

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

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

☐ Yes ☒ No

If yes, who have you spoken with? _____

● Change of conditions (s.127)

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*

Name/s:

Adam Crawford

Email:**Phone number:****Postal address:**

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

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:

Adam Crawford

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.

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:

Adam Crawford and Elaine Collinson

**Property Address/
Location:**

33 Conifer Lane

Kerikeri

Postcode

0294

7. Application Site Details

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

Name/s:

Adam Crawford and Elaine Collinson

**Site Address/
Location:**

33 Conifer Lane

Kerikeri

Postcode

0294

Legal Description:

Lot 9 Deposited Plan 146304

Val Number:

Certificate of title:

NA87B/102

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

7. Application Site Details (continued)

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.

8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

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

Enter BC ref # here (if known)

☐ Regional Council Consent (ref # if known)

Ref # here (if known)

☐ National Environmental Standard consent

Consent here (if known)

☐ Other (please specify)

Specify 'other' here

11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application ☐ Yes

12. 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

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 in full) Adam Crawford

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)

Adam Crawford

Signature: (signature of bill payer)



Date 04-Feb-2026

MANDATORY

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

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 write in full)

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)
- ☐ Details of your consultation with Iwi and hapū
- ☐ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

SECTION 127 – VARIATION TO LAND USE CONSENT RESOURCE CONSENT APPLICATION AT 33 CONIFER LANE, KERIKERI

FEBRUARY 2026

CONTENTS

APPLICANT DETAILS.....	4
PROPOSAL DESCRIPTION	5
SITE DESCRIPTION.....	6
STATUTORY ASSESSMENT.....	7
SECTION 127 – CHANGE OR CANCELLATION OF CONDITIONS	7
RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR DETACHED MINOR RESIDENTIAL UNITS) REGULATIONS 2025	8
FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN.....	9
FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN.....	10
PUBLIC NOTIFICATION ASSESSMENT	11
ASSESSMENT OF STEPS 1 TO 4 (SECTION 95A)	11
STEP 1: MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES	11
STEP 2: IF NOT REQUIRED BY STEP 1, PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES.....	11
STEP 3: IF NOT PRECLUDED BY STEP 2, PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES.....	11
STEP 4: PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES.....	11
ASSESSMENT OF ENVIRONMENTAL EFFECTS	12
EXISTING ENVIRONMENT AND PERMITTED BASELINE.....	12
ENVIRONMENT	12
PERMITTED BASELINE.....	12
ASSESSMENT OF EFFECTS.....	12
ANY EFFECT ON THOSE IN THE NEIGHBOURHOOD AND, WHERE RELEVANT, THE WIDER COMMUNITY, INCLUDING ANY SOCIAL, ECONOMIC, OR CULTURAL EFFECTS.....	13
ANY PHYSICAL EFFECT ON THE LOCALITY, INCLUDING ANY LANDSCAPE AND VISUAL EFFECTS.....	13
ANY EFFECT ON ECOSYSTEMS, INCLUDING EFFECTS ON PLANTS OR ANIMALS AND ANY PHYSICAL DISTURBANCE OF HABITATS IN THE VICINITY	13
ANY EFFECT ON NATURAL AND PHYSICAL RESOURCES HAVING AESTHETIC, RECREATIONAL, SCIENTIFIC, HISTORICAL, SPIRITUAL, OR CULTURAL VALUE, OR OTHER SPECIAL VALUE, FOR PRESENT OR FUTURE GENERATIONS.....	13

ANY DISCHARGE OF CONTAMINANTS INTO THE ENVIROMENT, INCLUDING ANY UNREASONABLE EMISSION OF NOISE, AND OPTIONS FOR THE TREATMENT AND DISPOSAL OF CONTAMINANTS.....	14
ANY RISK TO THE NEIGHBOURHOOD, THE WIDER COMMUNITY, OR THE ENVIRONMENT THROUGH NATURAL HAZARDS OR HAZARDOUS INSTALLATIONS.	14
SUMMARY	14
LIMITED NOTIFICATION ASSESSMENT	14
ASSESSMENT OF STEPS 1 TO 4 (SECTION 95B)	14
STEP 1: CERTAIN AFFECTED PROTECTED CUSTOMARY RIGHTS GROUPS MUST BE NOTIFIED.....	14
STEP 2: IF NOT REQUIRED BY STEP 1, LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES.....	15
STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED.....	15
STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES.....	15
SECTION 95E STATUTORY MATTERS	15
SECTION 104 MATTERS	17
OBJECTIVES AND POLICIES	17
FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN.....	17
FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN.....	17
NATIONAL ENVIRONMENTAL STANDARD	17
PART II OF THE RESOURCE MANAGEMENT ACT	18
CONCLUSION	19
Appendix 1 – Record of Title	
Appendix 2 – Amended Site Plan	
Appendix 3 – Approved Consent	
Appendix 4 – Variation A	

APPLICANT DETAILS

Applicant/Owner: Adam Crawford and Elaine Collinson

Site Address: 33 Conifer Lane, Kerikeri

Legal Description: Lot 9 DP 146304

Site Area: 8369m²

Consent: Variation to Consent (s127

Activity: Consent is being sought to vary condition 1 of 2230253-RMAVAR_A to allow a separate vehicle crossing to access the minor dwelling.

