

Office Use Only	
Application Number:	

Pre-Lodgement Meeting

Private Bag 752, Memorial Ave
Kaikohe 0440, New Zealand
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Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
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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.

Have you met with a C	Jouncii Re	source Consent representative to	discuss this application pri	or to loagement? Yes / No
2. Type of Con	sent bein	g applied for (more than one c	ircle can be ticked):	
O Land Use		O Fast Track Land Use*	Subdivision	O Discharge
O Extension of time	(s.125)	O Change of conditions (s.1	27) O Change of Co	nsent Notice (s.221(3))
O Consent under N	ational Er	nvironmental Standard (e.g. Ass	sessing and Managing C	Contaminants in Soil)
Other (please spe	ecify)	onsents is restricted to consents with		
3. Would you li	ike to opt	out of the Fast Track Process	? Yes	s / No
4. Applicant De				
Name/s:	Robert a	and Joanne Schrafft		
Electronic Address for Service (E-mail): Phone Numbers: Postal Address: (or alternative method of service under section 352 of the Act)				
5. Address for details here).	•	ondence: Name and address for se		(if using an Agent write the
Name/s:	Nina Pi	vac (Tohu Consulting Limited	d)	
Electronic Address for Service (E-mail):	nina@t	ohuconsulting.nz		
Phone Numbers:	Work: <u>02</u>	210614725	Home:	
Postal Address:	50-64	Commerce Street Kaitaia 04	10	
(or alternative method of service under section 352 of the Act)				

Post Code:

6.		of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which cation relates (where there are multiple owners or occupiers please list on a separate sheet if required)		
Name/s: Robert and Joanne Schrafft				
Proper _ocatio	ty Address/: on	143 Snelgar Road Kaitaia		
7. ₋ocatio	Application Son and/or Proper	ty Street Address of the proposed activity:		
Site Ac Locatio	Idress/ on:	143 Snelgar Road Kaitaia		
∟egal [Description:	Lot 1 DP 60929		
Certificate of Title: NA17/		NA17A_615 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)		
s there s there Please	e a dog on the provide details	or security system restricting access by Council staff? Yes / No		
	Please conta	ect applicant to arrange site visit.		
 Description of the Proposal: Please enter a brief description of the proposal here. Attach a detailed description of the proposed active a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan Notes, for further details of information requirements. Proposed boundary adjustment by way of subdivision and amalgamation in the Ru Production Zone. 		rief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to ale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance r details of information requirements.		
		elication for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or		

requesting them.

 Other Consent required/being applied for under different legislation (more than one circle can be ticked): 			
O Building Consent (BC ref # if known)	O Regional Council Consent (ref # if known)		
O National Environmental Standard consent	O Other (please specify)		
Human Health:	Assessing and Managing Contaminants in Soil to Protect In order to determine whether regard needs to be had to the NES please NES is available on the Council's planning web pages):		
Is the piece of land currently being used or has it his used for an activity or industry on the Hazardous IncList (HAIL)	dustries and Activities		
Is the proposed activity an activity covered by the N any of the activities listed below, then you need to ti			
Subdividing land C	Changing the use of a piece of land		
O Disturbing, removing or sampling soil	Removing or replacing a fuel storage system		
12. Assessment of Environmental Effects			
requirement of Schedule 4 of the Resource Manageme	ompanied by an Assessment of Environmental Effects (AEE). This is a ent Act 1991 and an application can be rejected if an adequate AEE is not a sufficient detail to satisfy the purpose for which it is required. Your AEE may 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 this resource consent. Please also refer to Council's Fee	e for paying any invoices or receiving any refunds associated with processing s and Charges Schedule.		
Name/s: (please write all names in full)			
Email:			
Postal Address:			
-	Post Code:_		
Phone Numbers: Work	Home: Fax: N/H		
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 20 th of the month following invoice date. You may also be required to make additional payments if your application requires notification.			
processing this application. Subject to my/our rights under Sec future processing costs incurred by the Council. Without limitic collection agencies) are necessary to recover unpaid process application is made on behalf of a trust (private or family), a so	that the Council may charge me/us for all costs actually and reasonably incurred in ctions 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and ng the Far North District Council's legal rights if any steps (including the use of debt		
binding the trust, society or company to pay all the above costs	sing costs I/we agree to pay all costs of recovering those processing costs. If this ociety (incorporated or unincorporated) or a company in signing this application I/we are and guaranteeing to pay all the above costs in my/our personal capacity.		
binding the trust, society or company to pay all the above costs	ciety (incorporated or unincorporated) or a company in signing this application I/we are		

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)		
Signat	(signature)	Date:	11 December 2023
(A signature is not required if the application is	made by electronic means)		

Checklist (please tick if information is provided)

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

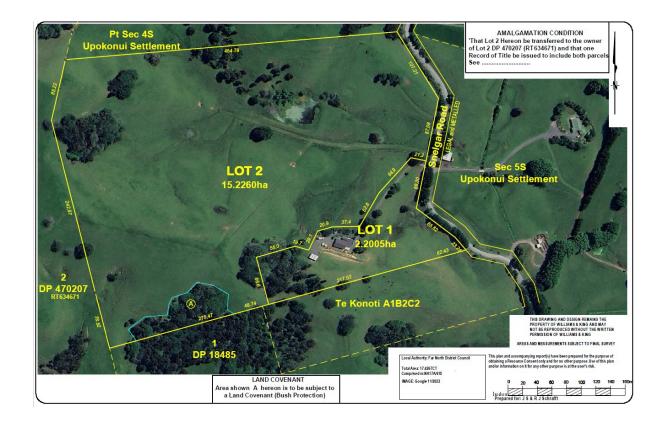
Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

