



Office Use Only Application Number:

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

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

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

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

1. Pre-Lodgement Meeting

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

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

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

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

3. Would you like to opt out of the Fast Track Process? Yes / No

4. Applicant Details:

Name/s: Lorna Beazley

Electronic Address for Service (E-mail): _____

Phone Numbers: _____

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

Post Code: _____

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

Name/s: Steven Sanson - Sanson & Associates Limited

Electronic Address for Service (E-mail): _____

Phone Numbers: _____

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

Post Code: _____

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

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

Name/s: Refer Record of Titles appended to the AEE

Property Address/
Location _____

7. Application Site Details:

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

Site Address/
Location: 5 Teachers Road, Broadwood

Legal Description: Lot 3 DP 133375 and Sec 62 BI II Whangape SD Val Number: _____

Certificate of Title: NA78C/296
Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site Visit Requirements:

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

Is there a dog on the property? Yes / ~~No~~

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

Please call applicant prior to site visit.

8. Description of the Proposal:

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

Proposed subdivision in the rural production zone.

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

9. Would you like to request Public Notification

Yes/~~No~~

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

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

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

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

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

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

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

12. Assessment of Environmental Effects:

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

Please attach your AEE to this application.

13. Billing Details:

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

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

Lorna Beazley

Email:

Postal Address:

Post Code:

Phone Numbers:

Fax:

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

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

Name: _____ (please print)

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

14. Important Information:

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

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

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

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

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

Name: _____ (please print)

Signature: _____ (signature)

Date: _____

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

Checklist (please tick if information is provided)

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

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

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

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

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

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

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

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Please attach your AEE to this application.

13. Billing Details:

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

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

Email: _____

Postal Address: _____


_____ Post Code: _____

Phone Numbers: Work: _____ Home: _____ Fax: _____

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.

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Name: LORNA BEAZLEY (please print)

Signature:  (signature of bill payer – mandatory) Date: 08/07/24

BAY OF ISLANDS PLANNING (2022) LIMITED

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

Email – office@bayplan.co.nz Website - www.bayplan.co.nz

15 August 2024

Far North District Council
John Butler Centre
Kerikeri

Dear Team Leaders

Re: Proposed 3 Lot Subdivision [2 Additional], 5 Teachers Road, Broadwood (Lot 3 Deposited Plan 133375 and Section 62 Block II Whangape Survey District (North Auckland)

Our client Lorna Beazley seeks a subdivision consent to subdivide a 41.2735 hectare property in the Rural Production zone (**RPZ**) into 2 lots, at 5 Teachers Road, Broadwood.

The application is a **Restricted Discretionary Activity**.

No consents are required under the Proposed Far North District Plan (**PDP**).

Please do not hesitate to contact me should you require any further information.

Yours sincerely,



Yours sincerely,
Andrew McPhee
Consultant Planner



Reviewed,
Steven Sanson
Consultant Planner

1. INTRODUCTION

The applicant, Gareth Beazley seeks a subdivision consent to subdivide a 41.2735 hectare property at 5 Teachers Road, Broadwood into two lots. The site is legally described as Lot 3 Deposited Plan 133375 and Section 62 Block II Whangape Survey District. A copy of the Record of Title is attached at **Appendix A**.

The subdivision application is supported by a Scheme Plan prepared by Von Sturmers, attached at **Appendix B**.

2. SITE DESCRIPTION

The site is a mix of pastoral grass covered land and extensive areas of vegetation. The grass covered land is used for low intensity rural activities such as animal grazing.

There is one existing dwelling on the site near Teachers Road as well as Cell Tower located within Lot 1.

Access is provided to Lot 1 and Lot 2 via Teachers Road. Lot 2 [where the parcel of Lot 3 DP 133375 is located] has access from Carmen Road as well as across the river where Salesyard Road is located. These access arrangements are attached as photos in **Appendix C**.

The property is surrounded by RPZ land, with the exception of the Broadwood Showgrounds and the Broadwood Area School on the other side of the Mangonuiowae River.

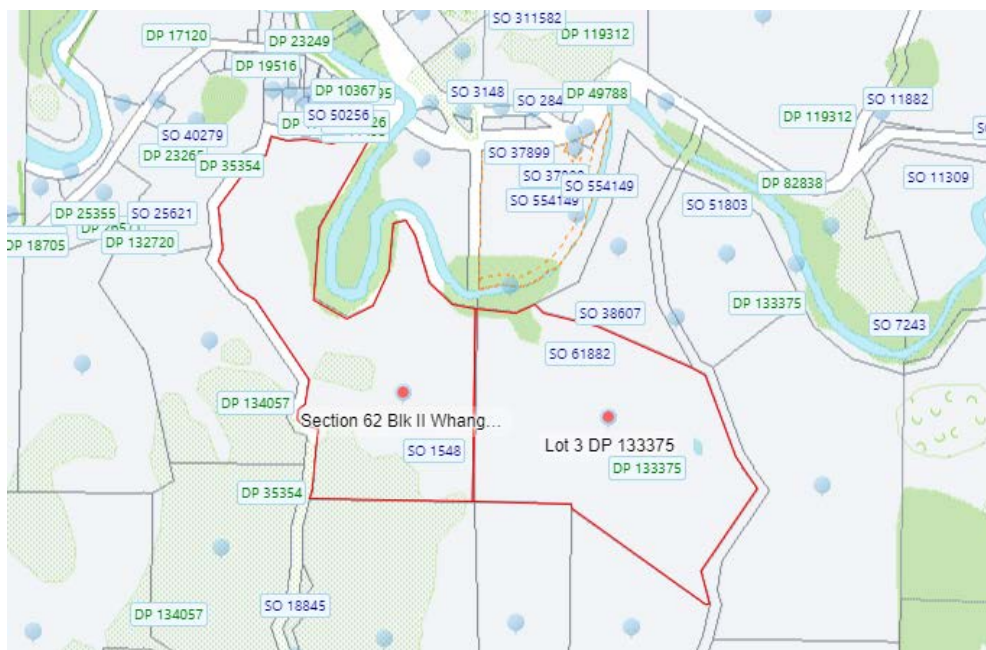


Figure 1 – Site (Source: Prover)



Figure 2 – Site Aerial (Source: Prover)

The site is accessed off Teachers Road, not far from the intersection with Broadwood Road and the settlement of Broadwood.