District Plan Zone:
Operative District Plan:
Zone
Rural Production

Proposed District Plan:
Zone
Horticulture

Other Information: No known HAIL activities

Address for Service: Claire Phillips
Consultant Planner
CPPC Planning
PO Box 550, Warkworth, 0941, New Zealand
Mobile: 021302340
Email: claire.phillips1@xtra.co.nz

PROPOSAL DESCRIPTION

Land use consent is being sought pursuant to section 127 of the Resource Management Act 1991 to vary condition 1 of 2230253-RMAVAR_A to remove the connection through the carport to access the minor dwelling at 33 Conifer Lane, Kerikeri.

2230253-RMALUC was issued under delegated authority on 16 August 2022 to relocate a Minor Residential Unit in the Rural Production Zone, breaching 'Residential Intensity' as a Controlled Activity.

2230253-RMAVAR_A was issued under delegated authority on 13 April 2023 for the construction of a new vehicle crossing and driveway to access the minor dwelling. The driveway to the property was to act as a loop driveway, with entry to the west and exit to the east.

The proposal involves the following the following changes:

- Remove the portion of the driveway between the existing carport and the new driveway to the minor dwelling.
- No other changes to the minor dwelling or proposal are proposed.

The proposal will not trigger any new reasons for consent.

Condition 1 is to be amended as follows:

(additions in **bold** and underlined and deletions struck through):

Changes to Condition 1

1. The activity shall be carried out in general accordance with the following table of approved plans which are attached to this consent with the Council's "Approved Stamp" affixed to it.

Application to vary consent conditions prepared by CPPC Planning, dated 3 February 2026

Author	Title	Reference	Sheet	Date
BC Design Studio	Site Plan	Revision A	A1.00 and A1.01	14/02/23
	<u>Site Plan</u>	<u>Revision B</u>	<u>A1.01</u>	<u>28/01/26</u>
	Elevations		A3.00	
O'Brien Design Consulting	Wastewater Site Plan	Project No. 2762 – Revision B	A01	8/11/22

SITE DESCRIPTION

The subject property is currently legally described as Lot 9 DP 146304 having an area of 8369m². The property contains an existing dwelling and garage with access from Conifer Lane. The remainder of this side of the property is in landscaped gardens, dotted trees and pasture as well as native bush.



Figure 2: Aerial Photo of Locality – Source – FNDC GIS Maps

The locality is made up of rural properties containing a mixture of residential and rural buildings in the rural area.



Figure 3: View of existing dwelling from Conifer Lane – Source – Google Maps



Figure 4: View of existing dwelling and location of minor dwelling from Conifer Lane – Google Maps

There is an informal access already from Conifer Lane.

STATUTORY ASSESSMENT

SECTION 127 – CHANGE OR CANCELLATION OF CONDITIONS

Section 127(1) of the Resource Management Act 1991 states that the holder of a resource consent application may apply to a council to change or cancel a condition of their resource consent (other than any condition as to the duration of the consent).

Section 127(3) states that sections 88 to 121 apply, with all necessary modifications as if:

- (a) the application were an application for a resource consent for a discretionary activity; and*
- (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*

Section 127(4) provides guidance in terms of determining who must be considered as being potentially adversely affected by the change or cancellation of a condition(s), specifically a council must consider every person who:

- (a) made a submission on the original application; and*
- (b) may be affected by the change or cancellation.*

The proposed change to condition 1 is considered to fall within the scope of the original 2230253-RMALUC and 2230253-RMAVAR_A to remove the portion of the driveway between the existing carport and the new driveway to the minor dwelling.

Overall the consent is considered to be a Discretionary Activity under s127.

RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR DETACHED MINOR RESIDENTIAL UNITS) REGULATIONS 2025

5. Permitted Activity: rule

- (1)(d) One DMRU per site is a permitted activity within the rural zone.
- (2) subclause (1) applies if the DMRU complies with the standards set out in regulation 6 and satisfies the requirements of regulations 7 and 8.

6. Permitted activity:

- (a) Floor area - equal to or less than 70 square metres – Proposed 48m²
- (b) Building coverage – Comply with the District Plan Coverage: In this case the district plan allows for 15% or 400m², with the proposal involving building coverage of 2.69% or 225m².
- (c) Set back no less than 2 metres from the principal residential unit: Set back in excess of 2 metres.
- (d) Back no less than 10 metres from the front, side, and rear boundaries of the site in a rural zone: Proposed greater than 10m from all boundaries

Based on the above regulation, the need for the access to the minor dwelling to share with the existing principal dwelling is no longer relevant and if the consent was lodged today, it would have been permitted under this regulation.

FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN

The subject site is zoned Rural Production as shown on the portion of planning map below:

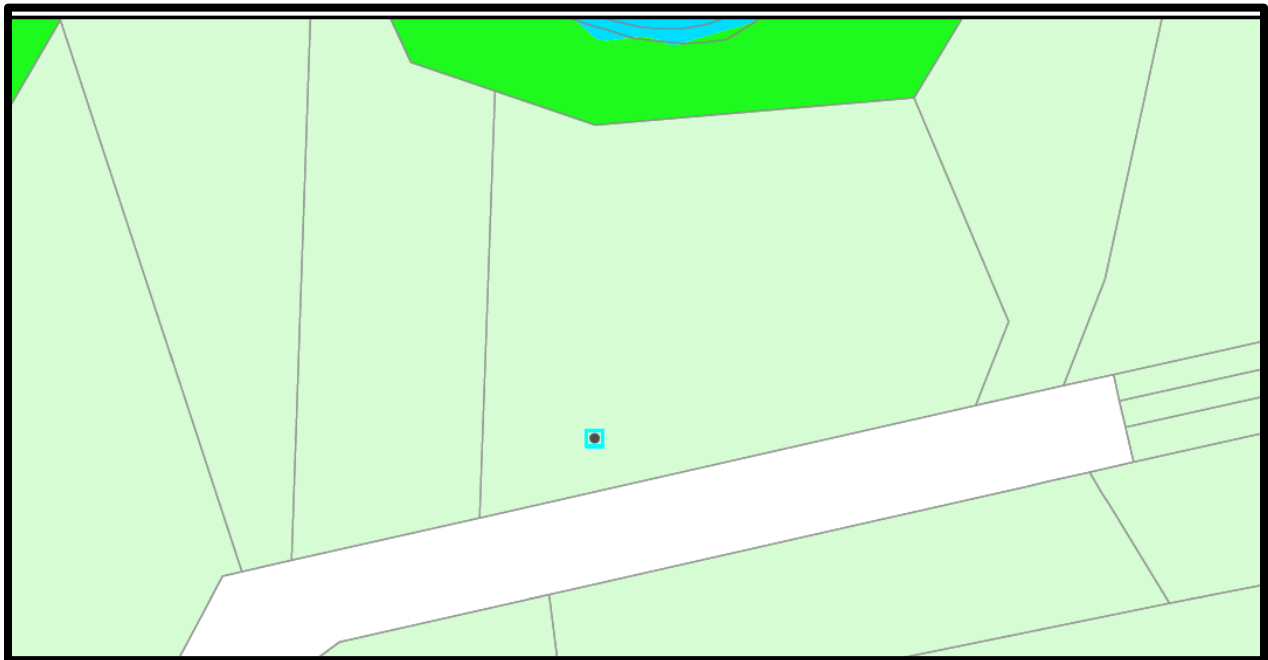


Figure 5: Zone Map Source – Far North Operative District Plan

Chapter 8 – Rural Environment

- A minor residential unit is a controlled activity under Rule 8.6.5.2.3 provided the following controls are met:

(a) there is no more than one minor residential unit per site;

Complies, there will be only one minor residential unit on the site

(b) the site has a minimum net site area of 5000m²;

Complies the site has an area of 8369m²

(c) the minor residential unit shares vehicle access with the principal dwelling;

The minor dwelling will not share the same vehicle access as the main dwelling.

(d) the separation distance of the minor residential unit is no greater than 30m from the principal dwelling;

Complies the minor residential unit is located 30 metres to the existing principal residential unit.

FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN

The Far North Proposed District Plan was notified on July 27, 2022. Only some parts of this plan have legal effects and only those rules where relevant are assessed below.

The subject site is zoned Horticulture as shown on the portion of planning map below:

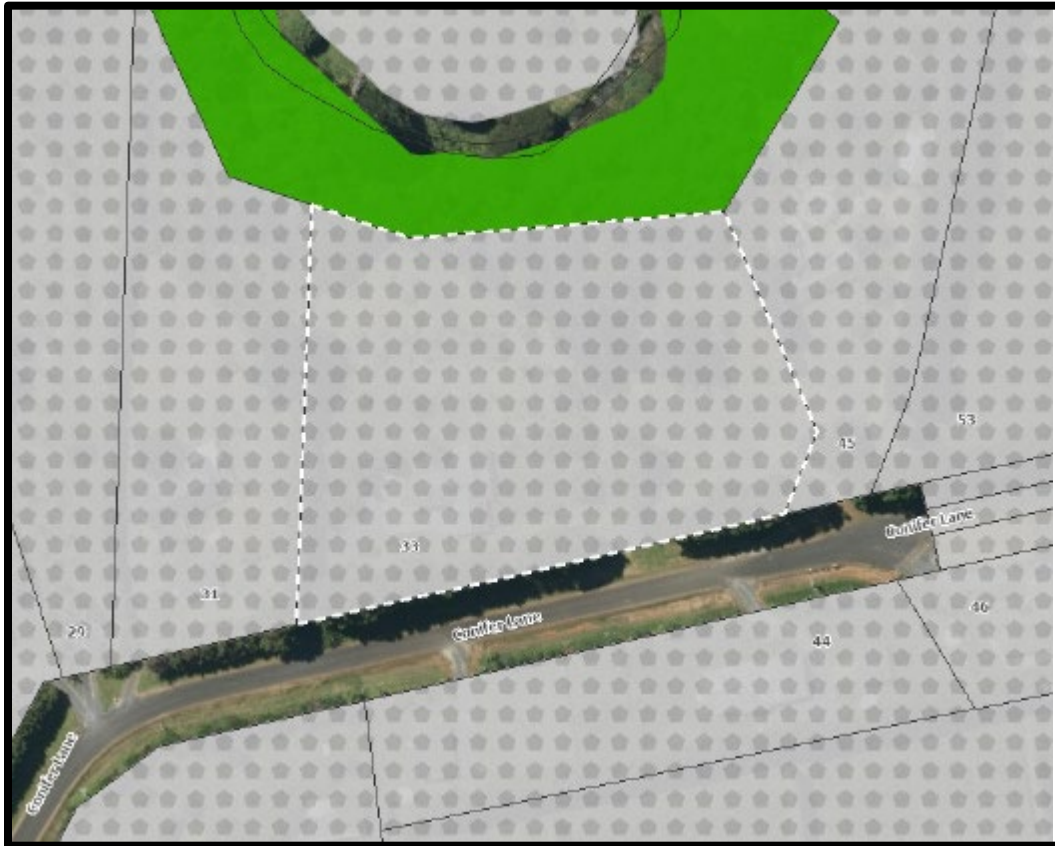


Figure 6: Zone Map Source – Far North Proposed District Plan

Part 3 – Area Specific Matters – Special Purpose Zone – Horticulture

- There are no provisions within this section of the plan that have immediate legal effect.

Overall the proposal is considered to be a Discretionary Activity.

PUBLIC NOTIFICATION ASSESSMENT

ASSESSMENT OF STEPS 1 TO 4 (SECTION 95A)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

STEP 1: MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES

Step 1 states that no mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)); and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

In this case the applicant does not request notification.

STEP 2: IF NOT REQUIRED BY STEP 1, PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES

Step 2 states that the application is not precluded from public notification as:

- The activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- The application does not exclusively involve one or more of the activities described in s95A(5)(b).

In this case, the proposal is not precluded from notification.

STEP 3: IF NOT PRECLUDED BY STEP 2, PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES

The application is not required to be publicly notified as the activity are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

STEP 4: PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

EXISTING ENVIRONMENT AND PERMITTED BASELINE

ENVIRONMENT

The 'Environment' includes the 'Existing Environment' which includes all lawfully established activities that exist – and the 'Future Environment' which includes the effects of activities enabled by an unimplemented consent where the consent is 'live' that have not lapsed and there are no reasons why the consent is not likely to be implemented.

These activities and their constituent effects form part of the existing (lawfully established) environment. In this case the existing consent forms part of the permitted baseline as well as the existing residential unit and access from Conifer Lane.

PERMITTED BASELINE

RMA states that for the purposes of formulating an opinion as to whether the adverse effects on the environment will be minor or more than minor a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect. In this case the site is within Rural Production Zone and the following activities are provided for as it relates to this application:

- One residential unit that complies with the relevant zone standards
- One minor dwelling that complies with the National Environmental Standard for Detached Minor Residential Units

ASSESSMENT OF EFFECTS

Having regard to the above and after an analysis of the application, including any proposed mitigation measures, the adverse effects of the activity on the environment are identified and discussed below.

ANY EFFECT ON THOSE IN THE NEIGHBOURHOOD AND, WHERE RELEVANT, THE WIDER COMMUNITY, INCLUDING ANY SOCIAL, ECONOMIC, OR CULTURAL EFFECTS

The proposal is not likely to result in effects on the wider community including any social, economic or cultural. The proposal will maintain the heritage values of the site and locality.

ANY PHYSICAL EFFECT ON THE LOCALITY, INCLUDING ANY LANDSCAPE AND VISUAL EFFECTS

The proposed variation is considered not to create any effects on the rural landscape or result in visual effects adverse to the established rural character in this locality. The proposed changes to the access to the minor dwelling are minor and will not be visually or appreciably different to the approved consent outlined in 2230253-RMALUC and 2230253-RMAVAR_A, however the proposal will allow the applicant to continue fulfil the residential function of the site.

