

Application No: LU3289-24

8 November 2024

David McCann & Meagan McMillan  
125 Rutherglen Road  
Paroa  
GREYMOUTH 7805

Dear David and Meagan

**Resource Consent Application: Notice of Decision on Non-notified Application**

I am pleased to inform you that your application for resource consent to construct two new dwellings on a site with an existing dwelling within the Rural Residential Area (ODP) was granted (our ref. 3289) on 8 November 2024.

The decision and the consent conditions are attached.

It is very important that you understand and comply with all the conditions of your consent. If you have any questions or concerns about any aspect of your consent or its conditions, I would be happy to discuss them with you.

Please be aware that there may be ongoing monitoring.

You may commence your activity immediately, unless you lodge an objection to this decision as per the second page of this decision under section 357 of the Resource Management Act 1991. Also, before you can build you will require a building consent therefore that will need to be obtained, please contact the Building Inspectors.

The costings for this resource consent have not yet been calculated, an invoice or refund will follow shortly.

Please feel free to contact me on 03 769 8607 if you have any questions or concerns.

Yours faithfully,



Melissa Stenhouse  
**Environmental Planning Officer**

Application: LU 3289/24  
Valuation Number: 25480/373.03

**8 November 2024**

David McCann & Meagan McMillan  
129 Rutherglen Road  
Paroa  
Greymouth

By email: Meagan.m@xtra.co.nz

Dear David and Meagan

#### **RESOURCE MANAGEMENT ACT 1991**

---

- **RESOURCE CONSENT APPLICATION REFERENCE:** LU 3289/24
- **TYPE OF RESOURCE CONSENT:** Land Use Consent
- **LEGAL DESCRIPTION:** Lot 4 DP 410813
- **PROPERTY LOCATION:** 145 Rutherglen Road, Paroa, Greymouth
- **APPLICATION DESCRIPTION:** To construct two new dwellings on a site with an existing dwelling within the Rural Residential Area (ODP) and Rural Residential Zone (PDP).

This application is considered a **Discretionary Activity** under the Operative Grey District Plan.

The following rules apply:

- 18.7.2(i)(a)

The Grey District Council, acting under delegation pursuant to Section 34A of the Resource Management Act 1991 (the Act), has considered this application on a non-notified basis and resource consent LU3289/24, attached and marked 'A' has been granted subject to conditions.

#### **Compliance with conditions**

It should be emphasised that to ensure that you comply with this resource consent, all conditions of the resource consent must be complied with and the consent holder must continue to comply with all conditions in order that the activity remains lawfully established.

### **Objection to certain decisions and requirements of consent authorities (refer section 357A of the Act)**

You have the right to object to all or part of the Council's decision on your application. If you wish to object, an objection supported by reasons must be lodged in writing with the Council within **15 working days** of your receipt (or receipt by the person who filed the application on your behalf) of the Council's decision.

### **Rights of the consent holder**

Your status as consent holder of this resource consent provides you with certain rights with regard to the Council's decision. If you are intending to exercise your legal rights regarding the Council's decision and you are in doubt as to how to proceed, it is strongly recommended that you consult your agent/lawyer.

### **Term and lapsing of resource consent (refer sections 123 and 125 of the Act)**

This resource consent has an unlimited term **once** it has been given effect to, however you should note that pursuant to section 125 of the Act, a resource consent lapses five years after the date of that resource consent was granted, unless the consent has been given effect to, or after the expiry of such a shorter/longer lapsing period as is expressly provided for in the consent.

### **Application for change or cancellation of consent conditions (refer section 127 of the Act)**

The consent holder may apply for a change or cancellation of a condition of the consent. However, no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.

Such an application would be treated in the same manner as any other resource consent application, incurring normal Council processing charges. Prior to lodging the application, it may be wise to obtain written consent from every person who may be adversely affected by the granting of the change or cancellation.

