

# 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 Schedule 4). 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
  Discharge  
 Fast Track Land Use\*
  Change of Consent Notice (s.221(3))  
 Subdivision
  Extension of time (s.125)  
 Consent under National Environmental Standard  
 (e.g. Assessing and Managing Contaminants in Soil)  
 Other (please specify) \_\_\_\_\_

*\* The fast track is for simple land use consents and is restricted to consents with a controlled activity status.*

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

Yes  No

## 4. Consultation

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)

## 5. Applicant Details

**Name/s:**

Galina Kochanova and Andrew Kitchie

**Email:**

**Phone number:**

**Postal address:**

(or alternative method of service under section 352 of the act)

## 6. Address for Correspondence

*Name and address for service and correspondence (if using an Agent write their details here)*

**Name/s:**

Steven Sanson - Bay of Islands Planning Ltd

**Email:**

**Phone number:**

**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.*

## 7. 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:**

refer Record of Title attached to application

**Property Address/  
Location:**

17 Mary Hassett Street, Mangonui

Postcode

## 8. Application Site Details

*Location and/or property street address of the proposed activity:*

<b>Name/s:</b>	As above	
<b>Site Address/ Location:</b>	17 Mary Hassett Street, Mangonui	
		Postcode
<b>Legal Description:</b>	Lot 2 DP 55372	<b>Val Number:</b>
<b>Certificate of title:</b>	NA99C/762	

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.

## 9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Subdivision in the residential zone to split off 2 x existing dwellings.

If this is an application for a 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), with reasons for requesting them.

## 10. Would you like to request Public Notification?

Yes  No

### 11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

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

### 12. 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:

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? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result.  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

### 13. 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.*

Your AEE is attached to this application  Yes

### 13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision?  Yes  No

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days?  Yes  No

## 14. 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 in full)

Galina Kochanov and Andrew Ritchie

**Email:**

**Phone number:**

**Postal address:**

(or alternative method of service under section 352 of the act)

### 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 write in full)

GALINA KOCHANOV

**Signature:**

(signature of bill payer)

Date 16/10/24

**MANDATORY**

## 15. 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](http://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.

## 15. Important information continued...

### Declaration

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

**Name:** (please write in full)

Steven Sanson

**Signature:**

[Redacted Signature]

**Date** 16-Oct-2024

*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)
- Details of your consultation with Iwi and hapū
- 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.

## BAY OF ISLANDS PLANNING (2022) LIMITED

**Kerikeri House**

**Suite 3, 88 Kerikeri Road, Kerikeri**

**Email – [office@bayplan.co.nz](mailto:office@bayplan.co.nz) Website - [www.bayplan.co.nz](http://www.bayplan.co.nz)**

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21 October 2024

### **Re: Proposed subdivision in the Residential Zone – 17 Mary Hassett Street, Mangonui**

The site subject to this application is located on Mary Hassett Street, comprising Lot 2 DP 55372, being a site of 1,012m<sup>2</sup> in size. The site already contains two legally established dwellings with associated access, parking, and infrastructure.

Lot 1 is proposed to be 0.0390ha in size and contain the house fronting Mary Hassett Street. Lot 2 is proposed to be 0.0622ha in size and is located to the rear of Lot 1. The consent is classified as being a Discretionary Activity. The development is proposed in the Residential Zone under the Operative District Plan [ODP] and is within the General Residential Zone in the Proposed District Plan [PDP].

A consent is also required under the PDP as the proposed subdivision is located within a Heritage Area. That consent under the PDP is considered to be a Restricted Discretionary Activity. Overall, the application has been assessed as an **Discretionary Activity**.

The application is supported by the following information –

**Planning Report, including Assessment of Environmental Effects;**  
**Appendix A - Record of Title**  
**Appendix B - Scheme Plan prepared by Williams and King**  
**Appendix C – Previous Approval**

Regards,



Steven Sanson  
Consultant Planner

## 1. APPLICANT & PROPERTY DETAILS

<b>Applicant</b>	Dan Harrison & Andrew Ritchie
<b>Address for Service</b>	Bay of Islands Planning [2022] Limited PO Box 318 PAIHIA 0247 C/O - Steven Sanson  <a href="mailto:steve@bayplan.co.nz">steve@bayplan.co.nz</a> 021-160-6035
<b>Legal Description</b>	Lot 2 DP 55372
<b>Certificate Of Title</b>	NA99C/762
<b>Physical Address</b>	17 Mary Hassett Street, Mangonui
<b>Site Area</b>	1,012m <sup>2</sup>
<b>Owner of the Site</b>	Andrew John Ritchie & Galina Valentinova Kochanova
<b>District Plan Zone / Features</b>	Residential Zone [ODP] General Residential Zone [PDP] Coastal Environment [PDP] Mangonui Heritage Area – Part B [PDP]
<b>Archaeology</b>	Nil
<b>NRC Overlays</b>	Nil
<b>Soils</b>	N/A – Zoned Residential
<b>Protected Natural Area</b>	Nil
<b>HAIL</b>	Nil

### Schedule 1



## 2. SUMMARY OF PROPOSAL

<b>Proposal</b>	To undertake a 2 x lot subdivision in the Residential Zone. The subdivision results in breaches to Chapter 15 of the District Plan.
<b>Reason for Application</b>	<p>The proposal is considered to breach the following rules of the Operative Far North District Plan:</p> <ul style="list-style-type: none"> <li>• Rule 13.7.2.1 – Minimum Lot Size</li> <li>• Rule 15.1.6C.1.1[a] – Private Accessway in All Zones</li> </ul> <p>The proposal is a <b>Discretionary Activity</b> under the ODP.</p> <p>The proposal is considered to breach the following rules of the Proposed Far North District Plan:</p> <ul style="list-style-type: none"> <li>• SUB-R13 – Subdivision of a site within a heritage overlays</li> </ul> <p>The proposal is a <b>Restricted Discretionary Activity</b> under the PDP</p>
<b>Appendices</b>	<p>Appendix A – Record of Title &amp; instruments  Appendix B – Scheme Plan [Williams &amp; King]  Appendix C – Previous Approval</p>
<b>Consultation</b>	Nil
<b>Pre Application Consultation</b>	Nil

### 3. INTRODUCTION & PROPOSAL

#### 3.1 Report Requirements

This report has been prepared for Dan Harrison and Andrew Ritchie in support of a subdivision consent application at 17 Mary Hassett Street, Mangonui.

The application has been prepared in accordance with the provisions of Section 88 and the Fourth Schedule of the Resource Management Act 1991. This report serves as the Assessment of Environmental Effects required under both provisions.

The report also includes an analysis of the relevant provisions of the Far North District Plan, relevant Regional Planning documents, National Policy Statements and Environmental Standards, as well as Part 2 of the Resource Management Act 1991.

#### 3.2 Proposal

Application Site: A range of details regarding the site are outlined in Schedule 1 of this report. These details are supplemented by the Record of Title and relevant instruments located in **Appendix A**.

The site has 2 x existing dwellings with associated infrastructure and access from Mary Hassett Street. Mary Hassett Street has 2-way carriageway and is considered to be appropriately formed.

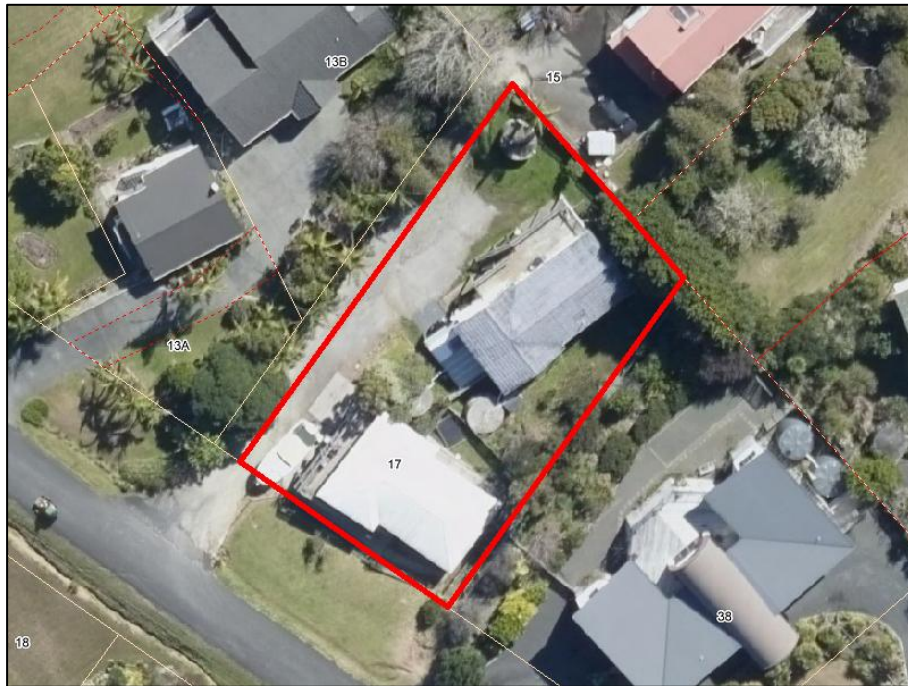


Figure 1 – Application Site [Source: Prover]

**Subdivision & Land Use Consent:** The proposal seeks approval to undertake a two-lot subdivision with applicable easements for access and servicing as a Discretionary Activity in the Residential Zone.

Dwellings and buildings across the site are existing with no further development proposed as part of this application. A copy of the Scheme Plan is provided in **Appendix B.**

Land use consent is required as the existing accessway does not meet legal width requirements of Appendix 3B of the FNDC ODP.

A consent is required under the Proposed District Plan rules that have legal effect. This is because the site is within a Heritage Area. Subdivision within a heritage area requires resource consent under the PDP as a Restricted Discretionary Activity.

