



WAIMAKARIRI
DISTRICT COUNCIL

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Our Reference: RC075054/ 070226005074
Valuation Reference: 21591-707-00

26 February 2007

Pegasus Town Ltd
C/- Mitchell Partnerships
P O Box 489
DUNEDIN

Attention: M Bretherton

Dear Sir

**DECISION ON RESOURCE CONSENT APPLICATION
PEGASUS TOWN LTD – MAIN NORTH ROAD, WOODEND**

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

A handwritten signature in black ink, appearing to read 'Garry Blay', written over a white background.

Garry Blay
PLANNING OFFICER

Encl

WAIMAKARIRI DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application lodged by **Pegasus Town Ltd** for a resource consent under Section 88 of the aforementioned Act.

APPLICATION

The applicants sought a resource consent to exceed the permitted site coverage on residential 6 lots outside Stages 1 and 2. The proposed site coverage is 40% (instead of 35%) where the maximum height of the building does not exceed 5.5 metres above ground level and is of a single story.

DECISION

The District Plan Manager, on the 16th February 2007, approved:

THAT pursuant to Section 104B of the Resource Management Act 1991, consent be granted to allow 40% site coverage of the net area of lots of 500m² or greater for single story dwellings of less than 5.5 metres overall height within the Residential 6 Zone where it occurs within 1220 and 1228 Main North Road; 247, 247B, 271, 273, 275 Kaiapohia Road; 332, 344, 348, 354, 412, and 416 Gladstone Road, Woodend being Lot 1 DP 80926; Pt Lot 2 DP 1799; RS 34931; RS 35503; RS 11319; RS 35487; RS 35509; Res 35652; Res 4055; RS 11316; Pt RS 11317; RS 19096; RS 11318 as a discretionary activity subject to the following conditions which are imposed under Section 108 of the Act:

1. The calculation of net area of any site shall exclude any part of the site:
 - a. subject to designation; or
 - b. used as an accessway or access leg; andthe calculation of structure coverage shall exclude any area covered solely by any:
 - c. eave, pergola or deck;
 - d. outdoor swimming pool;
 - e. fence; or
 - f. structures less than 5m² in area and less than 2m in height.
2. Any structure shall be set back a minimum of 2 metres from any road

boundary.

3. No structure shall project beyond the building envelope defined by recession planes constructed 2.5m above any site boundary as shown in the attached diagram. Except that for the purpose of this condition, the following structures are exempt:

- a. lines and wires;
- b. support structures for utilities;
- c. flagpoles, antennas other than dish antennas;
- d. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts;
- e. decorative features such as steeples, towers and finials;
- f. dormer windows, and
- g. parapets which do not exceed a maximum height of 6.5m and a maximum depth of 400mm,

provided that none of the structures listed in items c to e has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary;

- g. in the case of dormer windows:
 - i. no dormer window has an overall width exceeding 1.5m,
 - ii. the apex of the dormer window is below the ridge line of the dwellinghouse,
 - iii. there is no more than one dormer window per continuous 5m length of roof, and
 - iv. there is a minimum separation of 1m between each dormer window.

4. **Inspection**

That 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. 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.

REASONS FOR THE DECISION

Pursuant to Section 113 of the Act the Council was satisfied that:

- No person is deemed to be adversely affected by the proposal. .

- The environmental effects will be no more than minor.
- The proposal is in accordance with the District Plan.

DATED at Rangiora this 26th day of February 2007



SIGNED by Garry Blay
PLANNING OFFICER



WAIMAKARIRI DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991 RESOURCE CONSENT

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

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 after the date of commencement of the consent or after the expiry of such shorter or longer period as is expressly 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 continues 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 effect 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 (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.