

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

* *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

5. Applicant Details

Name/s:

Leslie Clyde Wainwright

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:

Donaldsons Surveyors 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:

Leslie Clyde Wainwright & Tiria Beth Plesette Barbarich

**Property Address/
Location:**

123 Te Ahu Ahu Road, Waimate North.

Postcode

8. Application Site Details

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

Name/s:

Site Address/
Location:

123 Te Ahu Ahu Road, Waimate North

Postcode

Legal Description:

Lot 1 DP 206548

Val Number:

Certificate of title:

NA132C/809

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.

Subdivide property into two lots.

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)

Donaldsons

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

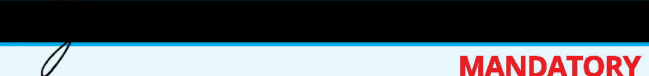
I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without 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)

R J Donaldson

Signature:

(signature of bill payer)



Date

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. 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)

R J Donaldson

Signature:

[Redacted 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)
- 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.



DONALDSONS

REGISTERED LAND SURVEYORS

8512

23 October 2024

RESOURCE CONSENT APPLICATION TO SUBDIVIDE

L. C. WAINWRIGHT, 123 TE AHU AHU ROAD, WAIMATE NORTH

PLANNING REPORT

INTRODUCTION

The applicant Leslie Wainwright owns 12.44ha located along Te Ahu Ahu Road, Waimate North, and seeks Resource Consent to subdivide into 2 smaller hobby farms.

This very same application was previously applied for and approved in 2016 under RC 2170096 but despite a time extension, a Section 223, and a Section 224, the application failed completion before the consent lapsed.

The site is established with an existing residence that is to be subdivided onto proposed Lot 1.

The subdivided areas include:

Lot 1	= 4.33 ha (with existing house)
Lot 2	= 8.10 ha

The proposed subdivision is presented as a Discretionary Activity under the provisions of the Rural Production zone of the Far North District Plan on the understanding that the effects are less than minor.

SITE DESCRIPTION

The properties legal reference:

Appellation:	Lot 1 DP 206548
Area :	12.4420 ha
Registered Owner:	Leslie Wainwright & Tiria Barbarich
Computer Freehold Register:	NA132C/809

The property is accessible off Te Ahu Ahu Road, Waimate North.

The site defines a rural hobby farm predominantly in pasture with scattered mature trees and surface rocks.

The site is divided into various paddocks used currently for grazing, and Waikuku Stream forms part of the western boundary.

There is one residence located near the western boundary and loading stock yards located to the east of the property.

There is a formed entrance that creates a Y intersection approximately 20 metres into the property, one leading to the stock yards and the other meanders to the west accessing the existing residence.

The entrance will be used by both lots. A compliant double width concrete entrance has been engineered, constructed and approved under the prior application.

RESOURCE MANAGEMENT ACT 1991

SCHEDULE 4

An application for Resource Consent for an activity must include the following:

ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS UNDER PART 2 RMA

Part 2 Purpose and Principles

5 Purpose

(1)

The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2)

In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The proposal does not present any act of sustainable management insofar as the intent implies, but is instead a subdivision proposal that is provided for by the plan as a Discretionary Activity, and consequently shall demonstrate the activity presents no unreasonable adversity to the environment, in particular; air, water soil or ecosystems.

The proposal is a straight forward subdivision of a rural block that is closely aligned with Controlled Activity entitlements and is only restricted by the fact the title was issued in 2001, a year after the Proposed District Plan was introduced. This would have allowed 5 lots no less than 2ha.

The property has had no subdivision activity since, being a 23-year period and therefore is consistent with 'gradual' rural growth.

The hobby farm is not being compromised as a production parcel as it simply divides a small production parcel without any unreasonable degradation to its production capacity as two hobby farms.

The subdivision will therefore achieve diversification of the lifestyle theme without any obvious significant impacts on the wider environment or in contradiction to the purpose of the Act.

Matters of national importance

(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:

The property has a scattering of bush, but does not have any significant pockets worthy of protection.

The subdivision and any future building sites are not compromising, wetlands, lakes or rivers.

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

There are no known outstanding natural features or landscapes.

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

There are no obvious significant areas of indigenous vegetation.

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

There is no esplanade existing or proposed to warrant the need to consider establishing public access.

Waikuku Stream does not warrant esplanade.

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

There are no known cultural or ancestral lands within the application site.

The site is highly modified from past lifestyle grazing.

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

There are no known historic heritage sites to require assessment, and in any event the activity does not disturb the landscape to cause any concerns.

(g) the protection of protected customary rights.

There are no known customary rights to consider.

Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(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.

The proposal is considered to adequately uphold all aspects without causing any unreasonable adverse effects.

Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi

The proposal is not considered to contradict the Treaty of Waitangi's interpretations.

