



Office Use Only
Application Number:

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))

(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? Yes / No

2. Type of Consent being applied for (more than one circle can be ticked):

- Land Use
- Fast Track Land Use*
- Subdivision
- Discharge
- Extension of time (s.125)
- Change of conditions (s.127)
- Change of Consent Notice (s.221(3))
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) _____

*The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.

3. Would you like to opt out of the Fast Track Process?

Yes / No

4. Applicant Details:

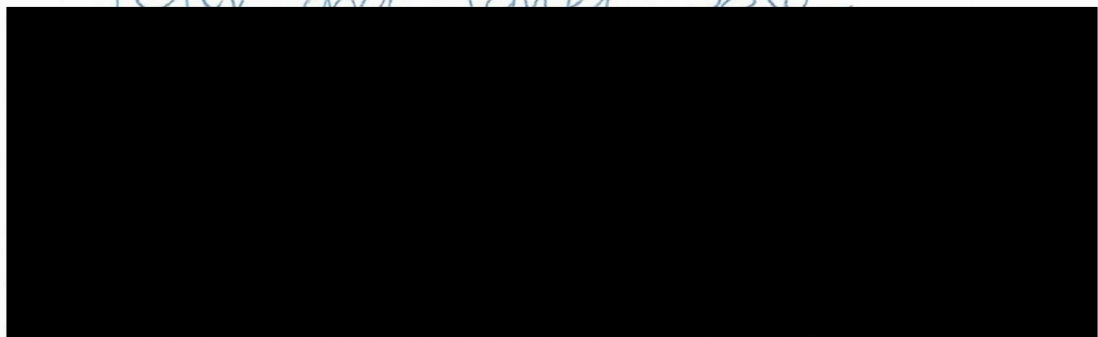
Name/s:

Peter and Janet Solo

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address: (or alternative method of service under section 352 of the Act)



5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s:

Northland Planning and Development

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address: (or alternative method of service under section 352 of the Act)



Post Code: 0441

All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

6. Details of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s: Janet Jocelyn Sole and Peter Melvyn Sole

Property Address/
Location: 201 Lake Ohia Road, Lake Ohia

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location: 201 Lake Ohia Road, Lake Ohia

Legal Description: Section 17-18, Section 20-22, Section 25 and Section 27
Block VIII Rangaunu SD Val Number: 00081-53300

Certificate of Title: NA1824/10
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff? Yes / No

Is there a dog on the property? Yes / No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. *This is important to avoid a wasted trip and having to re-arrange a second visit.*

Please organise site visit with Peter Sole - japsol@gmail.com or 021 088 06182

8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Proposal to subdivide the site to create four additional allotments in the Rural Production Zone as a Restricted Discretionary Activity.

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification

Yes/No

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

- Building Consent (BC ref # if known) Regional Council Consent (ref # if known)
 National Environmental Standard consent Other (please specify)

11. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) yes no don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). yes no don't know

- Subdividing land Changing the use of a piece of land
 Disturbing, removing or sampling soil Removing or replacing a fuel storage system

12. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Please attach your AEE to this application.

13. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write all names in full)

Peter and Janet Sake

Email:

Postal Address:

Phone Numbers:

Peter's

Fees Information: An application fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees: I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: Peter Sake (please print)

Signature: [Redacted] (signature of bill payer – mandatory)

Date: 30/6/24

14. Important Information:

Note 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.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

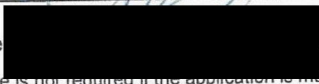
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

Declaration: The information I have supplied with this application is true and complete to the best of my knowledge.

Name: Peter Boyle (please print)

Signature:  (signature)

Date: 30/6/24

(A signature is not required if the application is made by electronic means)

Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

Subdivision Resource Consent Proposal

Peter & Janet Sole

201 Lake Ohia Road, Lake Ohia

Date: 26/08/2024

Please find attached:

- an application form for a Subdivision Resource Consent in the **Rural Production** under the Operative District Plan; and
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The subdivision requires consent under the Operative District Plan as a **Restricted Discretionary Activity**. The subdivision is a **Permitted Activity** under the Proposed District Plan.

If you require further information, please do not hesitate to contact me.

Regards



Alex Billot

Resource Planner

Reviewed by



Sheryl Hansford

Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED



1. TABLE OF CONTENTS

1. Table of Contents	2
1.0 Description of the Proposed Activity	4
2.0 The site and surrounding environment.....	4
3. Background	6
TITLE.....	6
SITE FEATURES.....	7
4. Activity Status of the Proposal	9
WEIGHTING OF PLANS	9
OPERATIVE DISTRICT PLAN	9
RURAL PRODUCTION ZONE	10
DISTRICT WIDE MATTERS	11
OVERALL STATUS OF THE PROPOSAL UNDER THE OPERATIVE DISTRICT PLAN	13
PROPOSED DISTRICT PLAN.....	13
NATIONAL ENVIRONMENTAL STANDARDS	15
<i>NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011.....</i>	<i>15</i>
<i>NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER 2020.....</i>	<i>15</i>
5. Statutory Assessment	16
SECTION 104C OF THE ACT.....	16
SECTION 104(1) OF THE ACT	16
6. Environmental Effects Assessment	17
SUBDIVISION	18
PROPERTY ACCESS.....	18
NATURAL AND OTHER HAZARDS	19
WATER SUPPLY.....	19
STORMWATER DISPOSAL	20
SANITARY SEWAGE DISPOSAL.....	20
ENERGY SUPPLY & TELECOMMUNICATIONS	21
EASEMENTS FOR ANY PURPOSE	21
PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES.....	22
ACCESS TO RESERVES AND WATERWAYS.....	22
LAND USE COMPATIBILITY	22
PROXIMITY TO AIRPORTS.....	23
7. Policy Documents	23
NATIONAL ENVIRONMENTAL STANDARDS	24



<i>NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NESCS)</i>	24
<i>OTHER NATIONAL ENVIRONMENTAL STANDARDS</i>	24
NATIONAL POLICY STATEMENTS	24
<i>NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022</i>	24
<i>OTHER NATIONAL ENVIRONMENTAL STANDARDS</i>	25
REGIONAL POLICY STATEMENT	25
FAR NORTH OPERATIVE DISTRICT PLAN	25
<i>RELEVANT OBJECTIVES AND POLICIES</i>	25
<i>ASSESSMENT OF THE OBJECTIVES AND POLICIES WITHIN THE SUBDIVISION CHAPTER</i>	25
PROPOSED DISTRICT PLAN	34
<i>RURAL PRODUCTION ZONE</i>	34
SUMMARY	38
8. Section 125 – Lapsing of consent	38
9. Notification Assessment – Sections 95A to 95G of The Act	38
PUBLIC NOTIFICATION ASSESSMENT	38
<i>STEP 1 MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES</i>	38
<i>STEP 2: PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES</i>	38
<i>STEP 3: IF NOT PRECLUDED BY STEP 2, PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES</i> ..	39
<i>STEP 4; PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES</i>	39
<i>PUBLIC NOTIFICATION SUMMARY</i>	39
LIMITED NOTIFICATION ASSESSMENT	39
<i>STEP 1: CERTAIN AFFECTED GROUPS AND AFFECTED PERSONS MUST BE NOTIFIED</i>	39
<i>STEP 2: LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES</i>	40
<i>STEP 3: CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED</i>	40
<i>STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES</i>	41
<i>LIMITED NOTIFICATION ASSESSMENT SUMMARY</i>	41
NOTIFICATION ASSESSMENT CONCLUSION	41
10. Part 2 Assessment	41
11. Conclusion	42
12. LIMITATIONS	43

Appendices

1. Far North District Council Application Form
2. Certificate of Title – LINZ
3. Scheme Plan – Von Sturmurs Surveyors
4. Wastewater Report – O’Brien Design Consulting
5. Iwi Correspondence



Assessment of Environment Effects Report

1.0 DESCRIPTION OF THE PROPOSED ACTIVITY

- 1.1 The proposal is to undertake a subdivision of Sections 17, 18, 20-22, 25 & 27 BLK VIII Rangaunu SD to create 5 allotments, as shown in Figure 1 below.
- 1.2 The proposed lot sizes are as follows:
- Proposed Lot 1 – 3.2ha
 - Proposed Lot 2 – 2.1ha
 - Proposed Lot 3 – 3.8ha
 - Proposed Lot 4 – 2.1ha
 - Proposed Lot 5 – 31.43ha balance lot

Areas and measurements are subject to final survey

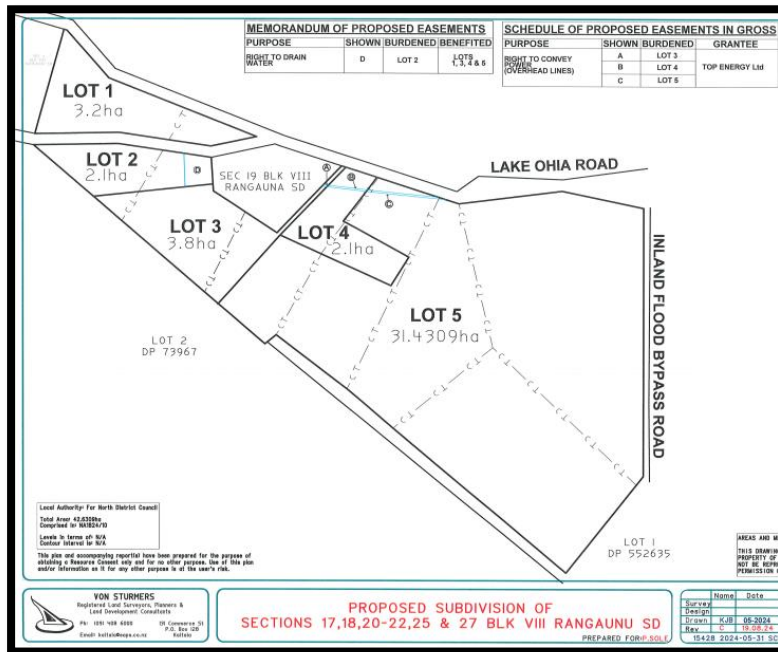


Figure 1: Proposed Scheme Plan

2.0 THE SITE AND SURROUNDING ENVIRONMENT

- 2.1 The property is located at 201 Lake Ohia Road, Lake Ohia and is currently utilised as a working farm. There is an existing dwelling which is to be contained within Proposed Lot 4.
- 2.2 The site is undulating in nature, with moderate to steep topography along the southern boundary of Proposed Lots 2 & 3, which adjoin Lot 2 DP73967. There are some manmade ponds throughout the site to provide water for stock.



2.3 The site and surrounding privately owned allotments are zoned Rural Production, with the area to the north zoned as Conservation. The allotment sizes in the area range in size from 4 hectares to larger lots in excess of 19 hectares. There are some 2 hectare lots scattered throughout the surrounding environment as well.



Figure 2: Site and surrounding environment.

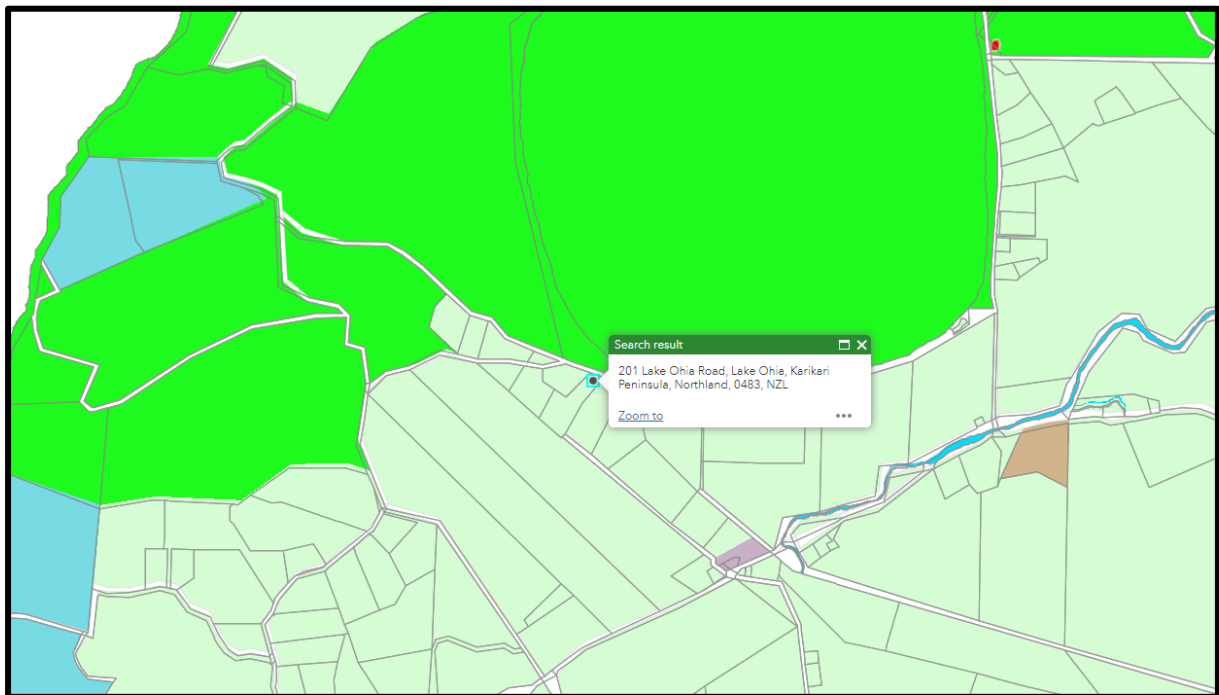


Figure 3: Current zoning of the site and surrounds.





Figure 4: Image of the existing dwelling on Lot 4, Lake Ohia Road and the grass paddock which separates Lake Ohia Road and the wetland area.

3. BACKGROUND

Title

3.1. The allotments subject to this proposal are held within the same Record of Title NA1824/10. The title is dated 26th April 1960 and includes Section 17-18, Section 20-22, Section 25 and Section 27 Block VIII Rangaunu SD. The combined area of all lots is 42.6311 hectares. There is no consent notice registered on the title.

Identifier	NA1824/10
Land Registration District	North Auckland
Date Issued	26 April 1960
Prior References	
	NA1078/279
Type	Fee Simple
Area	42.6311 hectares more or less
Legal Description	Section 17-18, Section 20-22, Section 25 and Section 27 Block VIII Rangaunu Survey District

Figure 5: Snippet of Title NA1824/10



Site Features

- 3.2. Under the Operative District Plan (ODP), the site is located within the Rural Production zone. The dense bush area to the north and west of the site (separated from the site by Lake Ohia Road) is zoned as Conservation and is noted as being of Outstanding Natural Landscape (ONL) under the Northland Regional Policy Statement (RPS) and known as the Tokerau Rangaunu Wetland. This area of ONL does not extend into the subject site and as mentioned, is physically separated from the site by Lake Ohia Road.

