusion, the proposal is consistent with the relevant objectives and policies of the Operative South Taranaki District Plan by maintaining the character and amenity in Residential Zone with no more than minor adverse effects.

9 **Part II of the Resource Management Act**

9.1 **Purpose – Section 5**

Section 5 of the Act (Purpose) points out

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) Sustainable management as that which “enables people and communities to provide for their social, economic and cultural wellbeing”.

 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.**

The subdivision proposal is a good reflection of Section 5(1) by maximizing the use of limited space and land resources. By meeting all the subdivision requirements, the proposal is in compliance to sustain the resources and also meet the needs from society and the applicant.

The non-compliance in terms of insufficient side boundary setback will generate internal adverse effects, and the neighbours are not adversely affected.

Having regard to the definition of "sustainable management" in section 5(2), the subdivision will enable the owners to efficiently use the site for residential activities and contribute to their own economic growth and their social and economic wellbeing. The proposal will promote the sustainable management of the relevant natural and physical resources, in this case residential land, in accordance with section 5 of the Act.

9.2 **Matters of National Importance – Section 6**

Section 6 specifies matters of national importance that must be recognised and provided for. There are no Section 6 matters (National Importance) of relevance to the proposal.

9.3 **Other Matters – Section 7**

Section 7 lists the matters that a consent authority is required to have particular regard to in achieving the purpose of the Act. The listed matters are not threshold tests but are to be given particular regard. The matters identified as being of relevance to the application are outlined below.

- (b) the efficient use and development of natural and physical resources;
- the maintenance and enhancement of amenity values;
- (g) any finite characteristics of natural and physical resources.

As noted above, the proposal is an efficient use of the residential land resource and is appropriately located within residential environment with the ability to provide onsite amenities and maintain the residential character and amenity in the neighbourhood.

9.4 Treaty of Waitangi – Section 8

Section 8 of the Act reads as follows:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The proposal is consistent with all matters pertaining to the South Taranaki District Plan which gives effect to Section 8 of the Act.

9.5 Particular Considerations for Subdivision - Section 106

Sufficient provision has been made for legal and physical access to each allotment created by the subdivision. There are no identified natural hazards affecting the site subject to subdivision. There is no reason to decline this application under section 106 of the RMA.

10 Conclusion

This report has outlined the details of the proposed subdivision to undertake 2-lot subdivision and demonstrated that the effects of granting the resource consent on the environment will be acceptable subject to conditions relating to compliance with approved plans and parameters in which the activity can be undertaken.

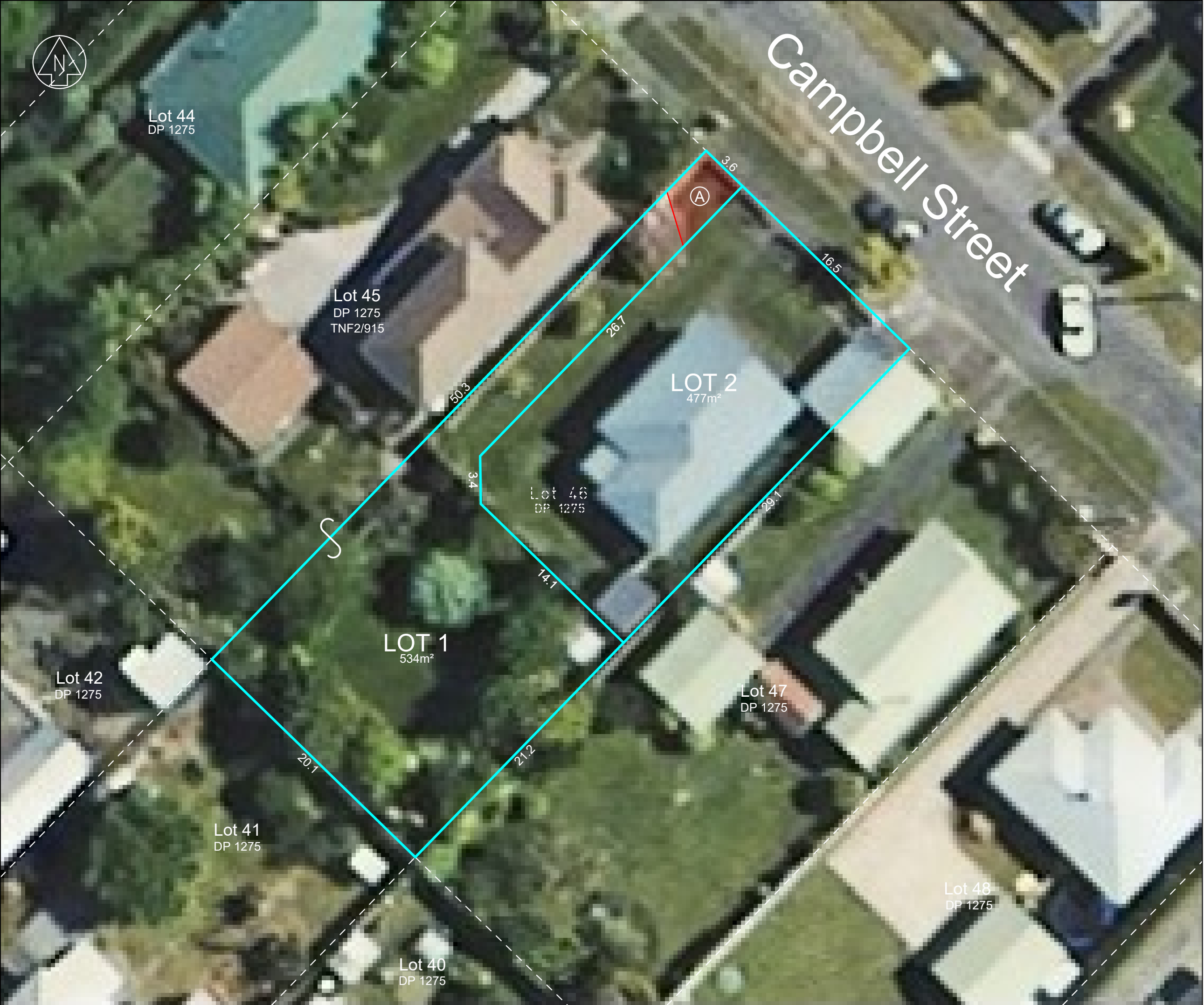
This report has considered the proposal in terms of the relevant planning instruments, particularly the South Taranaki District Plan, and found that it will be consistent with all relevant objectives and policies.

