



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: Neville Dangen

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)



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: Neville Joseph Lorenz Dangen and Norman Peter Wilde

Property Address/
Location: 12 Salvaton Road, Kaeo

7. Application Site Details:

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

Site Address/
Location: 12 Salvation Road, Kaeo

Legal Description: Pt Section 1 BLK VI Whangaroa SD Val Number:00121-08200

Certificate of Title: NA47C/757
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 contact the applicant prior to the site visit

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 one additional allotment 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:

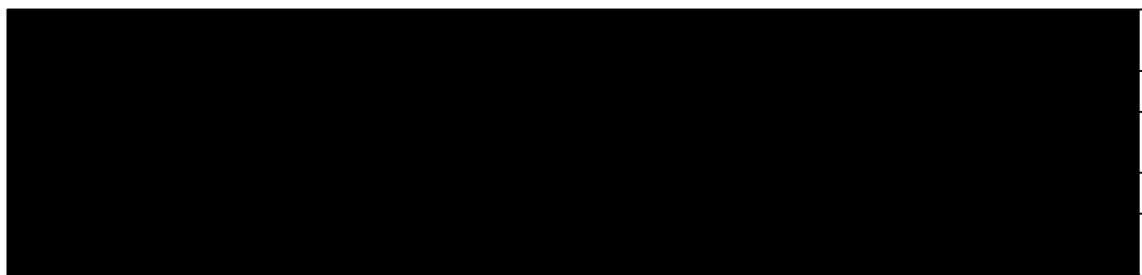
This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write all names in full) Neville Joseph Lorenz Dangen

Email:

Postal Address:

Phone Numbers:



Fees Information: An instalment 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: _____ (please print)

Signature: _____ (signature of bill payer – **mandatory**) Date: _____

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: _____ (please print)

Signature: _____ (signature)

Date: _____

(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
Salvation Farms
12 Salvation Road Extension, Totara North

Date: 21/08/2024

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.

Please note the proposal includes an amalgamation condition.

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



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1. Far North District Council Application Form
2. Certificate of Title – LINZ
3. Scheme Plan – Von Sturmey Surveyors
4. Wastewater Report – O’Brien Design Consulting
5. Transfer Document C002780.1 - LINZ



Assessment of Environment Effects Report

1.0 DESCRIPTION OF THE PROPOSED ACTIVITY

Subdivision

- 1.1 The proposal is to undertake a subdivision of Part Section 1 Block VI Whangaroa SD to create one additional title, as shown in Figure 1 below.
- 1.2 The proposed lot sizes are as follows:
- Proposed Lot 1 – 4 hectares (vacant lot)
 - Proposed Lot 2 – 87.2077 hectares – balance lot which will contain the existing dwelling and sheds. This lot is to be amalgamated with Allotment 31 Psh of Whakapaku and Section 25 Blk VI Whangaroa SD.

Areas and measurements are subject to final survey.

Amalgamation Condition

- 1.3 Currently, the subject site and the adjoining allotments, Section 25 Blk VI Whangaroa SD and Allotment 31 Parish of Whakapaku, are held within the same Record of Title (NA47C/757). As a result of this proposal, Proposed Lot 2 will be held within the same Record of Title as Allotment 31 Parish of Whakapaku and Section 25. The following amalgamation condition is therefore proposed:

'That Lot 2 hereon and Section 25 Blk VI Whangaroa SD (RT NA47C/757) & Allotment 31 Parish of Whakapaku (RT47C/757) be held in the same Record of Title.'

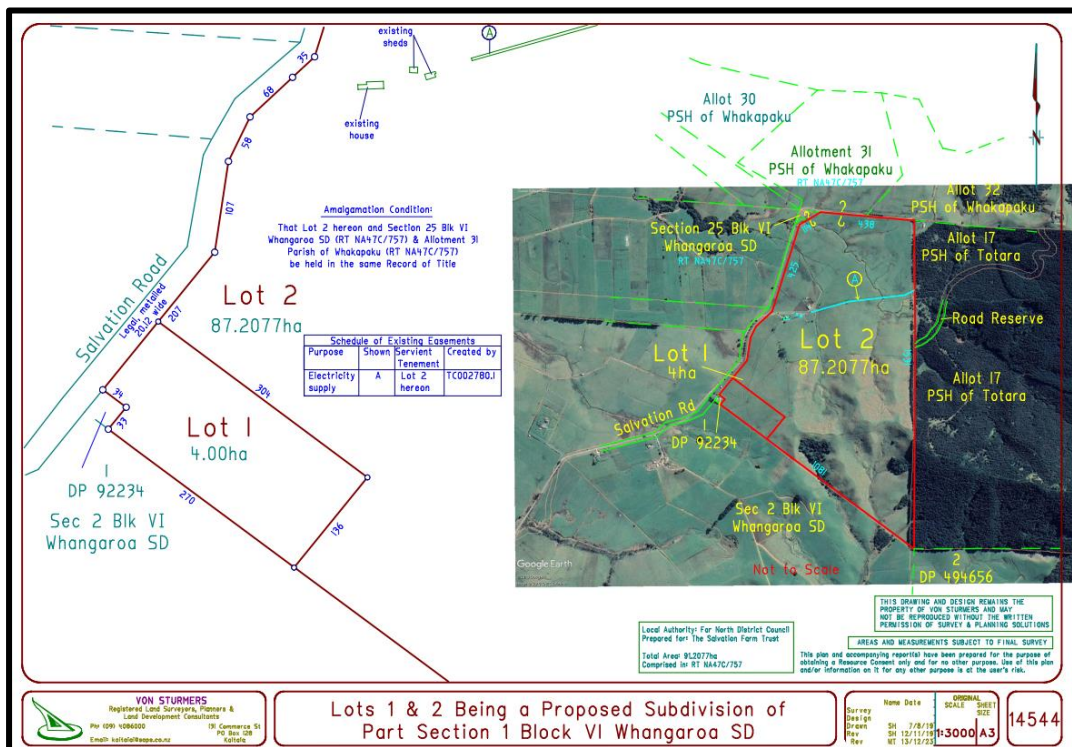


Figure 1: Proposed scheme plan.



2.0 THE SITE AND SURROUNDING ENVIRONMENT

- 2.1 The property is located at 12 Salvation Road, Totara North and is currently utilised as a working farm with an existing dwelling and ancillary farm buildings. The existing dwelling and farm buildings are to be contained within Proposed Lot 2 which can be viewed in the aerial image below.
- 2.2 The site currently gains access via an existing vehicle crossing off Salvation Road, which is a metalled road of good formation.
- 2.3 The subject site does not contain any significant areas of vegetation nor is it located within an outstanding landscape or Protected Natural Area. The topography of the site is of undulating farmland.
- 2.4 The surrounding environment consists of a range of allotment sizes. There are larger rural productive lots of 30 hectares plus, some rural lifestyle allotments 1-2 hectares and also some smaller rural-residential allotments less than 1 hectare in size scattered throughout the area. Directly adjoining the western corner of the subject site is a smaller rural-residential allotment of 1121m² which contains a residential dwelling. This will adjoin Proposed Lot 1 as a result of this proposal. To the east and north of the site are bush blocks which form part of PNA North Whangaroa and Ranfurly Bay Scenic Reserve. These features do not extend into the subject site.



Figure 2: The subject site and surrounding allotments.



Figure 3: Aerial Image of the site and surrounding allotments showing bush to the east and north of the site.



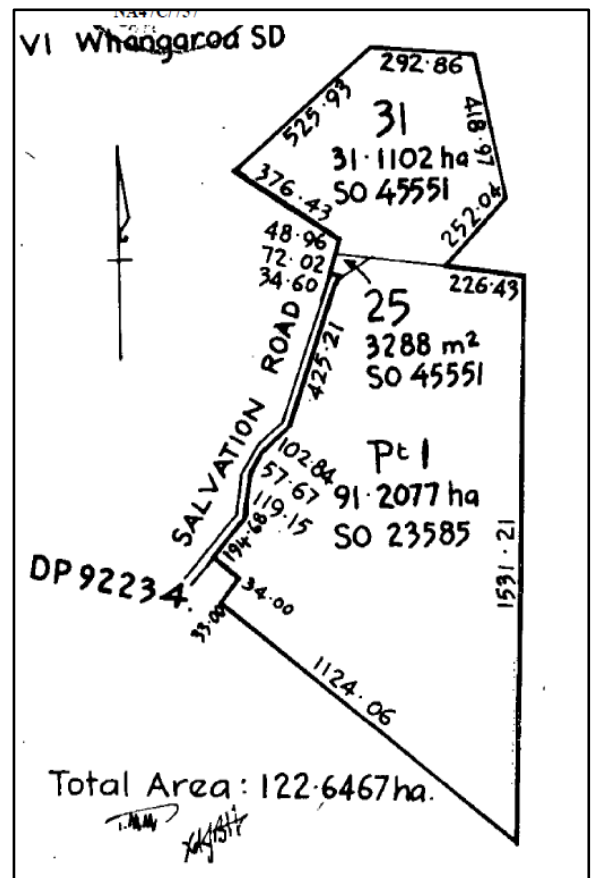
3. BACKGROUND

Title

- 3.1 The subject site is held in Record of Title NA47C/757 and is legally described as Allotment 31 Parish of Whakapaku and Section 25 and Part Section 1 Block VI Whangaroa Survey District, with a total land area of 122.6467 hectares. These three allotments which are held in the same Record of Title are shown in the below image.
- 3.2 It is proposed to have Proposed Lot 2, which is the balance lot, held in the same Record of Title as Allotment 31 Parish of Whakapaku and Section 25 Blk VI Whangaroa SD.
- 3.3 There are no consent notices registered on the title.