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

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE



SUBDIVISION RESOURCE CONSENT APPLICATION

143 SNELGAR ROAD, KAITAIA LOT 1 DP 60929

ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:

ROBERT SCHRAFFT

11 December 2023 REV A



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Appendix A – Scheme Plan

Appendix B – Certificate of Title

Appendix C – Previous Council Approvals



1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Far North District Council	
	141 1131 11 2131 133 234 234 234	
Site address:	143 Snelgar Road, Kaitaia	
Applicant's name:	Robert Schrafft	
Address for service:	Tohu Consulting Limited	
	Attn: Nina Pivac	
	50-64 Commerce Street	
	Kaitaia 0410	
Legal description:	Lot 1 DP 60929	
Site area:	17.4268ha	
Site owner:	Joanne and Robert Schrafft	
Operative District Plan zoning:	Rural Production Zone	
Operative District Plan	Partially flood susceptible	
overlays/resource areas:	Kiwi Present	
Proposed District Plan zoning:	Rural Production	
Operative District Plan	River Flood Hazard – 100 Year ARI	
overlays/resource areas: Brief description of proposal:	To undertake a subdivision of Lot 1 DP 60929 to create one additional	
Brief description of proposal.	allotment (to be amalgamated with Lot 2 DP 470207) in the Rural	
	Production Zone. The proposed subdivision will result in the following	
	allotment areas:	
	Lot 1 – 2.2005ha (contains existing dwelling)	
	Lot 2 – 15.3890ha (129.922ha once amalgamated)	
	Lot 2 15.5650 na (125.522 na Onice amaigamateu)	
Summary of reasons for consent:	Overall, resource consent is required as a Restricted Discretionary	
	Activity in accordance with Rules 13.8.1(c) of the Far North District Plan	
	(Rural Production Zone).	

We attach an assessment of environmental effects that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

AUTHOR



Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

Date: 11 December 2023



2.0 PROPOSAL

The applicant, Robert Schrafft, proposes to undertake a subdivision of Lot 1 DP 60929 to create one additional allotment (to be amalgamated with Lot 2 DP 470207) in the Rural Production Zone. The proposed subdivision will result in the following allotment areas:

- Lot 1 2.2005ha (contains existing dwelling)
- Lot 2 15.3890ha (129.922ha once amalgamated)

Overall, the proposal has been assessed as a **Restricted Discretionary Activity** in accordance with Rules 13.8.1(c) of the operative Far North District Plan (District Plan).

The following Assessment of Environmental Effects (AEE) has been prepared in accordance with the requirements of Section 88 of and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual or potential effects the proposal may have on the environment.

3.0 SITE CONTEXT

The subject site is situated at 143 Snelgar Road, Kaitaia and is legally described as Lot 1 DP 60929 (NA17A/615). A copy of the Certificate of Title (CT) is attached as **Appendix B.**

The subject site has a total area of 17.4268ha. Proposed Lot 1 contains an existing dwelling and associated services while proposed Lot 2 is vacant and in productive use, the latter of which will be amalgamated with Lot 2 DP 470207 resulting in a total area of 129.922ha. The use of the site will remain unchanged.

Each lot is currently accessed via separate vehicle crossings off Snelgar Road. The applicant accepts that consent conditions may be imposed requiring the vehicle crossings to be upgraded to the relevant Council Engineering Standards.



Figure 1: Aerial map showing subject site (Far North Maps)



In terms of vegetation, the site is largely in pasture with areas of vegetation scattered throughout the property. There is a small portion to the south of proposed Lot 1 which has been identified as a Protected Natural Area (PNA). The applicant has offered protection of this fragment of vegetation by way of land covenant for bush protection, as marked A on the scheme plan.

There are no other significant areas of indigenous vegetation or significant habitats of indigenous fauna. No vegetation clearance is required as part of this application.

The surrounding environment is largely rural in character, comprising a mosaic of large land holdings interspersed with rural-lifestyle development.

4.0 DISTRICT PLAN RULES ASSESSMENT

OPERATIVE DISTRICT PLAN

SUBDIVISION:

An assessment of the proposal against the relevant subdivision rules of the Far North District Plan is provided below:

Rural Production Zone	Relevant Standards	Compliance
Rule 13.8.1 Subdivision within the Rural Production Zone	(c) a maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of lots is 2ha, and where the subdivision is created from a lot that existed at or prior to 28 April 2000.	The proposed subdivision is able to meet this criteria. Resource consent is required for a Restricted Discretionary Activity
Rule 13.7.2.2 Allotment Dimensions	A minimum square building envelope of 30m x 30m is required and should not encroach into the permitted activity boundary setbacks for the relevant zones.	Proposed Lot 1 contains an existing dwelling which will remain compliant with setback requirements. Proposed Lot 2 has ample area to accommodate multiple 30x30m building envelopes exclusive of setback requirements. Controlled Activity