Weighing up all of the relevant considerations and making a broad overall judgement, it is considered that the purpose of the Act would be achieved by granting a non-notified consent to the proposal to allow the proposed subdivision on the property at 51 Campbell Street.

11 Documentation

- South Taranaki District Council resource consent application form
- Subdivision Scheme Plan 10753 S00R00
- A copy of Record of Title TN95/136 for Lot 46 DP 1275
- A copy of Record of Title TNF2/915 for Lot 45 DP 1275

Please invoice application fees payable to the applicants care of Bland & Jackson



Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right to Convey Gas, Telecom and Electricity	A	Lot 1	Lot 2

Amalgamation condition
That Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both parcels.

This plan is produced for the sole purpose of obtaining a subdivision consent under the RMA 1991. Dimensions and areas are subject to final survey. The use of this drawing for any other purpose is at the users risk.



19 Dawson Street, New Plymouth, 4340 - www.bjsl.co.nz - (06) 758 6171 - mail@bjsl.co.nz

Title

**Lots 1 and 2 Being
a Proposed Subdivision
of Lot 46 DP 1275**

Scheme Plan

RT TN95/136

Location 51 Campbell Street, Hawera

00	Issued	09/08/22	go	vr
Rev	Amendment Description	Date	Dr.	Appr

Client

Kissick

Drawing Scale (Original Size - A3)