Identifier	NA47C/757
Land Registration District	North Auckland
Date Issued	01 December 1980
Prior References	
NA47A/661	
Estate	Fee Simple
Area	122.6467 hectares more or less
Legal Description	Allotment 31 Parish of Whakapaku and Section 25 and Part Section 1 Block VI Whangaroa Survey District
Registered Owners	
Norman Peter Wilde and Neville Joseph Lorenz Dangen	

Figure 4: NA47C/757



Site Features

- 3.4 The site is located within the Rural Production zone within the Operative District Plan as well as being within the Rural Production zone under the Proposed District Plan.
- 3.5 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 Lot 2.



3.6 The site does not contain any known areas of indigenous vegetation or Protected Natural Areas. As mentioned, PNA North Whangaroa and Ranfurly Bay Scenic Reserve are located to the east and north of the site, however these features do not extend into the subject site. The site is located in an area which is shown to have kiwi present.

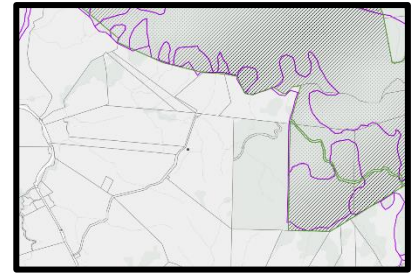


Figure 5: FND Reserves and PNA maps

3.7 The NZAA maps have recorded an archaeological site within the balance lot, Proposed Lot 2. There are no recorded archaeological sites within or in close proximity to Proposed Lot 1.

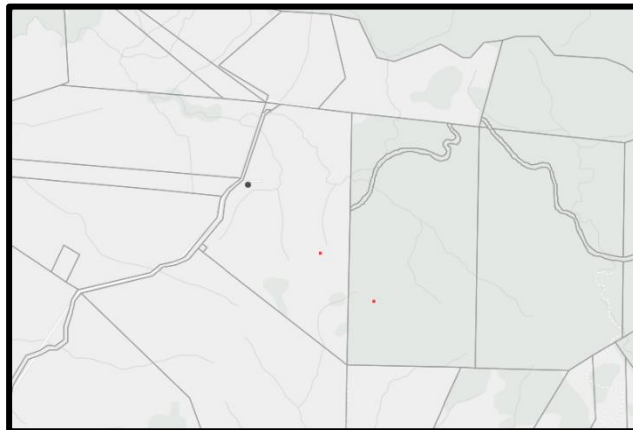


Figure 6: NZAA Maps

3.8 The site is not registered as a HAIL site.

3.9 The soils within the site are mapped as being LUC 4e3, 4s3 and 6e2 which are not classified as being highly versatile soils under the Regional Policy Statement for Northland (RPS) and also not classified as being highly productive land under the National Policy Statement for Highly Productive Land (NPS for HPL).

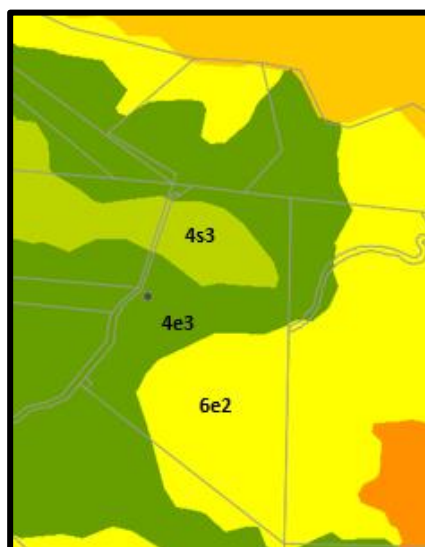


Figure 7: LUC Maps

- 3.10 The site is not shown to contain any mapped wetland areas.
- 3.11 There is a band of river flood hazards within the northern portion of Proposed Lot 2. Proposed Lot 2 will be the balance lot and contain the existing dwelling, which is located over 200 metres from the areas susceptible to river flood hazards. Proposed Lot 1 is not shown to be susceptible to any river flood hazards.



Figure 8: NRC Hazard Maps

- 3.12 With regard to the Regional Policy Statement for Northland the site is located outside of the Coastal Environment and is not subject to any Outstanding Natural features and landscapes. The PNA to the north and east of the site are shown to be of Outstanding Natural Landscape (Mangonui Forest Range and Pekapeka Bay), however this does not extend into the subject site.
- 3.13 The site is located within a Statutory Acknowledgement area for Ngatikahu ki Whangaroa. The applicant has made contact with Ngatikahu ki Whangaroa and is yet to receive a response.

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 1980. The proposal will create one additional title (two titles in total), with Lot 1 being 4 hectares and Lot 2 being 87.2077 hectares. Therefore, the proposal is able to comply with Clause 4 of the Restricted Discretionary Activity provisions, which states that <i>a maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000.</i></p>
13.7.2.2	ALLOTMENT DIMENSIONS	<p>Complies</p> <p>The minimum dimension is 30m x 30m taking into account the 10m setback. Lot 2 contains existing built development, with Lot 1 being vacant. Lot 1 is of a size which can cater for the concept building envelope.</p>
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. Proposed Lot 1 will be vacant land. Proposed Lot 2 will be the balance lot and contain the existing dwelling and services. Only assessment of Proposed Lot 2 against the rules within Section 8.6.5.1, will be undertaken below, as Proposed Lot 1 will be vacant land.

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	<p>Permitted</p> <p>Proposed Lot 2 will contain the only existing dwelling.</p>



8.6.5.1.2	SUNLIGHT	Permitted The existing structures on Lot 2 are 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 2 will contain the existing dwelling, sheds & metalled driveway. Lot 2 is over 87 hectares in area and as such, it is considered that the impermeable surface coverage within the site is well within 15% of the total site area.
8.6.5.1.4	SETBACK FROM BOUNDARIES	Permitted. The existing structures within Lot 2 are 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 The building coverage within Lot 2 is well within 12.5% of the total site area for the lot.
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 one additional allotment. Lot 2 will be the only allotment which contains a residential dwelling, with Lot 1 being vacant. The first residential unit on a site and farming activities are exempt from this rule.
15.1.6B	PARKING	Permitted Activity



		<p>Lot 1 is considered of adequate area to provide for any future parking, if the lot is developed in the future. Proposed Lot 2 will contain the existing residential unit which has existing parking areas that will remain unchanged as part of this proposal.</p>
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	<p>Not applicable.</p> <p>No private accessways are proposed as part of this proposal. Proposed Lot 1 will have direct access from Salvation Road and Proposed Lot 2 will utilise the existing access to the dwelling.</p>
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	<p>Permitted Activity.</p> <p>(a) Proposed Lot 1 will have a new crossing place constructed along Salvation Road. This portion of road has good sight lines in both directions. Proposed Lot 2 will utilise the existing crossing place which services the existing dwelling. It is anticipated that any construction and upgrading of the crossing places to Council's Engineering Standards will be imposed as a condition of consent.</p> <p>(b) Salvation Road is a metalled road and as such, splays will not be sealed.</p> <p>(c) The vehicle crossings will only service one allotment each.</p>
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.
15.1.6C.1.7	GENERAL ACCESS STANDARDS	<p>Permitted.</p> <p>(a) Vehicle manoeuvring will be addressed at the time Lot 1 is developed with a residential dwelling. There is adequate area within the site for this. The vehicle manoeuvring within Lot 2 will remain unchanged.</p> <p>(b) Not applicable.</p> <p>(c) The sides of the driveway will remain in grass.</p> <p>(d) Stormwater will be managed on site.</p>
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	<p>(a) The sites have access from Salvation Road, which is considered to meet the legal road width standards.</p> <p>(b) Salvation Road is considered to be constructed to the required standards.</p> <p>(c) The sites do not have more than one road frontage.</p> <p>(d) There are no known encroachments of the carriageway into the proposed lots.</p>
15.1.6C.1.9 – 15.1.6C..11 are not applicable to this application		



- 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 Maori. 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	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable.



Indigenous Biodiversity		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	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a	Not applicable. No signs are proposed as part of this application.



	scheduled heritage resource or heritage area	
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

- 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 and review of aerials 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. There are no wetland areas near the proposed allotments which would trigger the requirement for consent under the NES-F.
- 4.15. As such, it is considered that the proposal is **Permitted** in terms of this regulation.
- 4.16. 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. Proposed Lot 2 is over 500 metres away from the DOC land located to the north and east of the site.
- 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 can adequately manage effects within the proposed lot boundaries. The lots themselves do not contain any known indigenous vegetation or indigenous fauna. The site is located within a kiwi present area and it is anticipated that the standard advice note will be issued on the decision document.
- 6.7. It is considered that the standard consent notice condition for Proposed Lot 1 will be applied to ensure that tanks are supplied for fire mitigation purposes at the building consent stage for any development within the lot. Proposed Lot 2 has existing provisions for water supply.