ANY EFFECT ON ECOSYSTEMS, INCLUDING EFFECTS ON PLANTS OR ANIMALS AND ANY PHYSICAL DISTURBANCE OF HABITATS IN THE VICINITY

No vegetation removal or disturbance to ecosystems is proposed as part of the application.

ANY EFFECT ON NATURAL AND PHYSICAL RESOURCES HAVING AESTHETIC, RECREATIONAL, SCIENTIFIC, HISTORICAL, SPIRITUAL, OR CULTURAL VALUE, OR OTHER SPECIAL VALUE, FOR PRESENT OR FUTURE GENERATIONS

The rural character of an area is derived from aspects of the surrounding environment such as the amount of open space to buildings, the surrounding activities and infrastructure as well as the predominance of natural features over manmade features, open space and rural elements in the environment.

The subject property is located within an established Rural Production setting on the fringes of the Kerikeri Township. The surrounding area is characterized by larger rural properties as well as rural residential sites, with scattered stands of Significant Native Bush, areas of Significant Natural Wetland, riparian margins, larger pastoral farms, hobby farms and life style blocks with a rural and rural residential element.

There is the potential for the rural character of an area to be affected when the rural environment is fragmented through development, however assessment of the effects on rural character of this proposal must be considered in the context of the rural production zoning the unitary plan applies to the site.

The proposed variation to the existing consent will not create adverse effects on the character of the area or existing amenity values existing and consented through the original consent. The relocation of a new pre-built dwelling in conjunction with the existing dwelling and associated access arrangements are considered to be appropriate on this rural site.

The additional traffic and noise levels generated from the dwelling are unlikely to significantly exceed levels expected from a dwelling activity on a rural site. The removal of the access that

connects the main dwelling and minor dwelling is no longer necessary or envisaged by legislation. The access to the minor dwelling will be direct from Conifer Lane which is appropriate and does not involve any access issues or effects on the roading network. The variation will not result in adverse effects on the roading networks as the same level of traffic as approved by the original application will be received to and from the site.

Overall, it is anticipated the adverse effects are less than minor.

ANY DISCHARGE OF CONTAMINANTS INTO THE ENVIRONMENT, INCLUDING ANY UNREASONABLE EMISSION OF NOISE, AND OPTIONS FOR THE TREATMENT AND DISPOSAL OF CONTAMINANTS

In regard to servicing, the variation does not change any servicing of the site.

As such it is considered that adequate provisions have been made in regard to services, with the proposal not expected to adversely affect the surrounding environment or create adverse discharge of contaminants.

ANY RISK TO THE NEIGHBOURHOOD, THE WIDER COMMUNITY, OR THE ENVIRONMENT THROUGH NATURAL HAZARDS OR HAZARDOUS INSTALLATIONS.

There are no known natural hazards within the property. Further access to the new buildings is considered to be suitable.

SUMMARY

In summary, having assessed the adverse effects of the activity on the environment, it is considered that the proposal will have less than minor adverse effects on the environment.

LIMITED NOTIFICATION ASSESSMENT

ASSESSMENT OF STEPS 1 TO 4 (SECTION 95B)

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

STEP 1: CERTAIN AFFECTED PROTECTED CUSTOMARY RIGHTS GROUPS MUST BE NOTIFIED

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups or affected persons under a statutory acknowledgement affecting the land (ss95B(2) and 95B(3)).

The application site is not affected by customary rights.

STEP 2: IF NOT REQUIRED BY STEP 1, LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES

Step 2 describes that limited notification is precluded where all applicable rules and NES preclude public notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity (ss95B(5) and 95B(6)).

There are no rules precluding notification.

STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED

Step 2 requires that where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of a prescribed activity under s360H(1(b)), a prescribed person; and
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary or prescribed activity, and therefore an assessment in accordance with s95E is required. This assessment is set out below.

Overall, it is considered that any adverse effects in relation to adjacent properties will be less than minor, and accordingly that no persons are adversely affected.

STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

There are not considered to be any special circumstances that would warrant notification.

SECTION 95E STATUTORY MATTERS

As required by step 3 above, certain other affected persons must be notified, and the following assessment addresses whether there are any affected persons in accordance with s95E. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.

Because of the minor scale of the proposal no written approvals have been sought for this proposal.

The sections below set out an assessment in accordance with section 95E, including identification of adjacent properties, and an assessment of adverse effects.