ASSESSMENT OF THE ACTIVITY AGAINST ANY RELEVANT PROVISIONS OF A DOCUMENT REFERRED TO IN SECTION 104(1)(B)

Section 104(1)(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;*

Under various headings the application covers the relevant provisions including; The Far North District Plan, National Environmental Standards and Regional Policy Statement. There are no other relevant provisions.

An application must also include an assessment of the activity's effects on the environment that –

- (a) includes the information required by clause 6*
- (b) address the matters specified in clause 7; and*
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

CLAUSE 6

(1) An assessment of the activity's effects on the environmental must include the following information:

- (a) if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

The vicinity is largely made up of rural production farms, lifestyle and bush lots with a relatively high residential unit density rate. The proposal promotes this existing theme without introducing any adverse effects to require alternative considerations.

There are no significant potential adverse effects from the subdivision given that the property could under Restricted Discretionary assessment build 1 residential unit per 4ha of area.

The subdivision action does not change this entitlement; where Lot 1 has the existing house on 4.3 ha and therefore cannot build any additional residential

unit, while Lot 2 has 8.1 ha and could potentially build 2 residential units. The outcome is consistent with what the current parent title can already carry out, subject to restricted discretion.

The scale of activities rule, recently introduced to the Rural Production zone provides greater control over 'out of character' land use. Overall this is not an issue.

There are no obvious indicators that the proposal will or could result in adverse effects greater than that already possible.

(b) *an assessment of the actual or potential effects on the environment of the activity.*

There are no apparent adverse environmental effects arising from the subdivision activity, and cumulative effects associated with establishing a residential unit such as effluent discharge, stormwater increases, traffic movements, noise, and visual effect from structures, are understood and able to be managed through the building consent Project Information Memorandum.

As described the existing property entitlements through Land use activity are not being increased to result in any degradation associated with actual or potential effects on the environment.

There is no immediate impact on vulnerable ecology such as vegetation or wetlands to caution the need for a more thorough assessment.

(c) *if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

(d) *if the activity includes the discharge of any contaminants, a description of –*
 (i) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
 (ii) *any possible alternative methods of discharge, including discharge into any other receiving environment:*

Effluent disposal would uphold high standards in accordance with TP-58 to ensure compliance with the Northland Regional Water and Soil Plan.

(e) *a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects:*

There are no issues to address.

(f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

The proposal is consistent with the Rural Production zone intent, and demonstrates the outcome after subdivision is no different to the land use

entitlement already present. Based on determining whether an activity needs consultation, this hinges on the level of effects being minor or more than minor, which in this particular case, suggests there are no affected persons.

To grasp an insight to the level of effects it is necessary to consider the land use rules, in particular 'residential units' which are undoubtedly supported by the plan.

Overall there are no immediate issues to require consultation.

(g) *if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

No monitoring appears necessary.

(h) *if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

No concern.

(2)

A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

The Northland Regional Policy Statement has a particular interest in protecting production land, waterways and associated ecosystems, however the proposal is not seen to compromise any of these aspects.

CLAUSE 7

7 Matters that must be addressed by assessment of environmental effects

(1) *An assessment of an activity's effects on the environment must address the following matters:*

(a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

The proposal is considered to promote the Rural Production zone guidelines and surrounding land use, without any unreasonable effects to concern the wider community including social and economic or cultural aspects.

(b) *any physical effects on the locality, including any landscape, and visual effects.*

No concern.

(c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The subdivision does not result in any habitat disturbance. Any future building site is within open pastureland absent of any vulnerable ecosystems.

(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:

The values outlined are not seen to be depleted in this instance.

(e) any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:

Stormwater and sewage appear to be the main discharges, and these both present a standard level of effects through use of best practices.

(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

No concern.

In summary, the proposal is considered an activity that provides for the landowner's personal wellbeing through land diversification, and is possible without causing any significant effects contrary to the purpose and principles of the Resource Management Act 1991. The environmental effects are considered less than minor not to constitute the need for consultation.

Northland Regional Policy Statement

The Northland Regional Policy Statement presents the latest initiatives and guidelines for the northland region, and because of its fresh direction holds particular relevance.

PART 3: OBJECTIVES

1.1 Role of the Regional Policy Statement

The Regional Policy Statement (RPS) is the vehicle for identifying and dealing with the significant resource management issues in Northland. It tackles the use, development and protection of natural and physical resources, particularly air, land, water and the coastal marine area where Northland's councils have specific functional responsibilities.

1.3 Proposed Regional Policy Statement for Northland

Economy within the environment.

It is effects-based and should lead to effects-based implementation.

The proposal is considered to present no unreasonable physical effects.

Economic activities – reverse sensitivity and sterilisation

3.6

The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:

(a) Reverse sensitivity for existing:

(i) Primary production activities;

The proposal is not considered to adversely affect primary production activities.

