



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Laurie Davidson - Consent Planner

REFERENCE: RM090015

SUBJECT: **AWAROA LODGE LTD - REPORT EP09/12/01** - Report prepared for hearing of 9 December 2009

1. SUMMARY OF PROPOSAL

The application lodged by Awaroa Lodge Ltd seeks retrospective land use consent to retain buildings that were required to be removed under Condition 4 of consent RM010270, and use them for a licensed food facility that will cater for lodge staff in their leisure time and day visitors including passing Abel Tasman National Park trampers.

1.2 Site Description/Location

Awaroa Lodge is a facility located at Awaroa Bay on a title of privately owned land in the middle of the Abel Tasman National Park. It is part of an enclave of privately owned land that is primarily used as holiday accommodation and is comprised of both residential and rural residential properties. The area has no roading infrastructure serving it and access is gained by boat, air with a small nearby airstrip and by foot from the Awaroa Road end or the Abel Tasman National Park Track.

The lodge site is a parcel of land zoned Rural Residential that is 19.9401 hectares in area that is located approximately 400 metres back from the coast. It is provided with an access strip to Awaroa Bay and a right of way through adjoining private land to Venture Creek and the Awaroa Inlet.

A considerable portion of the land is wetland and the lodge makes a feature of the views out over this from some of the guest accommodation. The balance of the land is vegetated in indigenous vegetation of varying quality, but this is sufficient to screen the lodge and its environs from adjoining properties.

The buildings in question are located towards the northern boundary of the site and the neighbours in that area are Harwood/Charlett and City and Provincial Properties. The latter is essentially the Awaroa airstrip and there is no residential building close to this area. The Harwood/Charlett property has a dwelling that is located to the south west of this area, which is some distance from the buildings. The buildings that are the subject of this application are located in a position where they are not visually obtrusive and are screened by existing vegetation. The buildings comply with the bulk and location requirements for a Rural Residential Zone.

1.3 Background to the Application

The Lodge was established in 1990 as a smallish accommodation facility and since that time has been the subject of a number of resource consents that have permitted progressive upgrading and growth of the facilities. The most recent consent that was obtained that affected the operation of the Lodge was granted in 2001 (RM010270) and this consolidated a number of previous consents and approved an expansion of the restaurant/bar area, guest accommodation and staff accommodation. It was envisaged this would cater for the operation of the Lodge for a number of years without the need to apply for additional consents.

Since that time, the Lodge changed hands and the current owners (Awaroa Eco Holdings Limited) have been operating the facility since September 2008 and in December 2008 Council became aware some alterations had been carried out on two of the old buildings that were previously part of the staff accommodation area and a food outlet and bar area had been created. The buildings had been upgraded and decking added to provide a facility that was intended to cater for trampers on the Abel Tasman Track and for staff in their leisure time. This work was a breach of the Building Act and a Notice to Fix was issued.

In carrying out that work, the Lodge owners also found they had breached a condition of consent RM010270 (condition 4) that required;

“Redundant buildings that do not form part of the application as submitted, shall be dismantled and removed from the property upon completion of the replacement buildings”

It appears the Lodge owner recognised he had breached both the condition of a resource consent and the Building Act. An application for resource consent and for a Certificate of Acceptance under the Building Act were lodged. Neither of those matters have been completely resolved and this report relates purely to the planning aspects relating to the use of those buildings and the condition of resource consent that had been breached.

1.4. Legal Description and Plan Attributes

The application site is legally described as Lot 1 Deposited Plan 390868 and Lot 4 Deposited Plan 12256, being all of the land in Certificate of Title NL364800 comprising a total area of 19.9401 hectares.

1.5 Status of Application

Zoning: Rural Residential Closed
Areas: Land Disturbance Areas 1 and 2

The proposed activity breaches Tasman Resource Management Plan (TRMP) Rule 17.8.2.1 b (ii), extending a Commercial Activity in a Rural Residential Closed Zone.

While the applicant could have considered varying Condition 4 of RM010270, there would be some uncertainty about “extended commercial use” by using the two buildings in this location for the proposed use. It is more certain to apply to use buildings that were required to be removed by an earlier consent and to extend the

commercial operation by providing food and refreshment facilities for off duty staff and day visitors.