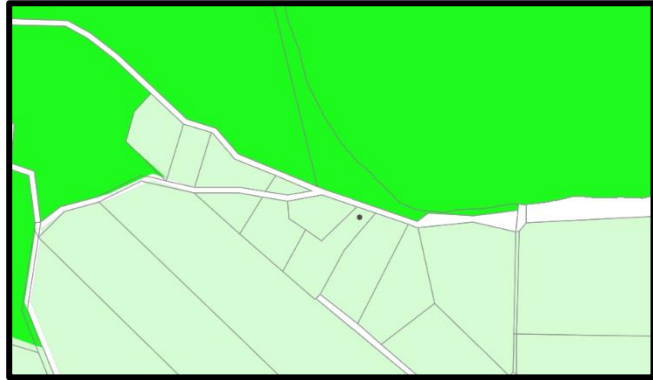


Figure 6: FNDC Zone Maps.

- 3.3. Under the FNDC Proposed District Plan (PDP), the site is also zoned as Rural Production.
- 3.4. Given the site's rural location there are no connections to reticulated services such as water supply, wastewater and stormwater. There is an existing onsite wastewater system servicing the existing dwelling on Proposed Lot 4, as will be discussed further in this report.
- 3.5. Under the FNDC Maps, the site is not shown as being identified as HAIL nor are there any historic sites listed within the site or in close proximity.
- 3.6. There is an array of soil classifications within the site, as depicted within Figure 7 below. The north-western portion of the site contains soils of 4w3 (indicated as yellow), 4s5 (indicated as light green) and 4e10 (indicated as mid shade green), which are not identified as being highly versatile soils under the National Policy Statement for Highly Productive Land (NPS for HPL). There is a band of 3w4 soils which is located within the south-eastern portion of the site and wraps around the northern boundary of the site near to the Lake Ohia Road boundary. The bottom south-eastern corner is noted of being 3s4 soils. Soils classified as LUC3 are considered to be highly versatile within the NPS for HPL. The majority of these soils will be contained within the larger balance lot, proposed Lot 5 which is over 31 hectares in area. As per the Land Guide to Implementation for the National Policy Statement for Highly Productive Land (NPS-HPL), consideration on the productive capacity of the land is not provided for within the discretion for activities with Controlled or Restricted Discretionary Activity status. However, consideration of the effect of the activity on existing land use activities must be provided for.



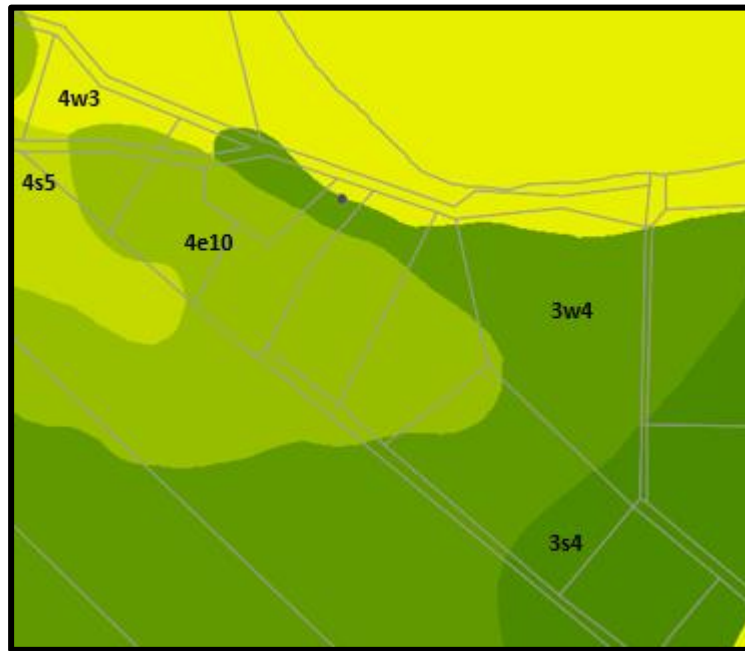


Figure 7: FNDC LUC Maps

- 3.7. The site is not identified as being within an area where kiwi are present.
- 3.8. As mentioned, the dense bushland on the opposite side of Lake Ohia Road is identified as DOC Public Conservation Land, as well as being a PNA known as 'Lake Ohia Conservation Area'. The land adjoining the north-western portion of the site is also noted as being Crown Property, which also adjoins the Conservation Land.

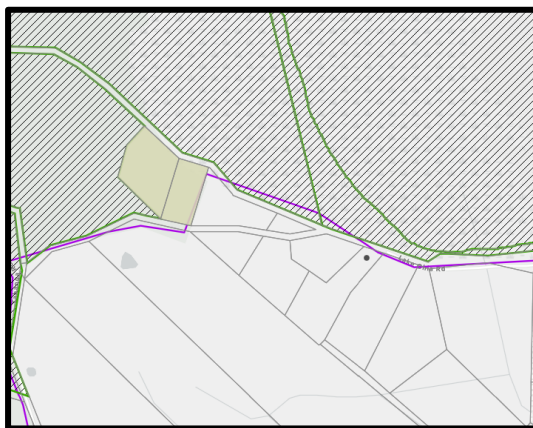


Figure 8: NRC Maps indicating the land noted as PNA as well as the Crown Land to the west.

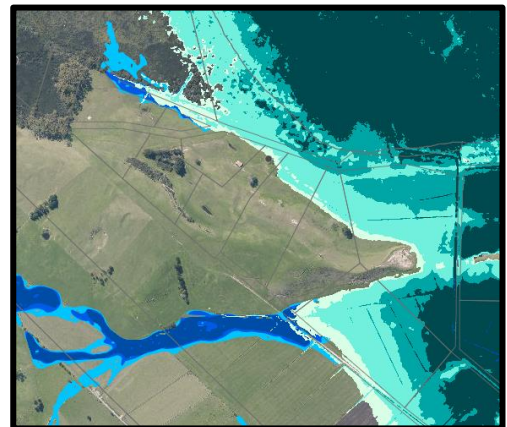


Figure 9: NRC Hazard Maps

- 3.9. The northern boundary of the site as it adjoins Lake Ohia Road is shown to be susceptible to coastal and river flooding as well as the south-eastern portion of the site, as shown in Figure 9 above.



- 3.10. The site is not identified as being within or adjoining a Statutory Acknowledgement area. The site is within the Ngati Kahu Treaty Settlement Area. The applicant has obtained a written response, which is attached within Appendix 5 of this application.

4. ACTIVITY STATUS OF THE PROPOSAL

Weighting of Plans

- 4.1. The proposal is subject to the Proposed District Plan process that was notified 27 July 2022.
- 4.2. The site is zoned as Rural Production under the Proposed District Plan. When the Proposed Plan was first notified there were a number of rules which were identified as having immediate legal effect. An assessment of the relevant rules and related objectives and policies of the Proposed District Plan forms part of this application.
- 4.3. The submissions period has closed, and submissions are now available to view on Councils Website. We have contacted Councils Policy Team enquiring about whether any additional rules have immediate legal effect. At this point in time no further rules have been publicly identified. As such, we have taken the approach that no further rules have immediate legal effect. If this is incorrect, we ask that Council contact us at their earliest convenience to provide us with an updated assessment list.

Operative District Plan

- 4.4. The site is zoned as Rural Production under the ODP, and therefore the site will be assessed against the criteria relevant to the Rural Production zone, including subdivision, zone and district wide rules.

ASSESSMENT OF THE APPLICABLE SUBDIVISION RULES FOR THE RURAL PRODUCTION ZONE:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
13.7.1	BOUNDARY ADJUSTMENTS	Not applicable.
13.7.2.1 (i)	MINIMUM LOT SIZES	<p>Restricted Discretionary Activity.</p> <p>The title is dated 1960. The proposal will create four additional titles (five titles in total), which have a minimum site area of two hectares. Therefore, the proposal is able to comply with Clause 4 of the Restricted Discretionary Activity provisions, which states that a maximum of five lots can be created where the minimum lot size is 2ha and the title is dated prior to 28 April 2000.</p>



13.7.2.2	ALLOTMENT DIMENSIONS	Complies The minimum dimension is 30m x 30m taking into account the 10m setback. Lot 4 contains existing built development, with the remainder of the lots being vacant. The vacant lots are of a size which can cater for the concept building envelope.
13.7.2.3 - 13.7.2.9	Not Applicable for this application.	

4.5. The subdivision proposal is able to meet the **Restricted Discretionary** provisions for the Rural Production zone.

Rural Production zone

4.6. The site is within the Rural Production zone. Lot 4 contains existing built development, being an existing dwelling, with all other lots being vacant. Each lot will have independent access from Lake Ohia Road.

ASSESSMENT OF THE PERMITTED RURAL PRODUCTION ZONE RULES:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
8.6.5.1.1	RESIDENTIAL INTENSITY	Permitted Proposed Lot 4 will contain the existing dwelling. There are no other dwellings located on the other allotments.
8.6.5.1.2	SUNLIGHT	Permitted The existing structure on Lot 4 is located over 10 metres from the new proposed boundaries such that the sunlight provisions will be adequately met.
8.6.5.1.3	STORMWATER MANAGEMENT	Permitted Proposed Lot 4 will contain the existing dwelling & metalled driveway. Lot 4 is 2 hectares in area and as such, it is considered that this will account for less than 15% of the total site area.
8.6.5.1.4	SETBACK FROM BOUNDARIES	Permitted. The existing structure within Lot 4 is set back in excess of 10 metres from the new boundaries.
8.6.5.1.5	TRANSPORTATION	A full assessment has been undertaken in the table below.



8.6.5.1.6	KEEPING OF ANIMALS	Not applicable.
8.6.5.1.7	NOISE	Not applicable.
8.6.5.1.8	BUILDING HEIGHT	No new buildings sought.
8.6.5.1.9	HELICOPTER LANDING AREA	Not applicable.
8.6.5.1.10	BUILDING COVERAGE	Permitted Lot 4 is 2 hectares in area and as such, it is considered that compliance is achieved.
8.6.5.1.11	SCALE OF ACTIVITIES	Not applicable
8.6.5.1.12	TEMPORARY EVENTS	Not applicable.

- 4.7. As such, it is considered that the proposal is **Permitted** in terms of the rules under Section 8.6.5.1 of the Operative District Plan and no further assessment will be made as part of this application.

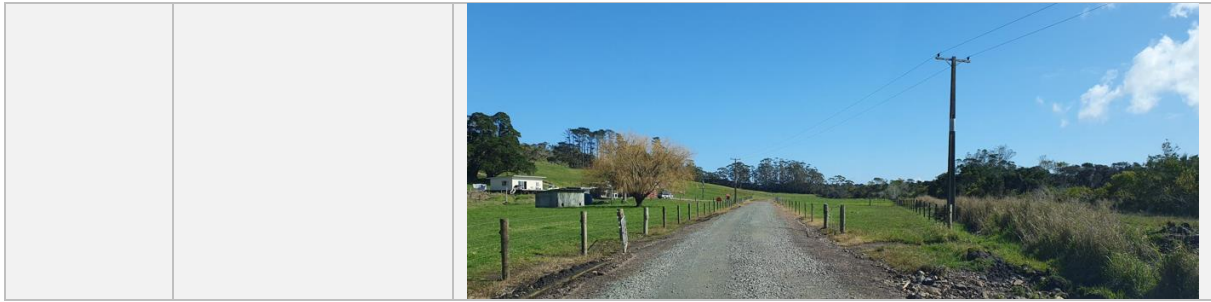
District Wide Matters

Plan Reference	Rule	Performance of Proposal
15.1.6A	TRAFFIC	Permitted Activity The proposal will create four additional allotments. Lot 4 will be the only allotment which contains a residential dwelling, with all other lots being vacant. The first residential unit on a site and farming activities are exempt from this rule.
15.1.6B	PARKING	Permitted Activity The proposed lots are considered of adequate area to provide for any future parking, if the lots are developed in the future. Proposed Lot 4 will contain the existing residential unit which has existing parking areas that will remain unchanged as part of this proposal.
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	Not applicable.
15.1.6C.1.2	PRIVATE ACCESSWAYS IN URBAN ZONES	Not applicable.
15.1.6C.1.3	PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	Not applicable.
15.1.6C.1.4	ACCESS OVER FOOTPATHS	Not applicable.



15.1.6C.1.5	VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	Permitted Activity. (a) A new vehicle crossing will be required for Lots 1, 2 & 3 and will be constructed in accordance with the standards provided by FNDC. Lot 4 will utilise an existing crossing place. Lot 5 will be over 31 hectares in area and remain as farmland. It is requested that the crossings to Lot 5 remain as farm crossings with no upgrading required as part of this consent. Upgrading of the crossing place can be done at the time of built development within the lot, which can be covered at the building consent stage. (b) Lake Ohia Road is of metalled surface and as such, the splays of the vehicle crossing will be of metal surfacing. (c) The vehicle crossings will not service more than one allotment each.
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.
15.1.6C.1.7	GENERAL ACCESS STANDARDS	Permitted. (a) Vehicle manoeuvring will be addressed at the time the sites are developed with a residential dwelling. There is adequate area within the sites for this. The vehicle manoeuvring within Lot 4 will remain unchanged. (b) Not applicable. (c) The sides of the driveway will remain in grass. (d) Stormwater will be managed on site.
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	(a) The sites have access from Lake Ohia Road, which is considered to meet the legal road width standards. (b) Lake Ohia Road is considered to be constructed to the required standards. (c) The lots will have direct access from Lake Ohia Road; they do not have more than one road frontage. (d) There are no known encroachments of the carriageway into the proposed lots.
15.1.6C.1.9 – 15.1.6C..11 are not applicable to this application		
Section 12.7 Lakes, Rivers, Wetlands & the Coastline		
12.7.6.1.2	SETBACK FROM SMALLER LAKES, RIVERS AND WETLANDS	Permitted. A 30m setback for any building or impermeable surface is required from any wetland of 1ha or more. Any built development within the proposed lots will be set back in excess of this, considering that Lake Ohia Road separates the site and the Lake Ohia Wetlands, with road reserves generally having a legal width of 20 metres and the required setback from boundaries for the Rural Production Zone being 10 metres. There is also a large grassed area between the Lake Ohia Road and the wetland areas as can be seen in the site photo below.