This is also applied for as part of this consent application.

#### 4. SITE & SURROUNDING ENVIRONMENT

The property is located entirely within the Residential Zone, and is not only subject to any overlays under the ODP. Under the PDP, the site is zoned General Residential, located in the Coastal Environment and Heritage Area.

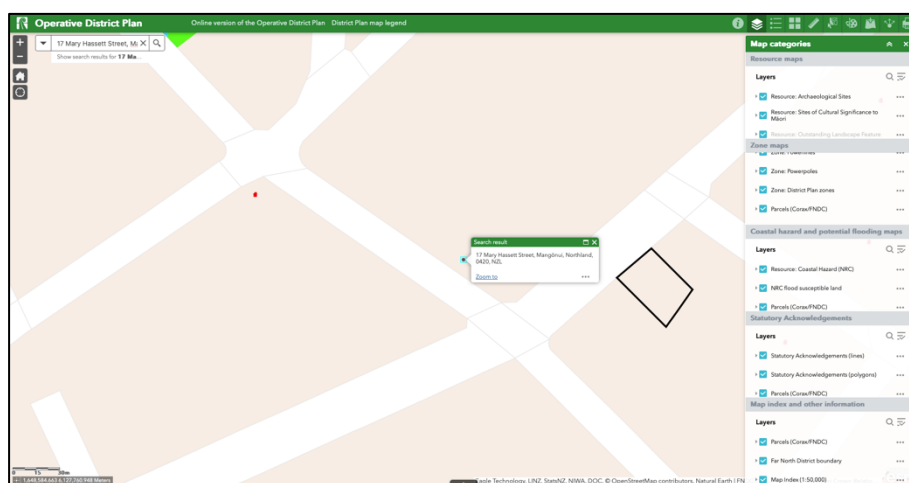


Figure 2 – ODP Zoning [Source: Far North Maps]

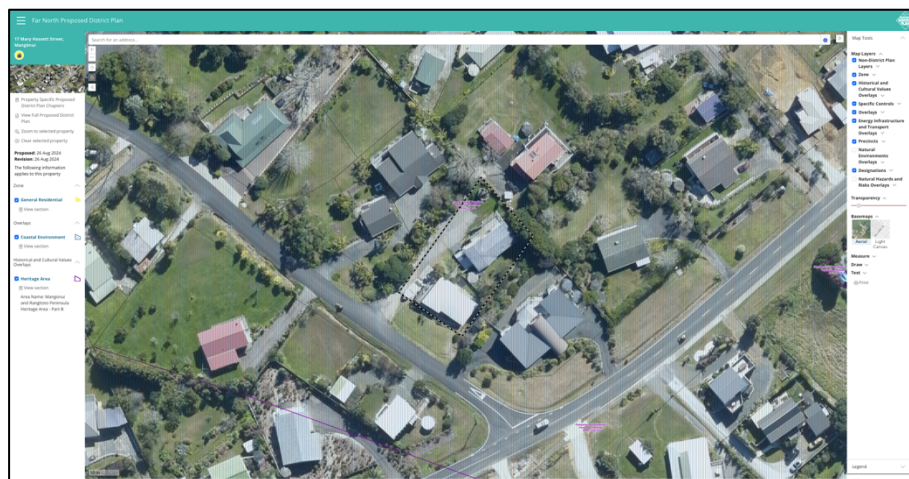


Figure 3 – PDP Zoning [Source: Far North Maps]

As noted above, the application site is located at 17 Mary Hassett Street which is approx. 1km from the main Mangonui Township. The site slopes slightly to the east. There are no natural features or sites of significance / heritage. The property is not located within a kiwi zone.

The subject site currently comprises two existing dwellings and associated access and infrastructure. The dwellings are connected to FNDC’s wastewater reticulation but is serviced internally in terms of stormwater and water.

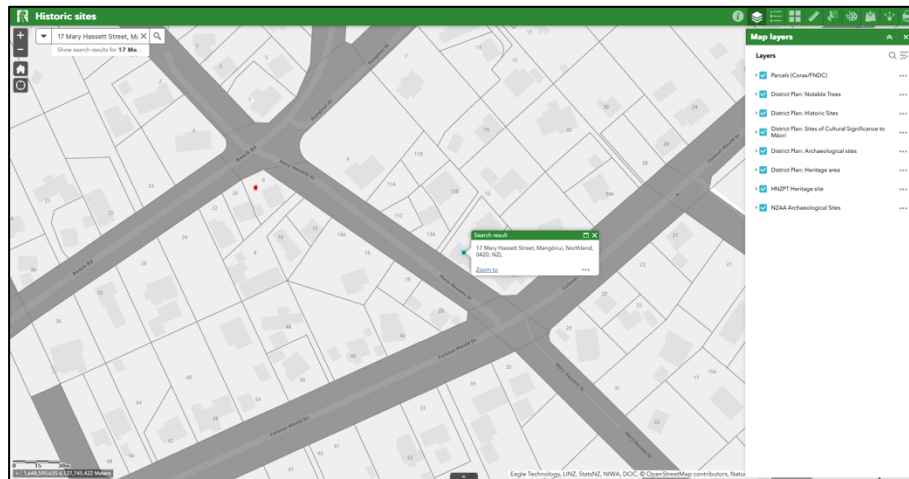


Figure 4 – Heritage Resources [Source: Far North Maps]

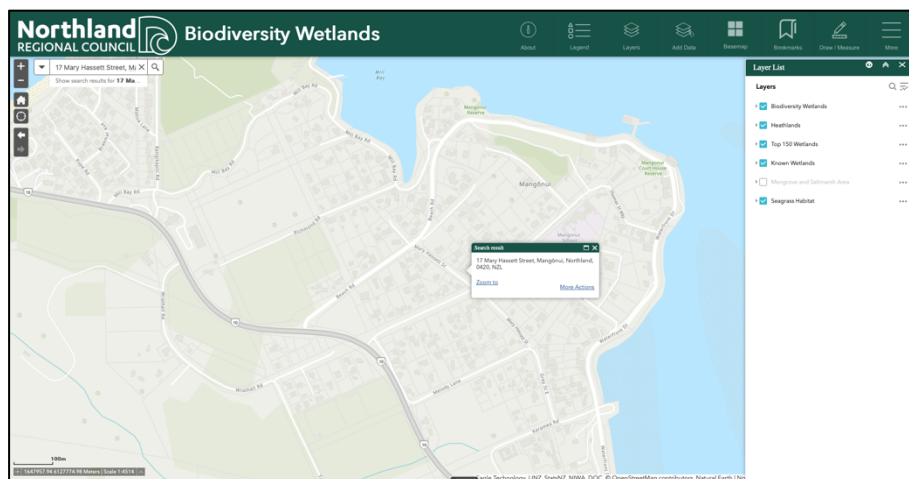


Figure 5 – Wetlands [Source: NRC Maps]

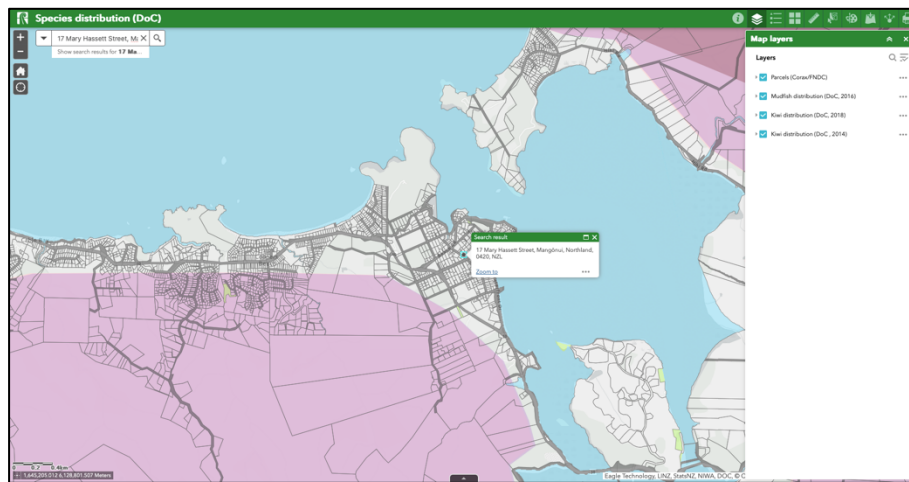


Figure 6 – Kiwi Zone [Source: Far North Maps]

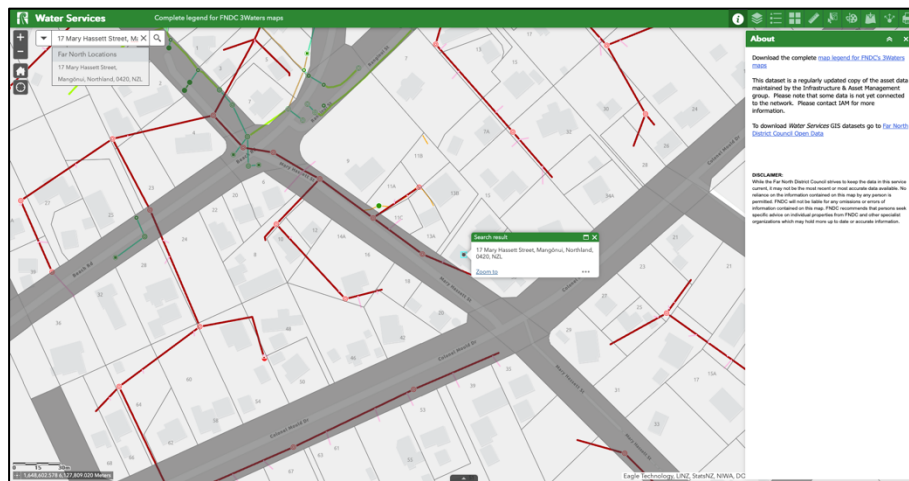


Figure 7 – FNDC Reticulation [Source: Far North Maps]

The subject site is located within a larger area of residentially zoned land. Surrounding sites are similar in size to the existing parent title as well what is proposed through this subdivision.