Overall the proposal is a discretionary activity under the TRMP.

2. SUBMISSIONS

2.1 Notification

As the adverse effects on the environment were considered to be more than minor but limited in their extent of effect the application was processed as a limited notified application. The application was not fully notified as it was considered the effects of this proposal were of a very limited nature and only properties that were reasonably close to the site had any potential to be affected.

There has been some question about Council's decision to process this application under the provisions of the Resource Management Act (the Act) that relate to limited notification of certain applications. That decision has been reviewed by management and endorsed as the correct way to handle this application. There have been no matters of procedure raised that could be considered incorrect in making that decision.

The application was limited notified on 17 August 2009 and submissions closed on 14 September 2009. Four submissions were received with one in support and three in opposition. Those in opposition have asked to be heard and ask that the application be declined. The submission in support did not ask to be heard.

2.2 Submissions

2.2.1 G M Harwood and V J Charlett

Mr Harwood and Mrs Charlett are the owners of a rural residential property to the south west of the Awaroa Lodge site. They indicate they support the application and would like to see Council approve the application. They do not wish to be heard in support of their submission.

Comment: This submission is a simple endorsement of the application and does not require any further comment.

2.2.2 I and S Jones

Mr and Mrs Jones own a holiday home on a property on the northern side of Awaroa Lodge that is located approximately 300 metres from the proposed facilities. They have lodged a submission opposing the application principally on the grounds the conversion did not follow the correct procedure (obtaining the required approvals under the Building Act and Resource Management Act). They also allude to some sort of problem relating to access that has been the subject of discussion between the Lodge and them.

Comment: The criticism of not following the correct procedure is entirely fair and there should not be any case of dual standards for the procedures that involve further development at Awaroa. This matter is discussed further under the Key Issues section of this report. The issue of

access across the Awaroa Lodge land is a matter that is restricted to the two parties involved and while Council does have an involvement with the approval of rights of way, it is not a matter that the current application is involved with.

2.2.3 I C Athfield (New Zealand Settlement Company Limited)

Mr Athfield has an interest in a property at Awaroa to the north west of the Lodge that is approximately 600 metres from the site and has been involved with earlier development of the Awaroa Lodge site. He is opposed to the current application and has listed seven areas of concern. Part of his submission relates to the use of plans that he had previously prepared and he makes it clear he has not been involved in the preparation of the current proposal and the original plans did not include the use of these buildings. As such they would fall into the category of buildings to be removed when the staff facilities were completed as required by condition 4 of the resource consent that covered that development. He also indicates dining facilities are already available for staff and considers the toilets are poorly sited to serve people beyond the proposed food outlet. He indicates there was a problem with day trippers to the area when the café was open but does not make it clear what sort of problem was being created.

Comment: The use of the plans prepared for an earlier application has the potential to create an impression the buildings were part of a proposal that was approved by Council and that is clearly not the case. The effects of an additional food and beverage facility in this location is a matter that needs to be considered for this application and this is discussed in the Key Issues section of this report. The limited notification of this application included the properties that surround the Lodge to ensure they were aware of the current proposal. The issue of guests and staff accessing private land is a difficult issue for Council to control and this may be best dealt with between the relevant parties.

2.2.4 D J and B A Monopoli (City and Provincial Properties Limited)

David and Bronwyn Monopoli own a property adjoining the Lodge site that has a holiday home on it that is located near the western end, about 600 metres from the site. Their property includes the air strip that light planes and helicopters use. They have lodged a submission opposing the application and have covered three areas that are of concern to them. They consider the lodge caters adequately for both staff and casual visitors to the site, catering for up to 120 guests within the existing facilities on the site. They also object to buildings that were to be removed being retained and used for an expanded commercial operation associated with the lodge. They consider the existing “commercial heart” of the lodge is located in a position where it does not impact on other properties and the expanded operation is in a position that can affect other properties through loud music, people wandering on to their property and an increase in litter in the area.

Comment: The matters that the Monopolis raise are relevant to the application that has been made and these are discussed further in the Key Issues section of this report. The current Lodge facilities on the site provide a range of facilities for the guests (both resident and day

trippers) and for staff employed on the site. The expansion of a small licensed café is a departure from the current development and this is located in a position where it is separated from the currently approved restaurant/bar and guest accommodation.