4.8. It is therefore determined that the proposal does not result in any breaches of the District Wide Rules.

Overall status of the proposal under the Operative District Plan

4.9. The subdivision proposal is able to meet the **Restricted Discretionary** provisions for the Rural Production zone as per the requirements within 13.7.2.1(i).

Proposed District Plan

4.10. The proposal is also subject to the Proposed District Plan process. Within the Proposed District Plan, the site is zoned Rural Production. Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, has been undertaken below:

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility. HS -R5 relates to a hazardous facility within a scheduled site and area of significance to Māori. HS-R6 relates to a hazardous facility within an SNA. HS-R9 relates to a hazardous facility within a scheduled heritage resource.	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect	Not applicable. The site does not contain any areas of historic heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.



Sites and Areas of Significance to Maori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect.	Not applicable. The site does not contain any sites or areas of significance to Māori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable. The proposal does not include any indigenous vegetation pruning trimming, clearance or associated land disturbance. No plantation forestry activities are proposed. Therefore, the proposal is not in breach of rules IB-R1 to IB-R5.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The subdivision is not an Environmental Benefit Subdivision (SUB-R6), Subdivision of a site with heritage area overlay (SUB-R13), Subdivision of site that contains a scheduled heritage resource (SUB-R14), Subdivision of a site containing a scheduled site and area of significance to Māori (SUB-R15) or Subdivision of a site containing a scheduled SNA (SUB-R17).
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5 As stated above the mapping system records the subject site as containing the Ratana Temple which is located on the adjoining site. Schedule 3 lists the legal description of MS07-18 as being P Ahipara A32A which is the adjoining site.	Permitted. Any earthworks will proceed under the guidance of an ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016, in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.



Signs	<p>The following rules have immediate legal effect: SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area</p>	<p>Not applicable. No signs are proposed as part of this application.</p>
Orongo Bay Zone	<p>Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water</p>	<p>Not applicable. The site is not located in the Orongo Bay Zone.</p>

- 4.11. The assessment above indicates that the proposal is determined to be a **Permitted Activity** in regard to the Proposed District Plan. Therefore, no further assessment of these rules will be undertaken.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- 4.12. The subject site is considered to be a farming block utilized for the grazing of livestock. A site visit, review of aerials and review of the property file for the site did not indicate that the site was HAIL. As such, the application has been considered **Permitted** in terms of this regulation.

National Environmental Standards for Freshwater 2020

- 4.13. NES-F sets out requirements for carrying out activities identified as posing a risk to the health of freshwater and freshwater ecosystems, and to ensure the objectives and policies within the National Policy Statement for Freshwater Management are met.
- 4.14. It is considered that the lots may be developed with a dwelling in the future, however, it is considered that all of the proposed vacant lots are of an area and dimensions which allow for multiple dwelling sites in excess of 100 metres of the Lake Ohia Wetland to the north. Furthermore, if it happens that the dwelling is to be located within 100 metres of the Crown Land to the north, these will not be within 10 metres of any wetland areas and the development of the site would not be anticipated to affect any hydrological connection with any wetlands north of the site.
- 4.15. It is noted that there are ponds located throughout the site which are manmade and therefore excluded from this NES.
- 4.16. As such, it is considered that the proposal is **Permitted** in terms of this regulation and any future development of the lots would also be Permitted, dependant on the development, which can be assessed at the time of future development of the site.
- 4.17. No other National Environmental Standards are considered applicable to this development. The proposal is permitted in terms of these above-mentioned documents.



5. STATUTORY ASSESSMENT

Section 104C of the Act

- 5.1. Section 104C governs the determination of applications for Restricted Discretionary Activities. When considering an application for resource consent, a consent authority must consider only those matters over which a discretion is restricted in National Environmental standards or other regulations, or it has restricted the exercise of its discretion in its plan or proposed plan. The consent authority can grant or refuse the application. If the application is granted, the consent authority may impose conditions under Section 108 only for those matters listed above.

Section 104(1) of the Act

- 5.2. Section 104(1) of the Act states that when considering an application for resource consent –

“the consent authority must, subject to Part II, have regard to –

(a) Any actual and potential effects on the environment for allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and

(b) Any relevant provisions of –

(i) A national environmental standard

(ii) Other regulations

(iii) A national policy statement.

(iv) A New Zealand Coastal Policy Statement

(v) A regional policy statement or proposed regional policy statement.

(vi) A plan or proposed plan; and

(c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.’

- 5.3. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of The Act). The proposal is considered to have actual and potential effects that are acceptable. In addition, the proposal is considered to have positive effects on the environment as the proposed allotments are capable of containing future residential development without impacting the surrounding allotments.

- 5.4. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. It is considered that all effects can be managed within the proposed lot



boundaries. As noted above, the proposed development itself will generate positive effects that are consistent with the intent of the Rural Production zone.

- 5.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in section 6.
- 5.6. Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application’. There are no other matters relevant to this application.

6. ENVIRONMENTAL EFFECTS ASSESSMENT

- 6.1. Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.
- 6.2. The proposal is considered to be a Restricted Discretionary activity as per rule 13.8.1. In considering whether to impose conditions on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters listed in 13.8.1 & 13.7.3. An assessment that corresponds with the scale and significance of the effects on the environment is provided below.

Subdivision within the Rural Production Zone

- 6.3. As per Section 13.8.1 of the District Plan, in considering whether or not to grant consent on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:
 - *effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;*
 - *effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;*
 - *effects on areas of significant indigenous flora and significant habitats of indigenous fauna;*
 - *the mitigation of fire hazards for health and safety of residents.*
- 6.4. The subject site is not located within the coastal environment.
- 6.5. As mentioned, the land on the opposite side of Lake Ohia Road is identified as DOC Public Conservation Land, as well as being a PNA defined as ‘Lake Ohia Conservation Area’. This area is also known as Lake Ohia Wetlands. The proposal is not considered to affect the ability of the Department of Conservation to manage and administer the land. The site is physically



separated from the Conservation zoned land by Lake Ohia Road and a large grassed area. The proposal will not restrict access to the DOC owned land nor create any adverse effects, as all effects can be managed within the proposed lot boundaries.

- 6.6. The proposal is not considered to have any effects on areas of significant indigenous flora or habitats of indigenous fauna. The proposal will create lots which are over 2 hectares in area and can adequately manage effects within the proposed lot boundaries. The sites themselves do not contain any indigenous vegetation or indigenous fauna.
- 6.7. It is considered that the standard consent notice condition for the vacant allotments will be applied to ensure that tanks are supplied for fire mitigation purposes at the building consent stage for any development within the lot.

Subdivision

- 6.8. In considering whether or not to impose conditions on applications for restricted discretionary subdivision activities the Council will restrict the exercise of its discretion to the following matters listed in 13.7.3.

PROPERTY ACCESS

- 6.8.1 The proposed lots will have direct access from Lake Ohia Road. All lots will have independent access directly from Lake Ohia Road.
- 6.8.2 At present, there is an existing crossing place which services the dwelling on Lot 4, this is shown below. Lot 5 is serviced by existing farm crossings, with upgrading of these crossing places not anticipated to be a condition of consent until such time the site is built upon.



Figure 10: Existing crossing place to Lot 4.

- 6.8.3 It is anticipated that upgrading and/or construction of the crossing places to Lots 1, 2, 3 & 4 will be a condition of consent on the decision document.



6.8.4 An assessment of Chapter 15 was made in Section 4 of this report, which found that the proposal meets the permitted standards.

NATURAL AND OTHER HAZARDS

6.8.5 The northern portions of Lots 1, 4 & 5 as well as the eastern portion of Lot 5, are shown to be susceptible to coastal and river hazards. This only affects a small portion of the sites, such that there are ample areas outside of the flood susceptible zones which can accommodate any future development. O’Brien Design Consulting have completed a wastewater report for the proposal which identified that the proposed lots have ample areas for onsite wastewater disposal, as will be discussed further in this report.



Figure 11: NRC Hazard Maps showing how the site is affected by coastal and river flooding.

6.8.6 In terms of section 106 of the Act, the likelihood of natural hazards occurring is low. No material damage is expected, and the proposal is not considered to accelerate or worsen natural hazards. It is therefore considered that there are no matters under s106 of the Act which would cause the Council to refuse the subdivision consent.

WATER SUPPLY

6.8.7 Proposed Lots 1, 2, 3 & 5 do not contain any residential development and it is considered the standard consent notice condition will apply for the lots to provide water supply for potable use and firefighting purposes at the time the lots are developed with a residential dwelling.

6.8.8 Proposed Lot 4 contains the existing dwelling and has existing provision for water supply by way of collection of rainwater into water tanks onsite.



STORMWATER DISPOSAL

- 6.8.9 The vacant lots, Lots 1, 2, 3 & 5, once developed are more than sufficient in size to accommodate stormwater runoff. The sites are rural in nature and will all be over 2 hectares in area such that stormwater can be adequately managed within the site boundaries for each lot.
- 6.8.10 Lot 4 contains existing built development which is considered to be within the permitted impermeable surface threshold for the zone. No changes to the current stormwater disposal method is anticipated.
- 6.8.11 It is therefore considered that the proposed allotments can manage stormwater runoff within the lot boundaries, without creating adverse effects on the surrounding environment or adjoining sites.

SANITARY SEWAGE DISPOSAL

- 6.8.12 Council's infrastructure is not available to this rural site.
- 6.8.13 O'Brien Design Consulting completed an Onsite Wastewater Site Suitability Report for the lots. This report is included with this application. Please refer to this report for more detailed information, with the below summarizing the findings.
- 6.8.14 Each of the vacant allotments (Lots 1, 2 & 3) were found to be suitable for onsite wastewater disposal. Lot 1 is shown to be susceptible to coastal and river flooding along the northern boundary. O'Brien Consulting have noted that the wastewater field reserve should be set outside of potential flooding areas, with the site plan showing ample area on Proposed Lot 1 which meets this criteria. It is noted that a 30m setback is required from the wetland areas to the north of the site contained within the DOC Land, which is also achievable.
- 6.8.15 Proposed Lot 2 is noted to contain steep slopes to the south of the lot, which are to be avoided for wastewater disposal. A manmade pond is also located to the east of the lot, with requires a setback distance of 15m which is achievable. Lot 3 also contains steep slopes, a manmade pond and overland flow paths. The required setback distances from these features are also noted as being achievable within the lot. Secondary treatment for the lots has been recommended.
- 6.8.16 Proposed Lot 4 contains the existing dwelling. It was found that the existing septic tank is close to the boundary of Lots 4 & 5 as well as showing signs of failure. It has been recommended that the septic tank is decommissioned, and a new secondary treatment system and field are to be installed within the site boundaries. This is anticipated to be a condition of consent on the decision document.
- 6.8.17 Due to the large size of Lot 5, a wastewater assessment was not completed due to there being multiple areas suitable for disposal of wastewater.



6.8.18 Therefore, it is considered that Council’s standard consent notice will apply to Lots 1, 2 and 3 which requires a TP58 to be lodged at the time of building consent, in accordance with the recommendations of the O’Brien Wastewater Report. Lot 5 has not been addressed within the report and it is considered that the requirement for a TP58 will be triggered at the time of building consent for a structure that requires effluent disposal. A condition of consent requiring the installation of a new wastewater system and the requirement for a TP58 for Lot 4 is anticipated on the decision document.

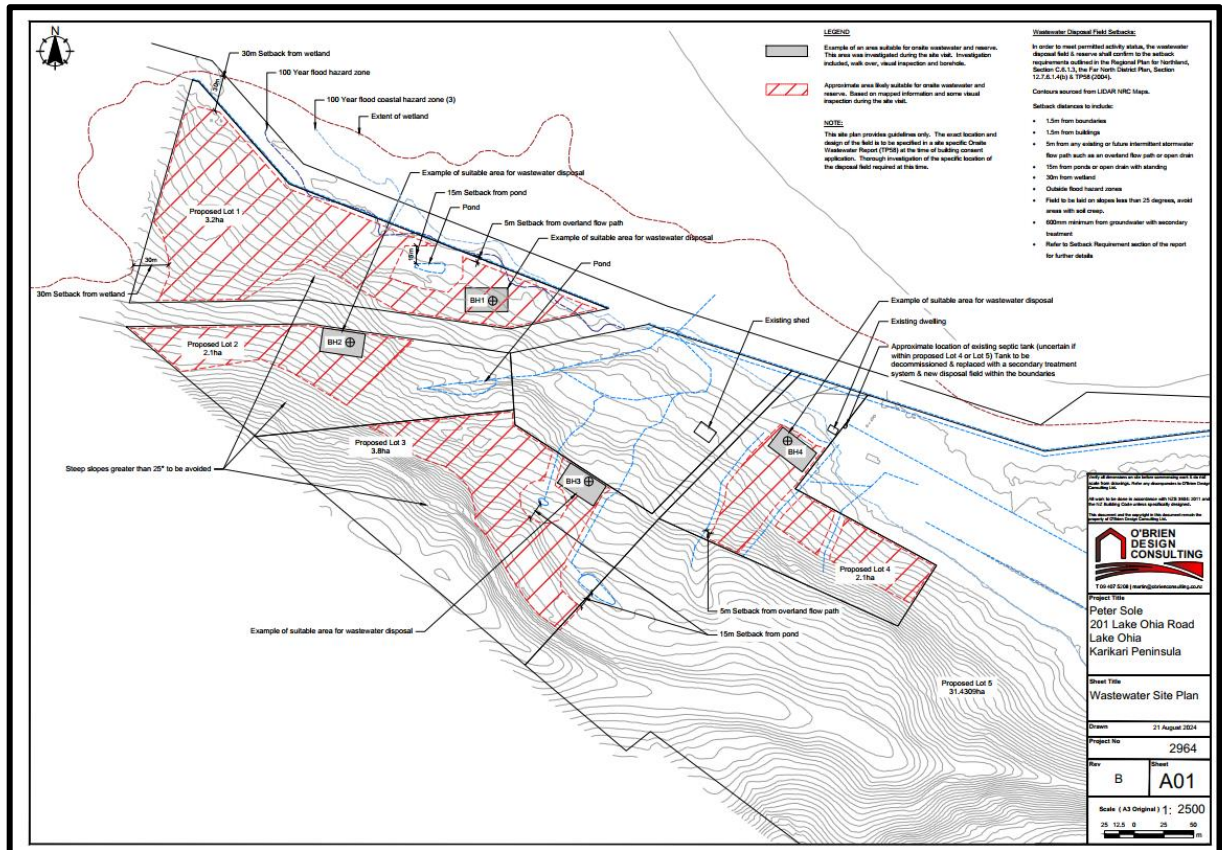


Figure 12: O'Brien Design Consulting Site plan indicating suitable areas for wastewater disposal.