The subject site has been subject to a previous resource consent. This is provided at **Appendix C**, surmised as follows:

- RC 1970991 – Approval to erect two dwellings on a residential site.

## 5. ASSESSMENT OF RELEVANT RULES

### 5.1 Far North District Plan

An assessment of the relevant rules of the Far North District Plan has been undertaken below:

Table 1: Subdivision Performance Standards

Performance Standard	Comment
TABLE 13.7.2.1: Minimum lot sizes Min lot site: <ul style="list-style-type: none"> <li>• Unsewered: 3000m<sup>2</sup></li> <li>• Sewered: 600m<sup>2</sup></li> </ul>	Minimum lot size will be 0.0390ha and 0.0622ha. Both sites are sewered.  <b>Discretionary Activity</b>
Rule 13.7.2.2 – Allotment dimensions Must be able to accommodate a square building envelope of 14m x 14m	Both lots are developed with legally established dwellings.  <b>Complies</b>
Rule 13.7.2.3 - Rule 13.7.2.9	Not applicable  <b>Complies</b>

Table 2: Residential Zone Land Use Rules

Performance Standard	Comment
7.6.5.11 Relocated Buildings	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.2 Residential Intensity	N/A

<p>(a) Each residential unit for a single household shall have available to it a minimum net site area of: Sewered sites: 600m<sup>2</sup> Unsewered sites: 3,000m<sup>2</sup></p> <p>This minimum net site area may be for the exclusive use of the residential unit, or as part of land held elsewhere on the property, provided that a ratio of one residential unit per minimum net site area (as stated above) is not exceeded. Except that this rule shall not limit the use of an existing site for a single residential unit for a single household, provided that all other standards for permitted activities are complied with.</p>	
<p>7.6.5.1.3 Scale of Activities</p>	<p>N/A – both lots are developed with legally existing buildings / dwellings.</p> <p><b>Complies</b></p>
<p>7.6.5.1.4 Building Height</p>	<p>N/A – both lots are developed with legally existing buildings / dwellings.</p> <p><b>Complies</b></p>
<p>7.6.5.1.5 Sunlight</p>	<p>N/A – both lots are developed with legally existing buildings / dwellings.</p> <p><b>Complies</b></p>
<p>7.6.5.1.6 Stormwater Management</p>	<p>N/A – both lots are developed with legally existing buildings / dwellings.</p> <p><b>Complies</b></p>
<p>7.6.5.1.7 Setback from boundaries</p>	<p>N/A – both lots are developed with legally existing buildings / dwellings.</p>



	<b>Complies</b>
7.6.5.1.8 Screening for Neighbours – Non Residential Activities	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.9 Outdoor Activities	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.10 Visual Amenity	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.11 Transportation	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.12 Site Intensity Non Residential	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.13 Hours of Operation Non Residential	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.14 Keeping of Animals	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.15 Noise	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>

7.6.5.1.16 Helicopter Landing Area	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
7.6.5.1.17 Building Coverage	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>

Table 3: Transportation Performance Standards

Performance Standard	Comment
15.1.6A.2 Traffic Intensity	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
15.1.6B.1 Parking	N/A – both lots are developed with legally existing buildings / dwellings.  <b>Complies</b>
15.1.6C Access	The proposal provides sufficient width for the access carriageway, however in terms of legal width the proposal does not provide a 7.5m legal width. Therefore, Appendix 3B-1 is not met.  <b>Discretionary Activity</b>

Overall, this combined application falls to be considered as a ‘**Discretionary Activity**’ under the Operative Far North District Plan.

Clause 2(1)(d) of Schedule 4 of the RMA requires applicants to identify other activities of the proposal with the intention of capturing activities which need permission or licensing under other enactments. These are considered below.

### 5.3 Northland Regional Council Requirements

The relevant matter to consider in terms of the proposal is with respect to the matters under management of the Northland Regional Council.

The proposal has been assessed against the Proposed Regional Plan for Northland) and no consents are required.

### 5.4 Proposed Far North District Plan 2022

The PDP has rules which have immediate legal effect for the following chapters:

Table 4 – Assessment of the PDP Rules

Matter	Rule/Std Ref	Evidence
Hazardous Substances	Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource.  HS-R5, HS-R6, HS-R9	Not relevant as no such substances proposed.  <b>Complies</b>

<p>Heritage Area Overlays</p>	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	<p>HA-R1 – no changes to buildings proposed.</p> <p>HA-R2 – as above.</p> <p>HA-R3 – as above.</p> <p>HA-R4 – No new buildings or structures proposed.</p> <p>HA-R5 – earthworks [if any] will meet standards in Earthworks Chapter with legal effect. Not within 20m of a scheduled Heritage Resource.</p> <p>HA-R6 – HA-R14 – not relevant.</p> <p><b>Complies</b></p>
<p>Historic Heritage</p>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p>	<p>HH-R1 – Not relevant as there is no Heritage Resource involved.</p>

	<p>Schedule 2 has immediate legal effect</p>	<p>HH-R2 as above.</p> <p>HH-R3 as above</p> <p>HH-R4 no new buildings, structures, extensions or additions proposed.</p> <p>HH-R5 – earthworks [if any] will be setback more than 20m from a scheduled Heritage Resource.</p> <p>HH-R6 – HHR10 – Not relevant.</p> <p><b>Complies</b></p>
<p>Notable Trees</p>	<p>All rules have immediate legal effect (NT-R1 to NT-R9)</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	<p>Not relevant.</p> <p><b>Complies</b></p>

<p>Sites and Areas of Significance to Māori</p>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect</p>	<p>Not relevant.</p> <p><b>Complies</b></p>
<p>Ecosystems and Indigenous Biodiversity</p>	<p>All rules have immediate legal effect (IB-R1 to IB-R5)</p>	<p>Not relevant.</p> <p><b>Complies</b></p>
<p>Activities on the Surface of Water</p>	<p>All rules have immediate legal effect (ASW-R1 to ASW-R4)</p>	<p>Not relevant.</p> <p><b>Complies</b></p>
<p>Earthworks</p>	<p>The following rules have immediate legal effect:</p> <p>EW-R12, EW-R13</p> <p>The following standards have immediate legal effect:</p> <p>EW-S3, EW-S5</p>	<p>These standards can be imposed as an advice note.</p> <p><b>Complies</b></p>
<p>Signs</p>	<p>The following rules have immediate legal effect:</p> <p>SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or</p>	<p>Not relevant.</p> <p><b>Complies</b></p>

	attached to a 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 relevant.  <b>Complies</b>
Subdivision	SUB-R6, R13, R14, R15 and R17 have legal effect.	Subdivision is proposed within a heritage area and consent is required under SUB-R14.  <b>Complies</b>

As above, a Restricted Discretionary resource consent under the PDP is required due to Rule SUB-R13.

## 6. NOTIFICATION ASSESSMENT

### 6.1 Public Notification

The following outlines the steps associated with public notification insofar as it relates to s95 of the Act.

#### Step 1: Mandatory public notification in certain circumstances

- *The applicant has requested public notification*
- *Public notification is required under section 95C*
- *The application is made jointly with an application to exchange recreation reserve land.*

The applicant does not request public notification and it is assumed that the latter two points will not apply.

#### Step 2: If not required by step 1, public notification precluded in certain circumstances:

- *A national environmental standard precludes public notification.*
- *The application is for a resource consent for 1 or more of the following, but no other, activities:*
  - *a controlled activity:*
  - *a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:*

None of the above apply to the activity.

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

*The criteria for step 3 are as follows:*

- *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:*



- *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.*

As demonstrated below, the adverse effects are considered to be less than minor.

Step 4: Public notification in special circumstances

- *Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified*

No special circumstances have been identified to warrant public notification. The proposal is not considered to be controversial or of significant public interest, particularly given that it is private land, and the site already developed with a dwelling and garage, which is considered neither exceptional or unusual.

## 7. EFFECTS ON THE ENVIRONMENT

### 7.1 Effects That Must Be Disregarded

Effects on persons who are owners and occupiers of the land in, on, or over which the application relates, or of adjacent land must be disregarded when considering effects on the environment (s 95D(a)).

Those properties / persons are shown in Table 5 below.

Table 5: Adjacent Persons

Download CSV									
Address	Suburb	Town	Capital Value	Owners	Last Sale Date	Last Sale Price	Land Area	Floor Area	
17 Mary Hassett Street	Mangonui	Far North	780000	Galina Valentinova Kochanova, Andrew John Ritchie	22 Apr 2024	700000	1,012 m <sup>2</sup>	210 m <sup>2</sup>	
38 Colonel Mould Drive	Mangonui	Far North	1150000	Martin Albert Wale, Sarah Ann Wale	31 Aug 2001	90000	1,110 m <sup>2</sup>	216 m <sup>2</sup>	
15 Mary Hassett Street	Mangonui	Far North	800000	Noel Raymond Taylor, Pearl Taylor	01 Jan 1900	240000	1,690 m <sup>2</sup>	180 m <sup>2</sup>	
20 Mary Hassett Street	Mangonui	Far North	600000	Christine Ann Rudd, Geoffrey Rudd	15 Mar 2001	150000	695 m <sup>2</sup>	70 m <sup>2</sup>	
0 Mary Hassett Street	Mangonui	Far North	260000	Neil David Clarke, Juelle Louise Hunt	08 Mar 2022	143000	417 m <sup>2</sup>		



Figure 8 – Adjacent Persons

## 7.2 Written Approvals

No written approvals have been sought.