The land is best described as undulating rural farmland with the contours generally falling down to the Mangonuiowae River to the north of the site.

The site is not considered a HAIL site being identified through Councils records as being ‘High Producing Exotic Grassland’ and areas of ‘Manuka and/or Kanuka’.

The site does not contain any known wetlands as identified through the Northland Regional Council biodiversity wetlands mapping.

3. RECORD OF TITLE

The site Record of Title is attached at **Appendix A**. There are no consent notices registered on the title.

4. DESCRIPTION OF THE PROPOSAL

Subdivision

The proposed subdivision would create two rural lots in the RPZ from the existing title being Lot 3 Deposited Plan 133375 and Section 62 Block II Whangape Survey District. The site is 41.2735 hectares on a title issued 05 March 1991 May 1914. The lots are as follows:

- Lot 1 – 2.4535 hectares
- Lot 2 – 18.3803 hectares [proposed for amalgamation – refer scheme plan]
- Lot 3 – 20.4397 hectares [proposed for amalgamation – refer scheme plan]

The below image depicts the proposed subdivision.

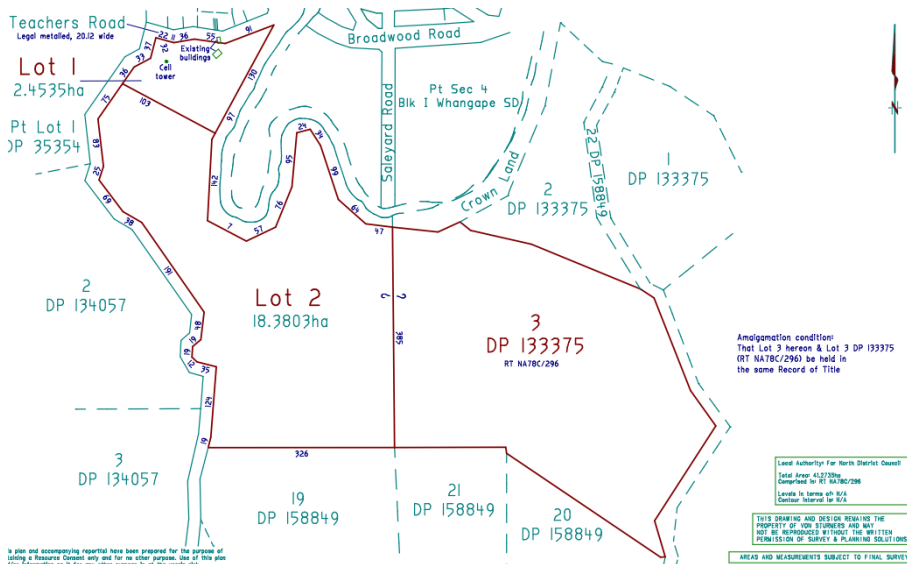


Figure 3 – Scheme Plan (Source: Von Sturmers)

The application is a Restricted Discretionary activity subdivision under the ODP, as Rule 13.7.2.1 in the RPZ allows for five lots with a minimum lot size of 2 hectares, where the site existed at or prior to 28 April 2000.

Lot 1 will retain a lot capable of continuing a rural / rural lifestyle arrangement whilst Lots 2 and 3 will be retained as a rural production unit.

5. REASONS FOR CONSENT

Under the ODP, the site is zoned RPZ.

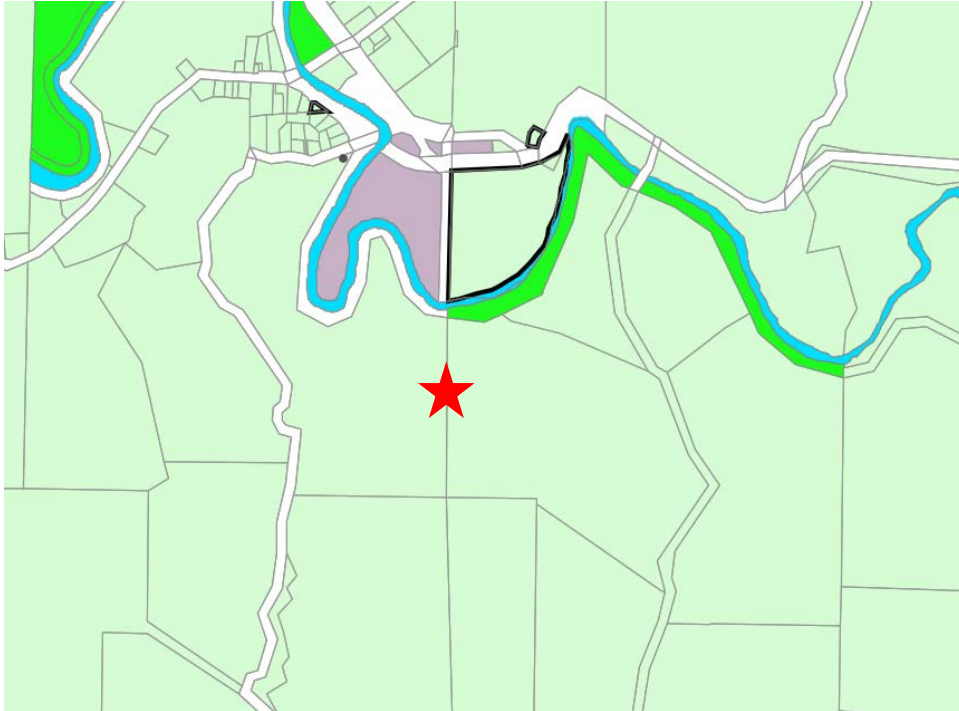


Figure 4 – FNDC Operative District Plan Map – RPZ (Source Far North Maps)

There are no other resource features that apply to this site apart from a very small portion of the site to the north being within a Kiwi ‘present’ area.