3. STATUTORY CONSIDERATIONS

The assessment for this application is undertaken in accordance with the provisions of the Resource Management Act 1991 (the Act). The sections that are relevant to this application are as follows:

Section 5

The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:

- 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 eco systems; and
- c) avoiding, remedying or mitigating any adverse effect of activities on the environment.

Section 104

When considering applications for resource consent, and any submissions that have been made, the following matters under Section 104(1) in addition to the matters set out in Section 7 of the Act must be considered. Primacy is given to Part 2 of the Act, "the purpose and principles of sustainable management of natural and physical resources". Therefore, the decision should be based, subject to Part II of the Act, on:

- "a) any actual or potential effects on the environment of allowing the activity; and
- b) any relevant provisions of:-
 - (i) a national policy statement;
 - (ii) a New Zealand coastal policy statement;
 - (iii) a regional policy statement or proposed regional policy statement;
 - (iv) a plan or proposed plan.
- c) any other matters the consent authority considers relevant and reasonably necessary to determine the application."

Having considered these matters the application may be declined or granted, with conditions imposed if necessary, pursuant to Section 108 of the Act.

The application is a discretionary activity in a Rural Residential Zone. As a discretionary activity the Council must consider the application pursuant to Section 104(B) of the Act.

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- a) may grant or refuse the application; and
- b) if it grants the application, may impose conditions under section 108.

Sections 6, 7 and 8

The following matters are relevant to this application:

Section 6 of the Act provides for matters of national importance. In this case those matters are not considered relevant to the current application.

Section 7 of the Act sets out the other matters that any person exercising powers and functions must have regard to in relation to managing the use, development and protection of natural and physical resources. Matters that are relevant to this application are as follows:

- S7(b) the efficient use and development of natural and physical resources;
- S7(c) the maintenance and enhancement of amenity values;
- S7(f) maintenance and enhancement of the quality of the environment;
- S7(g) any finite characteristics of natural and physical resources.

These other matters have direct relevance and in particular those relating to amenity values and the quality of the environment. These are reflected in the policies and objectives in the TRMP and other planning instruments.

Section 8 of the Act relates to the Treaty of Waitangi. 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).

4. KEY ISSUES

After considering the application, the submissions for and against, the provisions of the Resource Management Act, and the provisions of the TRMP, the key issues that I believe are relevant to this application are as follows:

The key issues are:

- The amenity of the Awaroa rural residential area;
- The establishment of an expanded commercial activity in this location at Awaroa;
- Adverse effects that affect other properties at Awaroa;

- Compliance with the requirements that apply to building and the use of existing buildings under relevant resource consents, planning, building control, liquor licensing and other legislation;

4.1 Key Issue 1 – The amenity of the Awaroa rural residential area

The primary issue identified for this application is the preservation of the unique amenity of this area at Awaroa. In this case, the issues relating to amenity include the relationship of an established commercial operation that caters for resident and non resident guests using the facility. The expansion of that activity has to be considered in the context of the established use and whether it can fit within the conditions that have been imposed for the operation. These include restriction on the numbers of guests and staff at the Lodge. The location of the expanded operation is reasonably close to the north west corner of the lodge site, but there are no nearby residential buildings in close proximity, other than the Harwood/Charlett property who support the application.

The surrounding properties are all holiday homes that are used to varying degrees and they are generally located on reasonable sized parcels of land so they can create their own area of development where they can enjoy the natural surroundings. The dwellings on these properties are all some distance from the site of the café/bar. The air strip at Awaroa is slightly out of context with this amenity but is only used to a limited extent by fixed wing aircraft and by helicopters.

There is a reasonable expectation that this amenity will be preserved and the Committee need to be satisfied this will not be compromised if they consider granting consent to the application.

Relevant objectives and policies from the TRMP are considered as follows:

Chapter 5: Site Amenity Effects

The following extracts from the introduction, principal reasons and explanations for Chapter 5 are considered relevant:

“Land use frequently has effects which cross property boundaries. Those effects may add to or detract from the use and enjoyment of neighbouring properties. They may also affect natural resource values, such as air and water quality, or in some cases views or local character.