LANDUSE:

An assessment of the proposal against the relevant land-use rules of the Far North District Plan is provided below:

Rural Production Zone	Permitted Standards	Compliance
Rule 8.6.5.1.1 Residential Intensity		Proposed Lot 2 is vacant and will remain in productive use. Lot 1 contains a single



Rural Production Zone	Permitted Standards	Compliance
		dwelling. The use of the site will remain unchanged.
		Permitted Activity
Rule 8.6.5.1.2 Sunlight	No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way.	All exisitng built development is setback at least 10m from the new boundaries and will not encroach the 2m + 45 degree recession plane. Lot 2 is vacant and in productive use. Permitted Activity
Rule 8.6.5.1.3 Stormwater Management	The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.	Lot 2 is vacant. With a total site area of 129.922ha, up to 19.49ha of impermeable surfaces are permitted. Existing impermeable surfaces within 1 falls well below the permitted threshold.
		Permitted Activity
Rule 8.6.5.1.4 Setback from Boundaries	No building shall be erected within 10m of any site boundary with the following exceptions; (a) no accessory building shall be erected within 3m of boundaries other than road boundaries, on sites less than 5000m2;	As shown on the scheme plan, all existing buildings are located at least 10m from all existing and proposed boundaries.
	(b) no crop protection structures shall be located within 3m of boundaries;	Permitted Activity
	(c) no building shall be erected within 12m of any road boundary with Kerikeri Road on properties with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive;	
	(d) no building for residential purposes shall be erected closer than 100m from any zone boundary with the Minerals Zone;	
	(e) no building shall be erected within the building line restriction area as marked in Appendix 6C, located immediately north of the Te Waimate Heritage Precinct. Any proposed building to be erected within	
	this building line restriction area shall be deemed a discretionary activity and the	
	Heritage New Zealand Pouhere Taonga	



Rural Production Zone	Permitted Standards	Compliance
	will be considered an affected party to any such application made under this rule.	
Rule 8.6.5.1.5 Transportation	Refer to Chapter 15 – Transportation for Traffic, Parking and Access	The proposed subdivision will result in 10 daily one way traffic movement per lot which is well within the permitted TIF threshold.
		The existing vehicle crossings will be upgraded to the relevant engineering standards.
		Each lot is able to accommodate adequate parking spaces.
		Permitted Activity
Rule 8.6.5.1.8 Building Height	The maximum height of any building shall be 12m.	All buildings on site are less than 12m in height.
		Permitted Activity
Rule 8.6.5.1.10 Building Coverage	Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area.	Lot 2 is vacant. With a total site area of 122.92ha, up to 15.37ha of building coverage permitted. Existing building coverage within 1 falls well within the permitted buildling coverage threshold.
		Permitted Activity
Rule 8.6.5.1.11 Scale of Activities	The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed i. For activities ancillary to farming or	Not applicable. Permitted Activity
	plantation forestry activities, 8 persons per site or 2 person per 1 hectare of net site area, whichever is the greater	
	ii. For all other activities, 4 persons per site or 1 person per 1 hectare of net site area, whichever is the greater. Provided that:	



Rural Production Zone	Permitted Standards	Compliance
	(a) this number may be exceeded for a period totalling not more than 60 days in any 12 month period where the increased number of persons is a direct result of activities ancillary to the primary activity on the site; or (b) this number may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site; or (c) this number may be exceeded where persons are visiting marae	

PROPOSED DISTRICT PLAN

The Proposed Far North District Plan (PDP) was notified on Wednesday 27 July 2022. Rules in a Proposed Plan have legal effect once the council makes a decision on submissions relating to that rule and publicly notified this decision, unless the rule has immediate legal effect in accordance with section 86(3) of the Resource Management Act 1991 (the Act).

As of Monday 4 September 2023, the further submission period on the PDP has closed. However, Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, only rules in the PDP with immediate legal effect are relevant. These rules are identified with a 'hammer' in the plan. Rules that do not have immediate legal effect do not trigger the need for a resource consent under the PDP.

An assessment of the proposal against the rules with immediate legal effect has been undertaken. In this case there are none that are relevant to the proposal. Therefore, no consideration needs to be given to any of the rules under the PDP.

Overall, the proposal requires resource consent as a **Restricted Discretionary Activity.**

5.0 NATIONAL ENVIRONMENTAL STANDARDS FOR CONTAMINATED SOILS (NES CONTAMINATED SOILS)

All applications that involve subdivision, or an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the NES Contaminated Soils. The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed land use.

Based on a search of Council records, historic aerial images and archives, and the documentation provided in support of this application, there is no evidence to suggest that a HAIL activity is, has been, or is more than likely to not have been undertaken on any part of the site. Therefore, the NES Contaminated Soils is not applicable in this instance.



6.0 NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER (NES FRESHWATER)

A review of aerial images, including NRC's wetland maps, reveal no evidence to suggest that there are any wet areas that may be subject to the NES Freshwater provisions. Therefore, no further assessment is required under the NES Freshwater.

7.0 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPSHPL)

The subject site contains a mix of 4 and 5 soils which are not deemed as 'highly productive' under the NPSHPL. Therefore, no further consideration needs to be given under the NPSHPL.