No persons are considered to be adversely affected by the activity because:

- The design of the proposed variation will continue to be of a design that is to be sympathetic with the rural environment and consistent with the national environmental standard for detached minor residential units.
- The amenity of the surrounding area is made up of large separation distances and landscaping, as sense of openness and privacy.
- The proposal retains sufficient separation distances between the neighbouring dwellings (consistent with other locations within this locality) and will not compromise the existing levels of amenity or rural character enjoyed by adjacent properties to a minor or more than minor extent.
- The proposal will be consistent in the rural character and scale to other dwellings located within the local vicinity and will comply with all the relevant development standards so will not generate adverse effects in terms of shading, overbearance and overlooking to the adjoining properties.
- No additional traffic or effects on Conifer Lane is envisaged by the internal changes. There will continue to be two access points. The access to the minor dwelling will be direct from Conifer Lane which is appropriate and does not involve any access issues or effects on the roading network. The variation will not result in adverse effects on the roading networks as the same level of traffic as approved by the original application will be received to and from the site.

OBJECTIVES AND POLICIES

FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN

The following objectives and policies are considered relevant when considering this application:

Chapter 8.6 Rural Production Zone

- *Objectives 8.6.3*
- *Policies 8.6.4*

The objectives and policies seek 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, further the seek to maintain and enhance the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone

The proposed minor residential unit and development are considered modest and appropriate for this Rural Production zone and consistent with the above objectives and policies.

FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN

Part 3 – Area Specific Matters – Special Purpose Zone – Horticulture

- *Objectives HZ-01 – HZ-03*
- *Policies HZ-P1 – HZ-P7*

The objectives and policies seek to ensure that horticultural land is available for horticultural activities as well as ancillary activities. Further they seek to ensure that horticultural land is not sterilized, avoid fragmentation, reserve sensitivity to existing activities, maintains rural character and amenity values and is suitably serviced. The proposed minor dwelling will maintain the character of the area and is consistent with the above.

In summary it is concluded that this proposal satisfies the relevant matters requiring consideration under section 104.

NATIONAL ENVIRONMENTAL STANDARD

There are no NES or other regulations in effect that apply to this application.

PART II OF THE RESOURCE MANAGEMENT ACT

Part II of the Act sets out the Purpose and Principles. This proposal is in keeping with Part II as the effects of the proposal on the environment will be minor and the proposal will not compromise the ability of this site to be used by existing and future generations, also the life supporting capacity of air, water, soil and ecosystems will not be compromised.

Section 5 of the Resource Management Act 1991 (the Act) describes the Purpose and Principles of the Act and provides a definition of 'sustainable management' which includes reference to managing the use and development of natural and physical resources at a rate that allows people and communities to provide for their wellbeing, whilst avoiding, remedying and mitigating any adverse effects of activities on the environment.

This involves sustaining resource potential (excluding minerals), safeguarding the life supporting capacity of air, water, soil and ecosystems and avoiding, remedying or mitigating adverse effects. The effects of this proposal on the environment have been described above.

The proposal is considered to be consistent with the Purposed and Principles outlined above as the effects on character and amenity will be no more than minor. Further any potential effects can be adequately avoided, remedied and mitigated.

Section 6 of the Act requires all persons exercising functions and powers under the Act to recognise and provide for matters of national importance in relation to the natural character of the coastal environment, wetlands, lakes and rivers and the protection of them from inappropriate subdivision use and development. Outstanding natural features and landscapes are also to be protected from inappropriate subdivision, use and development.

The proposal is considered to be consistent with section 6 of the Act as there are considered to be no matters of national importance on this site.

Section 7 relates to other matters that are to which regard must be had in achieving the sustainable management of natural and physical resources: The proposed shed is considered to be consistent with the provisions of the section of the Act.

Section 8 requires that account shall be taken of the principles of the Treaty of Waitangi. The proposal is considered to be consistent with the matters outlined in Section 8.

Overall, it is considered that the proposal is in keeping with Part II of the Resource Management Act 1991.

CONCLUSION

It is concluded that the proposal for a minor residential unit and associated works will have less than minor adverse effects on the surrounding environment. Further the proposed activity is considered to be in keeping with the relevant assessment criteria, objectives and policies set out in Far North District Plan (Operative) and Proposed District Plan as relevant.

As a result of the above granting consent to this proposal will be in keeping with the provisions set out in Part II of the Resource Management Act 1991 and sections 104 and 104B.