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 Proposed Lot 1 will be accessed via Salvation Road Extension. A new crossing place will be constructed to service the allotment. There are good sight lines along this portion of the road.



It is anticipated that a condition of consent will be imposed to ensure that the crossing place is constructed in accordance with the Council’s Engineering Standards.

6.8.2 The dwelling on Lot 2 is serviced via an existing crossing place from Salvation Road extension. It is anticipated that if upgrading of the existing crossing place is required, this will be imposed as a condition of consent.

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



Figure 9: Existing access to Proposed Lot 2 shown as the drive which verges to the right.



Figure 10: Road frontage of Lot 1, which has good sight lines.

NATURAL AND OTHER HAZARDS

6.8.4 As mentioned earlier in this report, Proposed Lot 2 has an area of river flood hazard susceptibility which seems to follow an overland flow path or stream. Proposed Lot 2 is already developed with a dwelling and will be over 87 hectares in area, such that effects from this river flood hazard are considered to be less than minor. Proposed Lot 1 is not shown to be susceptible to any flood hazards. No other hazards are considered applicable to the site.



- 6.8.5 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

- 6.8.6 Proposed Lot 1 does not contain any residential development, and it is considered the standard consent notice condition will apply for the lot to provide water supply for potable use and firefighting purposes at the time the lot is developed with a residential dwelling.
- 6.8.7 Proposed Lot 2 contains the existing dwelling and has existing provision for water supply by way of collection of rainwater into water tanks onsite.

STORMWATER DISPOSAL

- 6.8.8 Proposed Lot 1 is currently vacant land, and it is considered that it is of ample area to accommodate stormwater management within the lot boundaries once developed. The permitted threshold for impermeable surfaces within Lot 1 will be 6000m² which is more than enough to accommodate a dwelling and associated vehicle access areas. Lot 2 will be over 87 hectares in area, with stormwater management remaining unchanged from what is currently in existence.
- 6.8.9 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

- 6.8.10 Council's infrastructure is not available to this rural site.
- 6.8.11 O'Brien Design Consulting completed an Onsite Wastewater Report for Lot 1. Lot 2 was not included in this report as the lot will be over 87 hectares in area, with the new boundaries for Lot 1 being ample distance from the existing dwelling on Lot 2. This report is included with this application. Please refer to this report for more detailed information, with the below summarizing the findings.
- 6.8.12 Lot 1 was found to be suitable for onsite wastewater disposal, with sufficient area for wastewater disposal and reserve. Secondary treatment has been recommended. O'Brien Design Consulting noted that there is an overland flow path within the lot, with a 5m setback requirement from the drain required for onsite wastewater.
- 6.8.13 Therefore, it is considered that Council's standard consent notice will apply to Lot 1, which requires a TP58 to be lodged at the time of building consent, in accordance with the recommendations of the O'Brien Wastewater Report.



ENERGY SUPPLY & TELECOMMUNICATIONS

- 6.8.14 The provision for power supply and telecommunications is not a requirement for the Rural Production zone.
- 6.8.15 The provision of energy supply and telecommunications is not anticipated to be a condition of consent for this proposal.
- 6.8.16 The Schedule of Existing Easements table on the scheme plan have shown an electricity easement over Lot 2. This is an existing easement and will remain unchanged.

EASEMENTS FOR ANY PURPOSE

- 6.8.17 No easements are proposed as part of this proposal. There are existing electricity and right of way easement which have been brought forward and shown on the plan. The ROW easement is located within Allotment 31 which is to be amalgamated with Proposed Lot 2.

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

- 6.8.18 The subject site does not contain any notable trees, building or objects. The site is not shown as containing an Outstanding Natural Feature or Landscape Features. Although there are areas of PNA and Outstanding Landscapes in the area, these do not extend into the subject site and area at least 500 metres away from Proposed Lots 1 & 2.
- 6.8.19 The site is shown to be within an area which has kiwi present. As Lots 1 & 2 are of a size where rural productive activities can occur as well as there not being any known areas or links of indigenous vegetation within the site, with the land being open grazed farmland of livestock, it is considered suitable in this instance to provide an advice note on the decision document which states that the lots are within a kiwi present area.
- 6.8.20 There is one archaeological site noted within the balance lot. The balance lot will be over 87 hectares in area, with the use of the land remaining unchanged. Lot 1 is not shown to contain any archaeological sites. It is considered appropriate in this instance to include an advice note on the decision document stating that any works are to proceed under the guidance of an ADP.
- 6.8.21 Ngātikahu ki Whangaroa have been contacted as part of this application, with no response received to date.
- 6.8.22 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

- 6.8.23 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

- 6.8.24 The site and surrounding allotments are zoned Rural Production. Sites in the surrounding environment consist of a mix of sizes. To the south and west are larger lots of 30 hectares plus, which are utilised for grazing of livestock. In amongst these larger lots are rural lifestyle allotments of 1-2 hectares as well as smaller rural-residential allotments of less than one hectare. The smaller rural-residential and rural lifestyle allotments seem to contain dwellings.
- 6.8.25 The anticipated use of Proposed Lot 1 is for rural-lifestyle use, which is reflected in the proposed lot size of 4 hectares. Lot 1 will be located in the western corner of the subject site, directly adjoining a smaller rural residential allotment which has an area of 1121m² and is developed with a dwelling. The westernmost boundary of Lot 1 will adjoin the Salvation Road reserve, with Proposed Lot 2 bordering the eastern and northern boundaries. A larger farming unit will adjoin Lot 1 to the south. As per the report from O'Briens Design Consulting, there is ample area within Lot 1 which is suitable for future development. In terms of land use compatibility, it is anticipated that rural-lifestyle activities will be undertaken on the lot as well as some form of residential development. This is consistent with other development in the area. Due to the size of the lot, there is ample area within the site for future development to be set back in excess of the permitted setback distances from boundaries, as well as ample opportunity for development to meet the permitted thresholds for building coverage and impermeable surface coverage.
- 6.8.26 Proposed Lot 2 will be the balance lot and will be over 87 hectares in area. This lot will contain the existing dwelling and the existing farming activities.
- 6.8.27 The proposed lot sizes are consistent with those in the surrounding environment, with the anticipated land use activities also being consistent with those in the surrounding environment.
- 6.8.28 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 and lots of similar size and land use activities are already present in the surrounding environment.
- 6.8.29 The proposal is not considered to create incompatible land uses nor reverse sensitivity effects.

PROXIMITY TO AIRPORTS

- 6.8.30 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. It is considered that there are no National Policy Statements applicable to this proposal, including the NPS for HPL as the site does not contain soils of LUC 1, 2 or 3.

Regional Policy Statement

7.6. 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.

7.7. The proposal will result in one additional allotment which is consistent with the character of the surrounding environment. There is ample area within Lot 1 for residential development and associated onsite services. Lot 3 containing the bulk of the productive activities and the existing dwelling and services. No effects on ecosystems and biodiversity are anticipated as has been discussed throughout this report.

7.8. 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

- 7.9. 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.
- 7.10. The below assessment will cover the relevant objectives and policies within the FNDC ODP.

Assessment of the objectives and policies within the Subdivision Chapter

- 7.11. 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.

7.11.1. 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 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. There is an archaeological site contained within the balance lot, however the use of this site will remain unchanged and therefore it is considered that the archaeological site will remain unaffected. On site water storage will be provided for at the time of built development on Lot 1. Lot 2 already has existing provisions for water storage. Stormwater will also be managed at the time of built development on Lot 1. 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. Ngātikahu ki Whangaroa have been contacted with no response received to date. 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 for Lot 1. 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.

7.11.2. 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. Natural hazards have been discussed within this report, with no adverse effects anticipated. 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 Lot 1. 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. NZAA maps show that there is one archaeological site within the balance lot, however the use of this site will remain unchanged. The proposal is not considered to be an intensive subdivision, and a management plan is not considered relevant.

- 7.11.3. In regard to Policy 13.4.13, the proposal can 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. Proposed Lot 1 has ample area for any future built development, with Lot 2 being of ample size and dimensions to cater for the existing development and onsite services. The visual impact of any future built development and associated earthworks is anticipated to be no more than minor. Due to Lot 1 having ample area for future development, it is considered visual impacts will be less than minor as any built development on Lot 1 will be consistent with the existing land use activities in the surrounding environment. 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. Natural hazards are not anticipated to be exacerbated as has been discussed throughout this report.
- 7.11.4. 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

- 7.12. 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.

- 7.12.1. 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.

- 7.12.2. 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 to a large size so that the existing activities can occur on the site. The proposal is not considered to create any adverse effects. Infrastructure will be provided on Proposed Lot 1 at the time of built development within the lot 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 lot is 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 12 kilometres from Mangonui and 18 kilometres from Kaeo, 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 Proposed Lot 1 being able to contain rural productive activities as well as built development.

Assessment of the objectives and policies within the Rural Production Zone

- 7.13. 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.