8.0 NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY (NPS-IB)

The objective of the NPS-IB is to 'maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date'. The NPS-IB aims to achieve this in a number of ways including by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity. In regard to the subject site, the area marked 'A' on the scheme plan has been identified as a PNA site. The applicant has therefore offered to protect this fragment by way of land covenant (bush protection). There are no other areas within the subject site which are considered to be ecologically significant, and no vegetation clearance is required.

9.0 PUBLIC NOTIFICATION ASSESSMENT (SECTIONS 95A, 95C TO 95D)

Step 1: Mandatory public notification is required in certain circumstances

Under Section 95A(3) an application must be publicly notified if:

- a) the applicant has requested that the application be publicly notified;
- b) public notification is required under Section 95C.

The applicant is not requesting public notification under clause (a). Clause (b) provisions relate to where an applicant does not provide further information formally requested under Section 92, which is not applicable in this case.

Public notification is not required and therefore Step 2 must be considered.

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

Under Section 95A (4) an application must not be publicly notified if:

- a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;
- b) the application is for a resource consent for 1 or more of the following, but no other, activities:

i.a controlled activity;



ii.a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:

None of the above apply, therefore public notification is not precluded.

Step 3 must be considered.

Step 3: Public notification required in certain circumstances

Public notification is precluded if:

- a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;
- b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

The proposal requires consideration under s95D of the Act. An assessment of environmental effects is provided in Section 8.0 below which concludes that any adverse effect will be less than minor.

Step 4: Public notification in special circumstances

Section 95A(9) sets out that the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary; or
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

If the answer is yes, then those persons are required to be notified.

In this case, the proposal is for a subdivision activity which is provided for as restricted discretionary activity. As such, it is considered that this level of development is anticipated by the Far North District Plan and that there is nothing out of the ordinary that could give rise to special circumstances.

Public Notification Conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as effect will be less than minor; and
- Under step 4, there are no special circumstances.

Therefore, this application can be processed without public notification.



10.0 LIMITED NOTIFICATION ASSESSMENT (SECTIONS 95B, 95E TO 95G)

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.

The above does not apply to this land.

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 limited notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity under section 360H(1)(a)(ii).

The above does not apply to the proposal, and therefore limited notification is not precluded.

Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 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 as defined in the Act or a prescribed activity under s360H(1)(b), and therefore an assessment in accordance with S95E is required, of which 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.

In this instance, having regard to the assessment above, special circumstances are not considered to apply to this proposal.

SECTION 95E STATUTORY MATTERS

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

The sections below set out an assessment in accordance with section 95E, and an assessment of potential adverse effects.



Written Approval

No written approvals have been provided as it is considered that the effects on adjacent properties as a result of this proposal will be less than minor, as outlined below.

Permitted Baseline

Based on a site area of 129.922ha, up to 10 houses can be constructed on proposed Lot 2 as a permitted activity under the residential intensity rules. Proposed Lot 1 contains an existing single dwelling and the use of the site will remain unchanged. The proposed level of development is therefore considered to be anticipated by the intent of the Rural Production Zone. This forms a permitted baseline which could usefully be applied to the situation.

Assessment of Effects on the 'Localised Environment'

The matters to which Council shall restrict its discretion, as outlined in Sections 13.8.1 and 13.7.3 of the Far North District Plan, are addressed below:

AMENITY, CHARACTER AND LANDSCAPE EFFECTS

The site and surrounding environment are primarily characterised by rural landscapes. The surrounding environment is largely rural in character, comprising a mosaic of large land holdings interspersed with rural-lifestyle development.

Proposed Lot 1 is in residential use, while proposed Lot 2 is vacant and in productive use. The use of the site will remain unchanged, and therefore the rural amenity of the area will remain unaffected.

In terms of vegetation, the site is largely in pasture with small fragments of vegetation scattered throughout. The area marked 'A' on the scheme plan has been identified as a PNA site, and will therefore be protected by way of land covenant (bush protection) as offered by the applicant.

There are no other significant areas of indigenous vegetation or significant habitats of indigenous fauna. No vegetation clearance is required.

Earthworks will only be minimal and as required for potential access upgrades.

Based on the above, it is considered that the proposal will maintain the existing amenity, character and landscape values associated with the surrounding rural/coastal environment and any adverse effects on those values are assessed as less than minor.

INDIGENOUS FLORA AND FAUNA

The site is largely in pasture with small fragments of vegetation scattered throughout. The area marked 'A' on the scheme plan has been identified as a PNA site, and will therefore be protected by way of land covenant (bush protection) as offered by the applicant.

There are no other significant areas of indigenous vegetation or significant habitats of indigenous fauna. No vegetation clearance is required.

NATURAL AND OTHER HAZARDS

As per NRC Natural Hazards map, the site is partially susceptible to flooding hazards. However, all existing and future built development will be located outside of the flood extent.



PROPERTY ACCESS

Each lot is currently accessed via separate vehicle crossings off Snelgar Road. The applicant accepts that consent conditions may be imposed requiring the vehicle crossings to be upgraded to the relevant Council Engineering Standards.

SERVICING EFFECTS

Proposed Lot 1 is fully serviced in terms of telecommunications, electricity, stormwater disposal and wastewater disposal. Proposed Lot 2 will remain in productive use. New connections are not a requirement in the Rural Production Zone.