Appendix 1 – Record of Title



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **NA87B/102**
Land Registration District **North Auckland**
Date Issued 29 May 1992

Prior References
NA75C/968

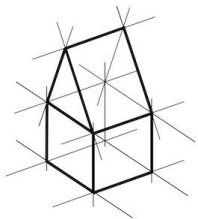
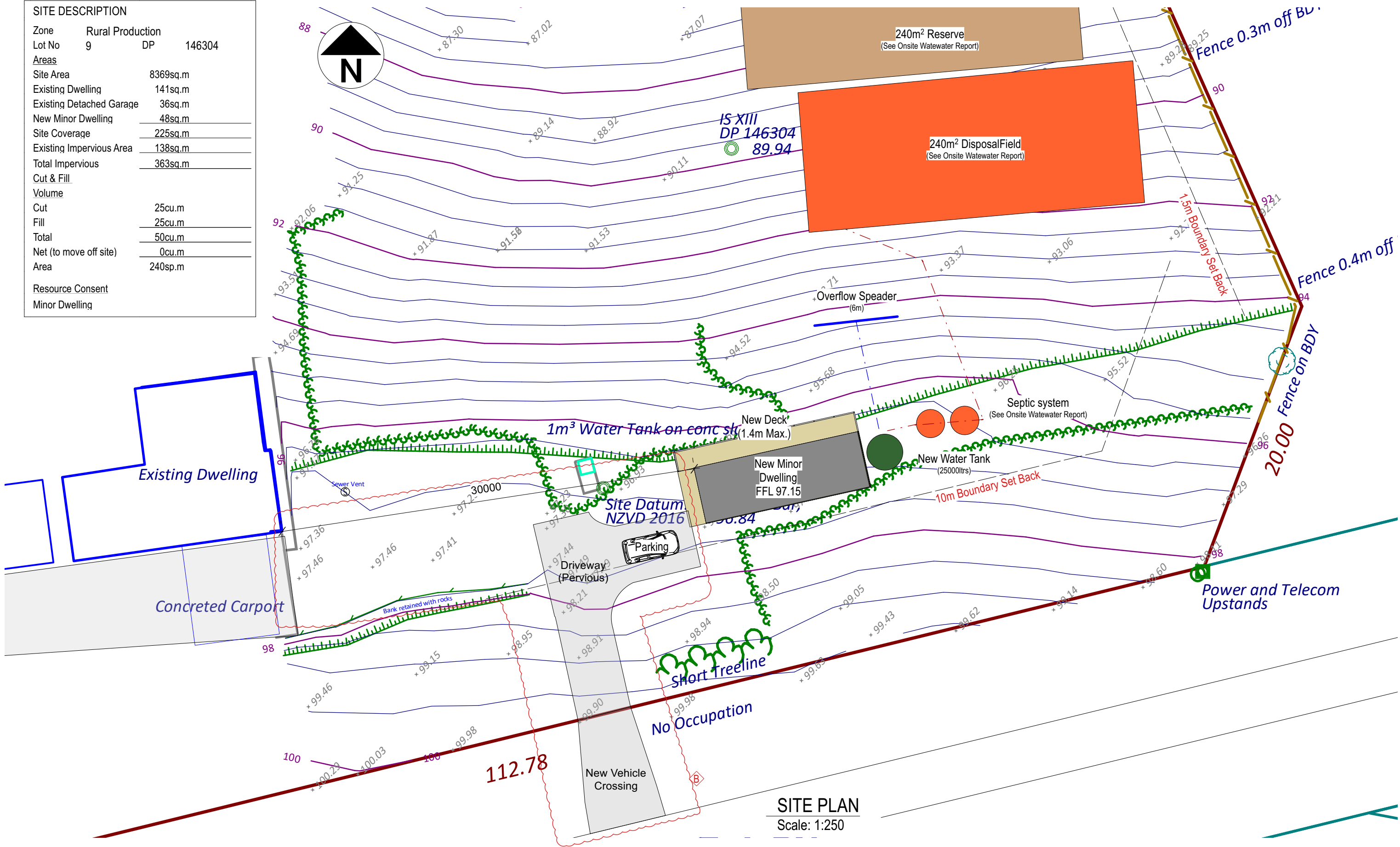
Estate Fee Simple
Area 8369 square metres more or less
Legal Description Lot 9 Deposited Plan 146304
Registered Owners
Elaine Amanda Collinson and Adam Matthew Crawford

Interests
Fencing Covenant in Transfer C597725.12 - 9.5.1994 at 10.38 am
12336015.3 Mortgage to ASB Bank Limited - 16.12.2021 at 3:39 pm

Appendix 2 – Amended Site Plans

NOTES: All dimensions and underground service locations to be checked on site by contractor prior to the commencement of any work. Contractor to ensure all ground levels and height restrictions are correct and comply with Territorial Authority bylaws at all stages of construction. DO NOT SCALE from drawings, work from dimensions shown.