4 Policies and methods - Water, land and common resources

4.6.1 Policy – Protecting the integrity of natural character, natural features and landscapes

b) By avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes in the following way;

(i) Ensuring the location, intensity, scale and form of subdivision and built development maintains, and is subservient to, predominantly natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and

(ii) In areas of high natural character, minimising indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and

(iii) Encouraging new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been significantly compromised

The proposal is in keeping with the policy intent to protect the integrity of natural character, features and landscape, being a site and type of activity that does not pose immediate issues regarding those aspects.

The vicinity is lifestyle living based with several other similar sized lots in the immediate vicinity and therefore considered capable of further lifestyle intensification without causing any significant adversity or cause to an out of character setting.



National Environmental Standards

The subject area is not known for any HAIL associated activities in particular farm or horticulture related activities to be subject to the NES 2011.

In the event a further residential unit is positioned within the cattle yards this would initiate a HAIL activity and the NES 2011 would apply.

Insofar the subdivision is concern these are production parcels and the NES does not apply.

OPERATIVE DISTRICT PLAN

The property is located in the Rural Production zone and is not influenced by any Outstanding landscapes.

OBJECTIVES AND POLICIES (*Subdivision*)

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 wellbeing 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 or indirectly from subdivision, including reverse sensitivity effects, 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 sufficient to meet the needs of the activities that will establish all year round.

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:

(d) natural character, particularly of the coastal environment;

The property is not located near the coastal environment, and the natural character value of potential building sites is not considered high.

(b) ecological values;

Similar to natural character, the ecological values are not seen to be depleted and therefore effects are less than minor.

@ landscape values;

The landscape values are not considered high being typical farmland.

Potential adverse effects on the landscape are overall are considered less than minor due to the parent title already having permitted entitlements to change the landscape through building additional structures, whether these are farm related or other business activity.

(d) amenity values;

The site is already set up for lifestyle living, and the proposed subdivision does not detract from that theme or the nature of effects associated with lifestyle living.

(e) cultural values;

There are no known cultural values within this vicinity to be of concern.

(f) heritage values; and

The subdivision is not considered to introduce adverse effect on more recent heritage values.

(g) existing land uses.

There are no surrounding land use activities to clash with the nature of the proposed lifestyle living activity.

Potential effects overall are unchanged and therefore deemed less than minor.

ALLOTMENT SIZES 13.7.2

(Table 7)

Status	Rural Production (Far North District Plan)
Discretionary Activity	<i>The minimum lot size is 4.0ha.</i>

Lot 1 = 4.30ha

Lot 2 = 8.10ha

The proposed allotment sizes all comply with the minimum standard of 4.0ha.

ALLOTMENT DIMENSIONS 13.7.2.2

(Buildable Area)

Zone	Minimum Dimension
Rural Production	30m x 30m

Both lots comply with the 30m x 30m requirements.

RURAL PRODUCTION ZONE

ISSUES

8.6.1.1

People who are dependant on the use of land in the Rural Production Zone for their livelihood can be adversely affected by controls designed to ensure sustainable management of natural and physical resources.

8.6.1.2

The sustainable management of natural and physical resources in the Rural Production Zone could be under threat in the absence of controls designed to avoid, remedy or mitigate the adverse effects of activities.

ENVIRONMENTAL OUTCOMES EXPECTED

8.6.2.1

A Rural Production Zone where a wide variety of activities take place in a manner that is consistent with the sustainable management of natural and physical resources and compatible with the productive intent of the zone.

8.6.2.2

A Rural Production Zone which enables the social, economic and cultural well-being of people and communities, and their health and safety, while safeguarding the life supporting capacity of the environment and avoiding, remedying or mitigating adverse effects on it.

OBJECTIVES AND POLICIES

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 Production Zone to a level that is consistent with the productive intent of the zone.

8.6.3.4

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

8.6.4.1

That 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, on the environment resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.

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.

The objectives and policies present a wide range of goals that configure a strong notion that incompatible activities or activities adverse to the existing environment, in particular existing land use activities, are approached with caution.

The proposal is not considered to introduce any disconnect with the existing environment, and accordingly promotes the nature of existing land uses.

ASSESSMENT CRITERIA CHAPTER 13 FAR NORTH DISTRICT PLAN

ALLOTMENT SIZES AND DIMENSIONS

13.10.1

(a) Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.

All lots are of suitable size and dimensions as required under the Rural Production zone.

(b) Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.

All operational requirements are readily satisfied.

(c) The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.

The allotments are consistent with the prevailing rural lifestyle theme.

(d) Whether the cumulative and long term implications of proposed subdivisions are sustainable in terms of preservation of the rural and coastal environments.

The scale of the subdivision is considered sustainable without cause to long-term implications.

13.10.2 NATURAL AND OTHER HAZARDS

In assessing any subdivision, and for the purposes of s106 of the Act, the Council will have regard to:

(a) Any information held by the Council or the Northland Regional Council regarding natural hazards, contaminated sites or other hazards.

The application site is not known to be subject to any natural hazards, and is sufficiently elevated not to be influenced by any flooding.

The property is not known for any HAIL activity.

(b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.

The subdivision does not require any supporting reports.