## 7.3 Effects That May Be Disregarded

Sections 95D(b) and 95E(2)(a) provide that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council ‘may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect’. This is known as the permitted activity baseline test.

In the case of the proposed subdivision, there are no permitted activities in the ODP or PDP.

## 7.4 Existing Environment

The receiving environment is the environment upon which a proposed activity might have effects. It is permissible (and often desirable or necessary) to consider the future state of the environment upon which effects will occur, including:

- the future state of the environment as it might be modified by the utilization of rights to carry out permitted activities (refer above).

- the environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

The existing environment in this instance is characterized by the existing and legalized built development already located on site. The development on site has been previously consented as outlined earlier in this report, therefore the effects of that are known and form part of the existing environment. The subdivision does not change that consented development. There are no known unimplemented consents in the environment.

## **7.5 Effects Assessment**

The following assessment (refer [Table 6](#)) has been prepared in accordance with Section 88 and Schedule 4 of the Act which specifies that the assessment of effects provided should correspond with the scale and significance of the proposal.

The effects assessment is largely linked to the rules breached as well as any other matter that is considered relevant to the scope and context of the overall development.

**Table 6 – Effect Assessment (Environment)**

Item	Assessment Criteria	Comments
Positive Effects	Nil	The proposal provides for economic and social wellbeing for the current site owner and also creates fee simple lots around the existing dwellings.
Property Access	13.7.3.1 ODP	<p>The proposal can comply with the transportation and parking aspects of the ODP, however does not comply with the legal width requirements.</p> <p>Despite not having sufficient legal width, the proposal involves the separation of an existing situation – therefore, the access and parking arrangements have been previously approved and considered acceptable.</p> <p>Upgrades may be required to the vehicle crossing to support the subdivision.</p> <p>Overall, effects are considered less than minor.</p>
Natural & Other Hazards	13.7.3.2 ODP	<p>The site is not implicated by hazards. The subdivision is of an existing situation where dwellings are already constructed.</p> <p>Overall, effects are considered less than minor.</p>
Water Supply	13.7.3.3 ODP	<p>Already provided on site to services the existing situation.</p> <p>Overall, effects are considered less than minor.</p>
Stormwater Disposal	13.7.3.4 ODP	<p>Already provided on site to services the existing situation.</p> <p>Overall, effects are considered less than minor.</p>
Sanitary Sewage Disposal	13.7.3.5 ODP	<p>Already provided on site to services the existing situation.</p>

		Overall, effects are considered less than minor.
Energy Supply	13.7.3.6 ODP	<p>Already provided on site to services the existing situation.</p> <p>Overall, effects are considered less than minor.</p>
Telecommunications	13.7.3.7 ODP	<p>Already provided on site to services the existing situation.</p> <p>Overall, effects are considered less than minor.</p>
Easements for Any Purpose	13.7.3.8 ODP	Please refer to the scheme plan in <b>Appendix B.</b>
Preservation of Heritage Resources, Vegetation, Fauna and Landscape, and Land Set Aside for Conservation Purposes	13.7.3.9 ODP	None of these items implicate the site.
Access to Reserves and Waterways	13.7.3.10 ODP	The site does not adjoin a waterway.
Land Use Compatibility	13.7.3.11 ODP	Residential use is in the surrounds, and the proposed subdivision does not change any external feature of the site, save for a vehicle crossing which may require some localised upgrades to suit current standards.
Proximity to Airports	13.7.3.12 ODP	Not relevant.
Subdivision Within a Heritage Area	Refer SUB-R13 PDP	<ul style="list-style-type: none"> <li>a) The heritage values of the heritage area overlay are outlined in the PDP.</li> <li>b) There is no scheduled heritage resource on the site.</li> <li>c) Views of scheduled heritage resources from adjoining public spaces are not implicated from the proposal.</li> </ul>

		<p>d) No consultation has been undertaken with those parties as there are no effects resulting to them in this instance.</p> <p>e) There is no scheduled heritage resource within the site.</p> <p>Overall, the relevant criteria are immaterial to this proposal, because they relate to impacts of a scheduled heritage resource, and require no considered response regarding heritage areas broadly. In this instance the subdivision is proposed around existing development, and there are no impacts to the heritage values of the Mangonui area as a result of a subdivision as proposed.</p>
<p><b>Concluding Statement:</b></p> <p>Having considered the relevant actual and potential effects associated with the development, it is considered that the proposed activity promotes effects that are no more than minor on the environment.</p>		

## 8. EFFECTS TO PEOPLE

### 8.1 Limited Notification

The table below outlines the steps associated with limited notification insofar as it relates to s95 of the Act.

Table 7 – s95 Assessment

Step 1	certain affected groups and affected persons must be notified	
S95B(2)(a)	Are there any affected protected customary rights groups?	No
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?	No
S95B(3)(a)	Is the proposed activity 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?	No
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made is an affected person under section 95E?	No
Step 2	<u>if not required by step 1, limited notification precluded in certain circumstances</u>	
S95B(6)(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:	No
S95B(6)(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)	No

### 8.2 Affected Person Determination

As the proposed activity does not trigger mandatory limited notification, nor is it precluded, an assessment of potential affected persons must be undertaken.

The consent authority has discretion to determine whether a person is an affected person. A person is affected if an activity's adverse effects are minor or more than minor to them.

The potential effects of the proposal on adjacent landowners has been undertaken below in context of those parties outlined earlier in Section 7.

### **8.3 Effects on Persons Assessment**

The proposal is not considered to result in any potential affected persons for the following reasons:

- The proposal requires minimal earthworks (<200m<sup>3</sup>) which can be undertaken with standard consent conditions imposed.
- There is no vegetation clearance required / proposed.
- Situation is existing and subdivision does not impact persons.
- There are no special features / resources that apply to the site despite being within a Heritage Area.
- The proposal will result in residential end use, in the residential zone and the density proposal aligns with the existing situation previously consented.
- The land use breach for a limited legal width does not implicate any persons. Access is not shared with any other parties. All services are provided to the existing activities.



## 9. STATUTORY CONTEXT

### 9.1 National Policy Statements & Plans

In terms of NPS' and NES' the following is provided:

- With respect to the National Environmental Standard – Soil Contamination, the site is not HAIL.
- The site is Coastal as per the Regional Policy Statement and therefore the New Zealand Coastal Policy Statement is relevant.
- The site is within an urban area and is considered to be contributing to the outcomes outlined in the NPS – Urban Development.
- The site has no wetlands attributed to it as defined in various planning documents. The NPS for Freshwater Management is not considered relevant.
- The site is zoned Residential and therefore the NPS Highly Productive Land does not apply.

In terms of the NZCPS, as the site is Residential Zone [and proposed to continue this under the PDP], it is inherently accepted that the use proposed is appropriate in an area already consolidated with urban growth. The fact that the underlying uses are already existing and consented notes the underlying uses are also appropriate.

A subdivision of the nature proposed [line in the map] does not impact the characteristics and qualities that make up the Coastal Environment. The site is not within an ONL, ONF, or have any other special features or attributions that apply to it.

For these reasons, the proposal is considered to be consistent with the NZCPS.

### 9.2 Regional Policy Statement for Northland

The Regional Policy Statement (RPS) for Northland sets the broad direction and framework for managing the region's natural and physical resources. It identifies significant resource management issues for the region and sets out how resources such as land, water, soil, minerals, plants, animals, and structures will be managed.

The RPS recognises that there are activities and land that should be protected from the negative impacts brought about through subdivision, as further development can result in incompatible land use, effects on receiving environments, reverse sensitivity issues and sterilisation of productive land.

In this context, the proposed subdivision aligns with the objectives of the RPS. It entails the division of existing residential activities within an established residential area. Importantly, the proposed lots are intended for residential purposes, which is consistent with the current and foreseeable use of the land.

Existing measures are in place for access and servicing through appropriate on-site infrastructure and connections to reticulated services. Therefore, the proposal is in accordance with the principles outlined in the RPS.

### **9.3 Far North District Plan Assessment**

An assessment of the relevant objectives and policies associated with the Far North District Plan has been undertaken:

#### **Chapter 13 - Subdivision**

**Objectives:** 13.3.1, 13.3.2, 13.3.5, 13.3.7, 13.3.8, 13.3.9 and 13.3.10

**Policies:** 13.4.1, 13.4.2, 13.4.3, 13.4.8, 13.4.11 and 13.4.14

The subdivision is consistent with the objectives and policies which underscore the importance of ensuring development does not compromise the environment, infrastructure, or the character of the area. The proposed subdivision aims to integrate with existing activities while adhering to sustainable land use practices.

The relevant policies (identified above) guide development towards maintaining environmental and cultural values, promoting efficient land use, and minimising adverse effects on infrastructure. The proposal's design and adherence to these policies demonstrate a commitment to responsible development that complements the existing landscape, supports community needs, and respects the district's unique characteristics.

The site itself lacks identified landscape values and poses no hindrance to the continued operation of adjacent land uses. The existing occupied lots have satisfactory access to essential services, ensuring their functionality. Adequate and secure access is already established for all lots.

This proposed subdivision, creating two new lots [1 additional] in the vicinity of pre-approved development, will inherently exhibit negligible visual and physical effects on the broader environment.

The layout of the development and the scale of the dwellings align with the Plan's expectations. Moreover, the subdivision pattern mirrors the prevailing development trend in the locality and conforms to common subdivision practices.

The new lots are appropriately equipped with essential easements to facilitate legal servicing rights. Additionally, the site demonstrates stability, with no concerns regarding flooding, waterways, or overall site integrity. Consequently, the proposal aligns with the objectives and policies of the subdivision chapter.

In terms of the Residential Zone, this is considered in Table 8 below.