1:250

Project No.	Drawing File	Sheet No.	Revision
10753	S00	1 / 1	R00



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



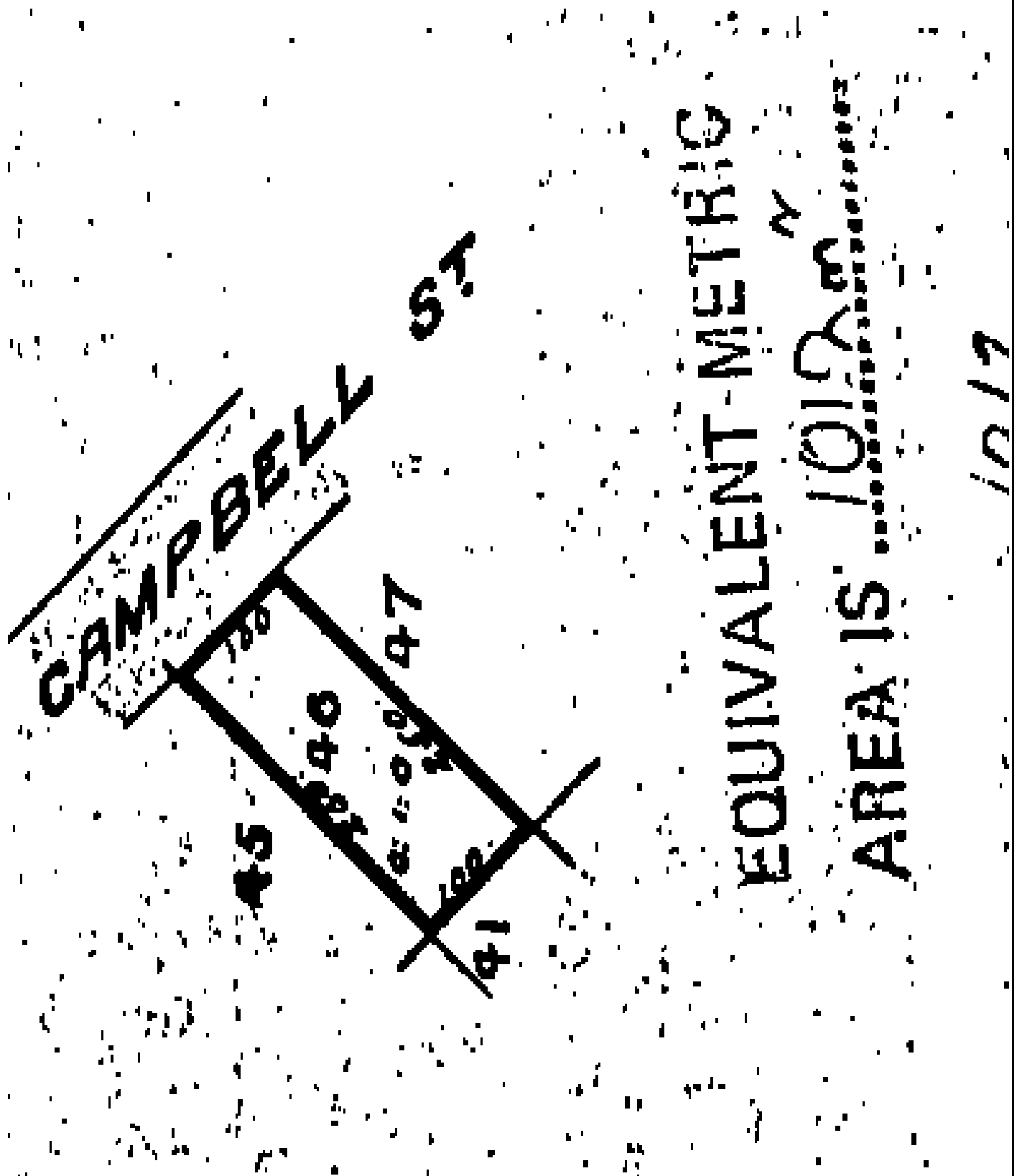

R.W. Muir
Registrar-General
of Land

Identifier **TN95/136**
Land Registration District **Taranaki**
Date Issued 29 March 1920

Prior References
TN54/42

Estate Fee Simple
Area 1012 square metres more or less
Legal Description Allotment 46 Deposited Plan 1275
Registered Owners
Christopher Paul Kissick and Jennifer Anne Kissick

Interests
447321.3 Mortgage to The National Bank of New Zealand Limited - 13.1.1998 at 9.46 am





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



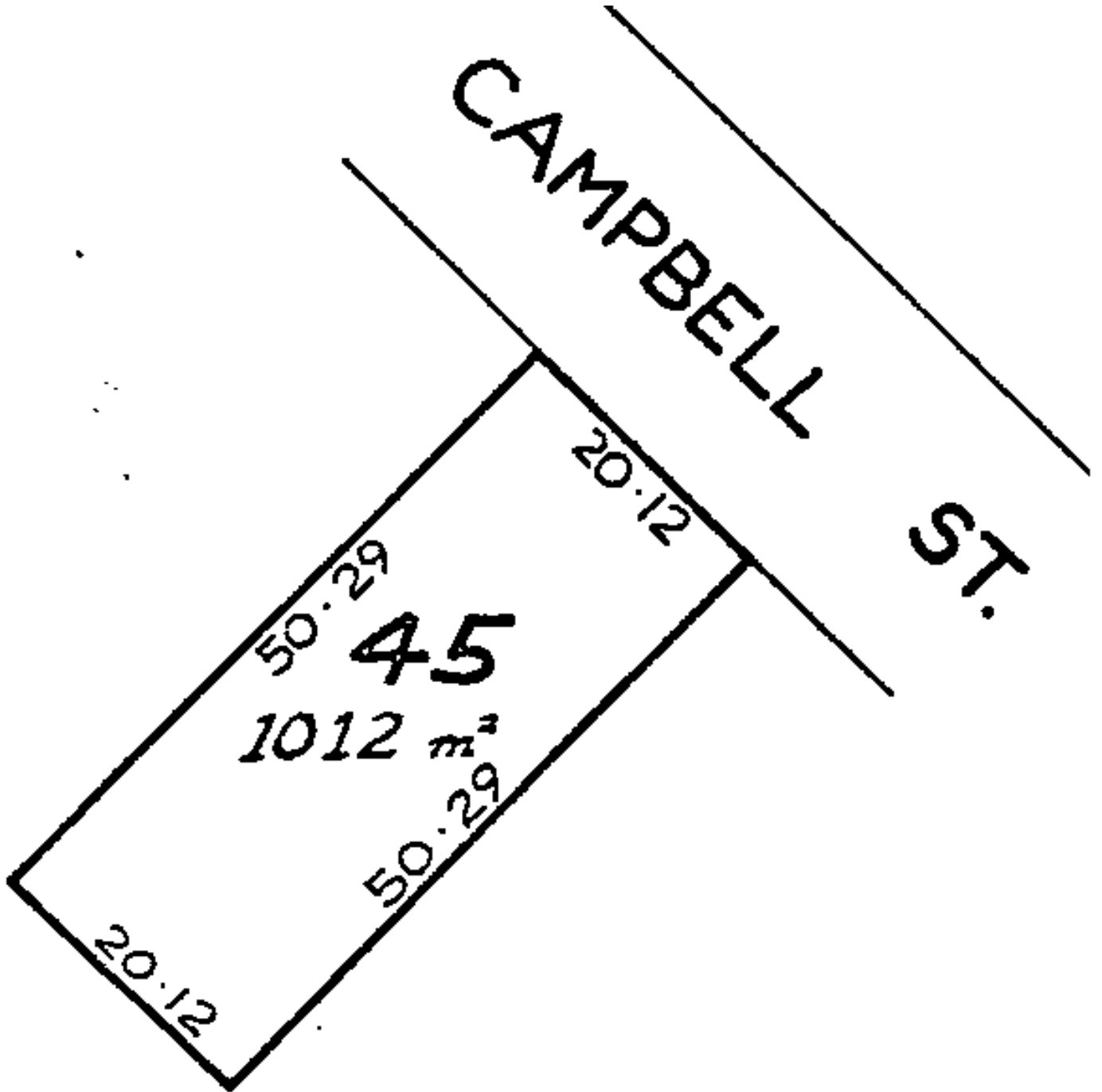

R.W. Muir
Registrar-General
of Land

Identifier **TNF2/915**
Land Registration District **Taranaki**
Date Issued 17 August 1981