Where the proposed change or cancellation causes the proposal to be 'materially different in character' in its effects to the proposal originally authorised, a new resource consent will be required to be submitted in accordance with section 88 of the Act.

**Please contact the Environmental Planning Department at the Grey District Council if you have any questions regarding this information on (03) 769 8607.**

**LAND USE CONSENT LU 3289/24**

- 1 This resource consent is granted by the Grey District Council pursuant to section of the Resource Management Act 1991 (the Act) and is subject to the attached conditions imposed in accordance with section 108 of the Act.
- 2 This Consent is Granted to: David McCann & Meagan McMillan
- 3 Application Description: To construct two new dwellings on a site with an existing dwelling within the Rural Residential Area (ODP) and Rural Residential Zone (pDP).
- 4 Property Address: 145 Rutherglen Road, Paroa, Greymouth
- 5 Legal Description: Lot 4 DP 410813
- 6 Valuation Number: 25480/373.03
- 7 Date of Decision: 8 November 2024



---

**Nichola Costley**  
**Resource Management Consultant**  
*for*  
**Delegated Authority**  
**Michael McEnaney**  
**Regulatory Manager**

## **LAND USE CONSENT LU 3289/24 – SCHEDULE OF CONDITIONS**

---

Pursuant to section 108 of the Resource Management Act 1991 this resource consent is subject to the following conditions:

### **1. General**

- (1) The consent holder shall comply with the application lodged 7 October 2024 and Site Plan received 6 November 2024, unless inconsistent with any of these conditions.
- (2) The consent holder shall comply with the site plan that was received as part of the application; attached and marked 'B'.
- (3) The consent holder shall advise Council in writing the commencement date of the operation/activity.

### **2. Lighting**

- (1) The lights mounted on the units must be angled so that they do not spill any more than 2.5 lux of light (horizontal and vertical) onto the adjoining property, measured at any point more than 2 metres inside the boundary of the adjoining property or the windows, whichever is the closer.

### **3. Accidental Discovery**

- (1) If any artefact and /or historical, cultural or archaeological material of Maori or European origin or likely to have significance to Maori and/or European culture is found or uncovered while undertaking work authorised by this resource consent, the following must be complied with:
  - a. Works shall cease immediately, the area shall be secured and any uncovered material must remain untouched;
  - b. Advice of the discovery must be given within 24 hours of the discovery to the Regulatory Manager, Grey District Council, Te Rūnanga o Ngāti Waewae - Francios Tumahai by emailing francios@ngatiwaewae.org.nz and Heritage New Zealand (Pouhere Taonga); and
  - c. No work shall recommence until:
    - i. Three working days have elapsed since the advice has been given or earlier if agreement has been reached with Te Rūnanga o Ngāti Waewae and Grey District Council; and
    - ii. An Authority has been issued by Heritage New Zealand if the find involves and archaeological site



**ADVICE NOTES:**

1. The consent holder is required to comply with all statutory requirements, bylaws, Acts, ordinances and lawful directions of officers of the Council.
2. Any damage to existing Grey District Council infrastructural assets caused by works associated with the exercise of this resource consent shall be repaired to Grey District Council standard at full cost to the consent holder.
3. Pursuant to section 36 of the Resource Management Act 1991 and the Grey District Council Fees and Charges Schedule, the consent holder shall be responsible for all costs associated with the processing and monitoring of this resource consent.
4. Prior to the commencement of any building work, including the installation of septic tank systems, building consent will be required.
5. Stormwater or overflow shall be disposed of in accordance with the Building Code and Regulations 2002 (E1) Surface Water.
6. The consent holder must apply for a road works consent to allow contractors that are associated with your development to park on the street, footpath or other public space. Phone the Council 03 769 8600.