**Table 8 – ODP Residential Zone Assessment**

Objectives	Assessment
7.6.3.1 To achieve the development of new residential areas at similar	The proposal seeks a Discretionary Activity density and given it is of an

densities to those prevailing at present.	existing situation already approved, the objective is considered to be met.
7.6.3.2 To enable development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activity	As the density is compatible, so too are the activities which are residential in nature.
7.6.3.3 To protect the special amenity values of residential sites on the urban fringe, specifically Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333, Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), and those having frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive.	Not relevant.
<b>Policies</b>	<b>Assessment</b>
7.6.4.1 That the Residential Zone be applied to those parts of the District that are currently predominantly residential in form and character.	Noted.
7.6.4.2 That the Residential Zone be applied to areas which are currently residential but where there is	Noted.

scope for new residential development	
7.6.4.3 That the Residential Zone be applied to areas where expansion would be sustainable in terms of its effects on the environment	Noted.
7.6.4.4 That the Residential Zone provide for a range of housing types and forms of accommodation.	Noted.
7.6.4.5 That non-residential activities only be allowed to establish within residential areas where they will not detract from the existing residential environment	No non-residential activities are proposed.
7.6.4.6 That activities with net effects that exceed those of a typical single residential unit, be required to avoid, remedy or mitigate those effects with respect to the ecological and amenity values and general peaceful enjoyment of adjacent residential activities.	Not relevant.

Overall, the proposal is considered to be consistent with the aims and intent of the Residential Zone. The proposal is also considered to be broadly consistent with the aims of Chapter 15, noting the minor breach in terms of not promoting sufficient legal width.

The basis of this rule was to promote reticulated services [pipes / conduits etc] alongside an accessway. The site is already serviced in this respect and a reduced legal width has no environmental effect on an existing situation.

Overall, the proposal is considered to be consistent with the ODP.

#### **9.4 Proposed Far North District Plan**

Section 88A(2) provides that “any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b).” This requires applications to be assessed under both the operative and proposed objective and policy frameworks from the date of notification of the proposed district plan.

In the event of differing directives between objective and policy frameworks, it is well established by case law that the weight to be given to a proposed district plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan moves through the notification and hearing process.

In *Keystone Ridge Ltd v Auckland City Council*, the High Court held that the extent to which the provisions of a proposed plan are relevant should be considered on a case by case basis and might include:

- The extent (if any) to which the proposed measure might have been exposed to testing and independent decision making;
- Circumstances of injustice; and
- The extent to which a new measure, or the absence of one, might implement a coherent pattern of objectives and policies in a plan.

In my view the PDP has not gone through the sufficient process to allow a considered view of the relevant objectives and policies. However, for fullness the Subdivision and General Residential objectives and policies have been assessed below.

**Table 9 – PDP General Residential Zone Assessment**

Objective	Assessment
<p>GRZ- O1 The General Residential zone provides a variety of densities, housing types and lot sizes that respond to:</p> <p>housing needs and demand;</p> <p>the adequacy and capacity of available or programmed development infrastructure;</p> <p>the amenity and character of the receiving residential environment; and</p> <p>historic heritage.</p>	<p>Noted.</p>
<p>GRZ- O2 The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl.</p>	<p>Noted. This subdivision is in line with this.</p>
<p>GRZ-O3 Non-residential activities contribute to the well-being of the community while complementing the</p>	<p>Noted.</p>

scale, character and amenity of the General Residential zone	
GRZ-O4 Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.	There are adequate services to the site.
GRZ – O5 Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments	The proposal meets the density of a Discretionary Activity and is of an existing and legally approved situation.
GRZ -O6 Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.	Noted.
<b>Policy</b>	<b>Assessment</b>
GRZ-P1 Enable land use and subdivision in the General Residential zone where:  there is adequacy and capacity of available or programmed development infrastructure to support it; and  it is consistent with the scale, character and amenity anticipated in the residential environment	Services are available to the site or are already provided to the existing dwellings.
GRZ-P2  Require all subdivision in the General Residential zone to provide the	These are already established / provided.



<p>following reticulated services to the boundary of each lot:</p> <p>telecommunications:</p> <p>fibre where it is available; or</p> <p>copper where fibre is not available;</p> <p>local electricity distribution network;</p> <p>wastewater; and</p> <p>potable water and stormwater where it is available.</p>	
<p>GRZ – P3 Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure.</p>	<p>Not relevant.</p>
<p>GRZP4 Enable non-residential activities that:</p> <p>do not detract from the vitality and viability of the Mixed Use zone;</p> <p>support the social and economic well-being of the community;</p> <p>are of a residential scale; and</p>	<p>Not relevant.</p>

<p>are consistent with the scale, character and amenity of the General Residential zone.</p>	
<p>GRZ P5 Provide for retirement villages where they:</p> <p>compliment the character and amenity values of the surrounding area;</p> <p>contribute to the diverse needs of the community;</p> <p>do not adversely affect road safety or the efficiency of the transport network; and</p> <p>can be serviced by adequate development infrastructure.</p>	<p>Not relevant.</p>
<p>GRZ P6 Encourage and support the use of on-site water storage to enable sustainable and efficient use of water resources</p>	<p>Noted.</p>
<p>GRZ P7 Encourage energy efficient design and the use of small-scale renewable electricity generation in the construction of residential development.</p>	<p>Noted.</p>
<p>GRZ P8 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:</p>	<p>The proposal is for the subdivision of an existing / legally established situation.</p> <p>The matters are therefore considered to be engrained within the proposal which</p>

<p>consistency with the scale, design, amenity and character of the residential environment;</p> <p>the location, scale and design of buildings or structures, potential for shadowing and visual dominance;</p> <p>for residential activities:</p> <p>provision for outdoor living space;</p> <p>privacy for adjoining sites;</p> <p>access to sunlight;</p> <p>for non-residential activities:</p> <p>scale and compatibility with residential activities</p> <p>hours of operation</p> <p>at zone interfaces, any setbacks, fencing, screening or landscaping required to address potential conflicts;</p> <p>the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity, including:</p> <p>opportunities for low impact design principles</p> <p>ability of the site to address stormwater and soakage;</p> <p>managing natural hazards; and</p> <p>any historical, spiritual, or cultural association held by tangata whenua,</p>	<p>is to simply separate the activities into separate allotments.</p>
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with regard to the matters set out in Policy TW-P6	
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**Table 10: Objectives and Policies Assessment of the Subdivision Chapter**

Objective	Assessment
<p>SUB-O1 Subdivision results in the efficient use of land, which:</p> <ul style="list-style-type: none"> <li>a. achieves the objectives of each relevant zone, overlays and district wide provisions;</li> <li>b. contributes to the local character and sense of place;</li> <li>c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;</li> <li>d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;</li> <li>e. does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and</li> <li>f. manages adverse effects on the environment.</li> </ul>	<p>The land is zoned residential and an additional lot is considered to be an efficient use of land. Natural hazards are not of concern in the locality.</p>
<p>SUB-O2 Subdivision provides for the:</p> <ul style="list-style-type: none"> <li>a. Protection of highly productive land; and</li> <li>b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal</li> </ul>	<p>None of these matters are implicated.</p>

<p>Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.</p>	
<p>SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:</p> <ul style="list-style-type: none"> <li>a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and</li> <li>b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.</li> </ul>	<p>Infrastructure is already provided.</p>
<p>SUB-O4 Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:</p> <ul style="list-style-type: none"> <li>a. public open spaces;</li> <li>b. esplanade where land adjoins the coastal marine area; and</li> <li>c. esplanade where land adjoins other qualifying waterbodies.</li> </ul>	<p>These exist in the surrounds.</p>
<p><b>Policy</b></p>	<p><b>Assessment</b></p>
<p>SUB-P1 Enable boundary adjustments that:</p> <ul style="list-style-type: none"> <li>a. do not alter:</li> </ul>	<p>No boundary adjustment is proposed.</p>

<ul style="list-style-type: none"> <li>i. the degree of non compliance with District Plan rules and standards;</li> <li>ii. the number and location of any access; and</li> <li>iii. the number of certificates of title; and</li> </ul> <p>b. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.</p>	
<p>SUB-P2 Enable subdivision for the purpose of public works, infrastructure, reserves or access.</p>	<p>Noted.</p>
<p>SUB-P3 Provide for subdivision where it results in allotments that:</p> <ul style="list-style-type: none"> <li>a. are consistent with the purpose, characteristics and qualities of the zone;</li> <li>b. comply with the minimum allotment sizes for each zone;</li> <li>c. have an adequate size and appropriate shape to contain a building platform; and</li> <li>d. have legal and physical access.</li> </ul>	<p>The subdivision is considered to meet these.</p>
<p>SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan.</p>	<p>Noted.</p>

<p>SUB-P5 Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:</p> <ul style="list-style-type: none"> <li>a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network;</li> <li>b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections;</li> <li>c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;</li> <li>d. contributing to a well connected transport network that safeguards future roading connections; and</li> <li>e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.</li> </ul>	<p>The subdivision layout is considered to achieve these matters.</p>
<p>SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> <li>a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and</li> <li>b. ensuring that the infrastructure is provided is</li> </ul>	<p>The subdivision is serviced.</p>

<p>in accordance the purpose, characteristics and qualities of the zone.</p>	
<p>SUB-P7 Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.</p>	<p>Noted.</p>
<p>SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:</p> <ul style="list-style-type: none"> <li>a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and</li> <li>b. will not result in the loss of versatile soils for primary production activities.</li> </ul>	<p>Not relevant.</p>
<p>SUB-P9 Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.</p>	<p>Not relevant.</p>
<p>SUB-P10 To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.</p>	<p>Not relevant.</p>
<p>SUB-P11 Manage 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:</p>	<p>These are addressed throughout this report.</p>



<ul style="list-style-type: none"> <li>a. consistency with the scale, density, design and character of the environment and purpose of the zone;</li> <li>b. the location, scale and design of buildings and structures;</li> <li>c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;</li> <li>d. managing natural hazards;</li> <li>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes</li> </ul>	
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The proposal also has links to the Coastal Environment and Heritage Area chapters within the PDP. For the reasons outlined in this application, the proposal has little effect to the Coastal Environment or the values that make up this area. It is in a residential area with uses already existing. A subdivision does not impact the coastal environment values.