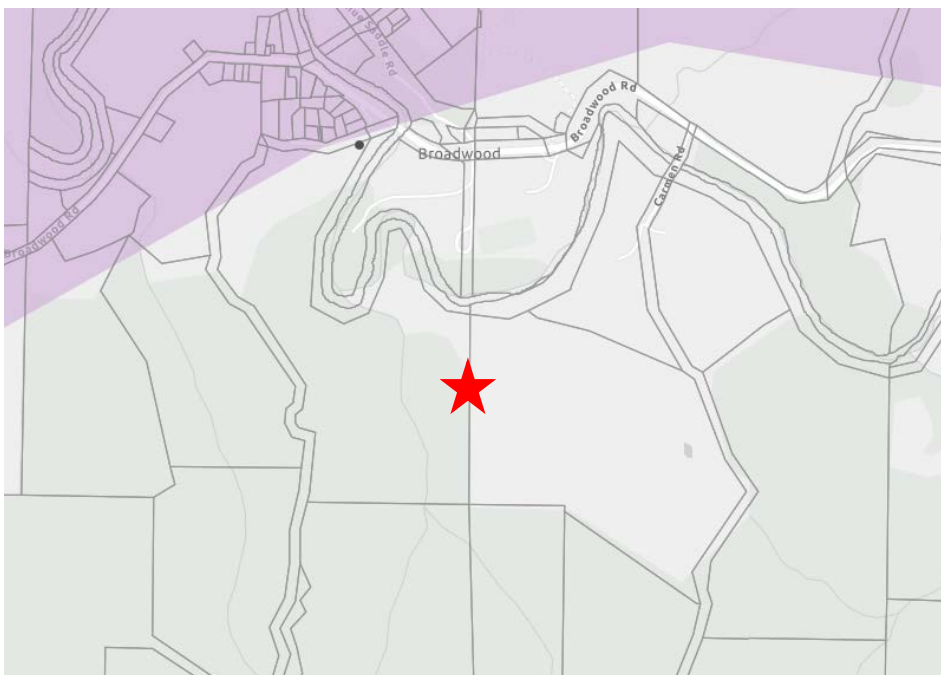


Figure 5 – Kiwi present (Source Far North Maps)

Chapter 13 Subdivision Rules 13.7.2.1(i) 'Allotment Sizes, Dimensions and Other Standards' are as follows:

- Rule 13.7.2.1(i) – 4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000.

The subdivision application under this rule is a **Restricted Discretionary activity**.

6. STATUTORY CONSIDERATIONS

Section 104C of the Resource Management Act 1991 (**RMA**) governs the determination of applications for Restricted Discretionary activities:

104C Determination of applications for restricted discretionary activities

- (1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—
 - (a) a discretion is restricted in national environmental standards or other regulations:
 - (b) it has restricted the exercise of its discretion in its plan or proposed plan.
- (2) The consent authority may grant or refuse the application.
- (3) However, if it grants the application, the consent authority may impose conditions under [section 108](#) only for those matters over which—
 - (a) a discretion is restricted in national environmental standards or other regulations:
 - (b) it has restricted the exercise of its discretion in its plan or proposed plan.

Section 104C: replaced, on 1 October 2009, by [section 85](#) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 104 of the RMA sets out matters to be considered when assessing an application for a resource consent,

104 Consideration of applications

- (1) When considering an application for a **resource** consent and any submissions received, the consent authority must, subject to [Part 2](#), have regard to—
 - (a) any actual and potential effects on the environment of allowing the activity; and
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
 - (b) any relevant provisions of—
 - (i) a national environmental standard;
 - (ii) other regulations;
 - (iii) a national policy statement;
 - (iv) a New Zealand coastal policy statement;
 - (v) a regional policy statement or proposed regional policy statement;
 - (vi) a plan or proposed plan; and
 - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

As part of this application and Assessment of Effects, the relevant matters of discretion identified in the ODP have been considered.

Assessment of Effects on the Environment

Section 104(1)(a) of the RMA requires that consent authorities have regard to any actual or potential effects on the environment of allowing the activity. Section 2 of the RMA defines ‘Environment’ as follows:

environment includes—

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters

Section 3 of the RMA defines the meaning of ‘effect’ to include:

3 Meaning of effect

In this Act, unless the context otherwise requires, the term **effect** includes—

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present, or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

Section 3: amended, on 7 July 1993, by section 3 of the Resource Management Amendment Act 1993 (1993 No 65).

Table 1 - Subdivision Performance Standards

Performance Standard	Comment
Rule 13.7.2.2 – Allotment dimensions	All proposed lots can easily accommodate a 30m x 30m square building envelopes exclusive of the setback requirement.
Rule 13.7.2.3 - Amalgamation of land in a rural zone with land in an urban or coastal zone	Not applicable
Rule 13.7.2.4 – Lots divided by zone boundaries	Not applicable
Rule 13.7.2.5 - Sites divided by an outstanding landscape, outstanding landscape feature or outstanding natural feature	Not applicable
Rule 13.7.2.6 – Activities, Utilities, Roads and	Not applicable

Reserves	
Rule 13.7.2.7 – Savings as to previous approvals	Not applicable
Rule 13.7.2.8 – Proximity to Top Energy transmission lines	Not applicable
Rule 13.7.2.9 – Proximity to National Grid	Not applicable