With regard to effluent disposal, this has been addressed in the engineers report.

(c) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.

There are no known adverse effects to result from the subdivision.

(d) In relation to inundation from any source, the Council shall have regard to the following factors:

The application site is not known to be influenced by potential inundation.

*(e) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title, pursuant to **Rule 13.6.7**.*

The application site is not known to be influenced by potential erosion, falling debris or slippage.

*(f) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title, pursuant to **Rule 13.6.7**.*

The application site is not known to be influenced by potential subsidence.

(g) In relation to contaminated sites, any soil tests establishing suitability, and methods to avoid, mitigate or remedy the effects, including removal to approved disposal points.

The site has not triggered the need for a soil investigation report.

(h) In relation to land filling and excavation operations, the following factors:

Not applicable.

13.10.3 WATER SUPPLY

Water supply is to be through use of roof surface catchment and storage in water tanks.

13.10.4 STORMWATER DISPOSAL

Both lots have sufficient area and natural catchments to control stormwater without need for any mitigation.

Overall no further assessment appears beneficial.

All lots comply with permitted impermeable surface cover.

13.10.5 SANITARY SEWAGE DISPOSAL

Effluent disposal is to be onsite in accordance with TP-58.

Both subject lots have suitable area for onsite disposal and have suitable area to include 100% reserve areas without impeding on waterways.

13.10.6 ENERGY SUPPLY

Both lots have electrical overhead lines and connections available at the roadside.

Top Energy requires easements in Gross over the transmission line, as shown on the scheme plan.

13.10.7 TRANSMISSION LINES

As per 'Energy Supply' above.

13.10.8 TELECOMMUNICATIONS

Telecommunication connections are not proposed.

Chorus discussed over the phone that they have no need for comments if there is no reticulation proposed. They do not require easements over existing cables, because they have rights to those cables under the Telecommunications Act.

Chorus recommends where telecommunications are not proposed to the boundary that a Consent Notice be registered on the titles of those lots to ensure landowners are aware of the situation. This is not required as cables are available along the roadside.

13.10.9 EASEMENTS FOR ANY PURPOSE

Easements are proposed as shown on the scheme plan.

Gross easements are proposed in favour of Top Energy Ltd as shown A, C, D, E, F.

COVENANTS

There are no proposed covenants other than standard Consent Notice requirements such as 'fire fighting standards'.

13.10.11 PROVISION OF ACCESS

(a) Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.

Both lots obtain access directly off Te Ahu Ahu Road. There is an existing access formation leading to the house on Lot 1 and a track leading to the cattle yards on Lot 2, which would be utilised as the driveway to any future house.

13.10.12 EFFECT OF EARTHWORKS AND UTILITIES

The subdivision activity has no earthworks.

13.10.13 BUILDING LOCATIONS

(a) Whether the subdivision provides physically suitable building sites.

Lot 1 is already developed and Lot 2 has various building opportunities.

(b) Whether or not development on an allotment should be restricted to parts of the site.

There are no physical constraints to require building restrictions on any particular parts of the site.

(c) Where a proposed subdivision may be subject to inundation, whether the establishment of minimum floor heights for buildings is necessary in order to avoid or mitigate damage.

No concern.

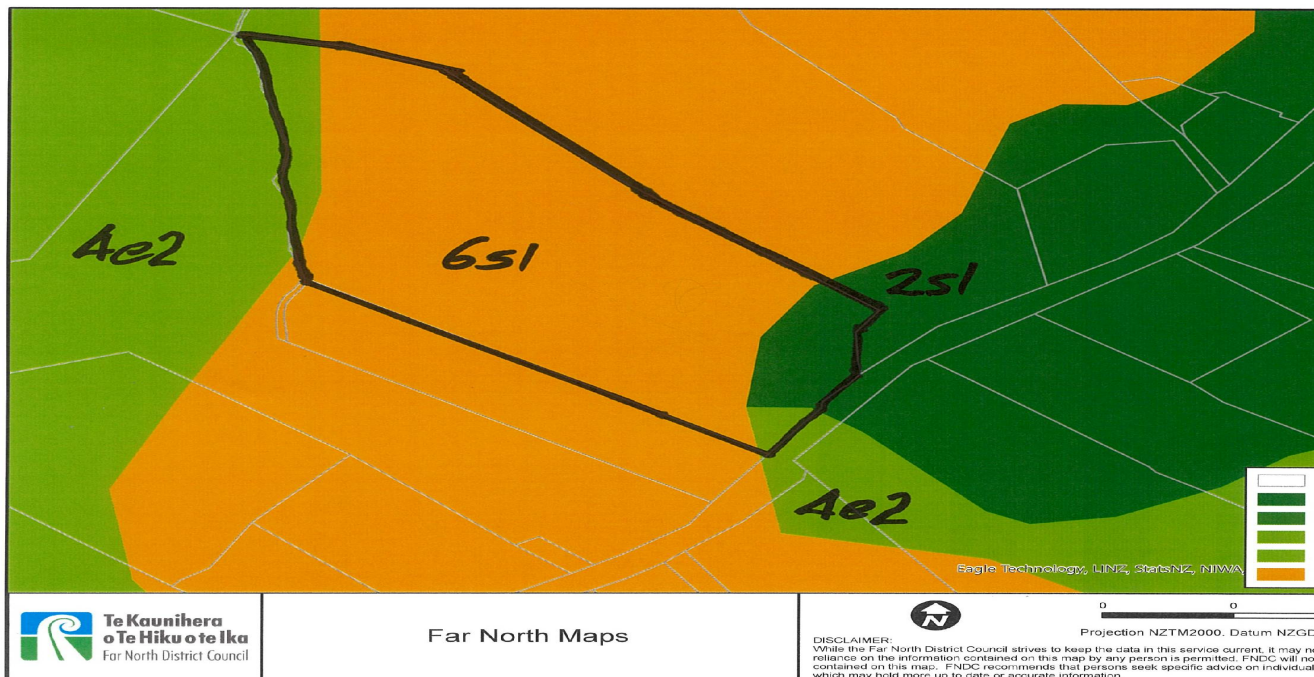
(d) Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g. through a northerly aspect on an east/west axis).