Prior References
TN98/119

Estate Fee Simple
Area 1012 square metres more or less
Legal Description Lot 45 Deposited Plan 1275
Registered Owners
Christopher Paul Simon Kissick and Jennifer Anne Kissick

Interests
291802.2 Mortgage to The National Bank of New Zealand Limited - 12.8.1982 at 12.15 pm
7506524.1 Settled under the Joint Family Homes Act 1964 - 17.8.2007 at 9:00 am





Proposed Easements			
Purpose	Shown	Burdened Land	Benefitted Land
Right to Convey Gas, Telecom and Electricity	A	Lot 1	Lot 2

Amalgamation condition
That Lot 1 be transferred to the owner of Lot 45 DP 1275
RT TNF2/915 and that one Record of Title be issued to
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**Lots 1 and 2 Being
a Proposed Subdivision
of Lot 46 DP 1275**

Scheme Plan

RT TN95/136

Location 51 Campbell Street, Hawera

[illegible]

Client	Kissick
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Drawing Scale (Original Size - A3)

1:250

Project No.	Drawing File	Sheet No.	Revision
10753	S00	1 / 1	R00

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**Lots 1 and 2 Being
a Proposed Subdivision
of Lot 46 DP 1275**

Scheme Plan

RT TN95/136

Location 51 Campbell Street, Hawera

[illegible]

Client	Kissick
--------	---------

Drawing Scale (Original Size - A3)

1:250

Project No.	Drawing File	Sheet No.	Revision
10753	S00	1 / 1	R00

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Tax Invoice: 21343

GST Reg. No: 52-769-477

Invoice Date: 19 January 2023



Address: Private Bag 902
Hawera

C P S Kissick, J A Kissick
53 Campbell Street
Hawera 4610

Phone: 06 278 0555
Free Phone: 0800 111 323
Facsimile: 06 278 8757
Email: contact@stdc.govt.nz
Website: www.southtaranaki.com

Application Number: RMS22090
Description: 2 lot subdivision - Boundary Adjustment
Location Address: 51 Campbell Street Hawera 4610

Charge Description	Charge	GST	Amount
S223/S224 Certificate Approval	\$448.70	\$67.30	\$516.00
Total	\$448.70	\$67.30	\$516.00

Remittance Advice

Please email to payments@stdc.govt.nz

Or post to:

South Taranaki District Council
Private Bag 902
Hawera 4640

If you wish to pay online details are as follows – 03-0647-0220100-03
Please quote the Application Number as the reference



Application Number: RMS22090
Applicant: C P S Kissick, J A Kissick
DueDate: 18 Feb 2023
Amount Due: \$516.00

We reserve the right to charge overdue fees and collection costs on all accounts not paid by their due date.

RMS22090

19 January 2023

Vaughan Redshaw
C/- Bland & Jackson Surveyors Ltd
19 Dawson Street
New Plymouth 4310

Dear Vaughan

Survey Plan Approval

Applicant: C P S Kissick, J A Kissick
Location: 51 Campbell Street, Hawera
Proposal: 2 lot subdivision - Boundary Adjustment

The final survey plan has been approved electronically pursuant to Sections 223 and 224 of the Resource Management Act 1991.

As requested an invoice has been sent to the applicant, a copy is enclosed for your information.

If you wish to discuss anything further with me, please do not hesitate to contact me.

Yours sincerely



Fiona Walker
Technical Support Officer
planning@STDC.govt.nz

cc: chris.kissick@xtra.co.nz

RMS22090

28 September 2022

Terren Zhang
C/- Bland & Jackson Surveyors Ltd
19 Dawson Street
New Plymouth 4310

Dear Terren

Resource Consent Application - 51 Campbell Street, Hawera

Your application was considered by the Planning and Development Manager under delegated authority on 28 September 2022 and he has resolved as follows:

THAT consent be granted to C P S Kissick, J A Kissick for a Boundary Adjustment on the property 51 Campbell Road (Lot 46 DP 1275) and 53 Campbell Street (Lot 45 DP 1274) in accordance with sections 104, 104A and 108 of the Resource Management Act 1991.

For the following reasons:

1. The effects of the boundary adjustment are considered acceptable and would be in keeping with the nature of the environment in which it is located.
2. The activity is a Controlled Activity under Section 104A of the Resource Management Act 1991 and must be granted.
3. That any effects of boundary adjustment have been considered as less than minor.

Subject to the following conditions:

General

1. That unless amended by specific conditions of this consent, the activity is carried out in general accordance with details provided to the South Taranaki District Council as part of the resource consent application.