- 7.13.1. The proposal will promote the sustainable management of natural and physical resources by creating a balance lot which can continue 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 Mangonui and Kaeo. 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 Proposed Lot 1 providing ample area for small-scale rural productive activities.
- 7.13.2. 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 a 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 town centres 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 Proposed Lot 1 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.**
- 7.13.3. 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. Proposed Lot 1 is able to accommodate a buildable platform as well as area for onsite services as determined within the Wastewater report from O'Brien Design Consulting. No conflicting land uses are anticipated. Proposed Lot 1 is of a size which can accommodate a residential dwelling and productive activities which are not uncommon in the surrounding environment nor the Rural Production zone in general. Lot 2 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.
- 7.13.4. The proposal will see one additional allotment 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. The site does not have frontage to Kerikeri Road. As discussed, no conflicting land uses are anticipated. Lot 1 will be of a size which can accommodate a residential dwelling and associated services as well as rural productive activities. There are many allotments in the surrounding environment of similar size and contain a residential dwelling. Lot 2 will be the balance lot and will ensure the existing productive activities can continue as well as contain the existing built development. The proposed lots will not compromise the continued lawfully established existing activities in the zone.



Proposed District Plan

7.14. 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

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

Objectives

RPROZ-O1 - 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.

7.15.1. 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 3, will enable large 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 town centres, making it a perfect location for access to employment, schools and social activities. The site is not known to contain highly versatile soils. 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.

7.15.2. 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 existing activities in the surrounding environment and the fact that Lot 2 already contains built development, 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 this 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. Some form of farming activities can be undertaken within each of the allotments, which will increase the productive use of the land. Scale and character are 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 Salvation Road and it is considered the additional traffic movements created will be easily absorbed into the existing roading network. 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

7.16. 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]*
 - (v) [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. The site and surrounding environment (Oruaiti River and its tributaries) are noted as being a Statutory Acknowledgement Area for Ngātikahu ki Whangaroa. Ngātikahu ki Whangaroa have been contacted as part of this application process with no response received to date.

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 one additional allotment which is 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 one additional allotment, with Lot 1 being of a size to accommodate residential development and onsite services as well as small-scale rural productive use and Lot 2 being the balance lot which will contain the existing productive activities and existing built development. 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 nor is it located near any lakes, rivers or wetlands. 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. Ngātikahu ki Whangaroa have been contacted as part of this application process with no response received to date. The proposal is not considered to affect the relationship of Māori and their culture and traditions. 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. 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 one additional allotment 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.







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R. W. Muir
Registrar-General
of Land

Identifier **NA47C/757**
Land Registration District **North Auckland**
Date Issued 01 December 1980

Prior References
NA47A/661

Estate Fee Simple
Area 122.6467 hectares more or less
Legal Description Allotment 31 Parish of Whakapaku and
Section 25 and Part Section 1 Block VI
Whangaroa Survey District

Registered Owners
Norman Peter Wilde and Neville Joseph Lorenz Dangen

Interests

Subject to a right of way over part created by Transfer A328746 (affects Allotment 31 Parish of Whakapaku and Section 25 Block VI Whangaroa Survey District)

Subject to Section 59 Land Act 1948 (affects Allotment 31 Parish of Whakapaku and Section 25 Block VI Whangaroa Survey District)

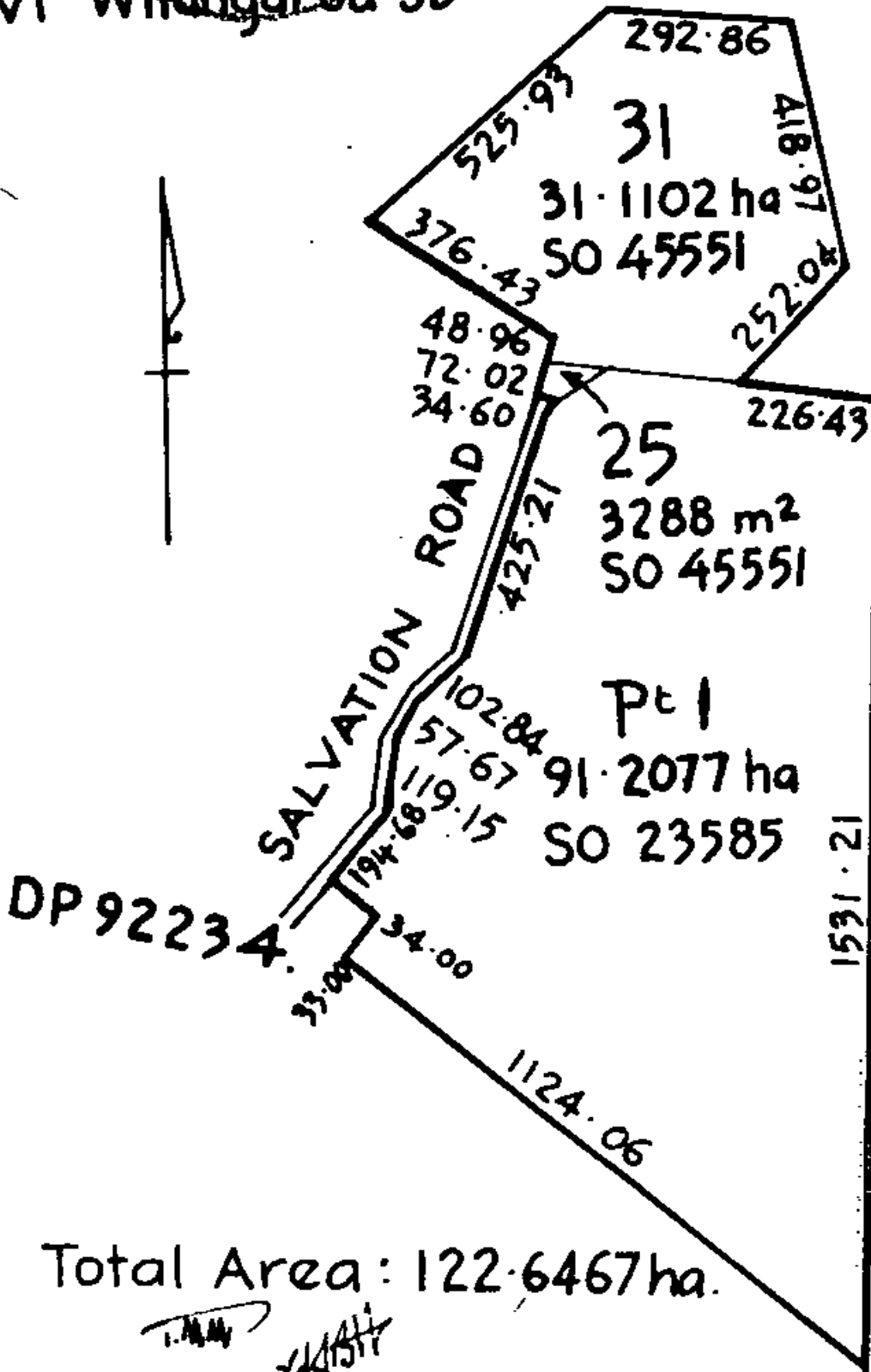
Subject to a right of way over part created by Transfer C002780.1 - 12.6.1989 at 2.55 pm

Subject to an electricity supply right over part marked A on Plan 150979 created by Transfer C455309.1 - 18.2.1993 at 1.57 pm

11310673.1 NOTICE OF CLAIM OF INTEREST PURSUANT TO SECTION 42(2) PROPERTY (RELATIONSHIPS) ACT 1976 AGAINST THE INTEREST/SHARE OF NEVILLE JOSEPH LORENZ DANGEN BY ATISHA GABRIEL BYFORD - 7.12.2018 at 12:52 pm