Table 2 – Natural and Physical Resources Performance Standards

Chapter 12 – Natural and Physical Resources	
12.1 Landscapes and Natural Features	Not applicable
12.2 Indigenous Flora and Fauna	<p>The small portion on the northern boundary of the site is mapped as being within a Kiwi ‘present’ distribution area (see Figure 5 above).</p> <p>As previously mentioned, the property is a mix of pastoral farmland with areas of vegetation. No vegetation clearance is required.</p>
12.3 Soils and Minerals	<p>No development is proposed, as such no earthworks associated with the subdivision are required.</p> <p>The permitted RPZ threshold is 5,000m³ (see District Plan Rule 12.3.6.1.1).</p>
12.4 Natural Hazards	<p>There is river flood hazards identified on the northern extent of the site, affecting proposed Lots 1 and 2. These are located around the river margins.</p> <p>This application does not alter or exacerbate the hazard in this location as no development is proposed at this juncture.</p>

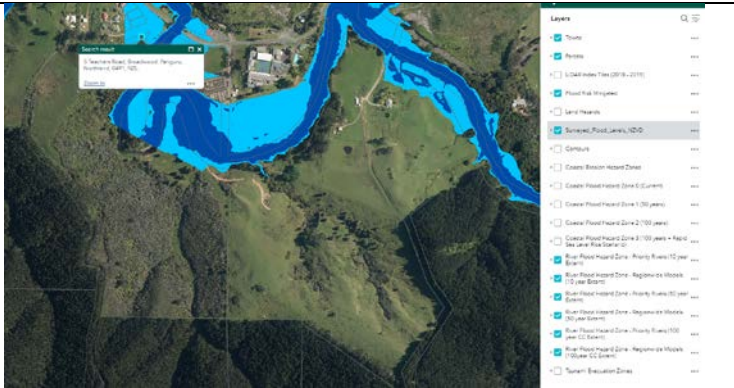
	 <p>Natural Hazards (Source Northland Regional Council Maps)</p>
12.5 Heritage	There are no heritage sites identified by Council maps on this property. Accidental discovery protocol will be adhered to at a time when development is undertaken.
12.6 Air	Not applicable
12.7 Lakes, Rivers, Wetlands and the Coastline	While there are no wetlands identified on this property there is a hydro parcel running along the northern boundary of all proposed lots. There is no development proposed through this application, as such there are no effects.
12.8 Hazardous Substances	Not applicable
12.9 Renewable Energy and Energy Efficiency	Not applicable

Table 3 - Transportation Performance Standards

Chapter 15 - Transportation	
15.1.6A.2 Traffic Intensity	The proposed subdivision would enable land use activities that can comply with the permitted traffic intensity rule. Permitted Activity
15.1.6B.1 Parking	No land use is proposed at this juncture, however the size of the lots ensure that adequate car parking required by the ODP can be provided. Permitted Activity

15.1.6C Access	The proposal in general meets the access requirements. It is likely that an upgrade to Lot 1 will be required in terms of its vehicle crossing.
15.1.6C.1.5 Vehicle crossing standards in rural zones	As above, upgrades are required.
15.1.6C.1.8 Frontage to Existing Roads	Frontage to Teachers Road and Carman is assumed to meet relevant standards given level of development that already exists along these frontages.

PDP subdivision performance standards

These comprise relevant rules that have immediate effect under the PDP.

- SUB-R6 Environmental benefit subdivision.
- Subdivision of a site within a heritage area overlay.
- Subdivision of a site that contains a scheduled heritage resource.
- Subdivision of a site containing a scheduled site and area of significance to Māori.
- Subdivision of a site containing a scheduled SNA.

None of these standards in the PDP apply to the proposed subdivision. As such no consents are required through the PDP.

National Environmental Standards

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) is not applicable. Council maps show that the site has not been used for horticultural activity. The known historic use of the site was not associated with contamination activities therefore no further investigation was considered necessary.

The National Environmental Standard for Freshwater (NES-FW) is applicable. There are no wetlands on or near this site. While there is a hydro parcel at the northern portion of the site, no new development is proposed, therefore no further consideration is necessary.

Overall, this subdivision application falls to be considered as a **‘Restricted Discretionary Activity’** under the ODP.

Subdivision assessment of effects

This application has been assessed against the relevant assessment criteria below:

Table 4 – Relevant Assessment Criteria

Chapter 15 - Transportation	
Property Access	<p>Lot 1 can gain access from an existing crossing from Teachers Road. Lot 2 and 3 gain access from Teachers Road and Carmen Road.</p> <p>The crossing to Lot 1 is likely to need upgrading and this can be undertaken prior to title.</p>
Natural & Other Hazards	Part of the site is implicated by flooding however these are at river margins and do not affect existing development.
Three Waters	Lot 1 contains existing development and can be undertaken accordingly. Lots 2 and 3 remain as a rural production unit whereby effects of three waters can be considered at time of development.
Power and Telecoms	These can be provided at time of development.
Easements	There are no easements required. Please note the amalgamation proposed.
Preservation of Resources	<p>The cutting off of Lot 1 from the balance Lot 2 and 3 does not result in any additional effects to such resources.</p> <p>The waterway adjoining Lot 1 appears to already include a hydro parcel which provides for access already on its margins. Lot 2 and 3 are of a size which no further esplanades are required.</p>
Land Use Compatibility	The proposal offers rural residential Lot 1 near the existing residential uses of Teachers Road. The balance lot to the rear to be retained in Rural Production does not promote any issues of compatibility.
Airports	No effects.