2. That all necessary easements are duly granted and reserves and shown on the Land Transfer Plan.

Amalgamation

3. That Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both requests. See request reference 1816137.

Advice Notes

1. Time frame for giving effect to this consent

This subdivision consent lapses on the expiry of five years after the date of the decision letter in accordance with section 223 of the Resource Management Act 1991. The section 224(c) certification must be lodged prior to the lapsing of section 223 approval (three years from the signing of the survey plan), otherwise the subdivision consent will lapse. An application can be made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of Section 125 of the Resource Management Act 1991.

The Council draws your attention to the rights of objection to which this consent is subject, as set out in Section 357 of the Resource Management Act 1991.

Enclosed is an invoice for the costs associated with processing this application. Also, information relating to the requirement to protect archaeological sites can be obtained from the Heritage New Zealand website, as building and development must not interfere with these sites – Brochure - ‘Protecting and Managing Archaeological Sites’:

<https://www.heritage.org.nz/protecting-heritage/archaeology/archaeological-brochures>

Please note that subdivision consent does not imply or guarantee consent in respect of future development on (or use of) the sites.

A copy of the planning report is available upon request.

If you have any queries as to the above decision, please do not hesitate to contact me.

Yours sincerely



Sophie Canute
Planner

planning@STDC.govt.nz

RMS22090

28 September 2022

Terren Zhang
C/- Bland & Jackson Surveyors Ltd
19 Dawson Street
New Plymouth 4310

Dear Terren

Resource Consent Application - 51 Campbell Street, Hawera

Your application was considered by the Planning and Development Manager under delegated authority on 28 September 2022 and he has resolved as follows:

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For the following reasons:

1. The effects of the boundary adjustment are considered acceptable and would be in keeping with the nature of the environment in which it is located.
2. The activity is a Controlled Activity under Section 104A of the Resource Management Act 1991 and must be granted.
3. That any effects of boundary adjustment have been considered as less than minor.

Subject to the following conditions:

General

1. That unless amended by specific conditions of this consent, the activity is carried out in general accordance with details provided to the South Taranaki District Council as part of the resource consent application.

2. That all necessary easements are duly granted and reserves and shown on the Land Transfer Plan.

Amalgamation

3. That Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both requests. See request reference 1816137.

Advice Notes

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The Council draws your attention to the rights of objection to which this consent is subject, as set out in Section 357 of the Resource Management Act 1991.

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<https://www.heritage.org.nz/protecting-heritage/archaeology/archaeological-brochures>

Please note that subdivision consent does not imply or guarantee consent in respect of future development on (or use of) the sites.

A copy of the planning report is available upon request.

If you have any queries as to the above decision, please do not hesitate to contact me.

Yours sincerely



Sophie Canute
Planner

planning@STDC.govt.nz

Property & Rating Email Log

Application: RMS22090

Description: 2 lot subdivision - Boundary Adjustment

Sent To: terren.zhang@bjsl.co.nz

Sent From: Dhermesha.Ravji@STDC.govt.nz

Subject: STDC - Resource Consent - RMS22090 - 51 Campbell Street, Hawera

Date Created: Thursday, 8 September, 2022 5:14 pm

MESSAGE:

Good Afternoon Terren

Resource Consent Application - 51 Campbell Street, Hawera

Thank you for your resource consent application, which was lodged with the Council on 8th September 2022. This is a formal acknowledgment that your application has been received. From here it will be checked for completeness under Section 88 of the Resource Management Act 1991 (the Act).

If the application is substantially complete then it will be accepted for further processing. If not, the application will be returned to you with reasons as to why it has not been accepted. This will occur within 10 working days of the application being lodged.

An assigned Planner will be in contact with you in due course.

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

Regards

Dhermesha Ravji

Technical Support Officer

planning@STDC.govt.nz

MESSAGE:

Good Afternoon

We have received an application for a Subdivision Resource Consent for 51 Campbell Street, Hawera on 8th September 2022.

Details for this application RMS22090 are as follows:

2 lot subdivision - Boundary Adjustment

Please contact me should you require further details

Regards

Dhermesha Ravji

Technical Support Officer

Dhermesha.Ravji@STDC.govt.nz

MESSAGE:

Hi Jess

Can you please assign a planner to resource consent application RMS22090.

Thanks

Dhermesha

Memorandum

To Jessica Sorensen
From Sophie Canute
Date 17 January 2023
Subject Section 223 & 224 Certificate Approval
LT No. 586023

Applicant: C P S Kissick, J A Kissick
Location: 51 Campbell Street, Hawera
Application details: 2 lot subdivision - Boundary Adjustment

Can you please provide your comments on the following conditions for the above approved resource consent application that require engineering approval to me by 20th January 2023.

Attached is a copy of the Scheme Plan and Title Plan.

(Conditions copied from Planners Report)
Surveyors comments in BLUE
Development Control Engineer in RED

Subject to the following conditions

General

1. That unless amended by specific conditions of this consent, the activity is carried out in general accordance with details provided to the South Taranaki District Council as part of the resource consent application.

The activity has been carried out in general accordance with details provided to the South Taranaki District Council as part of the resource consent application.

Condition met.

2. That all necessary easements are duly granted and reserves and shown on the Land Transfer Plan.

Easements for gas, power and telecommunications are shown on the attached plan and included in the Schedule of Easements.

Condition met.

Amalgamation

3. That Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both requests. See request reference 1816137.

Lot 1 is to be transferred to the owner of Lot 45 DP 1275 RT TNF2/915. This is included in the TA Certificates.

Condition met.