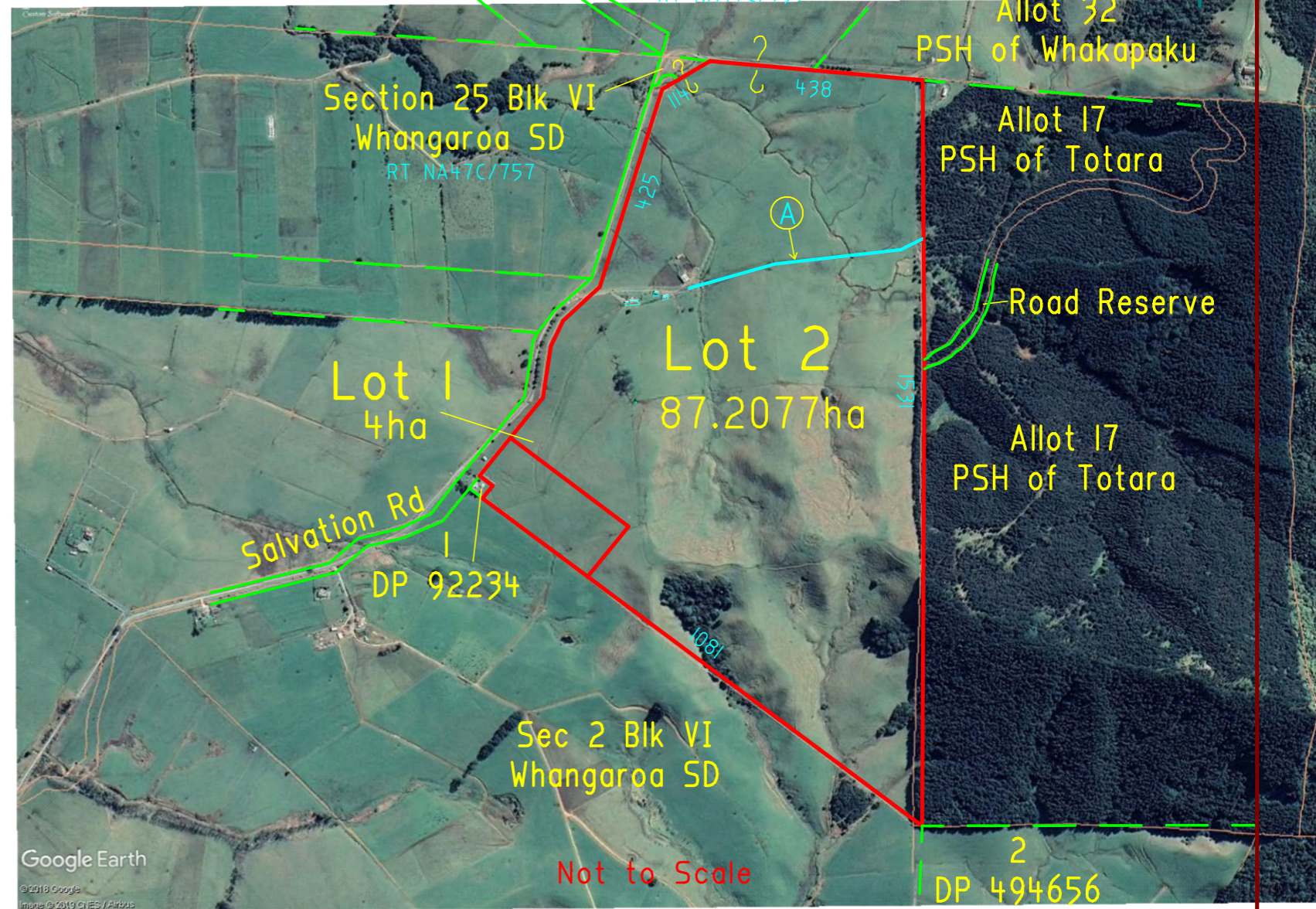
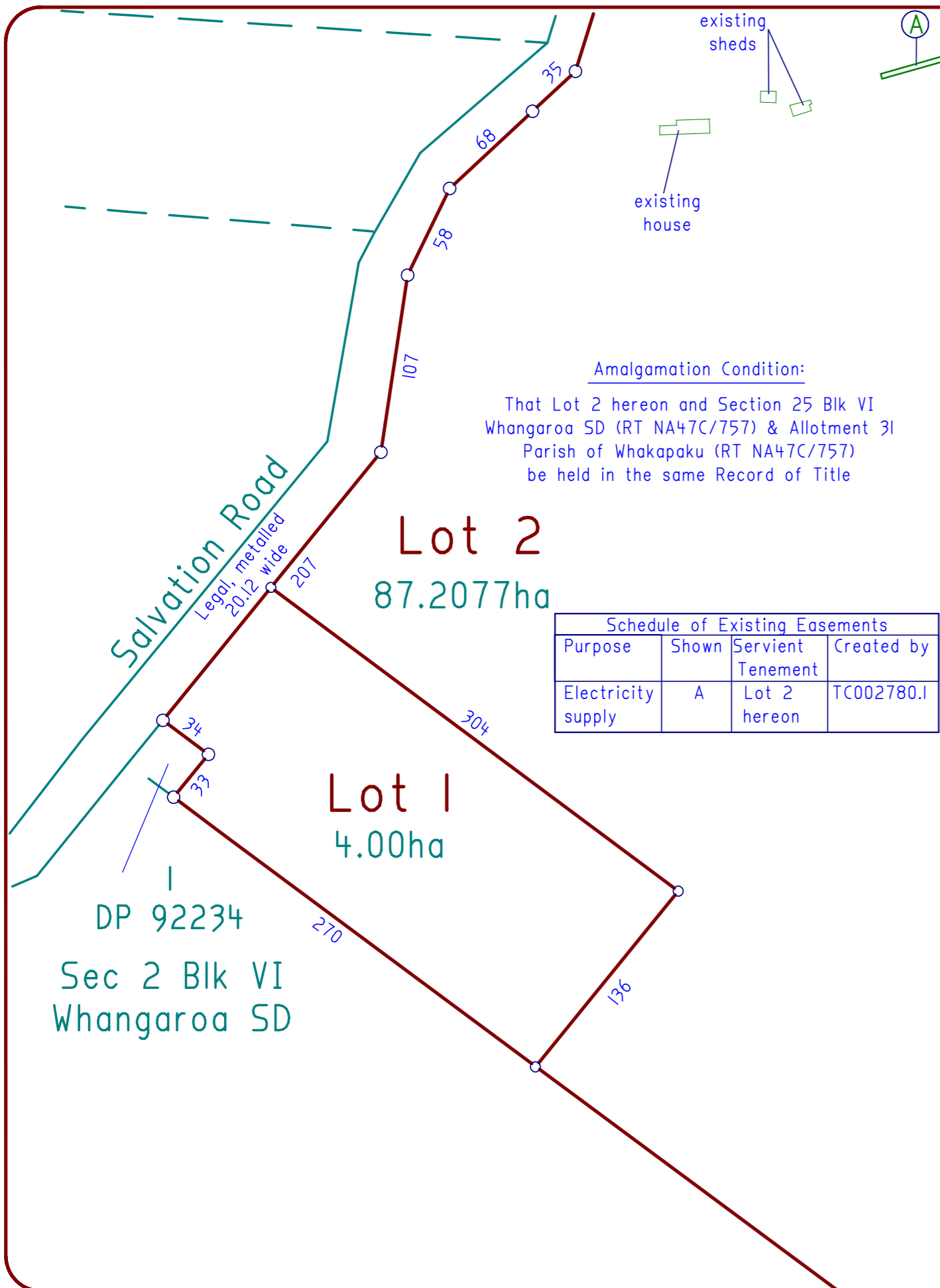
12786710.2 CAVEAT BY TOP ENERGY LIMITED - 17.8.2023 at 3:50 pm

VI Whangarei SD



Total Area: 122.6467 ha.

[Handwritten signatures]
 I.M.M.
 X/15/17



Local Authority: Far North District Council
Prepared for: The Salvation Farm Trust

Total Area: 91.2077ha
Comprised in: RT NA47C/757

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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

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.

VON STURMERS
Registered Land Surveyors, Planners & Land Development Consultants
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131 Commerce St
PO Box 128
Kaitaia

Lots 1 & 2 Being a Proposed Subdivision of Part Section 1 Block VI Whangaroa SD

Survey Design	Name	Date	ORIGINAL SCALE 1:3000	SHEET SIZE A3	14544
Drawn	SH	7/8/19			
Rev	SH	12/11/19			
Rev	MT	13/12/23			

Onsite Wastewater Site Suitability Report

Neville Dangen
Salvation Road
Totara North
Far North District

Subdivision of Part Section 1 Block VI Whangaroa
Survey District
Investigation of proposed Lot 1

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

Rev: B
Date: 12th August 2024
Job No: 2940

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

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Executive Summary

The subdivision of Part Section 1 Block VI Whangaroa Survey District into 2 separate lots is currently being undertaken by Northland Planning and Development, Kaitaia. The block is located to the southeast of Salvation Road, Totara North. This report investigates the suitability of proposed Lot 1 for onsite wastewater. Proposed Lot 2 will become balance land of 87.2077 ha with ample available area for wastewater disposal and is therefore not assessed.

Following subdivision proposed Lot 1 will become a 4 ha, roughly rectangular shaped, slight to moderately sloping, rural property. The site is currently grassed farmland used for grazing.

Secondary treatment, for example an aeration treatment system with dripper lines, is recommended for proposed Lot 1 due to category 6, clay soils with slow draining characteristics.

There is ample available area for an approximate ~360m² wastewater disposal field and 100% reserve area meeting current permitted wastewater standards. Wastewater calculations are based on a future 4-bedroom dwelling with tank water supply and category 6 soils.

This report is for Resource Consent for subdivision only. 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.

1.0 Scope

This report focuses on ensuring that adequate area on proposed Lot 1 is 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).

2.0 Site Visit

The site investigation was undertaken on 16th February 2024 and comprised of a walk over and visual assessment of proposed Lot 1. As the lot is 4 ha the entire property was not assessed. Focus was given to the northwestern part of the lot near the roadside where development is likely to occur. This report ensures there is adequate area on proposed Lot 1 for onsite wastewater disposal. The precise location of the wastewater field will be designated during the site-specific Onsite Wastewater Report (TP58) at the time of Building Consent application.

2 x 50mm wide, boreholes to a depth of 1200mm and 2000mm were taken with a handheld steel auger. The bores were taken to ascertain soil category and to ensure groundwater separation. 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, and Kaitaia - Rawene Soil Map.

4.0 Site Description

Following subdivision proposed Lot 1 will become a 4 ha, roughly rectangular shaped, slight to moderately sloping, rural property with grassed pasture. Proposed Lot 2 is located to the northeast and southeast of Lot 1. Refer to the Scheme Plan, Section 5, showing proposed Lot 1 and the surrounding area.

Access to the lot is gained via Salvation Road which runs along the northwest property boundary. The lot slopes slightly to moderately towards the roadside as shown in Photograph 1 and 2 and contour lines on the Site Plan, Section 15.