Existing development within Lot 1 falls well within the 15% permitted threshold for impermeable surfaces. Proposed Lot 2 will remain vacant.

Existing Council approvals, including BP41870 and BP2250, demonstrate that the existing wastewater disposal system is located wholly within the new boundaries. The applicant accepts that a consent condition may be imposed requiring the location of the effluent disposal system to be determined by a registered drainlayer or TP58 accredited person at s223 stage.

EASEMENTS FOR ANY PURPOSE

No easements are required.

PRESERVATION OF HERITAGE RESOURCES

The site is not known to contain any heritage resources.

ACCESS TO RESERVES AND WATERWAYS

The subject site has no reserves or waterways nearby.

LAND USE COMPATIBILITY

The site and surrounding environment are primarily characterised by rural landscapes. The surrounding environment is largely rural in character, comprising a mosaic of large land holdings interspersed with rural-lifestyle development.

Proposed Lot 1 is in residential use, while proposed Lot 2 is vacant and in productive use. The use of the site will remain unchanged, and therefore the rural amenity of the area will remain unaffected.

No reverse sensitivity effects have been known to arise since the original dwelling on Lot 1 was established in the 1970s, nor is it considered that any reverse sensitivity effects will arise as a result of the proposed subdivision particularly given that the use of the site will remain unchanged.

PROXIMITY TO AIRPORTS

The subject site is located at least 10km from the nearest airport. As such, this matter is not relevant to the proposal.

CONCLUSION

Taking the above into account, it is considered that there will be no adverse effects on the wider and localised environment. As such, no parties are considered to be adversely affected.



LIMITED NOTIFICATION CONCLUSION

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

11.0 CONSIDERATION OF APPLICATIONS (SECTION 104)

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- any other matter a council considers relevant and reasonably necessary to determine the application.

As a Restricted Discretionary activity, section 104C of the Act states that:

- 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 exercises of its discretion it its plan or proposed plan.

12.0 EFFECTS ON THE ENVIRONMENT (SECTION 104(1)(A))

An assessment of effects on adjacent properties has been provided and it was concluded that any adverse effects will be less than minor.

Further, it is considered that the proposal will result in positive effects including the efficient use of rural land while maintaining character and amenity values intrinsic to rural communities.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are appropriate.



13.0 DISTRICT PLAN AND STATUTORY DOCUMENTS (SECTION 104(1)(B))

The following planning documents prepared under the RMA are considered relevant to this application.

Regional Policy Statement for Northland

The Northland Regional Policy Statement (RPS) covers the management of natural and physical resources across the Northland region. The provisions within the RPS give guidance at a higher planning level in terms of significant regional issues, therefore providing guidance to consent applications and the development of District Plans on a regional level. Given the nature and scale of the proposed subdivision, being a restricted discretionary activity, it is considered that this level of development is compatible with the intent of the RPS.

Operative Far North District Plan – Objectives and Policies

The relevant objectives and policies of the District Plan can be found in the Rural Environment, Rural Production Zone, and Subdivision Chapters. As a restricted discretionary activity, the proposal is considered to be generally consistent with the relevant objectives and policies. The site is already in rural production/residential use which will remain unchanged as a result of the proposal. The rural character of the site will therefore not be eroded by the proposed subdivision.

Proposed Far North District Plan – Objectives and Policies

As of Monday 4 September 2023, the further submission period on the PDP has closed. However, Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, the application shall only 'have regard to' the relevant objectives and policies in the PDP.

Relevant objectives and policies in the PDP are contained within the Subdivision and Rural Production Chapters. Based on the AEE, it is considered that the proposal is largely consistent with the anticipated outcome of the relevant objectives and policies, particularly the following:

- SUB-01
- SUB-P1
- SUB-P3
- SUB-P8
- SUB-P11
- RPROZ-01 to RPROZ-04
- RPROZ-P1 to RPROZ-P7

Conclusion

For the reasons outlined above, it is considered that the proposal is consistent with the relevant objectives and policies of the RPS, ODP, and PDP.

14.0 PART 2 MATTERS

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for



future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant objectives and policies of the RPS, and the Operative District Plan provisions. Accordingly, it is considered that the proposal will not offend the general resource management principles set out in Part 2 of the Act.

15.0 OTHER MATTERS (SECTION 104(1)(C)

There are no other matters considered relevant to this proposal.

16.0 CONCLUSION

The proposal involves the subdivision of Lot 1 DP 60929 (NA17A/615) to create one additional allotment (to be amalgamated with Lot 2 DP 470207) in the Rural Production Zone.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be no more than minor and can be managed in terms of appropriate conditions of consent.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that the application for resource consent can be granted on a non-notified basis.