Both lots are open to the sun and orientated sufficiently to benefit from solar gain.

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

The site has no significant ecology.

13.10.15 SOIL



The property has, for the most part, a Land Use Category 6s1 which falls outside the definition of versatile land. There is however an area of 1 hectare of land at the road frontage having LUC 2s1 which by the interim definition is

classified as being versatile but clearly the versatility of 1.0 hectare must be questionable. If it should be an issue then a Consent Notice condition could exclude all buildings from that area, which is not such an inconvenience given the number of power lines traversing through. The proposal would then have little or no impact on the life supporting capacity of the soil.

13.10.16 ACCESS TO WATERBODIES

Waikuku Stream is less than 3.0-metres wide not to require esplanade considerations.

13.10.17 LAND USE INCOMPATIBILITY

No concerns.

13.10.18 PROXIMITY TO AIRPORTS

Not applicable.

13.10.19 NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

Not applicable.

13.10.20 ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE

The subdivision does not initiate renewable energy, however the layout of the lots and immediate landscape provides good solar gain to allow for each building to incorporate solar energy efficient designs, if and when required.

EXISTING ACTIVITIES OVERVIEW

The existing residence on proposed Lot 1 upholds the permitted activity standards overall without need for individual assessment.

NATURAL AND PHYSICAL RESOURCES

There is no vegetation clearance or significant earthworks required at the future building stage of development.

There is no significant bush, and property is made of a sporadic layout of mature trees.

The subdivision encourages diversification of land already segregated from the production base, particularly this property which has a wide displacement of rock making it challenging for most farm related activities due to restricting machinery use.

Overall there are no significant impacts on natural and physical resources.

SUMMARY

In summary, the subdivision assessment criteria proves to be suitably in line with the principles and purpose of the Resource Management Act without cause to any unreasonable environmental effects either at the subdivision stage or proceeding development of Lot 2.

The area of Lot 2 could already as a permitted activity initiate a variety of Land use activities associated with farm implement sheds or other business use such that in comparison to the subdivision does not introduce any particular change to or increase in rule related entitlements to be of concern.

The status of the subdivision maintains a less than minor effect, being in accordance with the intentions of the Rural Production zone and overall Rural Environment. The description of objectives and policies finds no irregularities with the application and therefore supports the discretionary status.

THE PROPOSED DISTRICT PLAN

The property is zoned Rural Production under the Proposed District Plan.

The site is not susceptible to natural hazards, archaeological sites, and there is no significant earthwork, therefore the proposed district plan has limited legal effect.

Overview

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The Rural Production zone is a dynamic environment, influenced by changing farming and forestry practices and by a wide range of productive activities.

Rural land is an important resource as it underpins the social, economic and cultural well-being of the Far North District. The historic fragmentation of rural land has undermined the integrity of the rural environment and its ability to function for its intended purpose. It is important to protect this finite resource from inappropriate land use and subdivision to ensure it can be used for its primary purpose. In particular, primary production activities should be able to operate without experiencing reverse sensitivity effects based on complaints about noise, dust, heavy traffic and light spill (which may be temporary or seasonal in nature) that should be anticipated and tolerated in a rural environment.

Council has a responsibility under the RMA and the Northland Regional Policy Statement to manage the rural land resource to provide for the economic, social and cultural well-being of people and communities, protect highly versatile soils, and avoid reverse sensitivity effects on primary production activities.

The zoning context establishes a comprehensive set of goals aimed at safeguarding the rural production environment, particularly land with versatile soils, from further fragmentation. There is a pressing need to protect natural habitats, reflecting a commitment to environmental stewardship.