**REASONS FOR DECISION PURSUANT TO SECTION 113 OF THE RESOURCE MANAGEMENT ACT 1991**

---

1. The proposed activity is consistent with objectives and policies of the operative Grey District Plan and proposed Te Tai o Poutini Plan subject to the imposition of conditions.
2. This proposal has not been found to be inconsistent with any of the following provisions:
  - The Operative Grey District Plan
  - The Proposed Te Tai o Poutini Plan
  - New Zealand Coastal Policy Statement.
3. The proposal to construct two additional units on a property with an existing residential dwelling breaches Rule 18.7.2 and has been assessed as a discretionary activity. However, the environmental effects of the proposed activity are considered to be no more than minor. The activity is considered as being consistent with the Objectives and Policies of both the Operative Grey District Plan 2005, the Proposed Te Tai o Poutini Plan and the New Zealand Coastal Policy Statement.
4. The construction of the two new units on the site, located to the rear and side of the property ensure that the amenity of the area in regards to openness, space and privacy are retained. Any visual impact from the road will be limited and is anticipated to be less than many other properties located along Rutherglen Road. While the intensity on site will increase primarily regarding traffic generation, this is not inconsistent with the rural residential nature of the area, and effects on the neighbouring property will be mitigated by a mature vegetated buffer on the property boundary. Being on the edge of the Coast Environment in an already highly modified area will not compromise any of the Coastal Environment values
5. Council's assessment of effects has determined that the effects are less than minor and that no affected parties have been identified as being adversely affected. The activity has been assessed on a non-notified basis.
6. The purposes and principles of sustainable management of the environment, under Part 2, section 5 of the Resource Management Act 1991, will not be compromised by granting this resource consent. All relevant statutory provisions were considered and assessed by



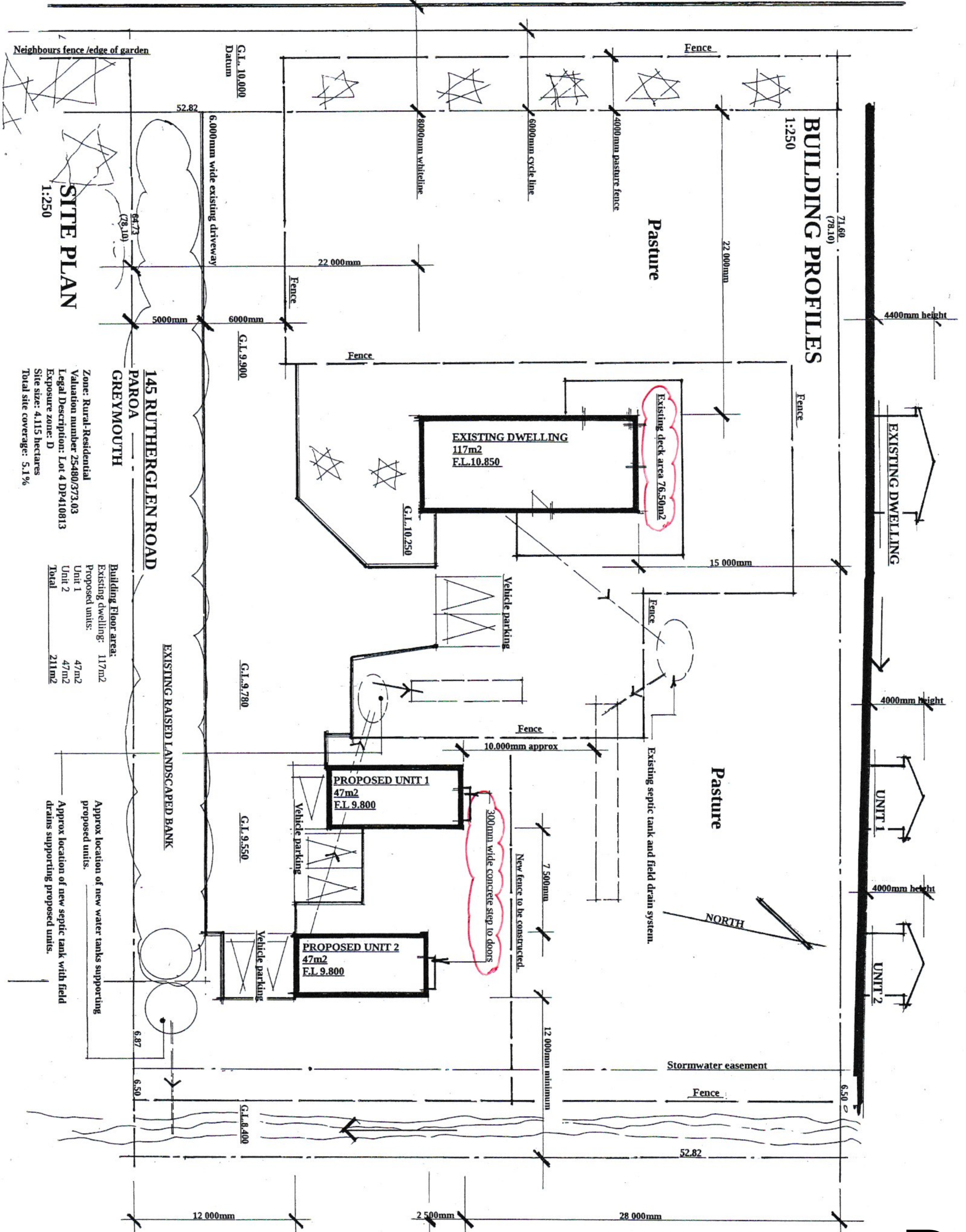
Council, under Part 3, section 9 restrictions on use of land. The proposed activity is consistent with Part 5 of the Resource Management Act 1991.