A handwritten signature in black ink, appearing to be 'SC' or similar, with a long horizontal stroke extending to the right.

Sophie Canute
Planner

RESOURCE CONSENT APPLICATION CHARGE OUTS

[illegible]

Tax Invoice: 21099

GST Reg. No: 52-769-477

Invoice Date: 28 September 2022

Address: Private Bag 902
Hawera

C/- Bland & Jackson Office
C P S Kissick, J A Kissick
53 Campbell Street
Hawera 4610

Phone: 06 278 0555
Free Phone: 0800 111 323
Facsimile: 06 278 8757
Email: contact@stdc.govt.nz
Website: www.southtaranaki.com

Application Number: RMS22090
Description: 2 lot subdivision - Boundary Adjustment
Location Address: 51 Campbell Street Hawera 4610

Charge Description	Charge	GST	Amount
Planning Decision Fee	\$73.91	\$11.09	\$85.00
Resource Consent Administration Charge	\$130.43	\$19.57	\$150.00
Decision Correspondence	\$65.22	\$9.78	\$75.00
Planning Assessment	\$443.48	\$66.52	\$510.00
Total	\$713.04	\$106.96	\$820.00

Remittance Advice

Please email to payments@stdc.govt.nz

Or post to:

South Taranaki District Council
Private Bag 902
Hawera 4640

If you wish to pay online details are as follows – 03-0647-0220100-03
Please quote the Application Number as the reference

Application Number: RMS22090
Applicant: C P S Kissick, J A Kissick
DueDate: 28 Oct 2022
Amount Due: \$820.00

We reserve the right to charge overdue fees and collection costs on all accounts not paid by their due date.

Tax Invoice: 21099

GST Reg. No: 52-769-477

Invoice Date: 28 September 2022

Address: Private Bag 902
Hawera

C/- Bland & Jackson Office
C P S Kissick, J A Kissick
53 Campbell Street
Hawera 4610

Phone: 06 278 0555
Free Phone: 0800 111 323
Facsimile: 06 278 8757
Email: contact@stdc.govt.nz
Website: www.southtaranaki.com

Application Number: RMS22090
Description: 2 lot subdivision - Boundary Adjustment
Location Address: 51 Campbell Street Hawera 4610

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Hawera 4640

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Application Number: RMS22090
Applicant: C P S Kissick, J A Kissick
DueDate: 28 Oct 2022
Amount Due: \$820.00

We reserve the right to charge overdue fees and collection costs on all accounts not paid by their due date.

Subdivision Consent Report

REPORT TO: Jessica Sorensen – Planning and Development Manager

FROM: Sophie Canute – Planner

DATE: 16/09/2022



APPLICATION

Consent No.:	RMS22090
Applicant:	C P S Kissick, J A Kissick
Location:	51 Campbell Street, Hawera
Proposal:	2 lot subdivision - Boundary Adjustment

SITE DETAILS

Legal Description:	LOT 46 DP 1275
Current Use:	Residential Zone
Previous Consents:	N/A
Proposed South Taranaki District Plan (2015):	Residential Zone Subdivision and Development
Surrounding Land Use:	Residential Zone
Site Visit Undertaken:	N/A

ASSESSMENT

Activity Status:	Controlled Activity
Notification:	Non-notified
RMA1991:	95A, 95B, 104, 104A, 108
• NPS:	N/A
• NES:	N/A
• Other:	N/A

PROCESSING

Date on Hold:	0
No Days on Hold:	0
Days on Review:	7

Application

Christopher Kissick (the applicant) have applied for a resource consent for a boundary adjustment on the property of 51 Campbell Street, Hawera (Lot 46 DP 1275).



Figure 1: Proposed Scheme Plan.

Currently, 51 Campbell Street and 53 Campbell Street are held in separate titles and both lots are 1,012m² in size. The proposed boundary adjustment will annex off the existing dwelling on Lot 1 which will be 534m² and Lot 2 will be 477m² in size.

The purpose of the boundary adjustment is to annex the existing dwelling on Lot 2 from the remaining of the lot and amalgamate Lot 1 with the neighbouring property (Lot 45 DP 1275). This application is able to proceed as a boundary adjustment due to the boundaries being made smaller around the dwelling on Lot 2 and that Lot 1 is being amalgamated with the neighbouring property and not creating any additional lots.

Evaluation

Status of the application

The property is located on Urban Map 12j of the STDC District Plan Maps. The purpose of the District Plan maps is to highlight any identified features that may affect the property (e.g., waterbodies, archaeological sites, and notable trees) and to highlight the different zonings of the area. There are no notable features highlighted within the boundaries of the property, but the map shows that the property is residentially zoned and is located on a Local Road.