Similarly, there are no implications to the overall Heritage Area as there are no immediate heritage resources on the site or adjacent. Uses are existing and there are no effects to the value of the heritage area in this location which is characterized by residential end use which has been around for some time.

Overall, and considering the above, the proposal is considered to be consistent with the objectives and policies of all relevant statutory documents.

## **10 PART 2 ASSESSMENT**

### **10.1 Section 5 – Purpose of The Act**

Section 5 in Part 2 of the Act identifies the purpose as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being which sustain those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding remedying or mitigating adverse effects on the environment.

It is considered that proposal represents a sustainable use of existing resources that allow people and the community to provide for its social and economic wellbeing in a manner that mitigates adverse effects on the environment.

### **10.2 Section 6 – Matters of National Importance**

In achieving the purpose of the Act, a range of matters are required to be recognised and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal and have been recognised and provided for in the design of the development.

### **10.3 Section 7 – Other Matters**

In achieving the purpose of the Act, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
  - (aa) the ethic of stewardship:
  - (b) the efficient use and development of natural and physical resources:
    - (ba) the efficiency of the end use of energy:
    - (c) the maintenance and enhancement of amenity values:
    - (d) intrinsic values of ecosystems:
    - (e) [Repealed]
    - (f) maintenance and enhancement of the quality of the environment:
    - (g) any finite characteristics of natural and physical resources:
    - (h) the protection of the habitat of trout and salmon:

- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

#### **10.4 Section 8 – Treaty of Waitangi**

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

#### **10.5 Section 8 – Part 2 Conclusion**

Given the above, it is considered that the proposal meets the purpose of the Act.

## 11. CONCLUSION

Discretionary Activity resource consent is sought from the Far North District Council to carry out the proposed development.

The proposal is not precluded from public notification and is considered to have less than minor effects on the wider environment. Through assessment, there are considered to be no affected persons.

The proposal is consistent with the objectives and policies of the Far North District Plan, the Regional Policy Statement for Northland, and achieves the purpose of the Act.

Given the assessment carried out in this report, it is considered that this proposal can be determined non-notified under the RMA 1991.

We would appreciate the review of draft conditions when available.

Regards,



Steven Sanson

Consultant Planner



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

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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **NA99C/762**  
**Land Registration District** **North Auckland**  
**Date Issued** 06 December 1995

**Prior References**  
NA9D/469

---

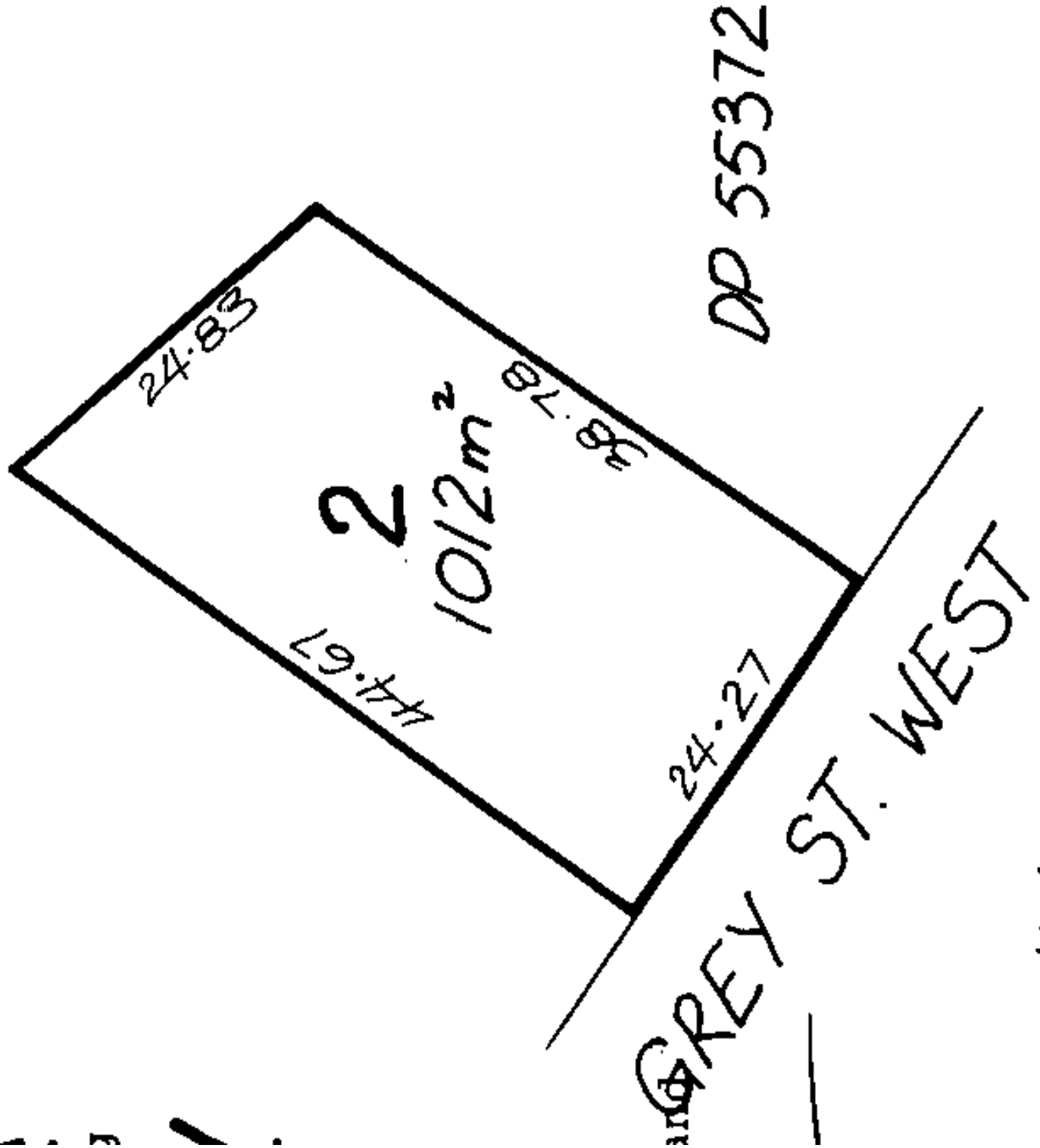
**Estate** Fee Simple  
**Area** 1012 square metres more or less  
**Legal Description** Lot 2 Deposited Plan 55372

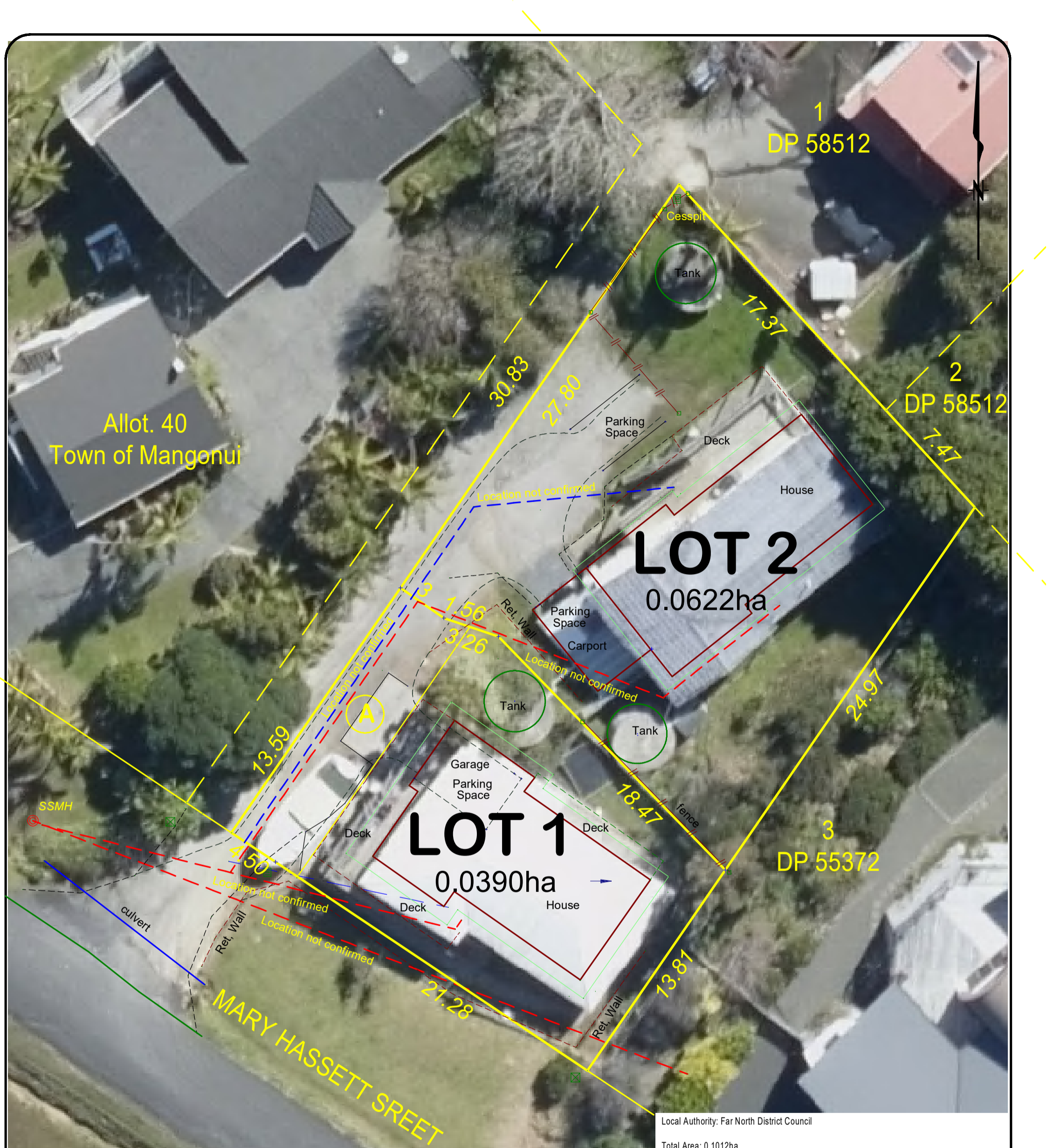
**Registered Owners**

Andrew John Ritchie as to a 1/2 share  
Galina Valentinova Kochanova as to a 1/2 share