No surface water bodies were noted in the near vicinity of the proposed wastewater disposal field and reserve (30m radius) meeting the 15m separation distance required by the Regional Plan for Northland (2019), Section C.6.1.3, Table 9 and the more conservative 30m separation distance outlined in the Far North District Plan, Section 12.7.6.1.4(b) for certain water bodies.

No wetlands were identified on proposed Lot 1.

According to Northland Regional Council Hazard maps the property is not identified as being in a flood prone area.

The wastewater disposal field and reserve are to be setback a minimum of 5m from any existing or future intermittent stormwater flow path such as an overland flow path, drain or stormwater spreader as per the Regional Plan for Northland (2019), Section C.6.1.3. This includes a 5m minimum setback from existing overland flow paths. The drain along Salvation Road is well over 5m from the northwest boundary (approximately 25m separation distance).

The wastewater disposal field and reserve are to be set outside of easements and on slopes less than 25 degrees. Section 10 of this report lists other general setback requirements.

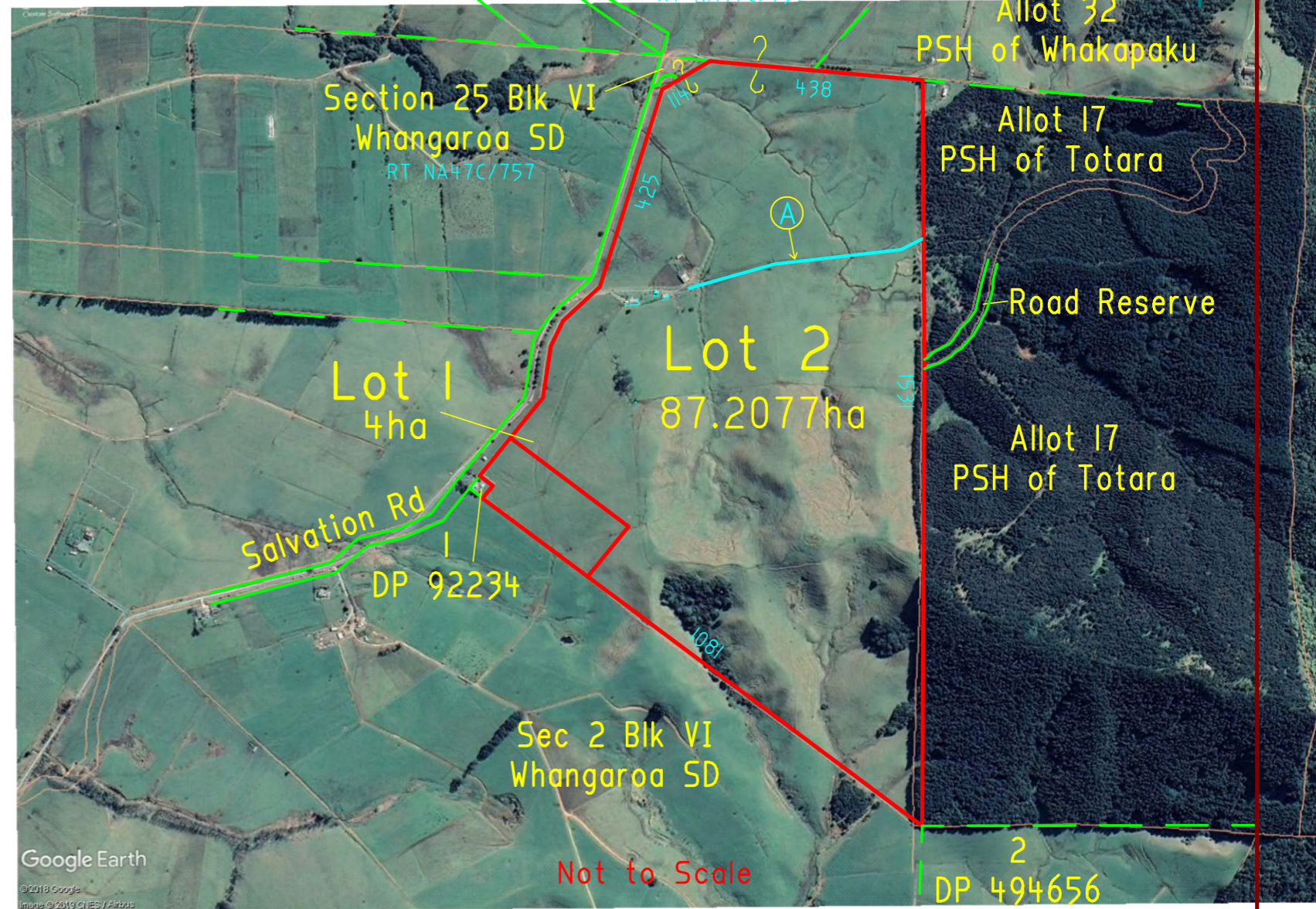
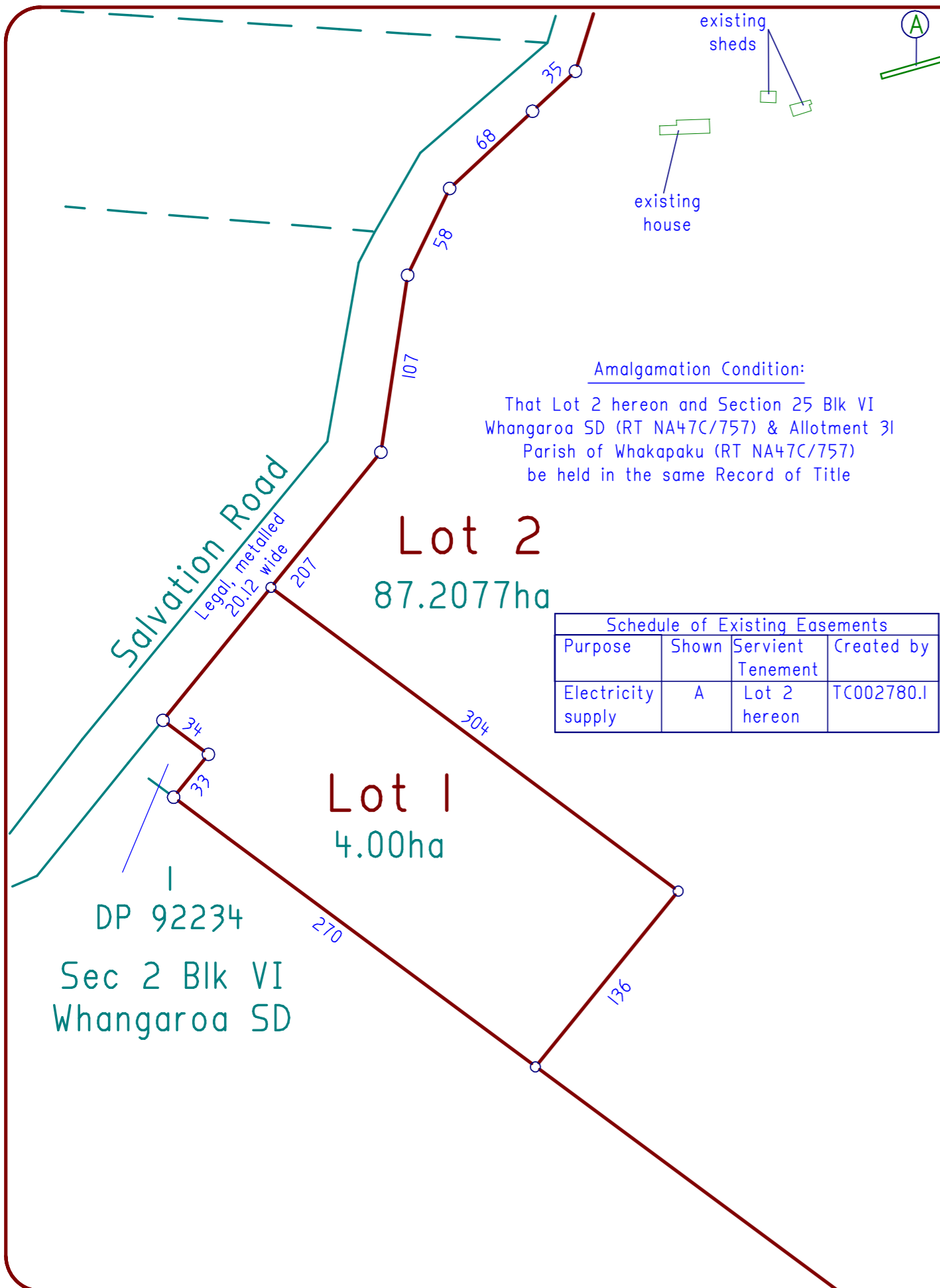
The northwestern part of the property where development is likely to occur was thoroughly investigated. The Site Plan, Section 15 shows an example of an area suitable for wastewater disposal and reserve.



Photograph 1: View to the southeast showing slight to moderate, grassed hillside on proposed Lot 1.



Photograph 2: View to the northeast showing grassed, slight to moderately sloping farmland suitable for onsite wastewater disposal.



Local Authority: Far North District Council
Prepared for: The Salvation Farm Trust

Total Area: 91.2077ha
Comprised in: RT NA47C/757

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Lots 1 & 2 Being a Proposed Subdivision of Part Section 1 Block VI Whangaroa SD

Survey Design	Name	Date	ORIGINAL SCALE 1:3000	SHEET SIZE A3	14544
Drawn	SH	7/8/19			
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Rev	MT	13/12/23			

6.0 Soil Profile

Geological Map Reference Number: NZMS 290 Sheet P 04/05, Whangaroa - Kaikohe describes the soils over proposed Lot 1 as Rangiuru clay (RU) with well to moderately well drained soils of the rolling and hill land.