Conversely, the zone is classified as dynamic, recognising that lifestyle lots can be an appropriate use of land, provided they are aligned with the goal of permanent habitat protection and do not compromise land with versatile soils. This principle is well-supported by the proposed subdivision, which prioritises the protection of both the land and avoidance of versatile soil.

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*

The land for the most part is not classed as highly productive, and by establishing another site in this rural environment it will reduce pressure on more highly productive rural land.

RPROZ03 *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;

The subdivision upholds this intent.

RPROZ04 *The rural character and amenity associated with a rural working environment is maintained.*

The character and amenity of this environment is undoubtedly rural and the subdivision does not detract from that theme.

Policies

RPROZP5

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.*

RPROZP6

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.*

SUBDIVISION

Objectives

SUB-O1 Subdivision results in the efficient use of land, which:

a. achieves the objectives of each relevant zone, overlays and district wide provisions;

The sites unique environment is considered to adequately uphold relevant zone objectives.

b. contributes to the local character and sense of place;

The character and sense of place is well defined and the proposal accords with this theme.

c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;

There are no reverse sensitivity concerns.

d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;

The site uphold the objectives and policies of the zone.

SUB-O2 Subdivision provides for the:

a. Protection of highly productive land; and

b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal 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.

SUB-P3 Provide for subdivision where it results in allotments that:

a. are consistent with the purpose, characteristics and qualities of the zone;

b. comply with the minimum allotment sizes for each zone;

c. have an adequate size and appropriate shape to contain a building platform; and

d. have legal and physical access.

The proposal is considered to accord with these preferred parameters.

SUB-R3 Subdivision of land to create a new allotment.

Activity status where compliance not achieved with CON-2:

Discretionary

Where:

DIS-1

1. compliance with SUB-S1 Minimum allotment sizes - controlled activity is not achieved, but discretionary activity achieved.

Activity status where compliance not achieved with DIS-1: Non-complying

SUB-S1 Minimum allotment sizes

Rural Production	40ha (Controlled)	8ha (discretionary)
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CONCLUSION

The subdivision is consistent with the Rural Production zone Discretionary provisions, which are provided for by the plan, and additionally upholds the expectations of the objectives and policies.

The application encourages Local Authority Section 95 assessment to weigh up the subdivision activity effects against the potential effects possible under Land use activity when forming an opinion under that provision.

The proposal is not deemed contrary to the higher planning documents, the Northland Regional Policy Statement, having demonstrated consistencies with the policy framework.

The subdivision is considered to uphold Part 2, Purpose and Principles under the Resource Management Act 1991, and outlines sufficient information to meet the requirements of Clause 6 and 7 of the assessment of environmental effects.

In consideration of the overall planning framework, the application is recommended to local authority for approval.

R.J.Donaldson
Registered Professional Surveyor

DONALDSONS

Land / Engineering Surveyors and Development Planners

Quickmap Title Details



Information last updated as at 12-May-2024

RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

Identifier NA132C/809

Land Registration District North Auckland

Date Issued 07 September 2001

Prior References

NA131A/743

NA52D/522

Type Fee Simple
Area 12.4420 hectares more or less
Legal Description Lot 1 Deposited Plan 206548

Registered Owners

Tiria Beth Plesette Barbarich and Leslie Clyde Wainwright

D638403.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 7.9.2001 at 12:54 pm

Land Covenant in Transfer D638403.4 - 7.9.2001 at 12:54 pm

Land Covenant in Transfer 5322670.1 - 22.8.2002 at 1:23 pm

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Title Plan - LT 563772

Survey Number LT 563772
Surveyor Reference 7903
Surveyor Aaron Robert Donaldson
Survey Firm Donaldsons
Surveyor Declaration I Aaron Robert Donaldson, being a licensed cadastral surveyor, certify that:
(a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and
(b) the survey was undertaken by me or under my personal direction.
Declared on 12 Oct 2021 11:49 AM

Survey Details

Dataset Description Lots 1 and 2 being a Subdivision of Lot 1 DP 206548
Status Approved as to Survey
Land District North Auckland
Submitted Date 12/10/2021
Survey Class Class B
Survey Approval Date 13/10/2021
Deposit Date

Territorial Authorities

Far North District

Comprised In

RT NA132C/809

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
	Hydro		
	Hydro		
	Hydro		
	Hydro		
Lot 1 Deposited Plan 563772	Fee Simple Title	4.3303 Ha	1003157
Lot 2 Deposited Plan 563772	Fee Simple Title	8.0078 Ha	1003158
Area D Deposited Plan 563772	Easement		
Area A Deposited Plan 563772	Easement		
Area B Deposited Plan 563772	Easement		
Area C Deposited Plan 563772	Easement		
Area E Deposited Plan 563772	Easement		
Area F Deposited Plan 563772	Easement		
	Hydro		
	Hydro		
Total Area		<hr/> 12.3381 Ha	

Schedule / Memorandum

Land Registration District

North Auckland

Survey Number

LT 563772

Territorial Authority (the Council)