Yours sincerely

A handwritten signature in black ink that reads "Ashley". The signature is written in a cursive style with a large, looped 'A' and a trailing 'y'.

**Resource Management Consultant**

**RUTHERGLEN ROAD**



**SITE PLAN**  
1:250

**BUILDING PROFILES**  
1:250

Zone: Rural-Residential  
Valuation number: 25480/373.03  
Legal Description: Lot 4 DP410813  
Exposure zone: D  
Site size: 4.115 hectares  
Total site coverage: 5.1%

**145 RUTHERGLEN ROAD**  
**PAROA GREYMOUTH**

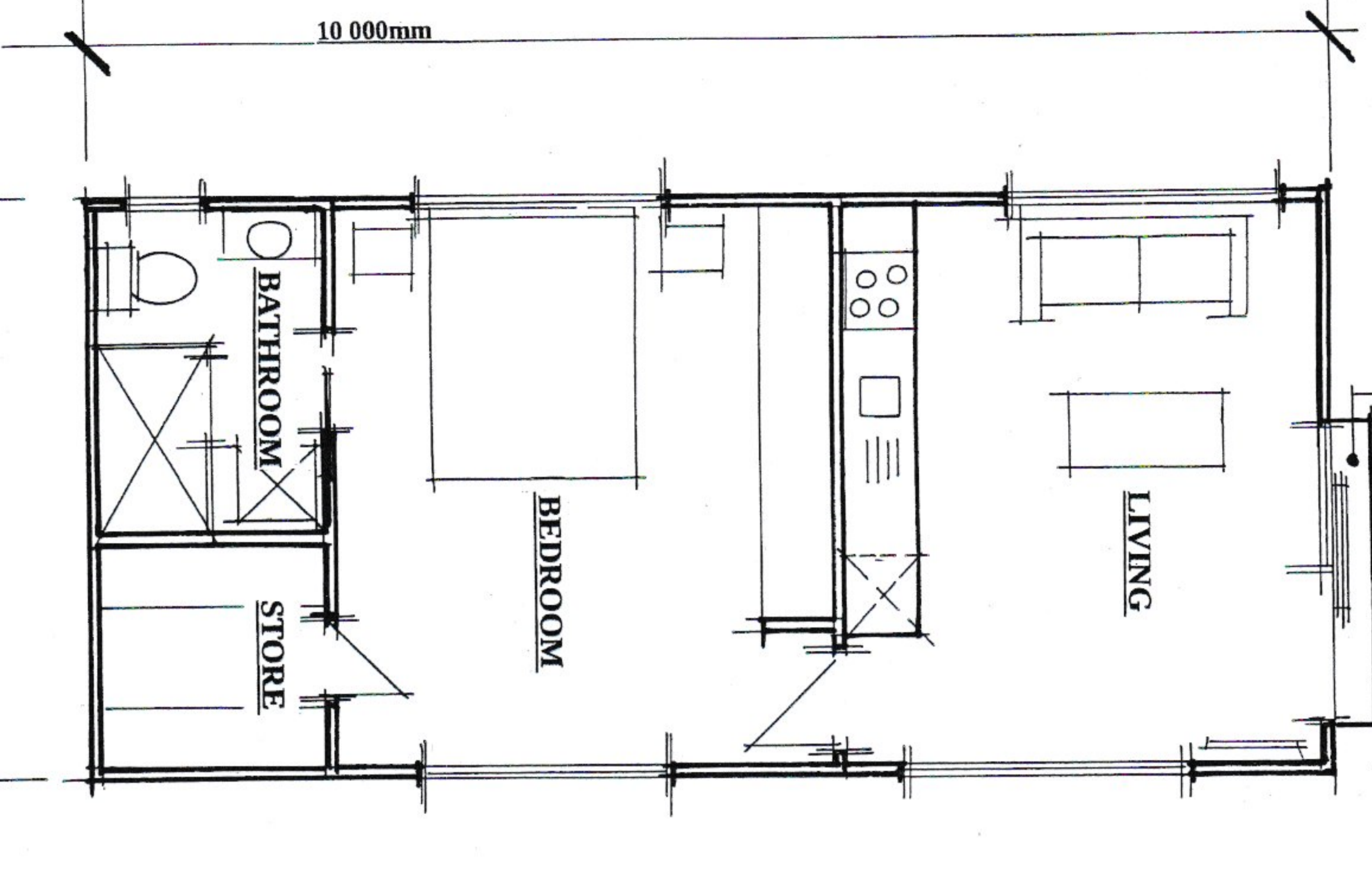
**Building Floor area:**  
Existing dwelling: 117m<sup>2</sup>  
Proposed units:  
Unit 1 47m<sup>2</sup>  
Unit 2 47m<sup>2</sup>  
Total 211m<sup>2</sup>

Approx location of new water tanks supporting proposed units.  
Approx location of new septic tank with field drains supporting proposed units.