2 x 50mm wide borehole logs to a depth of 1200mm and 2000mm were taken on proposed Lot 1. The logs showed approximately 200mm of category 4, dry, dark brown topsoil followed by category 5, slightly moist, brown clay loam to a depth of 1000mm. From 1000mm soils became category 6, slightly moist, orange, clay with silt at depth. Refer to Photograph 1 showing a soil sample from BH 1.

Soils overall are described as category 6 with slow drainage. Refer to the Borehole Logs, Section 14.



Photograph 1: Showing approximately 200mm of category 4, dry, dark brown topsoil followed by category 5, slightly moist, brown clay loam to a depth of 1000mm. From 1000mm soils became category 6, slightly moist, orange clay.

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 the 1200mm or 2000mm deep bores.

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.

A 20m setback of the wastewater field from a freshwater bore is required by the Regional Plan for Northland (2019), Section C.6.1.3, Table 9. The owner does not know of any freshwater bores on or near the property. The NRC Water Resources map showing the location of bores could not be checked due to a fault with the website.

8.0 Onsite Wastewater Disposal Design

System Requirements for Proposed Lot 1

Secondary treatment, for example an aeration treatment system with dripper lines is recommended due to slow draining, clay soils.

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 \$18,000 - \$30,000 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 easily available on proposed Lot 1.

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 proposed 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 examples of 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 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 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.

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. Proposed Lot 1 is a greenfield site therefore meets permitted activity status.

A cut off drain if needed can be shown in the site specific Onsite Wastewater Report (TP58) at the time of Building Consent application.

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 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. In this instance there is ample available land for wastewater disposal.

13.0 Summary

There is ample available area on proposed Lot 1 for onsite wastewater disposal and reserve. Secondary treatment is recommended due to slow draining soils.

This report is for Resource Consent for subdivision only. The precise design 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



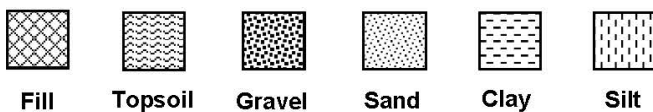
BOREHOLE LOG 1



Client	Neville Dangen	Job No.	2940
Project	Subdivision - Proposed Lot 1	Date Drilled	16/02/2024
Site Address	Salvation Road, Totara North	Drilled By	Martin O'Brien
Legal Description	Pt Sec 1 Blk VI Whangaroa SD	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category
100	Groundwater not intercepted	Rangiuru clay (RU)		Dry dark brown topsoil	4
200				Slightly moist brown silty CLAY loam	5
300					
400					
500					
600					
700					
800					
900					
1000					
1100					
1200				EOB	
1300					
1400					
1500					
1600					
1700					
1800					
1900					
2000					
2100					


Graphic Log Legend



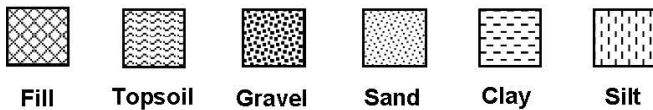
The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.

BOREHOLE LOG 2

Client	Neville Dangen	Job No.	2940
Project	Subdivision - Proposed Lot 1	Date Drilled	16/02/2024
Site Address	Salvation Road, Totara North	Drilled By	Martin O'Brien
Legal Description	Pt Sec 1 Blk VI Whangaroa SD	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category	
100	Groundwater not intercepted	Rangiorua clay (RU)		Dry dark brown topsoil	4	
200						
300					Slightly moist brown silty CLAY loam	5
400						
500						
600						
700						
800						
900						
1000						
1100					Slightly moist orange CLAY	6
1200						
1300						
1400						
1500						
1600						
1700					Slightly moist orange silty CLAY	6
1800						
1900						
2000						
2100					EOB	

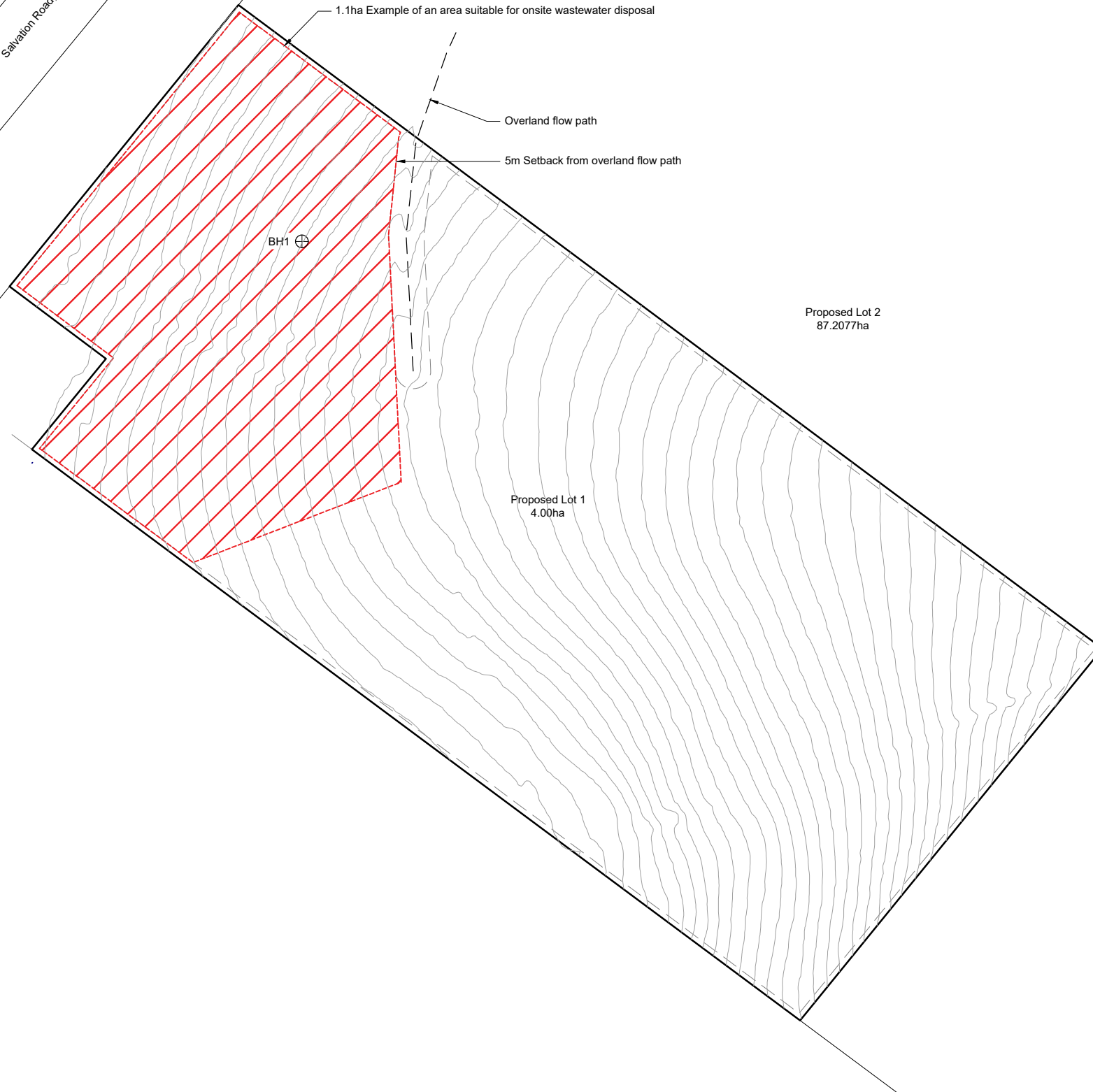
Graphic Log Legend



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.



Salvation Road, Kaeo



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.

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
- Field to be laid on slopes less than 25 degrees, avoid areas with soil creep.
- 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.

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Project Title
Salvation Road
Totara North
Far North District

Lot 1 & 2 Being a Proposed
Subdivision of Part Section 1
Block VI Whangaroa SD

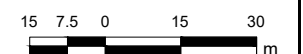
Sheet Title
Wastewater Site Plan

Drawn 12 August 2024

Project No 2940

Rev	Sheet
B	A01

Scale (A3 Original) 1: 1500



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.



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E-mail: martin@obrienconsulting.co.nz
E-mail: nicola@obrienconsulting.co.nz

Northland Planning Development

From: Northland Planning Development
Sent: Monday, 5 August 2024 1:45 pm
To: sandra heihei
Subject: Subdivision resource consent - 12 Salvation Road, Totara North
Attachments: 14544 Dangen Scheme plan - 13 December 2023.pdf

Kia ora Sandra,

We are in the process of preparing an application for subdivision resource consent on behalf of our client, Neville Dangen. The proposal is to subdivide to create one additional allotment at 12 Salvation Road Extension, Totara North. The proposal will see Proposed Lot 1 being 4 hectares in area, which will be a vacant site and Proposed Lot 2 being the balance lot, which will be over 87 hectares in area and contain the existing dwelling and sheds. The proposal has been assessed as a Restricted Discretionary Activity under the Operative District Plan.