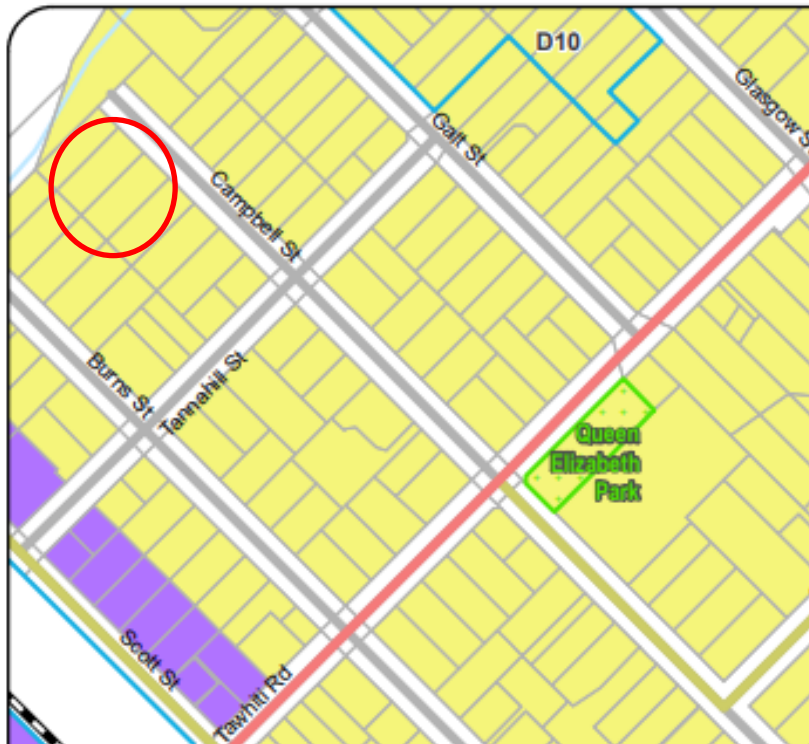


Figure 2: Urban Map 12j.

The application has been assessed as a **Controlled Activity** under Section 9.1.2 of the District Plan. Further assessment against the activity status has been undertaken in the assessment section of this report.

Notification

Sections 95A and 95B of the Resource Management Act 1991 (RMA) outline the notification requirements of a resource consent application. 95A outlines the public notification requirements and 95B outlines the Limited Notification requirements. The applicant owns both of the properties affected by the boundary adjustment (51 and 53 Campbell Street), notification from any other parties is not required. The proposed application does not trigger public notification or limited notification; therefore, it is recommended the application proceed with a **non-notified** basis.

Assessment

Resource Management Act 1991

Sections 104 and 104A outline the assessment requirements of a resource consent application. Section 104 refers to the planning instruments that council must have regard to (e.g., National Environmental Standards, National Policy Statements and Coastal Policy Statements). Regard has been given to these documents, however, further assessment against these documents was not required due to the proposed activity and the property location. Section 104A states that any activity with a Controlled Activity status must be granted and the consent authority may impose conditions where required.

A boundary adjustment cannot create new lots under the definition of a boundary adjustment. A boundary adjustment is a subdivision of two or more contiguous sites where the boundaries are

amended, altering the size and/or shape of the existing sites. The boundary adjustment triggers a Controlled Activity under the District Plan and requires resource consent. Section 81 of the RMA outlines the legislative requirements of a boundary adjustment. A boundary adjustment can only apply when the lots are located adjacent to the property. The proposed activity is adjacent and can meet the definition of a boundary adjustment.

District Plan

Section 9.1.2 of the District Plan outlines the matters of which Council can restrict control. The matters of the application that have been identified as relevant have been discussed below.

Infrastructure and Services

Services

The existing dwelling on Lot 2 will retain the existing connections to the Council's reticulated water and wastewater services. The subdivision will not have any effects on the existing connection to the Council's reticulated services, therefore it is recommended that there are no conditions imposed for Lot 2. There are no current aspirations to connect Lot 1 to the Councils' reticulated water and wastewater services, therefore, no conditions are required.

Infrastructure

There is an existing vehicle crossing for Lot 2 that is up to the Council's infrastructure standards and will retain the existing vehicle crossing. Lot 1 is going to be amalgamated with the neighbouring property that also has legal access. There was no mention of development on Lot 1 at the time of resource consent, therefore, it is recommended that no conditions imposed for infrastructure on either Lot 1 or 2.

Buildings

The use of Lot 2 is not changing; however, the existing dwelling can comply with the 1.5m setbacks from the side boundaries and 4.5m from the road boundary. There is a shared garage on the north-east boundary of Lot 2 which has a separate garage for both properties (see Figure 3). This type of building was permitted under the District Plan at the time it was built and is exempt from meeting the performance standards under Rule 9.2.1(3)(iv)) of the current Operative District Plan.

There is a small building on the south-east boundary of Lot 2 which does not meet the 1.5m setback from the other boundary. This building is not creating a new non-compliance under the District Plan and will not create any additional effects. Therefore, it is recommended that there are no conditions imposed for the non-complying shed.



Figure 3: Shared building between properties.

Amalgamation

The applicant has requested that Lot 1 is amalgamated with 53 Campbell Street, Hawera (Lot 45 DP 1275). The amalgamation request reads *“that Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both parcels.”* The amalgamation request has been sent to Land Information New Zealand (LINZ) to determine whether the request is viable. See request 1816137.

Financial Contribution

Financial contributions are imposed for subdivision and land use consents for developers to contribute to an ‘offset’ contribution. Financial contributions are not typically imposed for a boundary adjustment as no new lots are being created. The application meets the definition of a boundary adjustment; therefore, it is recommended that no financial contribution is imposed.

National Environmental Standards

No NES or HAIL activities were identified in the assessment of this application. The property is not listed as a Suspect Section on the Council’s Suspect Section register and is not listed as a Selected Land Use property on Taranaki Regional Council’s register.