---

**Interests**





Allot. 40  
Town of Mangonui

1  
DP 58512

2  
DP 58512

3  
DP 55372

**LOT 2**  
0.0622ha

**LOT 1**  
0.0390ha

MARY HASSETT SREET

Local Authority: Far North District Council

Total Area: 0.1012ha  
Comprised in: NA99C/762

- - - - - Approx. WW connection as shown on property file (Not confirmed)
- - - - - Approx. SW connection as shown on property file (Not confirmed)

Area of RoW 'A' = 76m<sup>2</sup>

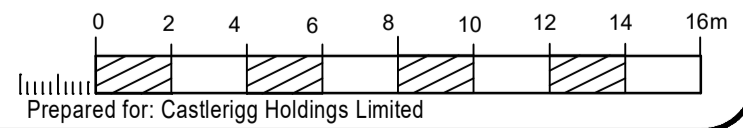
**Impermeable Areas**

<b>Lot 1</b>	
House	147m <sup>2</sup>
Drive	95m <sup>2</sup>
Tank	12m <sup>2</sup>
<b>Total</b>	<b>254m<sup>2</sup> (65%)</b>
<b>Lot 2</b>	
House	132m <sup>2</sup>
Carport	19m <sup>2</sup>
Drive	121m <sup>2</sup>
Tank x2	24m <sup>2</sup>
<b>Total</b>	<b>296m<sup>2</sup> (47.5%)</b>

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

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.



Prepared for: Castlerigg Holdings Limited

**Memorandum of Easements**

Purpose	Shown	Burdened Land	Benefited Land
Right of Way Right to Drain Water Right to Convey Sewage, Water, Electricity & Telecommunications	A	Lot 1 Hereon	Lot 2 Hereon

**WILLIAMS AND KING**  
Registered Land Surveyors, Planners &  
Land Development Consultants

Ph: (09) 407 6030      27 Hobson Ave  
Email: kerikeri@saps.co.nz      PO Box 937 Kerikeri

**PROPOSED SUBDIVISION OF  
LOT 2 DP 55372**

Name	Date	SCALE	SHEET SIZE
Survey	MP	May 2024	1:200   A3
Design			
Drawn	W & K	May 2024	
Rev			

**24367**



# FAR NORTH DISTRICT COUNCIL



## FAR NORTH OPERATIVE DISTRICT PLAN [MANGONUI SECTION] PROPOSED FAR NORTH DISTRICT PLAN

**IN THE MATTER OF** the Resource  
Management Act 1991

**AND**

**IN THE MATTER OF** an application for  
Resource Consent under the  
aforesaid Act by

**Shane Jones**

FILE NUMBER RC1970991

### **APPLICATION**

Application for **LAND USE CONSENT** to erect two dwellings on a residential site.

The property in respect of which the application is made is situated at Grey Street West, Mangonui and is legally described as Lots2 DP 55372, Blk V Mangonui SD.

### **DECISION**

That pursuant to Section 105 (1)(b) of the Resource Management Act 1991, Council grants its consent to the application [being RC 1970991] by S Jones to erect two dwellings on a residential site, generally as indicated on the plans and information provided with the application.

This consent is subject to the following conditions imposed pursuant to Section 108 of the Act:

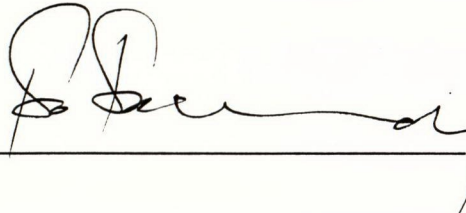
- (1) That the parking area for the second dwelling be screened from adjoining sites by landscaping, walls, fences or a combination thereof to at least 1.8m height along the length of the parking area, within six months of the building's completion or occupation [whichever comes first].

**Reasons for the Decision**

**In consideration of the application under Section 104 of the Act, the Council has made its decision for the following reasons:**

- (A) Written approval has been obtained from all adjoining owners and interested parties who might be adversely affected by the proposed activity.
- (B) There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the District Plan.
- (C) The imposed conditions will ensure compliance with the relevant District Plan rules, and will adequately mitigate the expected environmental effects to a minor impact level.
- (D) Council has considered the provisions of the Proposed Far North District Plan in coming to this decision. Comparison with the existing provisions of the Transitional Plan and considering the appropriate weighting of the two plans indicates that the proposal can be approved in terms of both Plans.

***CONSENT GRANTED UNDER DELEGATED AUTHORITY:***

  
\_\_\_\_\_  
MANAGER ENVIRONMENTAL SERVICES

  
\_\_\_\_\_  
CONSULTANT RESOURCE PLANNER

25 July 97 DATE

**RECORD OF DECISION ON  
RESOURCE CONSENT APPLICATIONS**

**Participants:**

<u>GFP</u>	<u>BIB</u>
<u>PJK</u>	<u>JRS</u>

**Decision Date:**

27 July 1997

RC Number : 1970991

Val Number : 84 - <sup>304</sup>~~257~~ [40 - 131]

Lodged : 1 May 97

Received : 19 May 97 [fees]

Applicant : **Shane Jones**

Location : Grey Street West , Mangonui

Zoning -- Transitional Plan : Residential  
Proposed Plan : Residential

Proposal : Two erect two dwellings on a residential site.

Type -- Transitional Plan : Controlled  
Proposed Plan : Restricted Discretionary

Issues : Site is 1012 m<sup>2</sup>; doesn't quite achieve 1 house per 600m<sup>2</sup>, so restricted discretionary. Ample room on site, sewerred.

Approvals : Yes - neighbour on sides of property where houses will be, and applicant is the other neighbour.

Notified : No

Hearing : No

Decision : Consent with conditions

Findings : Simple

Discussion : Screening to parking areas within six months

**Copy to:**

Building	Monitoring	Works	Projects	Property Legal	TNZ	Health	Liquor Lic	Comm Fac	Finance
x	x								

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***CONSENT GRANTED UNDER DELEGATED AUTHORITY:***

\_\_\_\_\_ **MANAGER ENVIRONMENTAL SERVICES**

\_\_\_\_\_ **CONSULTANT RESOURCE PLANNER**

\_\_\_\_\_ **DATE**



# FAR NORTH DISTRICT COUNCIL



Kaitaia Service Centre  
Redan Road, PO Box 262, Kaitaia  
Telephone: (09) 408-1400 Fax: (09) 408-1404

Our reference

RC 1970991  
If calling, please ask for

Greg Phillips

13 August 1997

~~S Jones~~  
~~Grey Street West~~  
MANGONUI

*G Payton*  
*PO Box 480*  
*Kenner*

Dear Sir

**RE: RC 1970991 APPLICATION BY S JONES - MANGONUI**

Council's decision is attached.

The application was considered and determined under authority delegated to the Manager, Environmental Services of the Far North District Council, pursuant to Section 34(4) of the Resource Management Act 1991. If you are dissatisfied with the decision or any part of it, you have the right (under Section 357 of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection, and must be received by Council within 15 working days of your receipt of this decision.

Yours faithfully

*Lorraine Little*

Lorraine Little  
ENVIRONMENTAL SERVICES ADMINISTRATOR

cc:

P/3DR7991.DOC

COVER SHEET.

RC No: 1970991

Document Type: Lo-Du

Approved by MHS: B. Kellala

Date: 11/08/97



**RECORD OF DECISION ON  
RESOURCE CONSENT APPLICATIONS**

**Participants:**

GFP  
PJK

BIB  
JRS

**Decision Date:**  
27 July 1997

**RC Number :** 1970991

**Val Number :** 84 - 257 [40 - 131]

**Lodged :** 1 May 97

**Received :** 19 May 97 [fees]

**Applicant :** Shane Jones

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**Notified :** No

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**Decision :** Consent with conditions