ENERGY SUPPLY & TELECOMMUNICATIONS

6.8.19 The provision for power supply and telecommunications is not a requirement for the Rural Production zone.

6.8.20 The provision of energy supply and telecommunications is not anticipated to be a condition of consent for this proposal.

6.8.21 The Schedule of Proposed Easements in Gross Table has been included on the scheme plan which shows Easements A, B & C to provide Top Energy the right to convey power.

EASEMENTS FOR ANY PURPOSE

6.8.22 As mentioned above, Easements A, B & C have been provided in favour of Top Energy. Easement D has also been provided which covers the existing damn within Proposed Lot 2.



The applicants have advised that the wish for all allotments to have shared access to this damn.

PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES

6.8.23 The subject site does not contain any notable trees, historic sites, building or objects. The site is not known to contain any sites of historical or cultural significance. The site is not shown as containing an Outstanding Natural Feature or Landscape Feature. There are no archaeological sites listed on the property. The site is not shown to contain any areas of PNA or protected indigenous vegetation. The site is not located in an area which is shown to have kiwi present.

6.8.24 It is therefore considered that the proposed subdivision does not have any adverse effects on any indigenous vegetation or fauna habitats, heritage resources or landscapes.

ACCESS TO RESERVES AND WATERWAYS

6.8.25 The site does not have any access to public reserves, waterways or esplanade reserves. It is therefore considered that the provision for public access is not applicable to this proposal.

LAND USE COMPATIBILITY

6.8.26 The site and surrounding privately owned allotments are zoned Rural Production, with the area to the north zoned as Conservation, as has been discussed throughout this report. The allotment sizes in the area range in size from around 4 hectares to larger lots in excess of 19 hectares. There are some 2 hectare lots scattered throughout the surrounding environment as well.

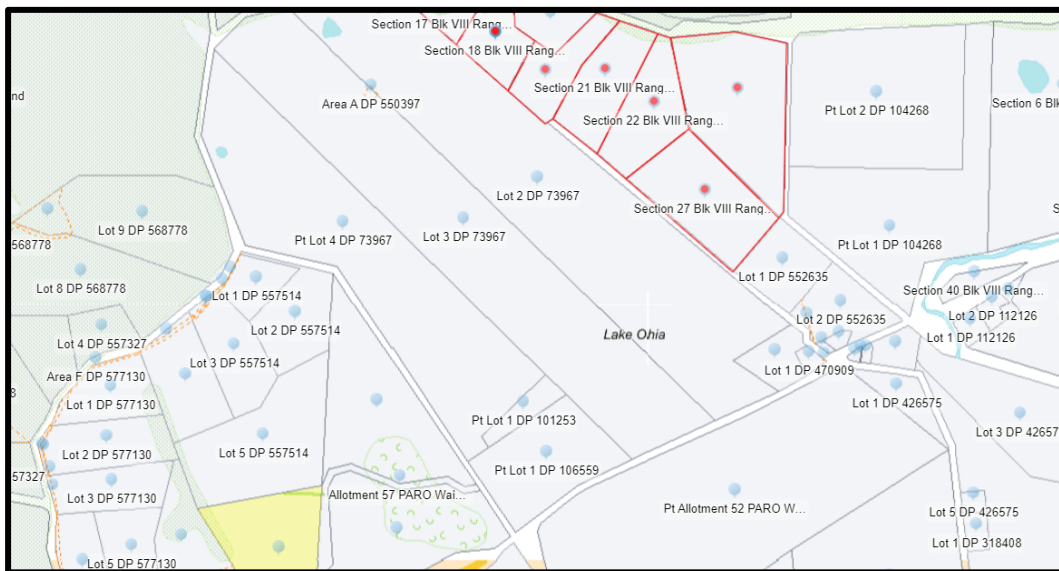


Figure 13: Site and surrounding allotment sizes.

6.8.27 The proposal will result in five allotments being 3.2ha, 2.1ha, 3.8ha and 31.4ha. Lot 4, which will be 2.1ha in area will contain the existing residential dwelling, with the remainder of the lots being vacant. Lot 5, which will be over 31 hectares in area, will be the balance lot which is anticipated to contain the existing farming production activities.



- 6.8.28 The anticipated intended purpose of Lots 1 – 4 is for development of a residential dwelling within the site as well as ample area for rural productive use such as gardens, grazing of livestock or other small scale productive use. This is considered to be consistent with land use activities in the surrounding environment such that reverse sensitivity effects are not anticipated. Proposed Lot 1 is already physically separated from the remainder of the site by road reserve, such that it acts as an independent allotment at present.
- 6.8.29 Lot 2 DP73967 which directly adjoins Lots 2, 3 & 5 along the southernmost boundary is currently used as part of a larger farming unit for grazing of livestock. Reverse sensitivity effects from the existing land use activities within this allotment are not anticipated on the proposed allotments, as there is ample area within each of the proposed allotments such that any future residential development can be located in excess of the permitted setback distances for the zone. As indicated within the site plan from O'Brien Design Consulting, disposal of wastewater is recommended within the northern portions of Lots 2 & 3, furthest from the boundary with Lot 2 DP73967, which increases the physical distance of any future residential development with the adjacent activities, minimising reverse sensitivity effects. As the proposed lots are of a size where rural productive activities can be undertaken, it is considered that the proposal will enable activities of similar stature to those in the existing environment.
- 6.8.30 The land to the north is DOC owned land which is comprised of dense bush and some wetland areas. These areas are physically separated from the site by the Lake Ohia Road reserve. The proposed lots are of sufficient size that activities undertaken within the proposed lots are not anticipated to create any reverse sensitivity effects on the DOC owned land. As determined by O'Brien Design Consulting, the vacant lots are capable of managing the disposal of wastewater within the proposed lot boundaries.
- 6.8.31 It is therefore considered that the proposal is not objectionable with lots in the surrounding environment and does not set a precedence given it is an application enabled as a Restricted Discretionary activity within the plan.
- 6.8.32 The proposal is not considered to create incompatible land uses nor reverse sensitivity effects.

PROXIMITY TO AIRPORTS

- 6.8.33 The subject site is not located in close proximity to any airport boundaries.

7. POLICY DOCUMENTS

- 7.1. In accordance with section 104(1)(b) of the Act the following documents are considered relevant to this application.



National Environmental Standards

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

7.2. In terms of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES), it is considered that the proposal does not trigger the requirement for investigation under the NES as detailed within Section 4 of this report.

Other National Environmental Standards

7.3. No other National Environmental Standards are considered applicable to this development.

National Policy Statements

7.4. There are currently 8 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development.
- National Policy Statement for Freshwater Management.
- National Policy Statement for Renewable Electricity Generation.
- National Policy Statement on Electricity Transmission.
- New Zealand Coastal Policy Statement.
- National Policy Statement for Highly Productive Land 2022
- National Policy Statement for Indigenous Biodiversity.
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat

7.5. The only applicable NPS to this proposal is considered to be the NPS for Highly Productive Land which will be assessed below.

National Policy Statement for Highly Productive Land 2022

7.6. As per the Land Guide to Implementation for the National Policy Statement for Highly Productive Land (NPS-HPL), consideration on the productive capacity of the land is not provided for within the discretion for activities with Controlled or Restricted Discretionary Activity statuses. However, consideration of the effect of the activity on existing land use activities must be provided for.

7.7. As has been discussed within this report, no reverse sensitivity or incompatible land uses are anticipated. The proposal will result in allotments which can accommodate a residential dwelling as well as productive activities within each lot. This is consistent with lots in the surrounding environment and the Rural Production zone in general. The southern boundaries of Lots 2 & 3 are quite steep, with suitable areas for built development being in the northern portions of these lots, further increasing the separation distance of any future built development in the lots from Lot 2 DP73967. The lots are also capable of managing wastewater and stormwater within each of the lot boundaries such that no downstream effects are anticipated.

7.8. As such, it is considered that the proposal will not create any reverse sensitivity effects or incompatible land uses and is consistent with the productive intent for the zone.



Other National Environmental Standards

7.9. It is considered that there are no National Policy Statements applicable to this proposal.

Regional Policy Statement

7.10. The role of the Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northland's natural and physical resources.

7.11. The proposal will result in four additional allotments which are consistent with the character of the surrounding environment. There is ample area within each of the lots for residential development and associated onsite services. Due to the slope of the land, built development on Lots 1, 2 & 3 is anticipated to occur in excess of 10 metres from the boundary with Lot 2 DP73967, as depicted within the site plan from O'Brien's Design Consulting which shows that suitable areas for onsite wastewater disposal are in the northern areas of these lots, furthest from Lot 2 DP73967. This additional distance will further ensure that reverse sensitivity effects are not created. The lots are of a size which have ample area for small scale rural productive uses, with Lot 5 containing the bulk of the productive activities. No effects on ecosystems and biodiversity within wetland areas in the vicinity are anticipated as has been discussed throughout this report.

7.12. It can be concluded from the above that the proposal is generally compatible with the intent of the Regional Policy Statement. The proposal is not considered to create any reverse sensitivity effects.

Far North Operative District Plan

Relevant objectives and policies

7.13. The relevant objectives and policies of the Plan are those related to the Subdivision Chapter, the Rural Environment and the Rural Production Zone. The proposal is considered to create no more than minor adverse effects on the rural environment. The proposal is considered to be consistent with the rural character of the surrounding area and is considered to have negligible effects on the rural amenity value of the area, as the lot sizes in the locality already reflect the size of the lots proposed. The proposal is considered to be consistent with the objectives and policies of the Plan.

7.14. The below assessment will cover the relevant objectives and policies within the FNDC ODP.

Assessment of the objectives and policies within the Subdivision Chapter

7.15. The following assessment is based upon the objectives and policies contained within Sections 13.3 and 13.4 of the District Plan.

Objectives



13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.

13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.

13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.

13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.

13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.

13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.

- 7.16. The subdivision will be consistent with the purpose of the Rural Production zone as the allotments can comply with the allotment sizes for a Restricted Discretionary Activity. The proposed new allotments will enable *small scale farming and activities ancillary to rural production whilst maintaining and enhancing amenity values associated with the rural environment, and at minimising the likelihood and risk of incompatible land uses establishing in proximity to each other.* The subdivision is not considered to compromise the life supporting



capacity of air, water, soil or ecosystems as the proposal will create allotments where all effects can be managed within the site boundaries. No reverse sensitivity effects are anticipated as has been discussed in detail within this report. The northern boundaries of the lots are shown to be susceptible to natural hazards, however there is ample area within the lots for built development and onsite wastewater disposal. The proposal is not considered to accelerate natural hazards. The site does not contain any outstanding landscapes or features and is not located within the coastal environment. The site is not shown to contain any heritage resources. On site water storage will be provided for at the time of built development on the lots, apart from Lot 4 which already has existing provisions for water storage. Stormwater will also be managed at the time of built development on the lots. The proposal will maximise the area of the balance lot to ensure that the existing use of the site can remain, mitigating reverse sensitivity effects to a less than minor degree. This is considered to result in a superior outcome compared to other forms of subdivision which could be undertaken on the site. The proposal is not considered to affect the relationship between Māori and their ancestral lands, water, sites, wahi tapu and other taonga. Electricity supply is not a requirement of the Rural Production zone. Energy efficient layout of any new building will be at the discretion of the new owners. Infrastructure will be provided for onsite. The National Grid will not be compromised.

Policies

13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

- ***natural character, particularly of the coastal environment;***
- ***ecological values;***
- ***landscape values;***
- ***amenity values;***
- ***cultural values;***
- ***heritage values; and***
- ***existing land uses.***

13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.



13.4.7 That the need for a financial contribution be considered only where the subdivision would:

- (a) result in increased demands on car parking associated with non-residential activities; or**
- (b) result in increased demand for esplanade areas; or**
- (c) involve adverse effects on riparian areas; or**
- (d) depend on the assimilative capacity of the environment external to the site.**

13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.

13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.

13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.

13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:

- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;**
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;**
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;**
- (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004));**
- (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;**
- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.**



(g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:

(a) development of energy efficient buildings and structures;

(b) reduced travel distances and private car usage;

(c) encouragement of pedestrian and cycle use;

(d) access to alternative transport facilities;

(e) domestic or community renewable electricity generation and renewable energy use.

13.4.16 When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:

(a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;

(b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and

(c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.

7.17. The proposed subdivision will not have any adverse impacts on the character, ecological, landscape, amenity, cultural, heritage or existing land uses. Vehicular access has been assessed within this report which is considered the most suitable and practical for the proposed allotments. The northern boundaries of the proposed lots are shown to be susceptible to natural hazards, however there is ample area within each of the lots for built development and onsite wastewater disposal. Connection to utility services is not a requirement of the Rural Production zone. No adverse effects are anticipated on neighbouring property, public roads and the natural and physical resources of the site. No vegetation removal is proposed as part of this application. The site is not known to contain any heritage resources, significant indigenous vegetation or habitats of fauna. The site is not located within the coastal environment, nor does it contain any riparian margins or areas of outstanding landscapes and features. Financial contribution is not considered necessary in this case. Water storage will be provided for onsite at the time of built development on the vacant lots. Bonus development and recipient areas are not considered relevant. The site is not located within the conservation area. The proposal is not considered to affect the relationship of Māori and their culture and traditions. The proposal is not considered to be an intensive subdivision, and a management plan is not considered relevant.

7.18. In regard to Policy 13.4.13, the proposed lots are at least 2 hectares in area and comply with the RDA provisions for the zone. No effects on natural character or its elements are anticipated. No vegetation clearance is proposed as part of this application as the site is currently utilised as farmland for grazing of stock with no noted areas of indigenous vegetation.



Each allotment has ample area for any future built development. The visual impact of any future built development and associated earthworks is anticipated to be no more than minor due to the large size of the lots and the large distance from public land and the CMA. The site does not adjoin foreshore areas or esplanade areas. The relationship of Māori with their culture, traditions and taonga are not anticipated to be affected. No planting of indigenous vegetation is proposed due to the existing use of the lots and the fact that this will not enhance any links. The site is not known to contain any areas of historic heritage. Natural hazards are not anticipated to be exacerbated as has been discussed throughout this report.