The site and surrounding environment are noted as being a Statutory Acknowledgment Area for Ngātikahu ki Whangaroa.

I have attached the scheme plan for your reference. If you could please provide feedback on the proposed development, that would be greatly appreciated.

If you require any further information, please do not hesitate to contact our office or alternatively Neville's contact number is 0272299407.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitaia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020 Limited

*My office hours are Monday, Thursday &
Friday 9am – 2pm*

C002780.1TB

Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS ROSS STUART WALKER of Oruaiti, Farmer

of an estate in fee simple

being registered as proprietor

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in that piece of land situated in the Land District of North Auckland containing 43.8072 hectares

more or less being Allotment 32 Parish of Whakapapa being all Certificate of Title _____ 35B/1059 SUBJECT TO: the Reservations and Conditions imposed by Section 59 Land Act 1948, together with Right of Way created by Transfer A328746 and SUBJECT TO Right of Way created by Transfer A554825 (all the said parcel of land being hereinafter called "the first servient tenement")

AND WHEREAS JOSEPH KELVIN DANGEN of Saies, Farmer being registered as proprietor of an estate in fee simple containing 122.6467 hectares more or less being Allotment 31 Parish of Whakapaku and Section 25 part Section I Block VI Whangaroa Survey District being all the land in Certificate of Title 47C/757 SUBJECT TO the Reservations and Conditions imposed by Section 59 of the Land Act 1948 and SUBJECT TO Right of Way over parts 31 and Section 25 created by Transfer A328746 (all the said parcel of land being hereinafter called "the second servient tenement")

AND WHEREAS KEVIN WARREN SUCKLING of Whangarei, Refinery Worker is registered as proprietor of all that parcel of land situated in the Land Registration District of North Auckland containing 110.8838 hectares being part Allotment 17 Parish of Totara being all Certificate of Title 35B/1060 (all the said parcel of land hereinafter called "the dominant tenement")

AND WHEREAS the registered proprietors of the aforesaid first and second servient tenements have agreed to grant to the registered proprietor of the dominant tenement so that the same shall be an easement forever running with the land the right of way along the line as shown on the diagram endorsed hereon.

NOW THIS TRANSFER WITNESSETH that in consideration of the sum of 10 cents paid to ROSS STUART WALKER the registered proprietor of the first servient tenement (the receipt whereof is hereby acknowledged) and in consideration of the sum of 10 cents paid to JOSEPH KELVIN DANGEN the registered proprietor of the second servient tenement (the receipt whereof is hereby acknowledged) the said Ross Stuart Walker and Joseph Kelvin Dangen (hereinafter called "the servient tenement owners") do do and each of them doth hereby TRANSFER AND GRANT unto the said Kevin Warren Suckling (hereinafter called "the dominant tenement owner") so that the same shall be an easement forever running with the

land and the full free uninterrupted and unrestricted right liberty and privilege for the dominant tenement owner (in common with the servient tenement owners and any other person or persons to whom the servient tenement owners grant similar or other rights and any other person lawfully entitled so to do) from time to time and at all times: a right of way with all such incidental rights and privileges as are set out in the Seventh Schedule to the Land Transfer Act 1952.

IN WITNESS WHEREOF these presents have been executed this 7 Seventh day January 1989 of January

SIGNED by the abovenamed)
ROSS STUART WALKER in the)
presence of :

R. St. Walker

*J. B. Aherahama T.P.
R.D. 1 Mangonui
Retired Soldier*

SIGNED by the abovenamed)
JOSEPH KELVIN DANGEN in)
the presence of :

J. K. Dangen

*J. B. Aherahama T.P.
R.D. 1 Mangonui
Retired Soldier*

SIGNED by the abovenamed)
KEVIN WARREN SUCKLING)
in the presence of:)

K. Warren Suckling

*J. B. Aherahama T.P.
R.D. 1 Mangonui
Retired Soldier*

Office Phone 20
KAE0

PO Box 69
KAE0

WHANGAROA COUNTY COUNCIL

11 November 1988

The District Land Registrar
Private Bag
AUCKLAND

Dear Sir,

The following is a certificated copy of a resolution passed by my Council on the 10 October 1988.


RESOLUTION

re: R.O.W. - S Ellingham

Section 321 (3)(i)(c) Local Government Act 1974

"This this Council is satisfied that adequate access to allotments is provided over other land pursuant to an easement of right of way running with the land and appurtenant to those allotments and the Council resolves on that ground that the provisions of Sec. 321 (1) of the Local Government Act 1974 shall not apply."

Yours faithfully

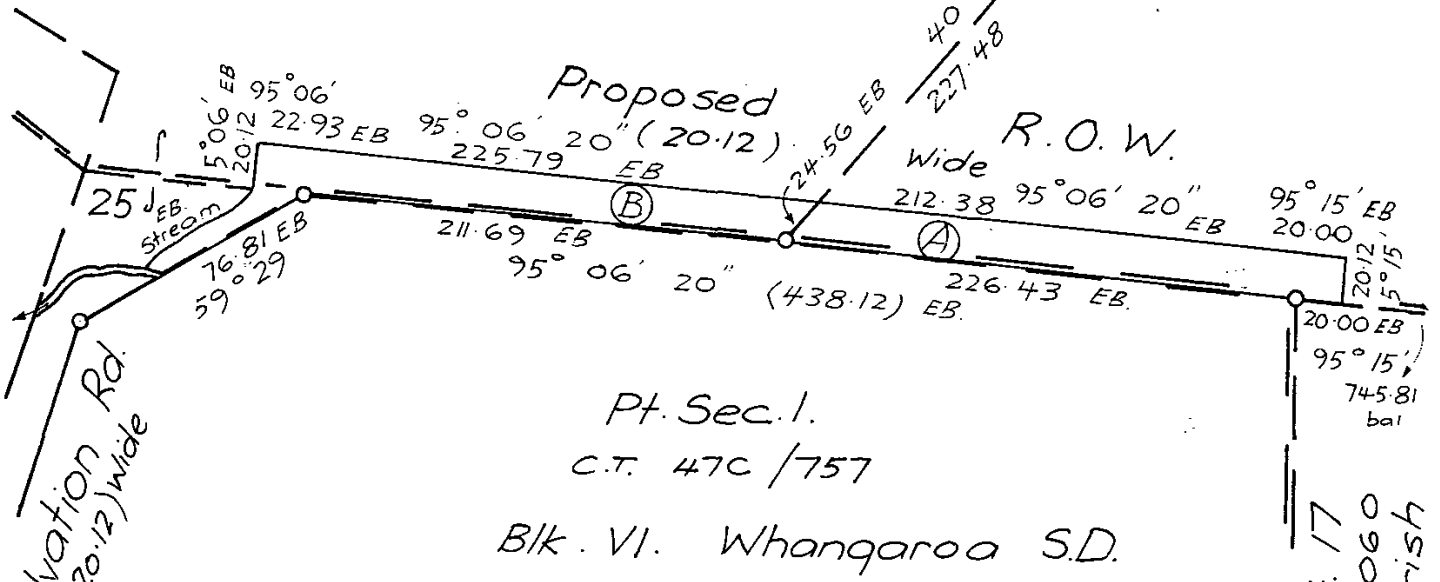


JR WELLS
COUNTY CLERK

Whakapaku Parish

Allot. 31.
C.T. 47C/757

Allot. 32.
C.T. 35B/1059



Pt. Sec. 1.

C.T. 47C/757

Blk. VI. Whangaroa S.D.

Proposed Easement

Purpose	Shown	Dom. Ten	Serv. Ten
Right of Way	(A)	Pt Allot 17 Totara Parish (C.T. 35B/1060)	Pt. Allot. 32 Whakapaku Parish (C.T. 35B/1059)
	(B)		Pt Allot 31 Whakapaku Parish & Pt. Sec 25 Blk. VI. Whangaroa S.D. (C.T. 47C/757)

Pt. Allot. 17
C.T. 35B/1060
Totara Parish

Pursuant to a resolution of the Whangaroa County Council passed on the 10th day of October 1988 approving pursuant to Section 348 of the Local Government Act 1974 the Rights of Way shown here on; the Common Seal of the Whangaroa County Council was affixed hereto in the presence of:

R.B. Hansen chairman

[Signature] County Clerk.

Correct
[Signature]
17.1.89 L.T. Surveyor



[Signature] 21/10/88.
Registered Surveyor

In Consideration of

(the receipt of which sum is hereby acknowledged)

~~Do~~ hereby ~~Transfer~~ to the said

~~all~~

~~estate and interest in the~~

~~said land above described~~

~~In witness whereof~~ these presents have been executed this

~~day~~

~~of~~

~~19~~

~~Signed~~ by the above named

~~in the presence of~~

No.

Correct for the purposes of the Land Transfer Act.

TRANSFER OF

[Handwritten Signature]

Solicitor for the Transferee.

R.S. WALKER & J.K. DANGEN Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

[Handwritten Signature]

SOLICITOR FOR THE TRANSFEREE

K.W. SUCKLING Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar

of the District of

CONNELL RISHWORTH GERARD
SOLICITORS
WHANGAREI

Solicitors for the Transferee

2.55 12 JUN 89 C 002780-1
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR
35B / 1059
35B / 1060
47C / 757
[Circular Stamp]