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x	x								

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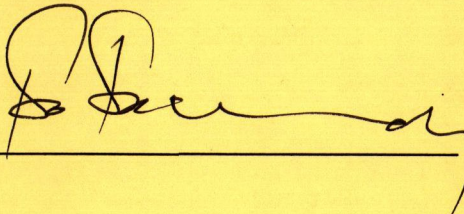
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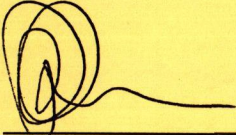
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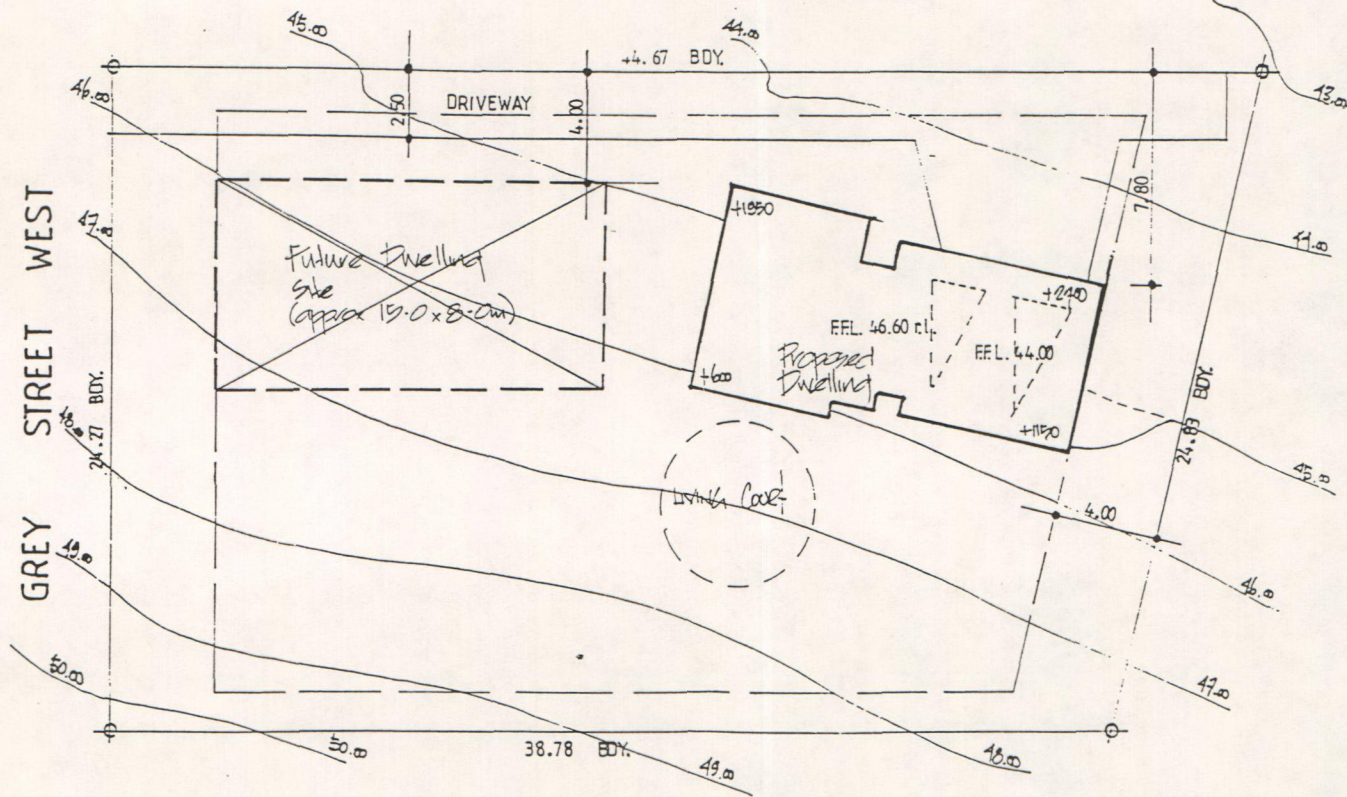
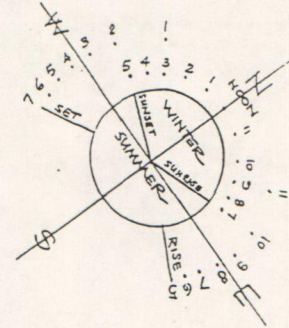
**CONSENT GRANTED UNDER DELEGATED AUTHORITY:**

  
\_\_\_\_\_  
MANAGER ENVIRONMENTAL SERVICES

  
\_\_\_\_\_  
CONSULTANT RESOURCE PLANNER

25 July 97 DATE

LEVEL DESCRIPTION:  
 LOT 2  
 D.P. 52372  
 AREA: 1012 m<sup>2</sup>



All work to comply with NZS3604, the Building Act and all relevant NZ standards and local authority by-laws.

DO NOT scale off drawings. Refer to figured dimensions. All dimensions for setting out shall be taken from actual work on site.

The contractor shall check and verify all dimensions, levels and angles on site prior to commencing any work.

JEREMY LAWTON DESIGNS  
 TELEPHONE 09 416 7773

PROPOSED DWELLING FOR RELOCATION  
 FOR MR. & MRS. S. JONES - MANGONUI

SITE PLAN

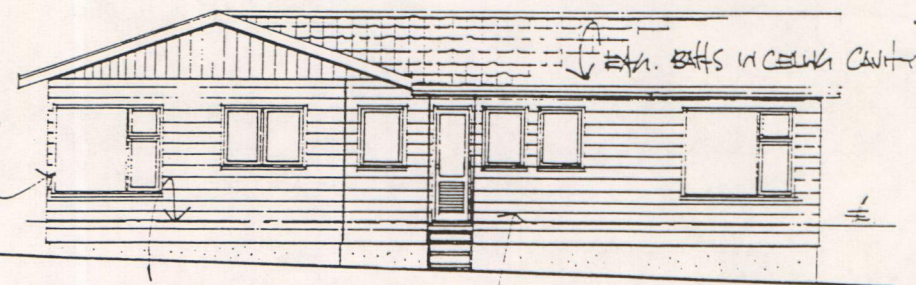
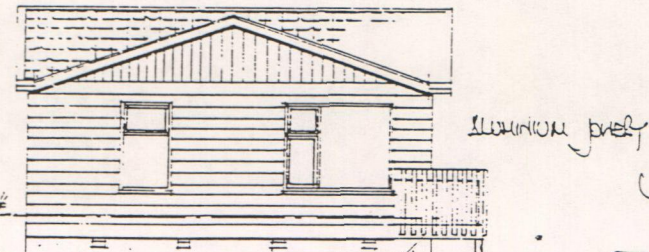
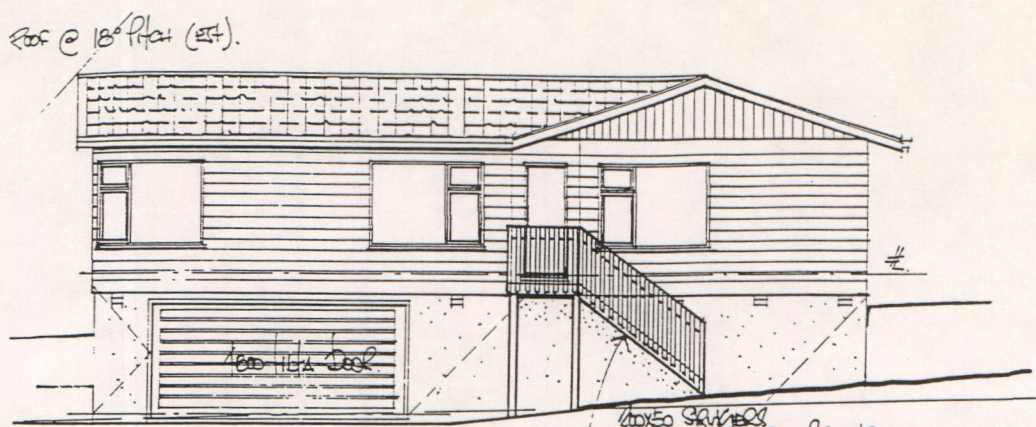
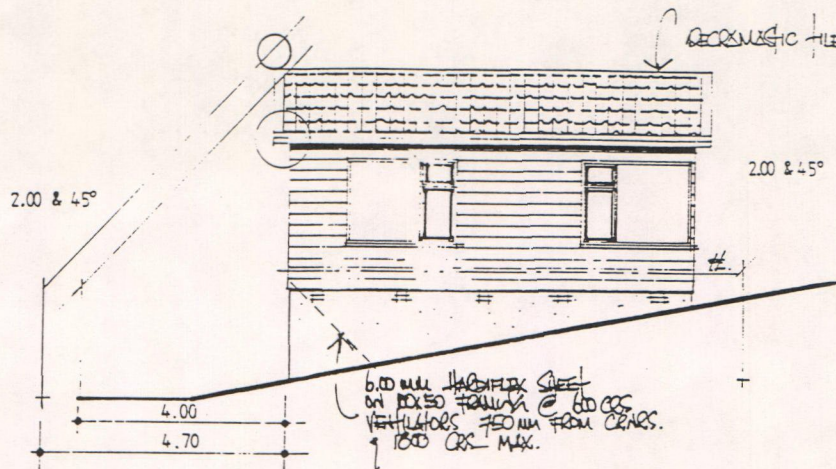
SHEET  
 5

DRAWN JLL  
 TRACED

CHECKED  
 DATE MAR 97

SCALE  
 1:200

SERIES C  
 REF 3189



CONCRETE SOFFIT RETURNED TO ENGINEER'S CALCULATIONS

100mm CONC SUB  
600 MESH  
0.25mm POLYTHENE D.P.C.  
50mm LEVELLED SAND  
100mm COMP. H2O FILL

ARTICLE BOARD SHEET FRAMING  
BOXED JOISTS @ 600 CRS  
100x75 BEARERS  
12500 SHEATHING

INSULATED PC CURTAIN OVER  
EXTRA. BATHS INSULATION  
ON BOXED FRAMING  
1/2" BOARD LINING.

The contractor shall check and verify all dimensions, levels and angles on site prior to commencing any work.

File order: AARQUE A3 2075

JEREMY LAWTON DESIGNS  
TELEPHONE 09 416 7773

PROPOSED DWELLING FOR RELOCATION  
FOR MR. & MRS. S. JONES - MANGONU I

ELEVATIONS  
SECTION DETAILS

SHEET  
4.

DRAWN J.L.L.	CHECKED	SCALE	SERIES OF 6
TRACED	DATE FEB '97	1:100	REF 3189