- 7.19. The objectives and policies of the Rural Production Environment will be undertaken below. Due to the proposal meeting the RDA provisions for the zone, it is considered consistent with the intent of the zone. Built development on the site will be at the discretion of future owners. The proposal is not located within the National Grid.

Assessment of the objectives and policies within the Rural Environment

- 7.20. The following assessment is based upon the objectives and policies contained within sections 8.3 and 8.4.

Objectives

8.3.1 To promote the sustainable management of natural and physical resources of the rural environment.

8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

8.3.3 To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.

8.3.4 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna

8.3.5 To protect outstanding natural features and landscapes.

8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment.

8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

8.3.8 To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.

8.3.9 To enable rural production activities to be undertaken in the rural environment.

8.3.10 To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.

- 7.20.1. The proposal will promote the sustainable management of natural and physical resources by providing a balance lot which can continue the existing activities which are currently undertaken on the site. The life supporting capacity of soils is not considered to be



compromised as has been discussed within this report. No adverse or cumulative effects are anticipated. The site does not contain any areas of significant vegetation nor any areas of outstanding natural features or landscapes. Conflicts between land use activities are not anticipated as the surrounding environment already contains allotments which are utilised for similar activities. As the balance lot is of a size where the existing activities can continue, this will further ensure that no conflicting land use activities are created. The lots are of ample area to provide for any future built development as well as rural productive activities. The maintenance and enhancement of the amenity values of the zone will be promoted as the proposal can comply with the RDA provisions for the zone and is therefore considered to be anticipated within the zone. The balance lot is of a size where the existing activities can continue. Management plans are not considered applicable to this low-density development. Rural production activities can continue within the site and surrounding environment. Amenity values will be maintained.

Policies

8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.

8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded, and rural productive activities are able to continue.

8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features, and landscapes.

8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.

8.4.5 That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).

8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.

8.4.7 That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.

8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided,



remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

- 7.20.2. The proposal promotes the sustainable management of natural and physical resources by utilizing the land in a more efficient way. Furthermore, the proposal will see the balance lot maintained so that the existing activities can occur on the site. The proposal is not considered to create any adverse effects. Infrastructure will be provided for on the vacant lots at the time of built development within the lots as per the recommendations contained within the Wastewater Report provided with this application. The site does not contain any outstanding landscapes or features. Amenity values will be maintained. No incompatible land uses are anticipated nor any reverse sensitivity effects, as has been discussed in detail within this report. The site is not known to contain any areas of significant indigenous vegetation or fauna. The additional traffic movements created by the additional lots are anticipated to be easily absorbed into the existing roading network. The intensity, scale and type of the proposal is considered to be consistent with other lots in the area and no adverse effects are anticipated. The proposal is considered to have a functional need to be located in the environment as the site is located 24 kilometres from Kaitaia and 10 kilometres from Taipa, so will enable additional allotments which are in close proximity to places of employment, schools and social activities. No cumulative effects are anticipated with the introduction of the proposed allotments as the existing activities on the site can continue within the balance lot as well as each of the new allotments being able to contain rural productive activities as well as built development.

Assessment of the objectives and policies within the Rural Production Zone

- 7.21. The following assessment is based upon the objectives and policies contained within sections 8.6.3 and 8.6.4

Objectives

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.

8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural environment to a level that is consistent with the productive intent of the zone.

8.6.3.4 To enable rural production activities to be undertaken in the zone.

8.6.3.5 To promote the protection of significant natural values of the Rural Production Zone.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.

8.6.3.9 To enable rural production activities to be undertaken in the zone.



- 7.21.1. The proposal will promote the sustainable management of natural and physical resources by creating a balance lot which can continue with the existing productive activities within the site. This will also ensure that the amenity values of the zone and surrounding environment are maintained. Social, economic and cultural well-being will be provided for by providing additional allotments which can be utilised for residential development and rural productive activities in close proximity to Kaitaia and Taipa. The proposal is anticipated to be easily absorbed into the existing environment. Significant natural values of the zone will be protected as the balance lot is of a size that the existing productive activities can continue as well as each of the other allotments providing ample area for rural productive activities.
- 7.21.2. The site is not located along Kerikeri Road. Reverse sensitivity effects are not anticipated, as discussed throughout this report. The subdivision can be provided for as a Restricted Discretionary Activity and is considered to therefore be anticipated by the plan. Incompatible uses are not anticipated. The proposed development is of this size and density not uncommon within the Rural Production zone itself. The proposal is considered to have a functional need within the rural environment as it will provide additional lots for development whilst being in close proximity to Kaitaia and Taipa which allows less travel distance for schools, places of employment and social events/activities. The balance lot will enable the existing productive activities to continue, with each of the other allotments being of a size where productive activities can also be undertaken. The proposal will not alter the ability of rural production activities to be undertaken in the zone, as the balance lot is of a sufficient size to enable the continuation of the existing activities on the site.

Policies

- 8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.***
- 8.6.4.2 That standards be imposed to ensure that the off-site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.***
- 8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.***
- 8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.***
- 8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.***
- 8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.***
- 8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.***



8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects cannot be avoided remedied or mitigated are given separation from other activities

8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.

- 7.21.3. The proposal is not considered to create any adverse effects on the environment nor any reverse sensitivity effects, as has been discussed throughout this report. There are no offsite effects anticipated. The proposed lot sizes are able to accommodate a buildable platform as well as area for onsite services as determined within the Wastewater report from O'Brien Consulting. No conflicting land uses are anticipated. Lots 1 – 4 are of a size which can accommodate a residential dwelling and small-scale productive activities which are not uncommon in the surrounding environment nor the Rural Production zone in general. Lot 5 will be the balance lot and will enable the existing rural productive activities on the site to continue. The proposal is anticipated to be easily absorbed into the surrounding environment. The proposal is not considered to have adverse effects on natural and physical resources.
- 7.21.4. The proposal will see four additional allotments created as a Restricted Discretionary Activity. It is considered that the proposed scale, type and intensity of the development is consistent with the surrounding environment and Rural Production zone in general.
- 7.21.5. The site does not have frontage to Kerikeri Road.
- 7.21.6. As discussed, no conflicting land uses are anticipated. Lots 1 – 4 will be of a size which can accommodate a residential dwelling and associated services as well as rural productive activities. As determined within the Wastewater Report from O'Brien Consulting, the suitable areas for wastewater disposal on Lots 2 & 3 are to the north of the lots, furthest from the adjoining Lot 2 DP73967. This provides additional separation distance from the existing rural productive activities on the lots, which reinforces that no reverse sensitivity effects will be created. Lot 5 will be the balance lot and will ensure the existing productive activities can continue. The proposed lots will not compromise the continued lawfully established existing activities in the zone.

Proposed District Plan

- 7.22. Under the Proposed District Plan, the site is zoned Rural Production, and therefore an assessment of the objectives and policies within this chapter have been included below. The proposal is considered to create no more than minor adverse effects on the rural environment and is consistent with the rural intent of the surrounding environment and the zone. The proposal is considered to be consistent with the objectives and policies of the Proposed District Plan.

Rural Production Zone

- 7.23. An assessment on the relevant objectives and policies within the Rural Production Zone has been addressed below.

Objectives

RPROZ-01 - The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.



RPROZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

RPROZ-O3 - Land use and subdivision in the Rural Production zone:

- (a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;***
- (b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;***
- (c) does not compromise the use of land for farming activities, particularly on highly productive land;***
- (d) does not exacerbate any natural hazards; and***
- (e) is able to be serviced by on-site infrastructure.***

RPROZ-O4 - The rural character and amenity associated with a rural working environment is maintained.

7.23.1. The proposed allotments are of a size which can contain rural productive activities. The proposal will provide long term protection for current and future generations by providing lots which can be built with a residential dwelling as well as some form of productive activities to provide for the owners of the lots. The balance lot, Lot 5, will enable larger scale rural productive activities. As discussed throughout this report, the proposal is considered to have a functional need to be located in the rural environment as it enables lots which can provide a residential dwelling as well as productive activities which may enhance the economic viability of the lots. The subject site is located in close proximity to both Kaitaia and Taipa, making it a perfect location for access to employment, schools and social activities. The proposal has been determined to be a Restricted Discretionary Activity and therefore consideration of the productive capacity of the land is not provided for within the discretion for activities with RDA status under the NPS for HPL. Albeit the proposed lots are of a size where productive activities can be undertaken within each allotment. No reverse sensitivity effects are anticipated as discussed throughout this report. Natural hazards are not anticipated to be exacerbated. The proposed lots can be serviced by onsite infrastructure. Rural character and amenity will be maintained as discussed throughout this report.

Policies

RPROZ-P1 - Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

RPROZ-P2 - Ensure the Rural Production zone provides for activities that require a rural location by:

- (a) enabling primary production activities as the predominant land use;***



(b) enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.

RPROZ-P3 - Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

RPROZ-P4 - Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- (a) a predominance of primary production activities;*
- (b) low density development with generally low site coverage of buildings or structures;*
- (c) typical adverse effects such as odour, noise and dust associated with a rural working environment; and*
- (d) a diverse range of rural environments, rural character and amenity values throughout the District.*

RPROZ-P5 - Avoid land use that:

- (a) is incompatible with the purpose, character and amenity of the Rural Production zone;*
- (b) does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;*
- (c) would result in the loss of productive capacity of highly productive land;*
- (d) would exacerbate natural hazards; and*
- (e) cannot provide appropriate on-site infrastructure.*

RPROZ-P6 - Avoid subdivision that:

- (a) results in the loss of highly productive land for use by farming activities.*
- (b) fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
 - 1. the type of farming proposed; and*
 - 2. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.**
- (c) provides for rural lifestyle living unless there is an environmental benefit.*

RPROZ-P7 - Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- (a) whether the proposal will increase production potential in the zone;*
- (b) whether the activity relies on the productive nature of the soil;*
- (c) consistency with the scale and character of the rural environment;*
- (d) location, scale and design of buildings or structures;*
- (e) for subdivision or non-primary production activities:
 - i. scale and compatibility with rural activities;**



ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;

iii. the potential for loss of highly productive land, land sterilisation or fragmentation

(f)at zone interfaces:

i. any setbacks, fencing, screening or landscaping required to address potential conflicts;

ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;

(g)the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;

(h)the adequacy of roading infrastructure to service the proposed activity;

(i)Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;

(j)Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

7.23.2. The proposal does not involve the creation of primary production activities. Each proposed lot is of a size where some form of rural productive activity can be accommodated within each lot. The proposal is not considered to create any new sensitive activities as the anticipated intended use of the lots are already existing within the surrounding environment. The rural character and amenity are considered to be maintained as the proposal will provide allotments which will enable future buyers to live and produce on the land. The proposal is considered to be of low density as there is ample area to offset building coverage and impermeable surface coverage within the lots. Due to the large size of the lots, effects from odour, noise and dust associated with the rural working environment are not anticipated. The proposal will enhance the diverse range of character and amenity values by providing lots which future owners can live on as well as provide additional income or additional food source (such as vegetable gardens, livestock for home kill), increasing the economic and social aspects of the area. The proposal is considered to be consistent with the purpose, character and amenity of the Rural Production zone has been discussed throughout his report. There is considered to be a functional need for the lots in the area and zone in general. Natural hazards are not anticipated to be exacerbated and the sites can provide for onsite infrastructure. No loss of HPL is anticipated. Farming activities can be undertaken within each of the allotments, which will increase the productive use of the land. Scale and character is consistent with the surrounding environment. No reverse sensitivity effects are anticipated. The site is not located at a zone interface. The lots are capable of containing onsite infrastructure. The lots will be accessed via Lake Ohia Road which is a low use road and is considered to be able to easily absorb the additional traffic movements created by the proposal. No effects on historic heritage, cultural values, natural features or landscape and indigenous biodiversity are anticipated. The proposal is not considered to affect any historical, spiritual or cultural association held by Tangata Whenua.



Summary

- 7.24. The above assessment demonstrates that the proposal will be consistent with the relevant objectives and policies and assessment criteria of the relevant statutory documents.

8. SECTION 125 – LAPSING OF CONSENT

- 8.1. The Act prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as determined by the Council. It is requested that the standard five-year provision be applied in this case.

9. NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT

Public Notification Assessment

- 9.1. Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:

Step 1 Mandatory public notification in certain circumstances

(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 2.

(3) The criteria for step 1 are as follows:

(a) the applicant has requested that the application be publicly notified;

(b) public notification is required under section 95C;

(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

- 9.1.1. It is not requested the application be publicly notified and the application is not made jointly with an application to exchange reserve land. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Public Notification precluded in certain circumstances.

(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(5) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;

(b) the application is for a resource consent for 1 or more of the following, but no other, activities:

(i) a controlled activity;

(ii) [Repealed]

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

(iv) [Repealed]

(6) [Repealed]



- 9.1.2. The application is for a Restricted Discretionary activity but not a boundary activity. No preclusions apply in this instance. Therefore, Step 3 must be assessed.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 4.

(8) The criteria for step 3 are as follows:

(a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:

(b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

- 9.1.3. No applicable rules require public notification of the application. The proposal is not considered to have a more than minor effect on the environment as detailed in the sections above.

Step 4; Public notification in special circumstances

(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

- 9.1.4. There are no special circumstances that exist to justify public notification of the application because the proposal is for a subdivision within the rural environment where the proposed lots can accommodate productive activities as well as built development, which is considered as neither exceptional nor unusual. There are many allotments in the immediate vicinity which are of similar or smaller size to the proposed allotments and hence the proposal is not considered to be exceptional or unusual.

Public Notification Summary

- 9.1.5. From the assessment above it is considered that the application does not need to be publicly notified, but assessment of limited notification is required.

Limited Notification Assessment

- 9.2. If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

Step 1: Certain affected groups and affected persons must be notified.

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) Determine—

(a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and



(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

- 9.2.1. There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application.

Step 2: Limited notification precluded in certain circumstances.

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(6) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:

(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

- 9.2.2. There is no rule in the plan or national environmental standard that precludes notification. The application is not for a prescribed activity but is for a subdivision proposal. Therefore Step 2 does not apply and Step 3 must be considered.

Step 3: Certain other affected persons must be notified

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application. The proposal is not for a boundary activity nor is it a prescribed activity.

The proposal is not for a boundary activity.

In deciding who is an affected person under section 95E, a council under section 95E(2):

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in.

- 9.2.3. A Council must not consider that a person is affected if they have given their written approval or it is unreasonable in the circumstances to seek that person's approval.