SITE DESCRIPTION			
Zone	Rural Production		
Lot No	9	DP	146304
<u>Areas</u>			
Site Area	8369sq.m		
Existing Dwelling	141sq.m		
Existing Detached Garage	36sq.m		
New Minor Dwelling	48sq.m		
Site Coverage	225sq.m		
Existing Impervious Area	138sq.m		
Total Impervious	363sq.m		
<u>Cut & Fill</u>			
<u>Volume</u>			
Cut	25cu.m		
Fill	25cu.m		
Total	50cu.m		
Net (to move off site)	0cu.m		
Area	240sp.m		
<u>Resource Consent</u>			
Minor Dwelling			



B C Design Studio
Architectural Designers



Licence No.
BP133708

Tel 09 426 3170
Email jonathan@bcdesign.co.nz

New Minor Dwelling @
33 Conifer Lane for
Adam Crawford & Elaine
Collinson

Wind zone
Corrosion zone
Earthquake
NZS3604:2011

Drawn
Jonathan Leech



High
C
1

Eng. ref.

Sheet
no.

Sheet size
A3

A1.01

Rev: B
Rev: A

Resource
Consent

Revised the driveway
Added second vehicle crossing

28 January 2026
BCD-079 - 33 Conifer Lane

28/01/2026
14/02/2023

Appendix 3 – Approved Consent

DECISION ON SECTION 127 APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 127 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** resource consent to change condition 1 of resource consent 2230253-RMALUC to:

Council Reference:	2230253-RMAVAR/A
Applicant:	Adam Crawford and Elaine Collinson
Property Address:	33 Conifer Lane, Kerikeri 0294
Legal Description:	LOT 9 DP 146304 BLK VI KERIKERI SD
Description of Application:	To vary condition 1 of 2230253-RMALUC to allow for an additional vehicle crossing to provide a loop access to the residential and minor dwellings in the Rural Production Zone as a Discretionary Activity.

The following changes and/or cancellations to the conditions of resource consent 2230253-RMALUC are made:

(~~Strikethrough~~ indicates deletions and underline indicates additions and changes)

For clarity a complete set of conditions, as amended, are provided in Schedule 1 to this decision.

Condition 1

- The activity shall be carried out in general accordance with the following table of approved plans which are attached to this consent with the Council's "Approved Stamp" affixed to it.

Author	Title	Reference	Sheet	Date
BC Design Studio	Site Plan		A1.00 and A1.01	16/11/22 <u>14/02/2023</u>
	Elevations		A3.00	
O'Brien Design Consulting	Wastewater Site Plan	Project No. 2762 – Revision B	A01	8/11/22

Advice Notes

Lapsing of Consent

1. *The granting of this section 127 application does not alter the lapse date of the original consent. The consent holder is recommended to check that the original consent does not lapse before it is given effect to.*

Right of Objection

2. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The proposed change is within the scope of the original resource consent and therefore can be considered under section 127.
3. In regard to sections 104(1)(a) and 127(3) of the Act the actual and potential effects of the proposed change will be acceptable as:
 - a. No additional effects will be created, past what has already been consented for through resource consent 2230253-RMALUC.
4. In regard to sections 104(1)(ab) and 127(3) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to sections 104(1)(b) and 127(3) of the Act the following statutory documents are considered to be relevant to the application:
 - a. Operative Far North District Plan 2009,
 - b. Proposed Far North District Plan 2022.

The activity is consistent with both the Operative and Proposed Far North District Plans, as there are no additional changes past what has already been consented for as a controlled activity.

6. In regard to sections 104(1)(c) and 127 of the Act there are no other matters relevant to the application.
7. Based on the assessment above the proposed change will be consistent with Part 2 of the Act.

The proposed change will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the proposed change.

The proposal remains an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.

8. Overall, for the reasons above it is appropriate for the change of the condition of consent to be granted.

Approval

This resource consent has been prepared by Hannah Kane, Intermediate Resource Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Simeon Mclean
Team Leader Resource Consents

Date: 13 April 2023

Schedule 1

Complete set of Consent Conditions for 2230253-RMALUC as Amended by 2230253-RMAVAR/A

1. The activity shall be carried out in general accordance with the following table of approved plans which are attached to this consent with the Council's "Approved Stamp" affixed to it.

Author	Title	Reference	Sheet	Date
BC Design Studio	Site Plan		A1.00 and A1.01	14/02/23
	Elevations		A3.00	
O'Brien Design Consulting	Wastewater Site Plan	Project No. 2762 – Revision B	A01	8/11/22

2. Provide formed, surfaced, marked, and drained access, manoeuvring, and parking for the minor residential unit in general accordance with the Engineering Drawings by BC Design Studio, Reference No. BCD-079, and dated 16 November 2022.
3. The consent holder shall ensure that the treatment and disposal system is constructed generally in accordance with the recommendations contained within the Onsite Wastewater Report by Obrien Design Consulting, referenced Job No. 2762, Revision A, and dated 8 November 2022.

Advice Notes

Lapsing of Consent

3. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses
 - a) The consent is given effect to; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

4. If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Archaeological Sites

5. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

General Advice Notes

6. During the assessment of your application, it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.
7. All earthworks are required to be completed in accordance with Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, Guideline Document 2016/005.

Appendix 4 – Variation to Consent