Consideration of Objectives and Policies

Table 5 – ODP and PDP Objectives and Policies

Objective / Policy Reference	Comment
8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.	It has been ensured that the proposed activity will not involve unsustainable use/management of both the natural and physical resources in the Rural Production Zone.
8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.	The activity proposed is not expected to effect/hinder the ability to which the Rural Production Zone enables people and communities to provide their social, economic and cultural wellbeing 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.	The proposal is not expected to deplete the amenity values of the Rural Production Zone to a level that is inconsistent with the productive intent of the zone, noting that the site itself is rural residential in nature.
8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.	The activity proposed is not expected to jeopardise the protection of significant natural values [which are modified in this extent due to the site size of the site and lack of features present] of the Rural Production Zone in any way.
8.6.3.5 To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.	Not relevant.
8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in	No conflict is expected to arise between the new/already existing activities on site and those found in the wider area/neighbouring zones.

neighbouring zones.	
8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.	By design, the proposal avoids the adverse effects of incompatible use or development on natural and physical resources.
8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.	The proposed activity is not expected to affect the ease/efficiency of establishment and operation of activities and services that have a functional need to be located in rural environments.
8.6.3.9 To enable rural production activities to be undertaken in the zone.	The proposed activity is not expected to hinder the ability for rural production activities to be undertaken in the zone.
8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.	The proposal is not expected to hinder nor negatively affect the zone and wider surrounds ability to undertake existing, proposed and recently consented activities.
8.6.4.2 That standards be imposed to ensure that the off-site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.	Not relevant. This is written as an internal objective/policy for the Plan itself, not for applicants to assess.
8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be	Development is already existing.

encouraged.	
8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.	The nature of the development proposed is not expected to deplete the standard of the amenity values of the Rural Production Zone to a level that is inconsistent with the productive intent of the zone.
8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.	The site is able to accommodate the ongoing soils for rural production.
8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.	Not relevant
8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.	The generation of actual and potential adverse effects of conflicting land use activities has been avoided given the design of the proposed activity.
8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities	Not relevant.

Objectives	
RPROZ-O1	The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.
RPROZ-O2	The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.
RPROZ-O3	Land use and subdivision in the Rural Production zone: <ol style="list-style-type: none"> protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production; protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; does not compromise the use of land for farming activities, particularly on highly productive land; does not exacerbate any natural hazards; and is able to be serviced by on-site infrastructure.
RPROZ-O4	The rural character and amenity associated with a rural working environment is maintained.

Assessment:

1. Primary production activities can remain ongoing for Lots 2 and 3.
2. The proposal is considered as a compatible activity in the Rural Production Zone.
3. The proposal for an RDA activity appropriate manages and protects these matters.
4. The proposal does not impact character and amenity of a rural working environment.

Policies	
RPROZ-P1	Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.
RPROZ-P2	Ensure the Rural Production zone provides for activities that require a rural location by: <ol style="list-style-type: none"> enabling primary production activities as the predominant land use; enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.
RPROZ-P3	Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.
RPROZ-P4	Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes: <ol style="list-style-type: none"> a predominance of primary production activities; low density development with generally low site coverage of buildings or structures; typical adverse effects such as odour, noise and dust associated with a rural working environment; and a diverse range of rural environments, rural character and amenity values throughout the district.
RPROZ-P5	Avoid land use that: <ol style="list-style-type: none"> is incompatible with the purpose, character and amenity of the Rural Production zone; does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone; would result in the loss of productive capacity of highly productive land; would exacerbate natural hazards; and cannot provide appropriate on-site infrastructure.
RPROZ-P6	Avoid subdivision that: <ol style="list-style-type: none"> results in the loss of highly productive land for use by farming activities; fragments land into parcel sizes that are no longer able to support farming activities, taking into account: <ol style="list-style-type: none"> the type of farming proposed; and whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land. provides for rural lifestyle living unless there is an environmental benefit.
RPROZ-P7	Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <ol style="list-style-type: none"> whether the proposal will increase production potential in the zone; whether the activity relies on the productive nature of the soil; consistency with the scale and character of the rural environment; location, scale and design of buildings or structures; for subdivision or non-primary production activities: <ol style="list-style-type: none"> scale and compatibility with rural activities; potential reverse sensitivity effects on primary production activities and existing infrastructure; the potential for loss of highly productive land, land sterilisation or fragmentation at zone interfaces: <ol style="list-style-type: none"> any setbacks, fencing, screening or landscaping required to address potential conflicts; the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable; the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer; the adequacy of roading infrastructure to service the proposed activity; Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Assessment:

1. As the proposal meets the objectives, it is considered to meet the cascading policies of relevance.

7. NOTIFICATION ASSESSMENT

Public Notification

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

<u>Step 1</u>	<u>Mandatory public notification in certain circumstances</u>	
S95A(3)(a)	Has the applicant requested that the application be publicly notified?	No
S95A(3)(b)	Is public notification required under section 95C?(after a request for further information)	TBA
S95A(3)(c)	Has the application been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.	No
<u>Step 2</u>	<u>if not required by step 1, public notification precluded in certain circumstances</u>	
S95A(5)(a)	Is the application for a resource consent for 1 or more activities and each activity is subject to a rule or national environmental standard that precludes public notification?	No
S95A(5)(b)	Is the application for a resource consent for 1 or more of the following, but no other, activities; <ul style="list-style-type: none"> • a controlled activity; • a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity; 	No
<u>Step 3</u>	<u>if not precluded by step 2, public notification required in certain circumstances</u>	
S95A(8)(a)	Is the application for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national	No

	environmental standard that requires public notification.	
S95A(8)(b)	Does 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	TBA
<u>Step 4</u>	<u>public notification in special circumstances</u>	
S95A(9)	Do special circumstances exist in relation to the application that warrant the application being publicly notified.	No

The assessment of effects in Section 6 of this report concludes that there will be no effects on the environment.

It is considered that there are no special circumstances that would warrant notification.