The health and safety of people, communities and property is a significant part of site amenity, both within the site and between sites. Contaminants, including noise, and fire, hazardous substances and natural hazards, are factors in maintaining or enhancing amenity values.

Adverse cross-boundary effects are commonly noise, dust, vibration, odour, contamination, shading and electrical interference. Amenity values such as privacy, outlook, views, landscape, character and spaciousness may also be affected”.

The following Objectives and Policies are considered relevant to the preservation of the amenity of the Awaroa area and the effects created by a commercial activity in this area;

Objective 5.1.2 Avoidance, remedying or mitigation of adverse effects from the use of land and enjoyment of other land on the qualities of the natural and physical resources.

Policy 5.1.3.9 To avoid, remedy or mitigate effects of:

noise and vibration;
odour and fumes;
buildings and structures;

beyond the boundaries of the site generating the effect.

Objective 5.2.2 Maintenance and enhancement of amenity values on site and within communities throughout the District.

Policy 5.2.3.1 To maintain privacy in residential properties and for rural dwelling sites.

Objective 5.3.2 Maintenance and enhancement of the special visual and aesthetic character of localities.

Policy 5.3.3.3 To avoid, remedy or mitigate the adverse effects of the location, design and appearance of buildings and incompatible land uses in areas of significant natural or scenic, cultural, historic or other special amenity value.

While it is considered that under Section 6 there are no matters of national importance relevant to this application, Section 7 of the Act provides for the following "Other Matters" to have particular regard to:

- The efficient use and development of natural and physical resources;
- The maintenance and enhancement of amenity values;
- Maintenance and enhancement of the quality of the environment;

"Amenity Values" means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. (RMA definition). In this case the amenity values associated with the Awaroa rural residential area is considered a relevant issue in relation to the expanded commercial activity on the Lodge site.

Comments:

The objectives and policies from Chapter 5 of the TRMP confirm the need to protect amenity values. In this case, rural residential and amenity values need to be safeguarded from adverse environmental effects resulting from the activity.

The relevant TRMP objectives and policies allow commercial activities to be assessed on their merits within the Rural Residential zone. If the adverse environmental effects of amenity, noise, odour and visual effects can be appropriately avoided or mitigated then the activities may not be contrary to the objectives and policies.

Commercial activities are not common in Rural Residential Zones and in this case the expansion of the commercial services provided on the site could have some potential to create adverse effects on rural residential amenity.

4.2 Key Issue 2 – The expanded commercial activity on the Awaroa Lodge site

The Awaroa Lodge complex is a comprehensive development that has evolved over a period of nearly 20 years, catering for a changing market over that time. This has changed from a moderately sized complex catering for a lower end backpacker/tramper market to a reasonably comprehensive development catering for a more exclusive market in up market accommodation. The complex still receives numerous visitors that are there for the day, arriving by foot, boat and aircraft. The current application seeks to expand this operation to an area that is close to the staff accommodation, remote from the existing Lodge facilities.

The complex now employs up to 34 staff at the busy summer season and they occupy a designated staff accommodation complex that is remote from the guest lodge. While these facilities are more likely to cater for day visitors to the site, there is a period when the staff have leisure time and these facilities can cater for them away from the main Lodge.

The use of the property for the commercial activity is a departure from the expected low density rural residential use that is expected in the area and this proposal will see an increase in that use.

Relevant objectives and policies from the TRMP are considered as follows:

Objective 7.2.2: Provision of opportunities to use rural land for activities other than soil-based production, including papakainga, tourist services, rural residential and rural industrial activities in restricted locations, while avoiding the loss of land of high productive value.

Policy 7.2.3.2: To enable sites in specific locations to be used primarily for rural industrial, tourist services or rural residential purposes (including communal living and papakainga) with any farming or other rural activity being ancillary, having regard to:

- (a) the productive and versatile values of the land;
- (b) natural hazards;
- (c) outstanding natural features and landscapes, and the coastal environment;
- (d) cross-boundary effects, including any actual and potential adverse effects of existing activities on such future activities;

- (e) servicing availability;
- (f) the availability of specific productive natural resources, such as aggregates or other mineral sources;
- (g) transport access and effects;
- (h) potential for cumulative adverse effects from further land fragmentation;
- (i) maintaining variety of lot size;
- (j) efficient use of the rural land resource;
- (k) cultural relationship of Māori to their land.