AUTHOR



Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

Date: 11 December 2023



Appendix A – Scheme Plan



Registered Land Surveyors, Planners & Land Development Consultants

Ph: (09) 407 6030

27 Hobson Ave

PROPOSED SUBDIVISION OF LOT 1 DP 60929

			ORIGIN/ SCALE	AL	. /	
	Name	Date	SCALE	SHEET		
Survey				SIZE		1
Design				ı I		Z
Drawn	W & K	Dec 2023				_
			1:2000	I Δ3 l		
Rev			1.2000	עירו	•	

24258

Appendix B – Certificate of Title



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 634671

Land Registration District North Auckland

Date Issued 05 June 2014

Prior References

547980

Estate Fee Simple

Area 114.5330 hectares more or less **Legal Description** Lot 2 Deposited Plan 470207

Registered Owners

Robert John Schrafft and Joanne Susan Schrafft

Interests

Subject to Section 59 Land Act 1948

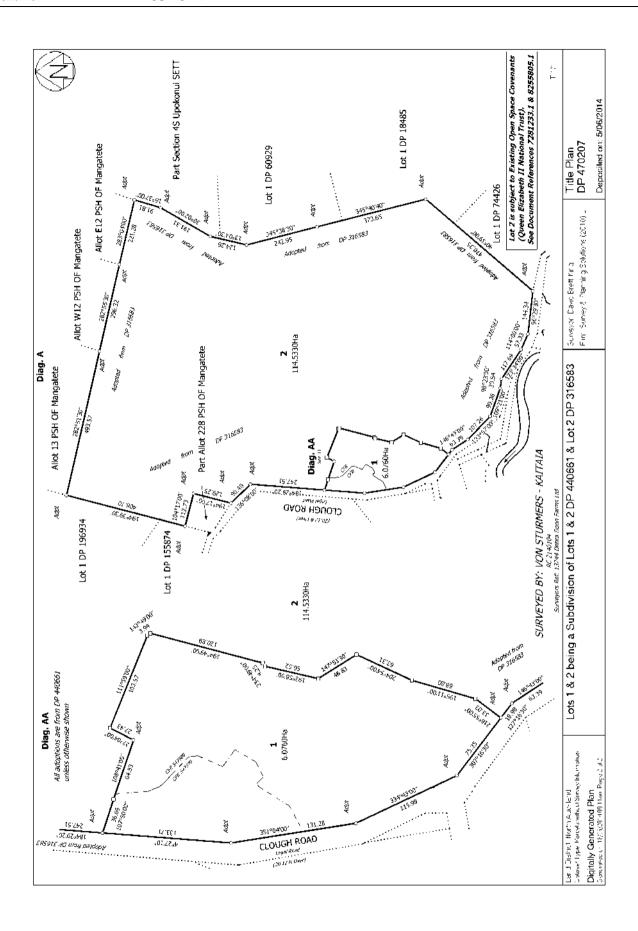
5669492.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 24.7.2003 at 9:00 am

7281233.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 19.3.2007 at 9:00 am

8255805.1 Variation of Queen Elizabeth The Second Covenant 7281233.1 - 14.8.2009 at 9:00 am

9617307.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.6.2014 at 2:22 pm

12813401.6 Mortgage to ANZ Bank New Zealand Limited - 3.11.2023 at 3:01 pm



R

FAR NORTH DISTRICT COUNCIL

THE RESOURCE MANAGEMENT ACT 1991

CONO 5669492.2 Coi

Cpy - 61/01.Pgs 001,24/07/03.08

SECTION 221: CONSENT NOTICE

REGARDING RC 2030389

The subdivision of Part Lot 228, Lot 229, 230 & 233 Parish of Mangatete North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the <u>FAR NORTH DISTRICT COUNCIL</u> to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the title of Lot 2 DP 316583.

SCHEDULE

No dwelling shall be erected without the prior approval of the Council to specific designs for foundations, prepared by a registered engineer with geotechnical expertise.

SIGNED:

by the PAR NORTH DISTRICT COUNCIL under delegated authority: RESOURCE CONSENTS MANAGER

DATED at KAIKOHE this /Lakday of February 2003.

RC 2030389 SRM\CERT\3dehra221

View Instrument Details



Instrument No Status Date & Time Lodged Lodged By 9617307.2 Registered 05 June 2014 14:22 Fountain, David Robin



Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Computer Registers Land District 547980 North Auckland

Annexure Schedule: Contains I Page.

Signature

Signed by David Robin Fountain as Territorial Authority Representative on 12/06/2014 11:31 AM

*** End of Report ***

Annexure Schedule: Page:1 of 1



Plante Bay 757 Memory Lock Gallery 1440 New Jersens Transfer at GEO 900 009 Transfer 107 461 1900 Inc. GEO 460 2137 Long-tak Hardrick god no Mesons www.field.com.co.

Te Kaunihera e Tai Tokerau Ki Te Roki

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2140104
Being the Subdivision of Lots 1 and 2 DP 440661& Lot 2 DP 316583
North Auckland Registry

<u>PURSUANT</u> to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

Lot 2 - DP 470207

- (i) In conjunction with the construction of any buildings which includes a wastewater treatment and effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 report writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment and disposal system can be totally contained within lot boundaries and comply with the Regional Water and Soil Plan Permitted Activity standards.
- (ii) Prior to any individual site works for access ways, landscaping and/or building platforms, or other works on Lot 2, the lot owner shall provide to the New Zealand Historic Places Trust and Council an archaeological report prepared by a suitability qualified person. The report shall address the effects, if any, and proposed mitigation measures, if required, on any archaeological sites that may be affected by the works.