Limited notification

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

<u>Step 1</u>	<u>certain affected groups and affected persons must be notified</u>	
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
<u>Step 2</u>	<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
<u>Step 3</u>	<u>if not precluded by step 2, certain other affected persons must be notified</u>	
S95B(7)	If in the case of a boundary activity, whether an owner of an allotment with an infringed boundary is an affected person in accordance with s95E.	No
S95B(8)	If in the case of any other activity, a person is an affected person in accordance with section 95E.	TBA
<u>Step 4</u>	<u>further notification in special circumstances</u>	
S95B(10)	If special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section.	No

The assessment of effects in Section 6 of this report concludes that there will be no effects on the environment.

It is considered that there are no special circumstances that would warrant notification.

Affected Person Determination

No persons are considered to be potentially affected by reason that the proposal is not changing the physical environment, only subdividing the subject land into three lots, which is provided for in the ODP.

8. PART II – RMA

The Court of Appeal determined that if a plan was prepared having regard to Part II of the RMA and has a coherent set of policies designed to achieve clear environmental outcomes then the policies should be implemented and recourse to Part 2 will not add anything and cannot justify an outcome contrary to its policies.

In this instance the application for subdivision is provided for in the ODP as a restricted discretionary activity in the Rural Production zone. The matters of discretion that Council have identified are concise and have been addressed in this application. The standards in the subdivision chapter can be met by this application as can the three matters that Council have maintained discretion over. Given the limited nature of the discretion Council has over this type

of subdivision means that sufficient knowledge of the potential effects on the environment are well understood, as such there is no need for recourse through Part II of the RMA.

9. Conclusion

This application seeks a restricted discretionary resource consent to undertake a subdivision within the RPZ. The assessment of effects on the environment concludes that for the reasons outlined in the application, that there will be no effects on the environment.

The proposal is considered to be consistent with the purpose of the National Environmental Standard for Assessing and Managing Contaminates in Soil to Protect Human Health and the National Environmental Standard for Freshwater.

In terms of the ODP, the proposal was briefly assessed against the objectives and policies for the Rural Production Zone with the conclusion that the proposal is provided for within the district plan and is generally compatible with the aims of the District Plan as expressed through those relevant objectives and policies.

The relevant matters of discretion identified for subdivision within the RPZ were assessed, the conclusion reached that there will be no effects on the environment from the proposal.

In terms of the potential adverse effects being minor or more than minor, it is considered that there are no directly affected parties to this proposal.

An assessment of Part II of the RMA was not deemed necessary as the ODP is clear in providing for this type of subdivision as a restricted discretionary activity, meaning that sufficient knowledge of the potential effects on the environment are well understood, as such there is no need for recourse through Part II of the RMA.

We look forward to receiving acknowledgment of the application and please advise if any additional information is required.



Andrew McPhee
Consultant Planner



Reviewed
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 **NA78C/296**
Land Registration District **North Auckland**
Date Issued 05 March 1991

Prior References

NA28A/14 NA458/57

Estate Fee Simple
Area 41.2735 hectares more or less
Legal Description Lot 3 Deposited Plan 133375 and Section
62 Block II Whangape Survey District

Registered Owners

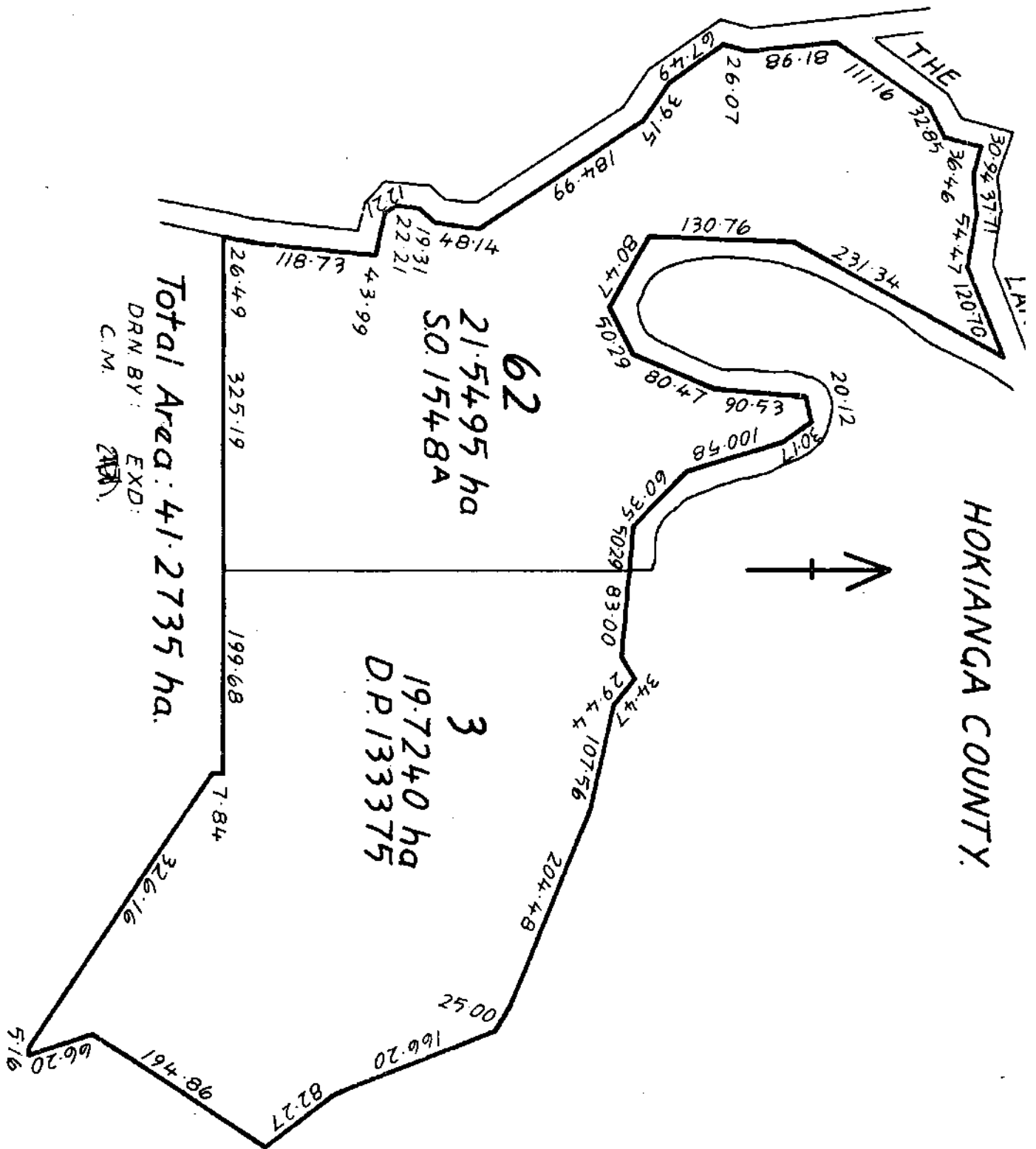
Trevor Julius Francis William Stephens Beazley as to a 1/2 share
Lorna Beazley as to a 1/2 share