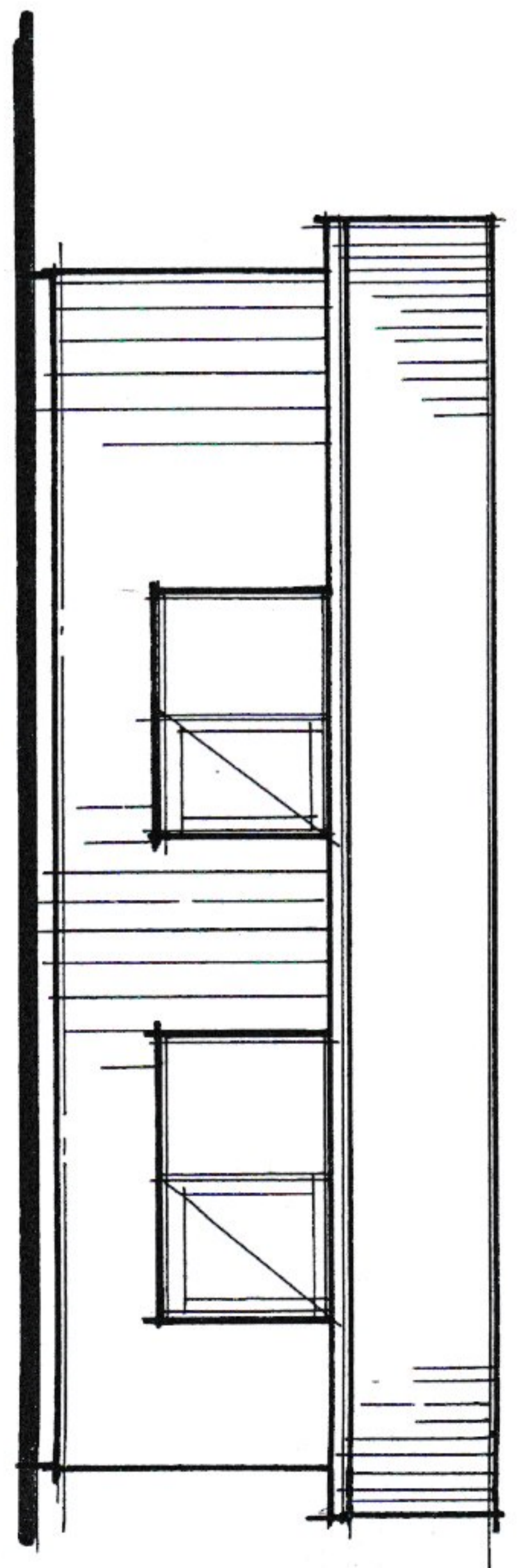
300mm wide concrete step to doors

North

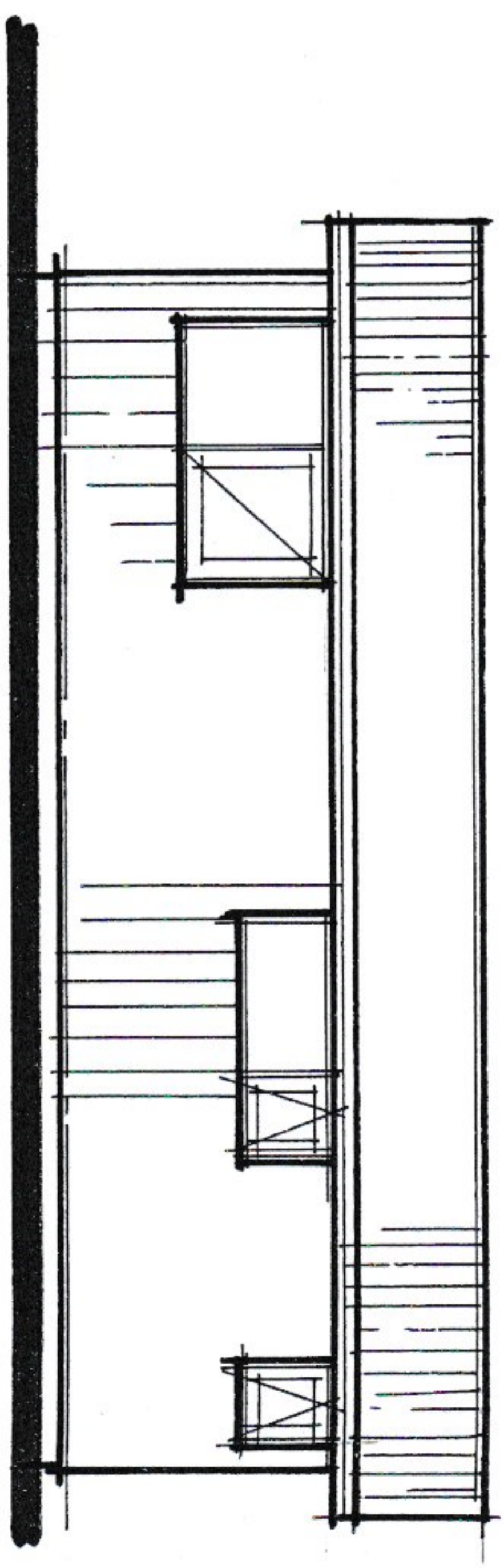