Far North District

Memorandum of Easements

Last Edited: 11 Jun 2021 16:15:11

<u>Purpose</u>	<u>Shown</u>	<u>Servient Tenement</u> <u>(Burdened Land)</u>	<u>Dominant Tenement</u> <u>(Benefited Land)</u>
Right of Way	B, D	Lot 2	Lot 1
Right to convey electricity	A	Lot 1	Lot 2

Memorandum of Easements in Gross

Last Edited: 14 Jun 2021 17:54:06

<u>Purpose</u>	<u>Shown</u>	<u>Servient Tenement</u> <u>(Burdened Land)</u>	<u>Grantee</u>
Right to convey electricity	A, C	Lot 1	Top Energy Ltd
	D, E, F	Lot 2	Top Energy Ltd



Diag. AB

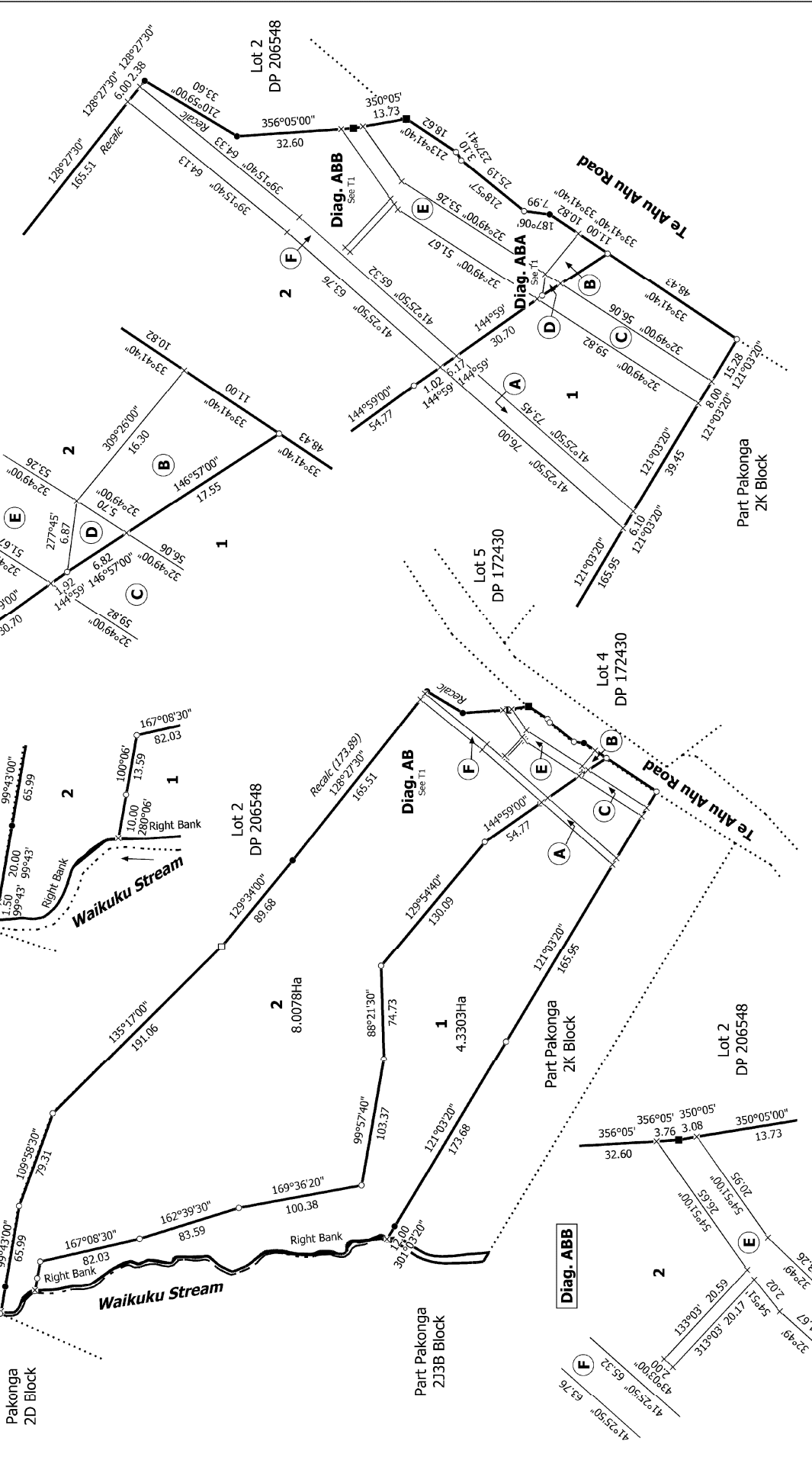
Diag. ABA

Diag. AA

Diag. A

Diag. AA

Diag. ABB



Section 10
Block VIII
Omapere SD

Pakonga
2D Block

Part Pakonga
2J3B Block

Part Pakonga
2K Block

Part Pakonga
2K Block

Part Pakonga
2K Block

Lot 2
DP 206548

Lot 5
DP 172430

Lot 4
DP 172430

Lot 2
DP 206548

Lot 2
DP 206548

T 1/1

REF 7903

Title Plan
LT 563772
Approved on: 13/10/2021

Surveyor: Aaron Robert Donaldson
Firm: Donaldsons

Lots 1 and 2 being a Subdivision of Lot 1 DP 206548

Land District: North Auckland
Digitally Generated Plan
Generated on: 13/10/2021 3:21pm Page 3 of 3