Comments:

The question of using rural residential land for an expanded commercial activity is an issue that needs to be considered very carefully. The major activity on the site is the operation of the Lodge and in relation to that use, the expansion into the area near the staff accommodation is not regarded as a major change. The use of land that is not regarded as highly productive rural land for uses such as tourist services is supported by Objective 7.2.2 and this is a case where the tourist use is clearly established and it is more related to the potential adverse effects on amenity (as covered in Key Issue 1) that is of greater consequence. The applicant would be within their rights to provide a different level of food and refreshment service within the existing complex and it would be unlikely to infringe the existing conditions of consent. The location of this expanded facility is outside the current consent the Lodge operates under and that is the reason for this application.

4.3 Key issue 3 – Adverse effects from the proposed café/bar

The submissions lodged in respect of the establishment of the café/bar indicate there was a problem with noise from the operation of the facility when it was operating but there are no records of complaints or whether any enforcement action was taken, other than the action under the Building Act. The submissions also indicate there had been a problem with visitors to the area trespassing on to private land and an increase in the amount of litter in the area.

The TRMP contains provisions that relate to noise in a rural residential area and the night time level of 40dBA is a quite stringent standard that preserves the amenity of such an area. Background noise levels at night are likely to be quite low at Awaroa as there is very little background noise that is typically related to the roading network and other infrastructure.

The Objectives and Policies referred to in Key Issue 1 that relate to amenity are also relevant to the issues associated with “adverse effects” from a facility such as this.

These effects all relate to the management of the facility and there is an implicit obligation on anyone operating such a facility to control the activities of patrons.

Comment

While the effects from noise associated with the facility can be reasonably easy to control it is more difficult to control individual's actions in relation to entering private land at Awaroa. The presence of the airstrip gives the impression of "public land" when in fact it is all private land. There is an easement from the lodge site to Venture Creek and this could be better defined and marked to help control people visiting the Lodge site. The same situation applies with the access strip to Awaroa Bay where it has privately owned land bordering it on both sides.

People will continue to visit this area on a daily basis and how they are catered for is a matter that the management of the Lodge need to consider.

4.4 Key issue 4 – Compliance with the controls imposed by the Building Act and other legislation

This issue is a matter that is outside the provisions of the Resource Management Act but it is appropriate to include some comment so the Committee understand the process that is available under the Building Act to address situations such as this. It does not really fall into the "other matters" part of Section 104 of the Act but needs to take place where work has been deemed to be "unauthorised".

Section 96 of the Building Act contains provisions where a Territorial Authority can issue a Certificate of Acceptance where someone carries out building work without the required building consent and this is the situation with the work that was carried out in this case. It is not the normal process that is followed where people want to undertake work that requires building consent but that method can be used in a case such as this.

In a similar vein, a person can apply for retrospective resource consent when they undertake an activity that does not comply with a rule in the TRMP and Council becomes aware of the situation and takes enforcement action. It is not the preferred course of action but the activity can be authorised by such a consent.

Awaroa Lodge also holds licences under the Sale of Liquor Act and Food Hygiene Regulations and there will be procedures to follow to undertake the necessary licensing if the use of the buildings for a café bar is approved.

In this case Council investigated the situation at Awaroa and issued a "Notice to Fix" under the Building Act in respect of the work that was undertaken at Awaroa. I believe the Certificate of Acceptance still has not been issued at this time as Council required additional information in relation to the toilets and waste water disposal. The facility has been closed since Council took enforcement action and the current application for retrospective resource consent was lodged by the applicant.

Comments

The process that has been followed in this case gives the impression there are dual standards in relation to the legislation that applies to the work that was carried out at Awaroa. It is not the preferred process that should be followed to establish and operate a bar café on the site remote from the actual Lodge, but it is not inherently wrong either.

5. POLICY STATEMENTS

The application was assessed against the relevant policy statements.

5.1 National Policy Statements

There are no relevant national policy issues that apply in this case and the New Zealand Coastal Policy is not relevant to this application.