FLOOR PLAN: units 1 and 2  
1:75

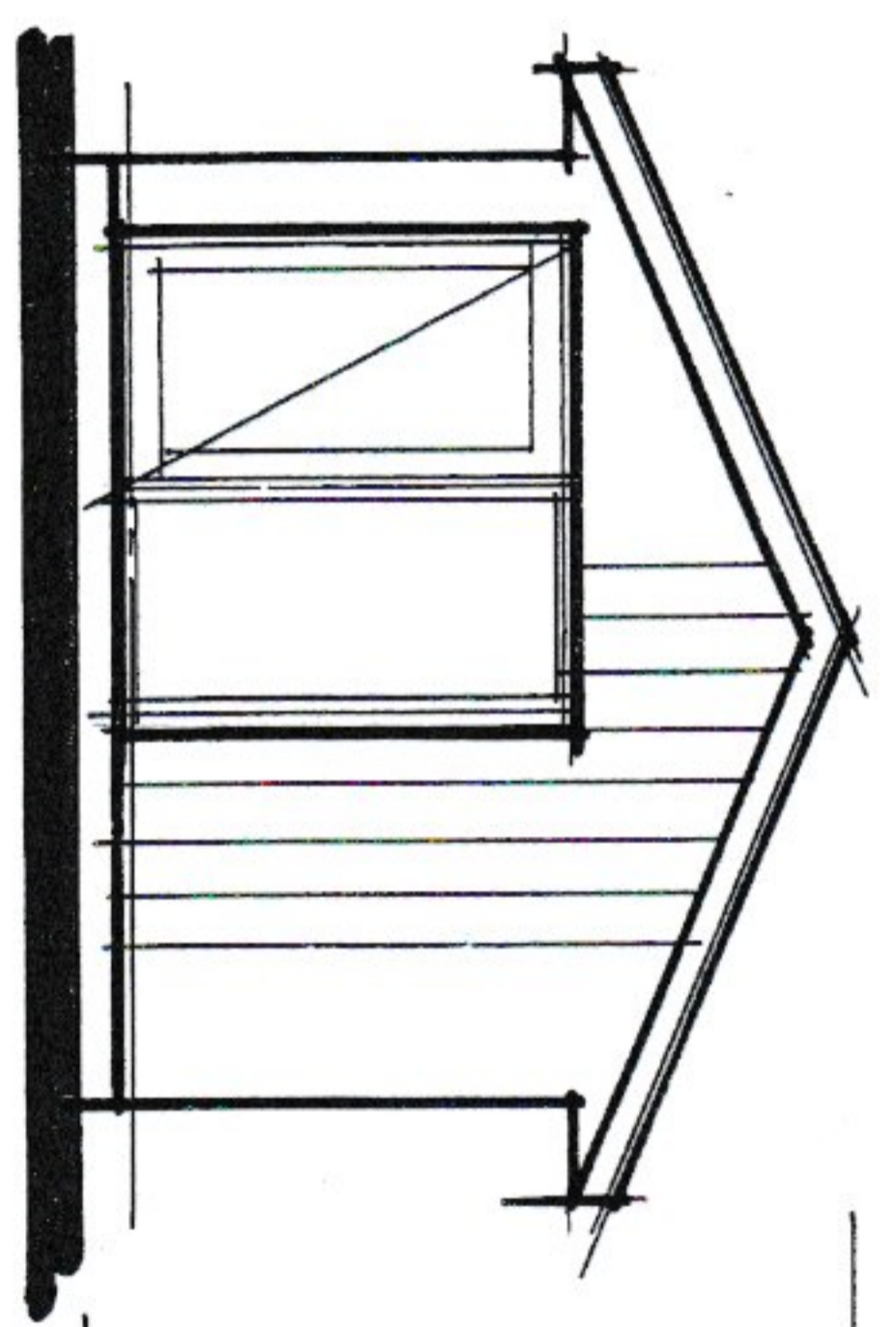
B



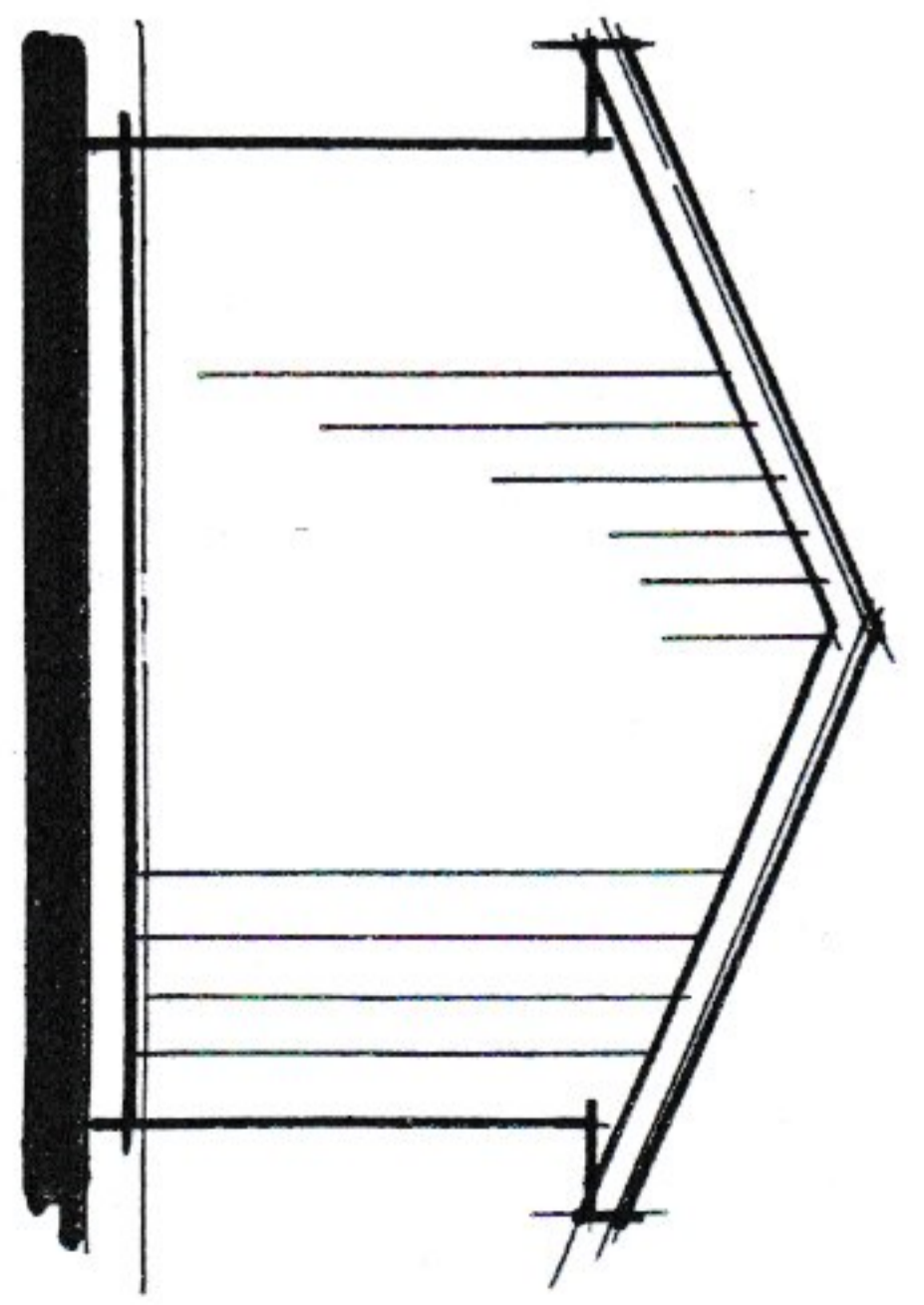
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

4000mm height

ELEVATIONS: units 1 and 2  
1:100