SIGNED:

Mr Patrick John Killalea

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

PRINCIPAL PLANNER ~ RESOURCE MANAGEMENT

DATED at KERIKERI this 2/5 day of

November

2013.

The state of the s



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 NA17A/615

Land Registration District North Auckland

Date Issued 27 June 1969

Prior References NA1081/209

Estate Fee Simple

Area 17.4268 hectares more or less
Legal Description Lot 1 Deposited Plan 60929

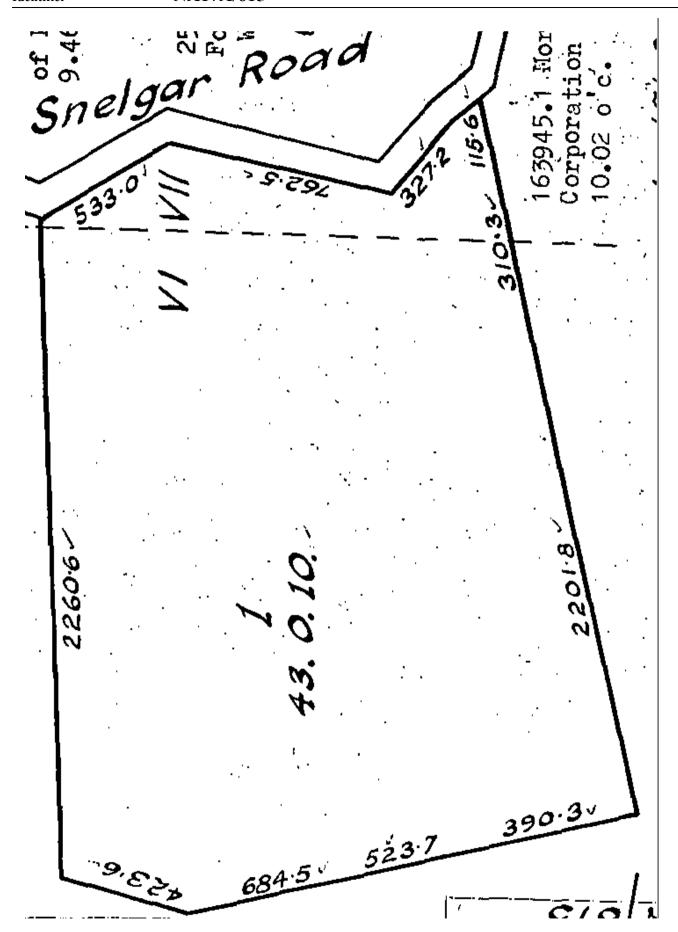
Registered Owners

Robert John Schrafft and Joanne Susan Schrafft

Interests

Subject to Section 206 Land Act 1924

12813401.2 Mortgage to ANZ Bank New Zealand Limited - 3.11.2023 at 3:01 pm



Appendix C – Previous Council Approvals



To The Mangonui County Council

MANGONUI COUNTY COUNCIL

Con.	No.	
Rec.	No.	2250

APPLICATION FOR PLUMBING & DRAINAGE PERMIT

Date Issued 6 9-70

I the undersigned, hereby give notice following work subject to the provisions of Council, the Counties and Health Acts, 196 provisions whatsoever applicable thereto, for the execution of some.	of the By-laws of the Mangonui County 6, amendments thereof or any other and request that a permit be issued
Riding Victoria Valley Near	rest Township Kartaia
Section on which work is to be placed	
Owner Addre	ess Snelgar RJ RD7
Drainlayer/Plumber Phungers Begis	stration No
Class of Work with Description in detail_	
FULL HOUSEHOLD	PLUMBING & DRAINAGE
WITH SEPTIC TAN	
SUPPLY	
301161	
Paristin 0 1/2 to 0 1	00 71
Description of Water Supply 5000	gotte porter
2/ . 1	n 1 m
Proposed Commencement Date November Date	9
Estimated Cost: \$ \$2,000 Fee	Payable \$
(The decision of the Inspector shall be fi	nal as to estimated cost).
	Receipt No.
Owner	
Signature Applicant Drainlayer Plumber	
Address	
Date	
The fee payable as per Schedule hereur	der must accompany this application.
SCHEDULE OF	FEES
If the value of the proposed work is:	• Fee
	\$
Not exceeding \$100	1-00
Exceeding \$ 100 but not exceeding \$ 200	3-00
" \$ 200 " " \$ 400 " \$ 400 " " \$ 600	8 - 00 10 - 00
ψ +00	12-00
* \$ 600 " " .\$ 800 * \$ 800 " " \$1000	14-00
\$1000 " " \$1200	16-00
" \$1200 " " \$1400	18-00
" \$1400 " " \$1600	20-00
" \$1600 " " " \$1800	22-00
" \$1800 " " " \$2000	24-00
\$2000 and over - \$1-00 for every \$200 or I	part thereof in excess of \$2000.