5.2 Regional Policy Statement

The operative Tasman Regional Policy Statement (TRPS) specifies the overriding policies of the Council when preparing other resource management plans and when considering applications for resource consent. The TRPS contains a number of policies and objectives relating to managing the natural and built environment of the Tasman District. These policies and objectives have been refined and expanded upon in the TRMP. Most of the objectives and policies contained within the TRPS are mirrored in the TRMP. It is considered that if the policies, objectives and rules of the TRMP are met then so too are the policies and objectives of the TRPS.

6. SUMMARY OF ISSUES AND CONCLUSION

The application that has been lodged is a retrospective application that seeks consent to retain two buildings that were required to be removed by consent RM010270 and to use these as a café/bar to serve off duty staff and day visitors to the area. The application is a discretionary activity in the Rural Residential Closed Zone at Awaroa. The Lodge receives up to 64 residential guests that are catered for in the Lodge complex and there are a varying number of day visitors to the site, including trampers from the Abel Tasman Track.

The concept of catering for visitors at a different location to the residential guests is not an unreasonable approach and equally to provide a facility for off duty staff to have recreational time is not out of context with the staff facilities that are provided. There is however a correct method of implementing these changes that was not followed in this case and the current application has been made to attempt to remedy the situation.

The major issue identified for this application is general amenity of the Awaroa area and the expansion of the commercial activity on the lodge site into an area that was primarily staff accommodation. For this change to be successful, the activity will have to be of such a scale and nature that it does not create adverse effects and will not affect any of the other rural residential properties in the area. The TRMP provides the planning framework to establish the objectives and policies that are designed to protect the amenity of areas such as Awaroa.

The scale of this operation is limited by the size of the buildings that are intended to be used and they are located in a position that is unlikely to affect any other residential building in the area. The nearest dwelling is on the Harwood/Charlett property and they have provided a submission in support of the application.

The work to convert these buildings was carried out without the required planning and building consents and the use of the buildings that were deemed to be redundant from a previous application to upgrade the Lodge is a breach of the resource consent that was granted in November 2001. The applicant has indicated the facility was opened for a trial period to serve staff for a period of approximately 10 days, late in 2008. Council staff investigated the situation following a complaint about the facility and it has remained closed since the start of this year. The correct process has not been followed by the applicant in this case and that approach is not supported in planning terms.

While there has been a breach of both the Building Act and the Resource Management Act in this case there is a procedure that can be followed to obtain a Certificate of Acceptance for the building work and if the Committee approve this application the facility can be sanctioned under the Act and the TRMP.

7. SECTION 5 RMA AND RECOMMENDATION

In terms of Section 5 of the Act, I believe there are grounds to consider granting consent in this case can be seen as the sustainable management of natural and physical resources, providing there are appropriate conditions imposed to avoid and mitigate any potential adverse effects. As such, the purpose of the Act can be seen to have been met in this case. In making that judgement, regard has been had to the relevant parts of Section 7, and in particular Section 7 (c), the maintenance and enhancement of amenity values.

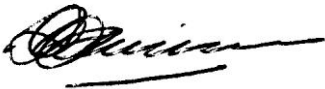
Therefore, I recommend that the application be **APPROVED**, with conditions.

8. RECOMMENDED CONDITIONS AND ADVICE NOTES

If the Committee accepts my recommendation, the following conditions and advice notes are suggested:

1. The hours of operation of the café/bar shall be limited to 11.30 am to 10.00 pm Monday to Sunday inclusive.
2. The facility is authorised to cater for resident guests, casual visitors and off duty Lodge staff.
3. The scale of the operation is limited to the existing buildings shown on plan A1.3 submitted as part of the application. The customer area shall be limited to the buildings and deck shown.
4. No advertising, other than signage within the Awaroa Lodge buildings, shall be erected.
5. All wastewater from the facilities shall be conveyed to the centralised waste water system serving the existing Lodge complex.

6. Existing vegetation between the café/bar facilities and the northern boundary shall be retained to provide a visual screen when viewed from the adjoining property.
7. Advice Note - Liquor licensing - The applicants will only be able to operate the café as a licensed café after the appropriate re-definition of the licensed area has been granted by the District Licensing Agency under the Sale of Liquor Act.
8. Advice Note -The café is required to obtain a Certificate of Acceptance under the Building Act before this resource consent becomes effective.



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