Interests

Subject to a sewage right (in gross) over part marked A on DP 133375 in favour of Her Majesty the Queen for an area school from 17.9.1987 created by Gazette Notice B744414.2 (Affects Lot 3 DP 133375)

Subject to Section 308 (4) Local Government Act 1974

D365597.1 Mortgage to The National Bank of New Zealand Limited - 9.3.1999 at 10.11 am



Teachers Road

Legal metalled, 20.12 wide

Lot 1
2.4535ha

Pt Lot 1
DP 35354

Broadwood Road

Pt Sec 4
Blk I Whangape SD

Saleyard Road

Crown Land

DP 133375

DP 133375

2
DP 134057

Lot 2
18.3803ha

3
DP 133375
RT NA78C/296

Amalgamation condition:
That Lot 3 hereon & Lot 3 DP 133375
(RT NA78C/296) be held in
the same Record of Title

3
DP 134057

19
DP 158849

21
DP 158849

20
DP 158849

Local Authority: Far North District Council
Total Area: 41.2735ha
Comprised in: RT NA78C/296
Levels in terms of: N/A
Contour interval is: N/A

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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

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



VON STURMERS

Registered Land Surveyors, Planners &
Land Development Consultants

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131 Commerce St
Kaitia

Email: kaitia@saps.co.nz

PROPOSED SUBDIVISION OF SECTION 62 BLOCK II WHANGAPE SD

PREPARED FOR: T & L BEAZLEY

	Name	Date
Survey		
Design		
Drawn	SH	21-06-2023
Rev	MT	14-06-2024

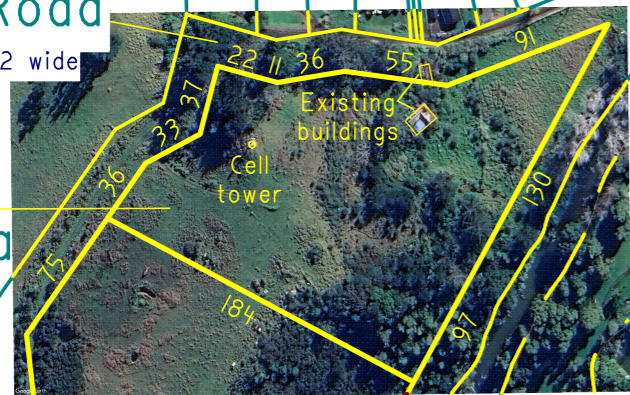
ORIGINAL
SCALE SHEET
SIZE
1:4000 A3

Surveyors
Ref. No:
15309
Series
Sheet of

Teachers Road

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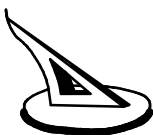
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1:4000 A3

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Figure 1 - Shot towards access gate to Lot 1