Part II of the RMA

Part 2 of the RMA outlines the Purpose and Principals of the Act. The purpose of Part 2 is to promote sustainable management of resources. Part 2 has been carefully considered during the assessment of this application and no adverse effects will occur as consequence of the boundary adjustment.

Conclusion

Christopher Kissick (the applicant) have applied for a resource consent for a boundary adjustment on the property of 51 Campbell Street, Hawera (Lot 46 DP 1275) and 53 Campbell Street, Hawera (Lot 1275). The application meets the requirements of the RMA and does not create any new non-

compliances with the performance standards of the District Plan. Therefore, it is recommended that the application is granted, subject to conditions.

Recommendation

THAT consent be granted to C P S Kissick, J A Kissick for a Boundary Adjustment on the property 51 Campbell Road (Lot 46 DP 1275) and 53 Campbell Street (Lot 45 DP 1274) in accordance with sections 104, 104A and 108 of the Resource Management Act 1991.

For the following reasons:

1. The effects of the boundary adjustment are considered acceptable and would be in keeping with the nature of the environment in which it is located.
2. The activity is a Controlled Activity under Section 104A of the Resource Management Act 1991 and must be granted.
3. That any effects of boundary adjustment have been considered as less than minor.

Subject to the following conditions:

General

1. That unless amended by specific conditions of this consent, the activity is carried out in general accordance with details provided to the South Taranaki District Council as part of the resource consent application.
2. That all necessary easements are duly granted and reserves and shown on the Land Transfer Plan.

Amalgamation

3. That Lot 1 be transferred to the owner of Lot 45 DP 1275 RT TNF2/915 and that one Record of Title be issued to include both requests. See request reference 1816137.

Advice Notes

1. Time frame for giving effect to this consent

This subdivision consent lapses on the expiry of five years after the date of the decision letter in accordance with section 223 of the Resource Management Act 1991. The section 224(c) certification must be lodged prior to the lapsing of section 223 approval (three years from the signing of the survey plan), otherwise the subdivision consent will lapse. An application can be made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of Section 125 of the Resource Management Act 1991.



Sophie Canute
Planner

[Approved/~~Not Approved~~]



Jessica Sorensen
Planning and Development Manager

Date: 28 September 2022

Appendix One

Notification Assessment

Public Notification Assessment	
Step 1: is public notification mandatory?	No
Step 2: if not required, public notification may be precluded	No
Step 3: if not precluded, public notification may be required	No
Step 4: any special circumstances?	No
Limited Notification Assessment	
Step 1: certain customary rights groups must be notified	No
Step 2: limited notification may be precluded	No
Step 3: if not precluded, certain other affected persons must be notified	No
Step 4: any special circumstances?	No
Notification Decision	No



TA Approvals

Territorial Authority	South Taranaki District Council TA Certification Division	TA Reference	RMS22090
Survey Number	LT 586023	Survey Purpose	LT Subdivision
Surveyor Reference	10753	Land District	Taranaki
Surveyor	Vaughan Harley Redshaw		
Surveyor Firm	Bland & Jackson Surveyors Ltd		
Dataset Description	Lots 1 and 2 Being a Subdivision of Lot 46 DP 1275		

TA Certificates

I hereby certify that plan LT 586023 was approved by the South Taranaki District pursuant to section 223 of the Resource Management Act 1991 on the 17th day of January 2023. ✓

The approval of the Council under Section 223 of the Resource Management Act 1991 is subject to the amalgamation condition(s) set out hereon ✓

That Lot 1 Plan 586023 be transferred to the owner of Lot 45 Plan 1275 (TNF2/915) and that one Record of Title be issued to include both parcels. See 1816137. ✓

Pursuant to Section 224(c) Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the South Taranaki District Council TA Certification Division. Dated this 17th day of January 2023. ✓

Signature

Signed by Caitlin Taylor Moseley, Authorised Officer, on 18/01/2023 03:47 PM

Receipt Information

Transaction Receipt Number	15813223
Signing Certificate (Distinguished Name)	Moseley, Caitlin Taylor
Signing Certificate (Serial Number)	1535658543
Signature Date	18/01/2023

*** End of Report ***

09 January 2023

Sophie Louise Canute
South Taranaki District Council TA Certification Division
Private Bag 902
Hawera 4640

Surveyor Ref: 10753

Territorial Authority Ref: RMS22090

**Territorial Authority Notification: LT 586023 South Taranaki District
Council TA Certification Division**

Surveyor Vaughan Harley Redshaw from Survey Firm Bland & Jackson Surveyors Ltd
advises that Cadastral Survey Dataset LT 586023 requires TA Certification.

Licensed Cadastral Surveyor

RESOURCE CONSENT APPLICATION INFORMATION

Application Number: *RMS22090*

Applicant: *Christopher & Jennifer Kissick*

Contact Person: *Terren Zhang – Bland & Jackson Surveyors*

Property: *51 Campbell Street, Hawera*

Legal Description: *Lot 46 DP 1275*

Application Received: *08/09/2022*

Property Number: *10356*

Assessment Number: *1235006600*

Iwi: *Ngati Ruanui*

Application Type: *2 Lot subdivision which is effectively a boundary adjustment*

Notes: *Send Draft of conditions before issuing consent
Invoice to be sent to applicant C/- Bland & Jackson Surveyors*