- 9.2.4. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 6 of this report, which



found that the potential adverse effects on the environment will be minor. In regard to effects on persons, the assessment in Sections 5, 6 & 7 are also relied on, and the following comments made:

- The size of the proposed allotments is consistent with the character of the allotments in the locality. Therefore, the proposed allotment sizes are not objectionable with the surrounding environment.
- The proposal is not considered to create any reverse sensitivity effects.
- The proposal will result in four additional allotments which are of an area that can accommodate built development as well as productive use which is considered to be low density development. The proposal has been assessed as a Restricted Discretionary Activity and is therefore considered to be anticipated by the plan.
- The development is not considered to be contrary to the objectives and policies under the Operative District Plan or Proposed District Plan.
- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.

9.2.5. Therefore, no persons will be affected to a minor or more than minor degree.

9.2.6. Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),

9.2.7. The proposal is to subdivide the site to create four additional allotments. No reverse sensitivity effects or incompatible land use activities are anticipated. It is considered that no special circumstances exist in relation to the application.

Limited Notification Assessment Summary

9.2.8. Overall, from the assessment undertaken Steps 1 to 4 do not apply and there are no affected persons.

Notification Assessment Conclusion

9.3. Pursuant to sections 95A to 95G it is recommended that the Council determine the application be non-notified for the above-mentioned reasons.

10. PART 2 ASSESSMENT

10.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.



- 10.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations as the proposal is considered to retain the productive use of the land while still providing for their social, economic and cultural well-being. In addition, the proposal will avoid adverse effects on the environment and will maintain the rural character of the site and surrounding environment.
- 10.3. Section 6 of the Act sets out a number of matters of national importance. These matters of national importance are considered relevant to this application. The proposal is not located within the coastal environment. On the opposite side of Lake Ohia Road, is an area of wetland which is administered by DOC. Due to the low density of the development as well as each site being capable of managing wastewater disposal and stormwater onsite, no effects on the wetland areas are anticipated. The site does not contain any areas of Outstanding Natural Features and Landscapes nor any indigenous vegetation. The site is not located along the coastal marine area or near lakes or rivers where public access would be required. The site is not known to contain any areas of cultural significance, and the proposal is not considered to affect the relationship of Māori and their culture and traditions. The site is not known to contain any sites of historical significance or be within an area subject to customary rights. The proposal does not increase the risk of natural hazards and will not accelerate, exacerbate or worsen the effects from natural hazards. It is therefore considered that the proposal is consistent with Section 6 of the Act.
- 10.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment.
- 10.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The subject site is not known to be located within an area of significance to Māori. Consultation has been had with Iwi by the applicant, with no objections raised. The proposal has taken into account the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.
- 10.6. Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by Sections 5-8 of the Act.

11. CONCLUSION

- 11.1. The proposal is to undertake a subdivision to create four additional allotments as a Restricted Discretionary Activity. The proposal is considered to be of low density and will not create any reverse sensitivity effects on existing land use activities in the area.



- 11.2. Due to the existing pattern of development in the area it is not considered that there are any adverse cumulative effects, and that the proposal does not result in degradation of the character of the surrounding rural environment.
- 11.3. In terms of section 104(1)(b) of the Act, the actual and potential effects of the proposal will be less than minor.
- 11.4. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 11.5. As a Restricted Discretionary Activity, the proposal has been assessed against the specific matters and limitations imposed by the District Plan. In accordance with sections 104, 104C, 105 and 106 of the Act in relation to Restricted Discretionary activities, it is considered appropriate for consent to be granted on a non-notified basis.

12. LIMITATIONS

- 12.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 12.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 12.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 12.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier **NA1824/10**
Land Registration District **North Auckland**
Date Issued 26 April 1960

Prior References
NA1078/279

Estate Fee Simple
Area 42.6311 hectares more or less
Legal Description Section 17-18, Section 20-22, Section 25
and Section 27 Block VIII Rangaunu
Survey District

Registered Owners
Peter Melvyn Sole and Janet Jocelyn Sole

Interests
Subject to Section 59 Land Act 1948

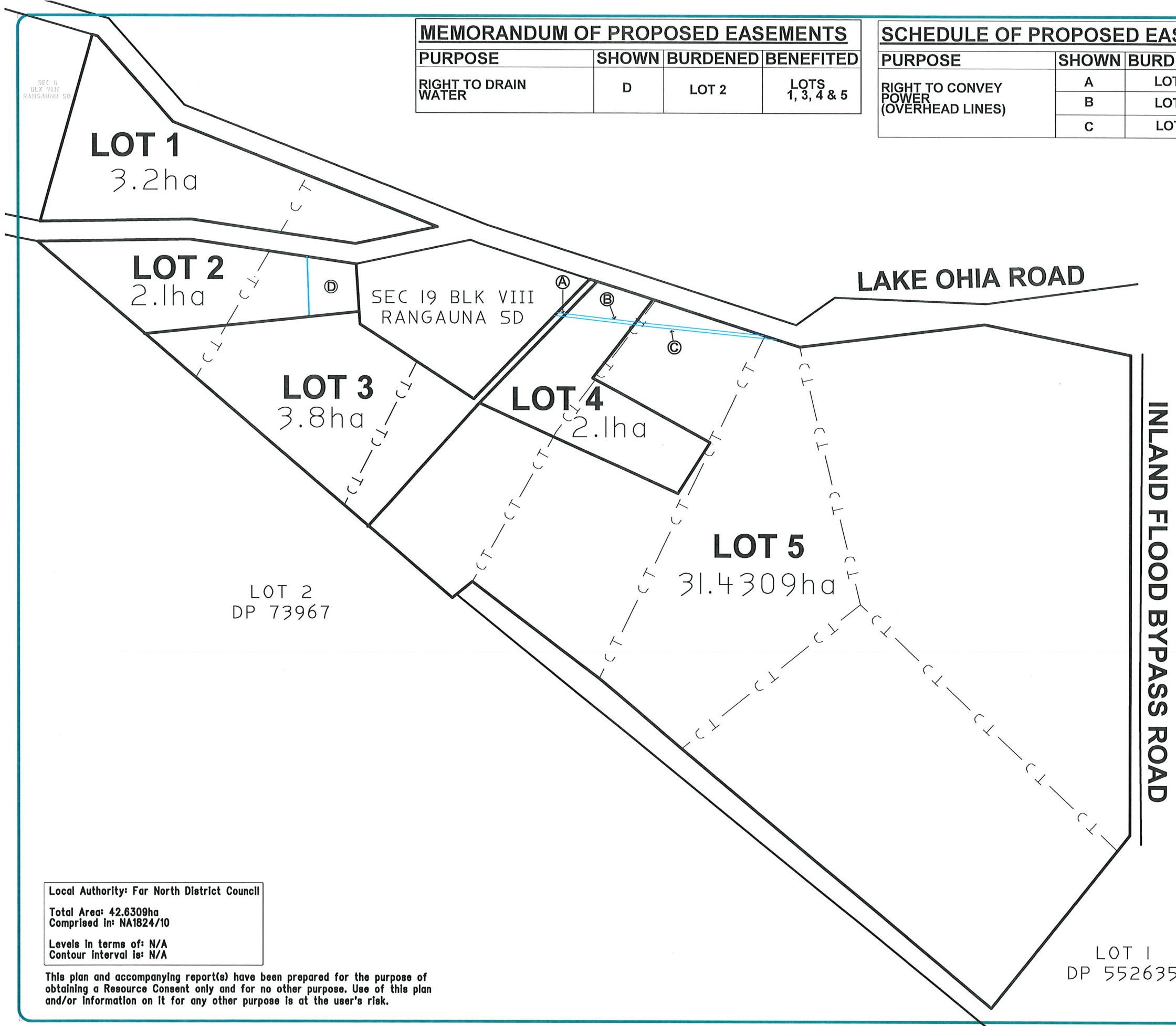
SEC 19
BLK VIII
RANGAUNU SD

MEMORANDUM OF PROPOSED EASEMENTS

PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER	D	LOT 2	LOTS 1, 3, 4 & 5

SCHEDULE OF PROPOSED EASEMENTS IN GROSS

PURPOSE	SHOWN	BURDENED	GRANTEE
RIGHT TO CONVEY POWER (OVERHEAD LINES)	A	LOT 3	TOP ENERGY Ltd
	B	LOT 4	
	C	LOT 5	



LOT 2
DP 73967

LOT 1
DP 552635

Local Authority: Far North District Council
Total Area: 42.6309ha
Comprised in: NA1824/10
Levels in terms of: N/A
Contour Interval is: N/A

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF VON STURMERS AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF SURVEY & PLANNING SOLUTIONS



VON STURMERS
Registered Land Surveyors, Planners & Land Development Consultants
Ph: (09) 408 6000
Email: kaitaia@saps.co.nz
131 Commerce St
P.O. Box 128
Kaitaia

**PROPOSED SUBDIVISION OF
SECTIONS 17,18,20-22,25 & 27 BLK VIII RANGAUNU SD**

PREPARED FOR: P.SOLE

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:4000	A3
Design			
Drawn	KJB 05-2024		
Rev	C 19.08.24	15428 2024-05-31 SCHEME PLAN	

Surveyors Ref. No:
15428
Series
Sheet of

Onsite Wastewater Site Suitability Report

Peter Sole
201 Lake Ohia Road
Lake Ohia
Karikari Peninsula
Far North District

Proposed subdivision of Sections 17, 18, 20-22,25 &
27 BLK VII Rangaunu SD

Written by: Nicola O'Brien
Approved by: Martin O'Brien

Rev: B
Date: 22nd August 2024
Job No: 2964

Ph: (09) 407 5208 | Mob: 027 407 5208
E-mail: martin@obrienconsulting.co.nz
E-mail: nicola@obrienconsulting.co.nz

Contents

Executive Summary	3
1.0 Scope	3
2.0 Site Visit	4
3.0 Desk Study	4
4.0 Site Description	4
5.0 Subdivision Scheme Plan	7
6.0 Soil Profile	8
7.0 Groundwater	8
8.0 Onsite Wastewater Disposal Design	8
9.0 Reserve Area	9
10.0 Setback Requirements	10
11.0 Stormwater Management	12
12.0 Site Planning for Onsite Wastewater	13
13.0 Summary	13
15.0 Site Plan	18
16.0 Limitations	19

Executive Summary

The subdivision of Sections 17, 18, 20-22,25 and 27 BLK VII Rangaunu SD into 5 separate lots is currently being undertaken by Northland Planning and Development, Far North. Sections 17, 18, 20-22,25 and 27 BLK VII Rangaunu SD are located to the south and end of Lake Ohia Road, Karikari Peninsula.

Following subdivision proposed Lot 1, 2 and 3 will become bare, grassed, rural sections ranging in size from 2.1 – 3.8 ha. Proposed Lot 4 will become a 2.1 ha property with a dwelling and sleepout whilst Lot 5 will become 31.4309 ha of balance farmland.

Secondary treatment, for example an aeration treatment system with dripper lines, is recommended for proposed lots 1-3 due to category 5-6, sandy soils with moderate to slow draining characteristics. Alternative designs with secondary treatment may be available and can be considered. There is ample area available for a ~360m² wastewater disposal field and 100% reserve based on a 4-bedroom dwelling with category 5-6 soils and tank water supply. The system, land application method and exact design of the wastewater disposal field are to be specified in a site-specific Onsite Wastewater Report (TP58) at the time of Building Consent application.

Proposed Lot 4 will become a 2.1 ha property. A 2-bedroom dwelling and 1-bedroom sleepout are currently located on Lot 4. The buildings may be relocated following subdivision. The dwelling is serviced by a septic tank which directs untreated wastewater into a drain. The septic tank is to be decommissioned and replaced with a secondary treatment system and field which meet current regulatory standards. The system, land application method and exact design of the wastewater disposal field are to be specified in a site-specific Onsite Wastewater Report (TP58).

1.0 Scope

This report focuses on ensuring that proposed lots 1-3 are suitable for the onsite disposal of effluent within the proposed lot boundaries. An onsite wastewater treatment system and land application method are recommended based on site characteristics including soil type, topography, and surface water setbacks. The field and reserve must meet requirements for onsite wastewater disposal as outlined in TP58 (2004), the Regional Plan for Northland (2019), Section C.6.1.3 and the Far North District Plan, Section 12.7.6.1.4(b). Lot 5 is not assessed in this report as it will become 31.5309 ha with ample available area for onsite wastewater disposal.

Criteria outlined in the Regional Plan for Northland (2019), Section C.6.1.1, for existing wastewater discharge were used to determine whether the system and field meet permitted activity status on proposed Lot 4. The location of the system and field were determined to ensure they are within the proposed lot boundaries (no field located; wastewater piped into drain).

A reserve area is required on all proposed lots. A 100% reserve area is recommended.

2.0 Site Visit

The site investigation was undertaken on 11th June 2024 and comprised of a walk over and visual assessment of proposed lots 1-3 and visual investigation of the existing system on proposed Lot 4. A 50mm wide, borehole with a steel auger was taken on each lot. The bores were taken to ascertain soil category and to ensure groundwater separation distances are achieved. USDA feel method was used to determine soil texture, soil structure and soil category.

3.0 Desk Study

A desk study of available information and site characteristics was undertaken. The following sources were reviewed, TP58 (2004), Regional Plan for Northland (2019), Section C.6.1.3, Far North District Plan, Section 12.7.6.1.4(b), Far North and Northland Regional Council Maps, Kaitaia – Rawene Soil Map and Google Earth images.

4.0 Site Description

Following subdivision proposed Lot 1 will become a 3.2 ha, rural property with fenced, grassed pasture. The topography ranges from slight to steep in a general northeasterly direction. Future onsite wastewater is to be setback a minimum of 15m from a pond located to the east of the lot as per the Regional Plan for Northland (2019), Section C.6.1.3, Table 9. A minimum 5m setback is required from drains and overland flow paths located on the grass strip running parallel to the northern boundary. A 15m setback from drains with standing water should be considered. Refer to Photograph 1 showing part of Lot 1 and the surrounding area and the Scheme Plan, Section 5.

Northland Regional Council (NRC) Hazard maps show a small amount of potential flooding, Coastal Hazard 2 and 3 (100 years) and River Flood Hazard Zone (50 years and 100 years) along part of the northern boundary of Lot 1. The flooding is from wetland located to the north. Onsite wastewater is to be setback a minimum of 30m from the wetland as per the Far North District Plan, Section 12.7.6.1.4(b). The wastewater field and reserve should be set outside of potential flooding. The Regional Plan for Northland (2019), Section C.6.1.3, Table 9 rule states outside of the “5 percent annual exceedance probability” or 1 in 20-year event. The Site Plan, Section 15 shows ample available area on proposed Lot 1 for onsite wastewater disposal.