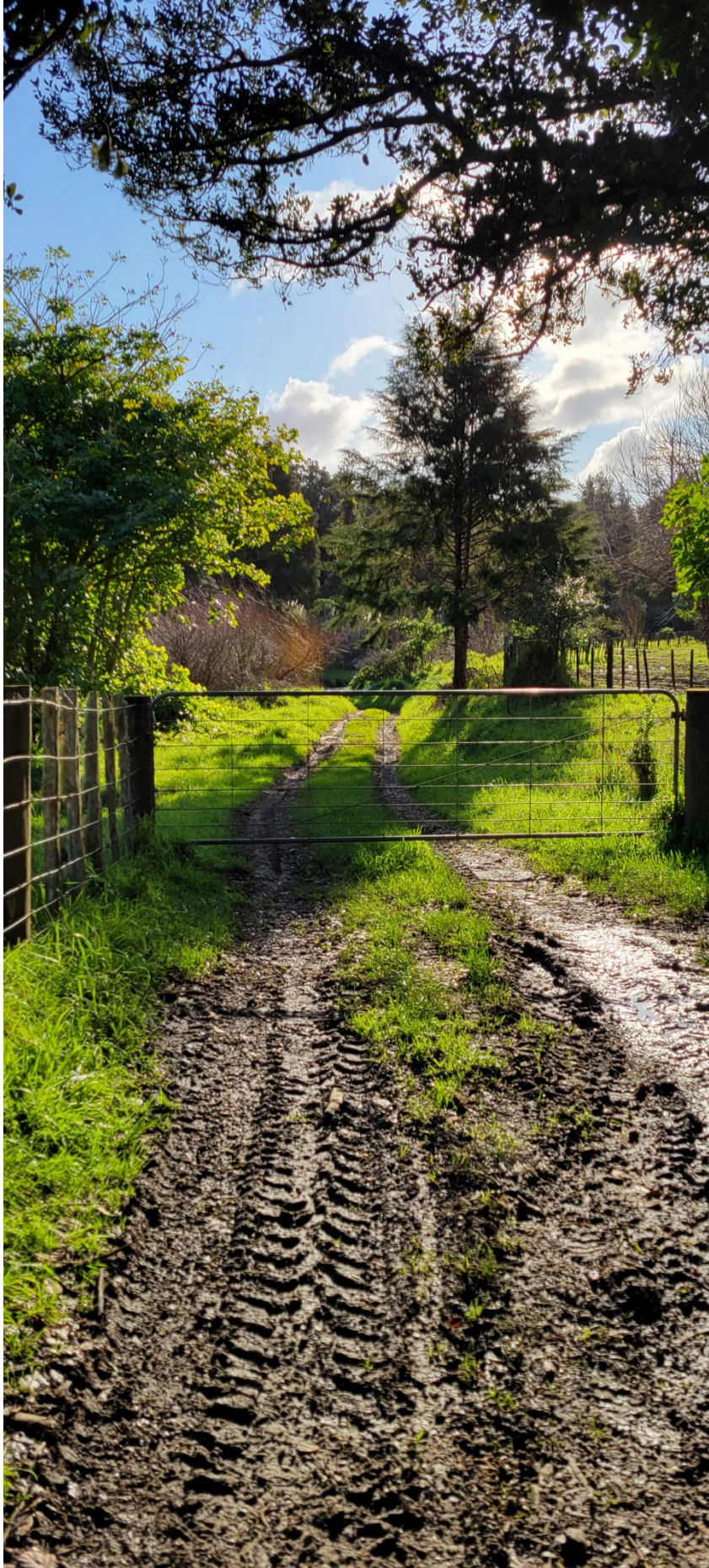
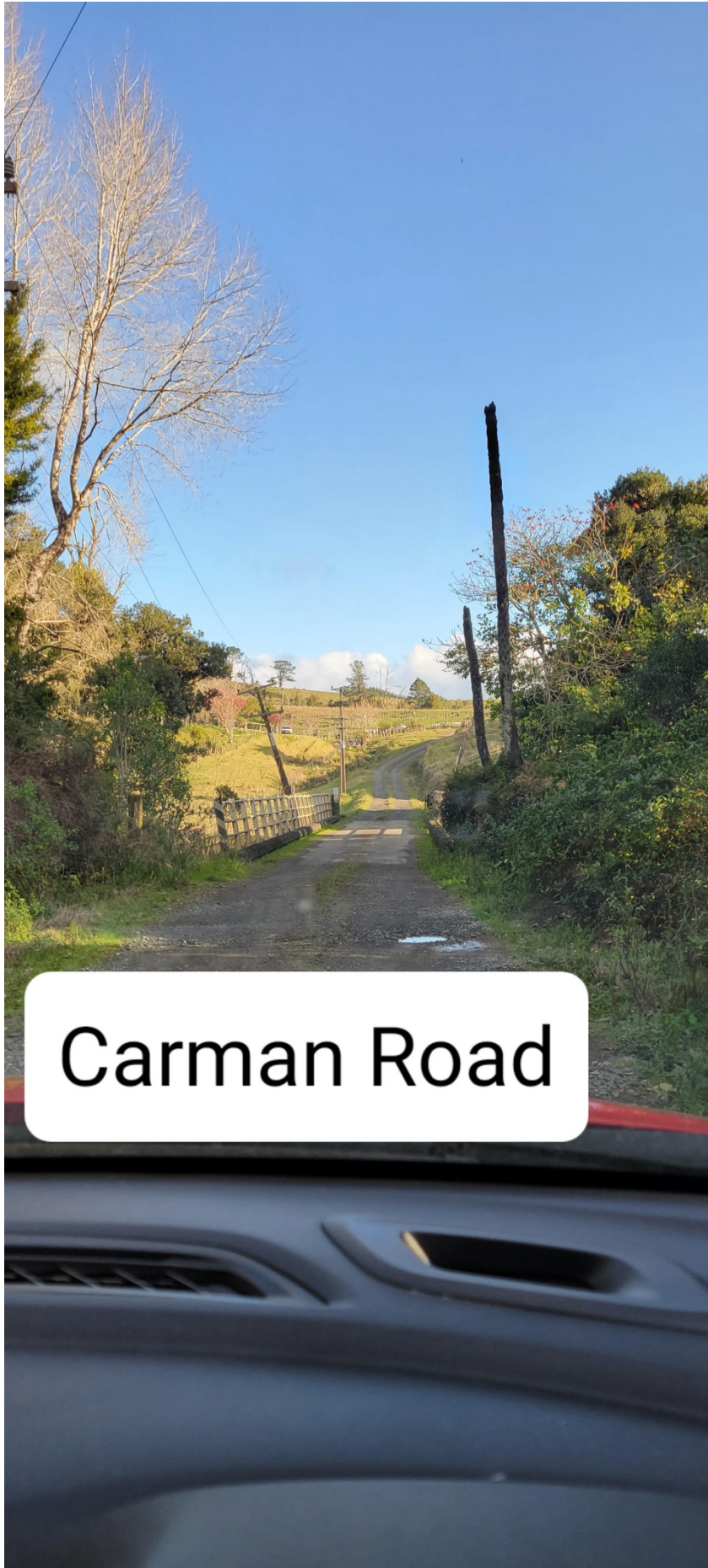


Figure 2 - Farm Access from Saleyards Road



Figure 3 - Farm Access across river [via Saleyards Road]



Carman Road

Figure 4 - Access from Carman Road



Figure 5 - Access via Carmen Road



Figure 6 - Teachers Road looking towards Lot 1



Figure 7 - Teachers Road to Cell Tower



Figure 8 - Teachers Road to Cell Tower



Figure 9 - View to Cell Tower