Date: 6/03/2024
Client: Clyde Wainwright
Address: 123 Te Ahu Ahu Road, Waimate North
Phone: 0204 080 4228

Quote: 8036
JN#: WF8036R1
Attn: Clyde
Email: grassfednsprayfree@gmail.com

Thank you for giving us the opportunity to supply this proposal for your wastewater management system.
Waterflow NZ LTD strives to reduce your environmental impact and maximise your return on investment.

Name and Site Address	Wainwright Te Ahu Ahu Road
Legal Description	Lot ##, DP ####
Waste Water System	Biolytix BF63000 - Pumped discharge
Number Bedrooms	4 Bedroom Dwelling
Water Supply (Tank/Reticulated)	Rain water (roof collection)
Total Design Flow (ltrs)	960
Disposal Field Type	PCDI sub-surface laid
Disposal Field Size (m²)	274

This proposal covers the following:

- To supply FREE onsite wastewater system design (TP58) for council consent
- Supply and installation of the wastewater system and disposal field

Wastewater System Investment

BF63000 Wastewater system:	\$ 12,150.00
PCDI Disposal field kit:	\$ 1,774.22
Installation & materials:	\$ 6,560.90
Subtotal:	\$ <u>20,485.12</u>
Total Including GST	\$ <u>23,557.89</u>

This proposal does not include any of the following:

- Plumbing or sub-floor drains
- Wastewater drainage connection from the dwelling
- Electrical connections from dwelling to system
- Fencing, planting or mulching of the disposal field area
- Risers if required
- Removal of any excess spoil off site
- Preparing of effluent disposal area i.e. raising the area, mowing, mulching or spraying vegetation
- Creating access for hiab if required
- Extras for excavating through underground conditions, including hardpans, large rocks and high water tables
- Consent Application or Council Consent fees
- Returning to site for any reinstatement of ground settlement
- Excludes fee for PS4 by engineer (if required by the engineered design)

Terms and Conditions:

This proposal is subject to final wastewater design approval by the applicable regulatory authority.
 On acceptance of this quote a \$1500.00 + GST deposit is required to complete all documentation for consent.

Waterflow NZ LTD

PO Box24, 1160 State Highway 12, Maungaturoto 0547
 P. 0800 628 356 E. sales@waterflow.co.nz www.waterflow.co.nz

Initial: _____

This is non-refundable if the project does not proceed.

Payment terms are 80% prior to delivery and remainder at installation completion. If completion of project is delayed by circumstance's/events beyond our control further progress payments at our discretion may be required. Full payment is required before the issue of final documentation and commissioning of the system.

In situations where we are only supplying product and not installing it, full payment is required prior to delivery. If you have an account with Waterflow, then payment will be required as per your standard terms.

This quotation is based on site conditions, site plans provided, site access for machinery and underground conditions at the time of site assessment, any deviation from this may incur extra cost.

All underground services are to be clearly located by owner before excavation starts and any services damaged that are not located will not be the responsibility of the installer.

Designated agent will endeavour to take all reasonable care, but will not be held responsible for unavoidable damage to paths, lawn, gardens etc.

Boundaries must be clearly identifiable, and the location of buildings accurately marked out.

This quotation is valid for 30 days. Prices are valid for 3 months from the time of signing or accepting this proposal.

Cancellation fees may apply to orders cancelled without sufficient notification.

If you have any questions regarding this proposal or wish to discuss any aspects of it please feel free to contact us at any time.

We thank you once again for the opportunity to present this proposal, would value your favourable consideration and look forward to working through this with you.

Kind Regards



Ken Hoyle

Sales Representative

I, _____ hereby accept this proposal (#8036) including the terms and conditions as above and Waterflow NZ Ltd Standard terms of trade (a copy of Waterflow NZ Ltd terms of trade will be supplied upon request).

Signature: _____

Date: _____

PROPOSED EASEMENTS

Purpose	Shown	Burdened	Benefited
Right to convey electricity	A	Lot 1	Lot 2
Right of Way	B D	Lot 2	Lot 1

PROPOSED EASEMENTS IN GROSS

Purpose	Shown	Burdened	Grantee
Right to convey electricity	A C	Lot 1	Top Energy Ltd
	D E F	Lot 2	



Applicant : L.C.Wainwright
 Title : NA132C/809
 Total Area : 12 4420 ha
 Zone : Rural Production

0 20 40 60 80 100 200