Proposed Lot 2 will become a 2.1 ha rural property with slight to steep topography. The property slopes in a general northerly direction with a view over proposed Lot 3, the wetland and coast. Steep slopes to the south of the lot greater than 25 degrees are to be avoided for wastewater disposal. The western part of the lot is grassed pasture, open and exposed to sunlight and wind increasing evapotranspiration rates. A pond is located in vegetation to the east of the lot. Refer to Photograph 1, the Scheme Plan, Section 5 and the Site Plan, Section 15 providing details of Lot 2 and the surrounding area.

Following subdivision proposed Lot 3 will become 3.8 ha of slight to steeply sloping grassland with an area of pines and vegetation to the west. Lot 3 is elevated on northerly facing hillside with views to the north. North facing with exposure to sunlight and wind are beneficial increasing evapotranspiration of future wastewater. Steep slopes with soil creep are to be avoided for wastewater disposal. Ponds with overland flow paths are located to the east of the lot. A 15m setback from the ponds and minimum 5m setback from overland flow paths is recommended.

A dwelling, sleepout and container are located on proposed Lot 4. The buildings may be relocated following subdivision. Proposed Lot 4 will become 2.1 ha following subdivision. Drains and overland flow paths direct stormwater intermittently north following the topography. The Site Plan, Section 15 shows the approximate location of the septic tank. The tank is close to the boundary, it is uncertain whether the tank is within Lot 4 or 5. The tank is old showing signs of failure such as cracking. Untreated wastewater is piped into a drain. The septic tank is to be decommissioned. A new secondary treatment system and field are to be installed within the boundaries of the lot to current regulatory standards. Photograph 3, the Scheme Plan, Section 5 and the Site Plan, Section 15 provide details of Lot 4 and the surrounding area.



Photograph 1: View to the north. Photograph taken on proposed Lot 2 showing part of Lot 2 in the photograph foreground. Proposed Lot 1 is beyond the first fence in the photograph background. Drains are located on a grass strip to the north of Lot 1. Wetland then the coast are located further north.



Photograph 2: View to the east showing part of proposed Lot 3. Grassed, slight slopes a minimum of 15m from the pond are suitable for wastewater disposal. Steeper slopes with soil creep to be avoided.



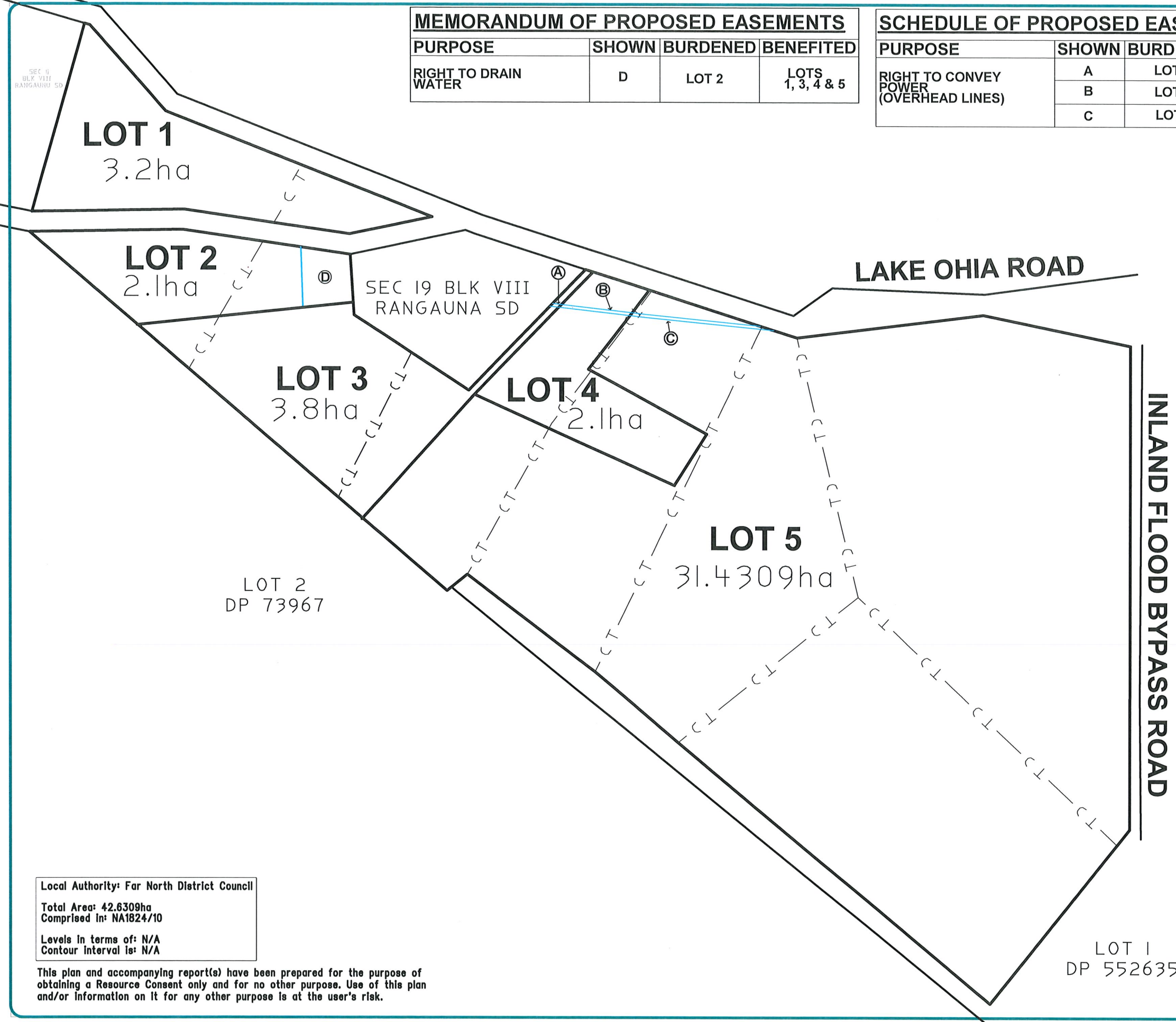
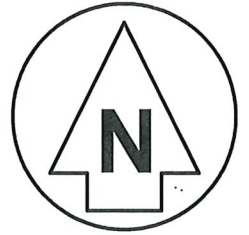
Photograph 3: Showing the dwelling, sleepout and shipping container and grassed hillside on proposed Lot 4.

MEMORANDUM OF PROPOSED EASEMENTS

PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER	D	LOT 2	LOTS 1, 3, 4 & 5

SCHEDULE OF PROPOSED EASEMENTS IN GROSS

PURPOSE	SHOWN	BURDENED	GRANTEE
RIGHT TO CONVEY POWER (OVERHEAD LINES)	A	LOT 3	TOP ENERGY Ltd
	B	LOT 4	
	C	LOT 5	



LOT 2
DP 73967

LOT 1
DP 552635

Local Authority: Far North District Council
 Total Area: 42.6309ha
 Comprised in: NA1824/10
 Levels in terms of: N/A
 Contour Interval is: N/A

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
 THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF VON STURMERS AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF SURVEY & PLANNING SOLUTIONS

VON STURMERS
 Registered Land Surveyors, Planners & Land Development Consultants
 Ph: (09) 408 6000 | 131 Commerce St
 Email: kaitaia@saps.co.nz | P.O. Box 128 Kaitaia

PROPOSED SUBDIVISION OF
SECTIONS 17,18,20-22,25 & 27 BLK VIII RANGAUNU SD
 PREPARED FOR: P.SOLE

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:4000	A3
Design			
Drawn	KJB 05-2024		
Rev	C 19.08.24	15428 2024-05-31 SCHEME PLAN	

Surveyors Ref. No:
15428
 Series
 Sheet of

6.0 Soil Profile

Geological Map Reference Number: NZMS 290 Sheet N 04/05, Kaitaia – Rawene, describes the soils to the south of the subdivision as Te Kopuru Sand (TEK) with imperfectly to very poorly drained soils of the coastal sand dune complex. Soils to the north are Ruakaka peaty sandy loam (RK) with imperfectly to very poorly drained soils of the coastal sand dune complex.

A 50mm borehole with a handheld steel auger was taken on lots 1-4. The borehole logs showed soils to be sandy loam or sand. Although soils are sand, they are described as category 5-6 moderate to slow and slow draining. This was indicated by a grey colour in some samples along with moisture retention and a pan at approximately 700mm deep during borehole 3. Drains with standing water and ponds over the subdivision also indicate soil category. Refer to the Borehole Logs, Section 14.

7.0 Groundwater

TP58 (2004), Table 5.2 states groundwater separation must be greater than 900mm for secondary treated effluent in category 6 soils. The Regional Plan for Northland, Section C.6.1.3, Table 9 requires a less conservative distance of 600mm. Groundwater was not encountered during 4 x 700-1200mm deep bores. Groundwater is estimated to be greater than 600mm depth.

A borehole establishing that the wastewater disposal field is the required distance from groundwater should be undertaken in the elected location of the field at the time of building consent application.

No freshwater bores are noted on NRC Water Resources Map or known of by the owner.

8.0 Onsite Wastewater Disposal Design

System Requirements for Proposed Lot 1, 2 and 3

Secondary treatment, for example an aeration treatment system with dripper lines is recommended. An aeration treatment system with dripper lines is an example of a suitable wastewater system and land disposal option. Alternative designs with secondary treatment may be available and can be considered provided wastewater regulations outlined in Section 10 are achieved.

Secondary treated effluent should be disposed of via a robust secondary treatment system which complies with the New Zealand Building Code. The system is to have a high output quality of: BOD5 equal to or less than 20g/m³ and TSS equal or less than 30g/m³, in line with NZS1546.3:2008 and the New Zealand Building Code. The system is to have emergency storage and be fitted with an alarm to protect against system failure.

The owner is to obtain a maintenance agreement from the manufacturer on purchase of the system. Secondary treatment systems should have an annual maintenance agreement with the supplier as stated in the Far North District Council bylaw 2805.2. This ensures the system operates efficiently and is serviced regularly.

Cost of approximately \$15,000 - \$25,000 will depend on factors including the size and design of the field, choice of system and cost of installation.

Wastewater Disposal Design

The wastewater design is based on category 6 soils, TP58 (2004), Table 9.2 with 180 litres of wastewater produced per person for roof water tank supply, TP58, Table 6.2.

Potential occupancy of a 4-bedroom dwelling x litres per person per day / loading rate = area of wastewater field

$$6 \times 180 / 3 = 360\text{m}^2$$

The exact dimensions of the field may differ in the site-specific Onsite Wastewater Disposal Report (TP58), for example the number of bedrooms may change altering system volumes and the size of the field.

The wastewater disposal field should not be grazed, driven on or built over. These activities can result in failure of the effluent field.

The system, land application method and design of the field is to be specified in a site-specific Onsite Wastewater Report (TP58) at the time of building consent application.

9.0 Reserve Area

A minimum 30% reserve is required for secondary treated effluent as outlined in the Regional Plan for Northland (2019) Section C.6.1.3 (9b). A conservative 100% reserve area is recommended for subdivision. A 100% reserve area, meeting setback requirements, is available on all proposed lots.

The purpose of a reserve is to provide additional area for wastewater disposal, for example in the event of failure of the original field or future expansion of the development. The reserve field must be protected from development that would prevent its use in the future. A reserve area must always be available. The Site Plan, Section 15 shows likely areas suitable for onsite wastewater disposal and reserve.

10.0 Setback Requirements

General setback requirements for wastewater are outlined in the Regional Plan for Northland (2019), Section C.6.1.3, TP58 (2004), Table 5.2 and the Far North District Plan, Section 12.7.6.1.4(b) provided below. These setback distances are to be adhered to in any site-specific onsite wastewater report (TP58).

Regional Plan for Northland (2019), Section C.6.1.3

The discharge of domestic type wastewater into or onto land from an on-site system and the associated discharge of odour into air from the on-site system are permitted activities, provided:

- 1) The on-site system is designed and constructed in accordance with the *Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012)*, (TP58, 2004 also used) and
- 2) the volume of wastewater discharged does not exceed two cubic metres per day, and
- 3) the discharge is not via a spray irrigation system or deep soakage system, and
- 4) the slope of the disposal area is not greater than 25 degrees, and
- 5) the wastewater has received secondary or tertiary treatment and is discharged via a trench or bed in soil categories 3 to 5 that is designed in accordance with Appendix L of *Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012)*; or is via an irrigation line system that is:
 - a) dose loaded, and
 - b) covered by a minimum of 50 millimetres of topsoil, mulch, or bark, and
- 6) for the discharge of wastewater onto the surface of slopes greater than 10 degrees:
 - a) the wastewater, excluding greywater, has received at least secondary treatment, and
 - b) the irrigation lines are firmly attached to the disposal area, and
 - c) where there is an up-slope catchment that generates stormwater runoff, a diversion system is installed and maintained to divert surface water runoff from the up-slope catchment away from the disposal area, and
 - d) a minimum 10 metre buffer area down-slope of the lowest irrigation line is included as part of the disposal area, and
 - e) the disposal area is located within existing established vegetation that has at least 80 percent canopy cover, or
 - f) the irrigation lines are covered by a minimum of 100 millimetres of topsoil, mulch, or bark, and
- 7) the disposal area and reserve disposal area are situated outside the relevant exclusion areas and setbacks in *Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems*, and

- 8) for septic tank treatment systems, a filter that retains solids greater than 3.5 millimetres in size is fitted on the outlet, and
- 9) the following reserve disposal areas are available at all times:
 - a) 100 percent of the existing effluent disposal area where the wastewater has received primary treatment or is only comprised of greywater, or
 - b) 30 percent of the existing effluent disposal area where the wastewater has received secondary treatment or tertiary treatment, and
- 10) the on-site system is maintained so that it operates effectively at all times and maintenance is undertaken in accordance with the manufacturer's specifications, and
- 11) the discharge does not contaminate any groundwater water supply or surface water, and
- 12) there is no surface runoff or ponding of wastewater, and
- 13) there is no offensive or objectionable odour beyond the property boundary.

Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems

Feature	Secondary and tertiary treated domestic type wastewater	Greywater
<i>Exclusion areas</i>		
<i>Floodplain</i>	<i>5 percent annual exceedance probability</i>	<i>5 percent annual exceedance probability</i>
<i>Horizontal setback distances</i>		
<i>Identified stormwater flow path (including a formed road with kerb and channel, and water-table drain) that is downslope of the disposal area)</i>	<i>5 metres</i>	<i>5 metres</i>
<i>River, lake, stream, pond, dam or natural wetland</i>	<i>15 metres</i>	<i>15 metres</i>
<i>Coastal marine area</i>	<i>15 metres</i>	<i>15 metres</i>
<i>Existing water supply bore</i>	<i>20 metres</i>	<i>20 metres</i>
<i>Property boundary</i>	<i>1.5 metres</i>	<i>1.5 metres</i>
<i>Vertical setback distances</i>		
<i>Winter groundwater table</i>	<i>0.6 metres</i>	<i>0.6 metres</i>

TP58 (2004), Table 5.2

Separation distances outlined in TP58 (2004), Table 5.2 for category 5-6 soils are the same as those stated in the Regional Plan for Northland (2019), Section C.6.1.3. However, TP58 (2004) recommends a more conservative separation distance from groundwater in category 5-6 soils, 900mm vs 600mm.

Far North District Plan, Section 12.7.6.1.4(b)

Specific to the Far North District is a more conservative separation distance from a river, lake, wetland, or the boundary of the coastal marine area. The Far North District Plan, Section 12.7.6.1.4(b) requires a 30m setback, greater than the 15m required by the Regional Plan for Northland (2019), Section C.6.1.3 and TP58 (2004), Table 5.2. A 30m setback is required from the wetland to the north.

11.0 Stormwater Management

The property is identified as being in the Rural Production zone as per the Far North District Plan.

To be a permitted activity under the Stormwater Management section of the plan the property must have maximum 15% impermeable surfaces per lot.

Lots 1-3 are greenfield sites with no buildings or impermeable surfaces.

Lot 1

$32,000\text{m}^2 \times 15\% = 4,800\text{m}^2$ permitted.

Lot 2

$21,000\text{m}^2 \times 15\% = 3,150\text{m}^2$ permitted

Lot 3

$38,000\text{m}^2 \times 15\% = 5,700\text{m}^2$ permitted

Lot 4

$21,000\text{m}^2 \times 15\% = 3,150\text{m}^2$

Approximately 260m^2 of impermeable surfaces, <2% permitted.

12.0 Site Planning for Onsite Wastewater

Impermeable surfaces such as driveways, sheds and swimming pools may take up area available for wastewater.

TP58 (2004), Table 6.1 states that rooms that could be considered bedrooms such as an office, study, sewing, media, or games room are to be included as potential bedrooms for wastewater calculations. This means that some large modern houses may have an increased occupancy. For example, a 4-bedroom dwelling with an office and media room that could potentially be used as bedrooms would have the following wastewater calculation with secondary treatment:

Potential occupancy of a 6-bedroom dwelling x litres per person per day / loading rate = area of effluent field

$$9 \times 180 / 3 = 540\text{m}^2$$

Setback distances from surface water and other site constraints such as steep slopes also reduce area available for wastewater disposal on a property.

Prior to development of the site, site planning should be undertaken to ensure a suitable area for wastewater and reserve is available.

13.0 Summary

There is suitable available area on proposed lots 1-3 for onsite wastewater disposal and reserve within the lot boundaries. Secondary treatment is recommended.

The septic tank and drainage, on proposed Lot 4, are to be decommissioned as they do not meet criteria outlined in the Regional Plan for Northland (2019), Section C.6.1.1, for existing wastewater discharge. A new secondary treatment system with dripper lines is recommended. The system and field are to be located within the lot boundaries to current regulatory standards.

This report is for Resource Consent for subdivision only. The precise design for each proposed lot will require a site-specific Onsite Wastewater Report (TP58) at the time of building consent application. The field and reserve must meet requirements for onsite wastewater disposal as outlined in TP58 (2004), the Regional Plan for Northland (2019), Section C.6.1.3 and the Far North District Plan, Section 12.7.6.1.4(b).

14.0 Borehole Logs



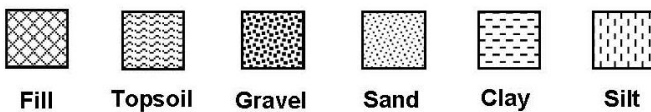
BOREHOLE LOG 1



Client	Peter Sole	Job No.	2964
Project	Subdivision	Date Drilled	11/06/2024
Site Address	Lake Ohia Road, Lake Ohia	Drilled By	Martin O'Brien
Location	Proposed Lot 1	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category		
100	Groundwater not intercepted	Ruakaka peaty sandy loam (RK)		Slightly moist dark brown sandy topsoil	4		
200				Moist dark brown sandy loam	5		
300							
400							
500							
600							
700							
800							
900						Slightly moist greyish brown sand with white sand streaks	5
1000							
1100							
1200						EOB	
1300							
1400							
1500							
1600							
1700							
1800							
1900							
2000							
2100							

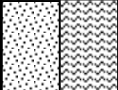
Graphic Log Legend









The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.

BOREHOLE LOG 2

Client	Peter Sole	Job No.	2964
Project	Subdivision	Date Drilled	11/06/2024
Site Address	Lake Ohia Road, Lake Ohia	Drilled By	Martin O'Brien
Location	Proposed Lot 2	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category
100	Groundwater not intercepted	Ruakaka peaty sandy loam (RK)		Slightly moist dark brown sandy topsoil	4
200					
300				Moist orangey brown sand	5
400					
500					
600					
700					
800					
900					
1000					
1100					
1200					
1300				EOB	
1400					
1500					
1600					
1700					
1800					
1900					
2000					
2100					

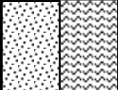
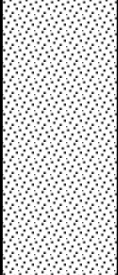
Graphic Log Legend

					
Fill	Topsoil	Gravel	Sand	Clay	Silt

The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.

BOREHOLE LOG 3

Client	Peter Sole	Job No.	2964
Project	Subdivision	Date Drilled	11/06/2024
Site Address	Lake Ohia Road, Lake Ohia	Drilled By	Martin O'Brien
Location	Proposed Lot 3	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category
100	Groundwater not intercepted	Te Kopuru Sand (TEK)		Slightly moist dark greyish brown sandy topsoil	3
200				Slightly moist brown and white sandy topsoil	
300				Slightly moist white and brown sand	3
400					
500					
600					
700					
800					
900	Groundwater not intercepted			EOB	
1000					
1100					
1200					
1300					
1400					
1500					
1600					
1700					
1800					
1900					
2000					
2100					

Graphic Log Legend



Fill



Topsoil



Gravel



Sand



Clay

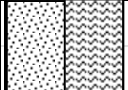
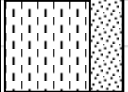


Silt







The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.

BOREHOLE LOG 4

Client	Peter Sole	Job No.	2964
Project	Subdivision	Date Drilled	11/06/2024
Site Address	Lake Ohia Road, Lake Ohia	Drilled By	Martin O'Brien
Location	Proposed Lot 4	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category	
100	Groundwater not intercepted	Ruakaka peaty sandy loam (RK)		Slightly moist brown sandy topsoil	4	
200						
300					Moist greyish brown silty sand loam	5
400						
500						
600						
700						
800						
900						
1000						
1100					Moist light brown silt	6
1200						
1300				EOB		
1400						
1500						
1600						
1700						
1800						
1900						
2000						
2100						

Graphic Log Legend

					
Fill	Topsoil	Gravel	Sand	Clay	Silt

The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.



LEGEND



Example of an area suitable for onsite wastewater and reserve. This area was investigated during the site visit. Investigation included, walk over, visual inspection and borehole.



Approximate area likely suitable for onsite wastewater and reserve. Based on mapped information and some visual inspection during the site visit.

NOTE:

This site plan provides guidelines only. The exact location and design of the field is to be specified in a site specific Onsite Wastewater Report (TP58) at the time of building consent application. Thorough investigation of the specific location of the disposal field required at this time.

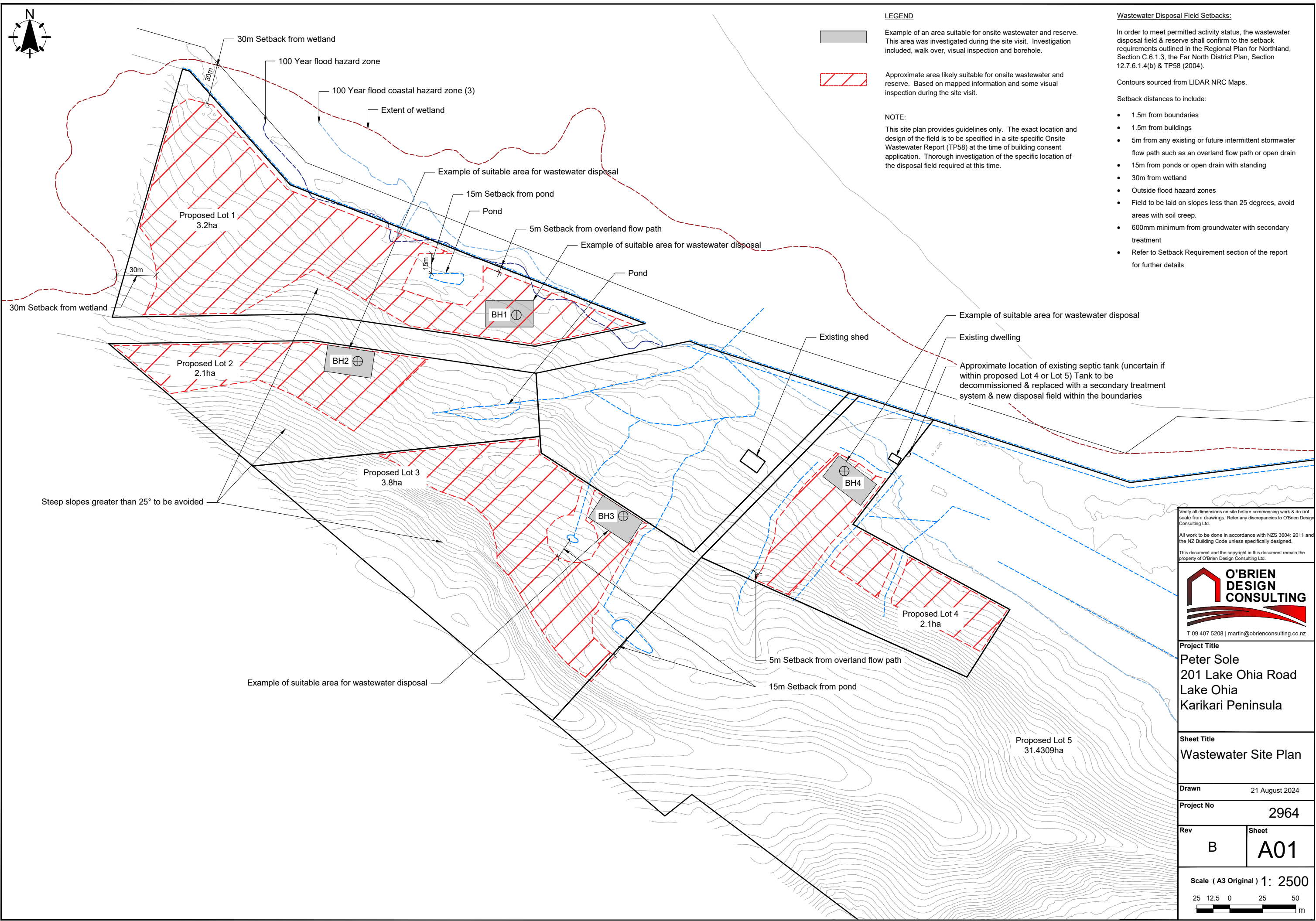
Wastewater Disposal Field Setbacks:

In order to meet permitted activity status, the wastewater disposal field & reserve shall confirm to the setback requirements outlined in the Regional Plan for Northland, Section C.6.1.3, the Far North District Plan, Section 12.7.6.1.4(b) & TP58 (2004).

Contours sourced from LIDAR NRC Maps.

Setback distances to include:

- 1.5m from boundaries
- 1.5m from buildings
- 5m from any existing or future intermittent stormwater flow path such as an overland flow path or open drain
- 15m from ponds or open drain with standing
- 30m from wetland
- Outside flood hazard zones
- Field to be laid on slopes less than 25 degrees, avoid areas with soil creep.
- 600mm minimum from groundwater with secondary treatment
- Refer to Setback Requirement section of the report for further details



Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.
 All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.
 This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



Project Title
 Peter Sole
 201 Lake Ohia Road
 Lake Ohia
 Karikari Peninsula

Sheet Title
 Wastewater Site Plan

Drawn 21 August 2024

Project No 2964

Rev	Sheet
B	A01

Scale (A3 Original) 1: 2500
 25 12.5 0 25 50 m

16.0 Limitations

1. Our responsibility for this report is limited to the property owner named on the front page of this document. We disclaim all responsibility and will accept no liability to any other person unless that party has obtained the written consent of O'Brien Design Consulting Ltd. O'Brien Design Consulting Ltd reserves the right to qualify or amend any opinion expressed in this report in dealing with any other party. It is not to be relied upon for any other purpose without reference to O'Brien Design Consulting Ltd.
2. Recommendations and opinions in this report are based on data obtained from the investigations and site observations as detailed in this report. The nature and continuity of subsoil conditions at locations other than the investigation bores and tests are inferred and it should be appreciated that actual conditions could vary over the site.
3. It is the property owner's responsibility to ensure careful site planning is undertaken to ensure onsite wastewater and a reserve is available at the time of development. An example of an area suitable for onsite wastewater is designated.
4. Opinions and judgements expressed are based on our interpretation and understanding of current regulatory standards and should not be construed as legal opinions. Where opinions or judgments are to be relied on they should be independently verified with appropriate legal advice.



Ph: (09) 407 5208 | Mob: 027 407 5208
E-mail: martin@obrienconsulting.co.nz
E-mail: nicola@obrienconsulting.co.nz

Ko Puheke te Maunga
Ko Mamaru te Waka
Ko Whanau Moana me te Rorohuri nga Hapu
Ko Haititaimarangi te Marae
Ko Ngatikahu te Iwi

22 August 2024

To whom it may concern,

I am writing to support the application for the proposed subdivision at 201 Lake Ohia by owner Peter Sole.

I don't have any objections and don't see any issues with the application.

Regards

A handwritten signature in black ink, appearing to be 'HW', with a large circular flourish and a long horizontal line extending to the right.

Hazely Windelborn
021955716