so acres

143 Snelgor Rod



FEES: 396.50

RECEIPT: 2250

DATE: 6-9-76

PERMIT NO.: 41870

DATE ISSUED: 15/9/7

(For Office vise

APPLICATION FOR BUILDING PERMIT

To the Building Inspector: I, the undersigned do hereby apply for a permit to build in accordance with the undermentioned particulars in the Victoria Valley Riding. NATURE OF BUILDING: 2. OWNERS NAME (In full) ADDRESS 3. VALUATION ROLL NO. PY 4. LEGAL DESCRIPTION OF PROPERTY: Lot D.P. Section Survey District Rd or Street. 5. NEAREST TOWNSHIP BRIEF SPECIFICATIONS 7. ESTIMATED VALUE OF COMPLETED BUILDING, INCLUDING HATERIALS & (b) Width (a) Length LABOUR WHETHER PAID FOR OR NOT. (c) Height of Walls 23000 (d) Materials to be used: 8. NAME Floor Wall Framing Outer Sheathing Inner Lining 9. SIGI Roofing Roof Style Ceiling (Floor Area 183 SCALE OF FEES If the value of the building is not more than \$200 \$ 0 - 50 \$ 2 - 00 value is over \$200 but not more than \$400 \$400 \$ 4 - 00 \$1200 99 \$1200 \$1600 \$ 6 - 00 \$1600 ... !! \$2000 \$ 8 - 00 \$2000 \$2500 \$10 - 00 \$2500 \$3000 \$12 - 00 \$3000 \$3500 \$14 - 00 \$16 - 00 \$3500 \$4000 \$4000 \$5000 \$20 - 00 \$5000 88 \$6000 \$24 - 00 Thereafter an additional fee of \$4-00 for each \$2000 or part thereof in value up to a maximum of \$200-00. 60-00 BUILDING: 24-0 P. & D. : 0 B.R.A.

TOTAL

NOTE: As from 1st October 1975 - ALL PERMIT APPLICATIONS WILL REQUIRE
METRIC DIMENSIONS AND CONSTRUCTION WILL BE TO N.Z.S.S. 1900
AND AMENDMENTS.

- A. Building application form completed.
- B. Two copies of plans and specifications, of the proposed building, with details of construction, size and type of materials etc. Such plans to include a site plan showing dimensions from boundaries, plus detail of the water supply and sewerage layout, with appropriate dimensions. Provide also for the siting of a garage with suitable access.
- C. Where sanitary plumbing and drainage is to be fitted as well, a plumbing and drainage application form is to be completed and forwarded along with the appropriate fee as shown on that application form and must list name of Registered Tradesmen or Firm.
- D. Permit fee according to scale as shown on reverse side. Building Research Levy calculated at 50 cents per \$1,000 for building proposals and including the value of plumbing and drainage work. This is payable for work totalling \$3,000 or more.

The location standards adopted by Council for the time being, require that all buildings be set back as follows:-

STANDARDS FOR RESIDENTIAL ZONE:

abbiw(s)	Front Yard	Rear Yard	Side Yard
1. Front Sections Dwellings and Other		3	
Buildings -	4.57m	7.62m	1.52m

2. Rear (R.O.W.) Sections

Dwellings and Other Buildings - Every part of such buildings to be a minimum 3 metres from any boundary of the site.

PROVIDED THAT no building shall exceed a height of more than 1.83m plus the shortest horizontal distance between that part of the house and the nearest site boundary.

EXAMPLE: Where wall of house 1.52m from boundary, 1.52m + 1.83m = 3.35m Therefore wall or ridgeboard may be 3.35m high.

EXAMPLE: Block basement plus upper storey - say ceiling height of 5.2m - 5.2m less 1.83m = 3.37m therefore minimum side clearance 3.37m each side (greater if ridge height is involved)

STANDARDS FOR RURAL ZONE:

	Front Yard	Rear Yard	Side Yard
Dwelling	7.62m	7.62m	7.62m
Other Buildings	15.24m	15.24m	9.14m

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 27th day of one thousand nine hundred and Sixty-nine June under the scal of the District Land Registrar of the Land Registration District of NORTH AUCKLAND

WITHESSETH that ROGER JENNINGS of Kaitaia, farmer and BERYL ROSALIE JENNINGS his wife are

22 second of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 43 acres

O roods 10 perches more or less being Lot 1 Deposited Plan 60929 and being part Section 4 S Upokonui Settlement

Assistant Land Registrar

ASIONS9 Modgage +

are imposed in the case of Leases by section 206 of the Land Act 1924.

Takahue S.D.

2260.6-

43.0.10

253353.4 Transfer to Brian James Bird Co of Kaitaia, farmer -

9.46 o'c.

for A. L.R.

253353.5 Mortgage to William Leslie

Foster, Benjamin Bruce Poster and Geo Walker - 5.3.1974 at 9

115.6

310.3 163945.1 Fortman to 2

Compartism of Market 410.0300'c.

Sale: 1 inch = 6 chains 17 50 38

22018

GARAGE 37.9m² 一章 All landoter to be collected from roof litre water Tank. 183·4 m² GARAGE 37.9m²
TOTAL FLOOR AREA 221.37m²

BCPLA 41870

LOT

ALLOT

BLOCK

SITE AREA

FLOOR ARE'A 1834m2

758. SHELGART RQ

SITE AND DRAINAGE PROPOSAL 1:100

CEVONATA BUILDI P. & D. B.R.A. LEVY SIGNED TH INS.

D M BEARD AND ASSOCIATES

1 MARY ANN PLACE, KAITAIA.
P.O. BOX 191, Ph. 1137

1:100

PROPOSAL

DRAINAGE

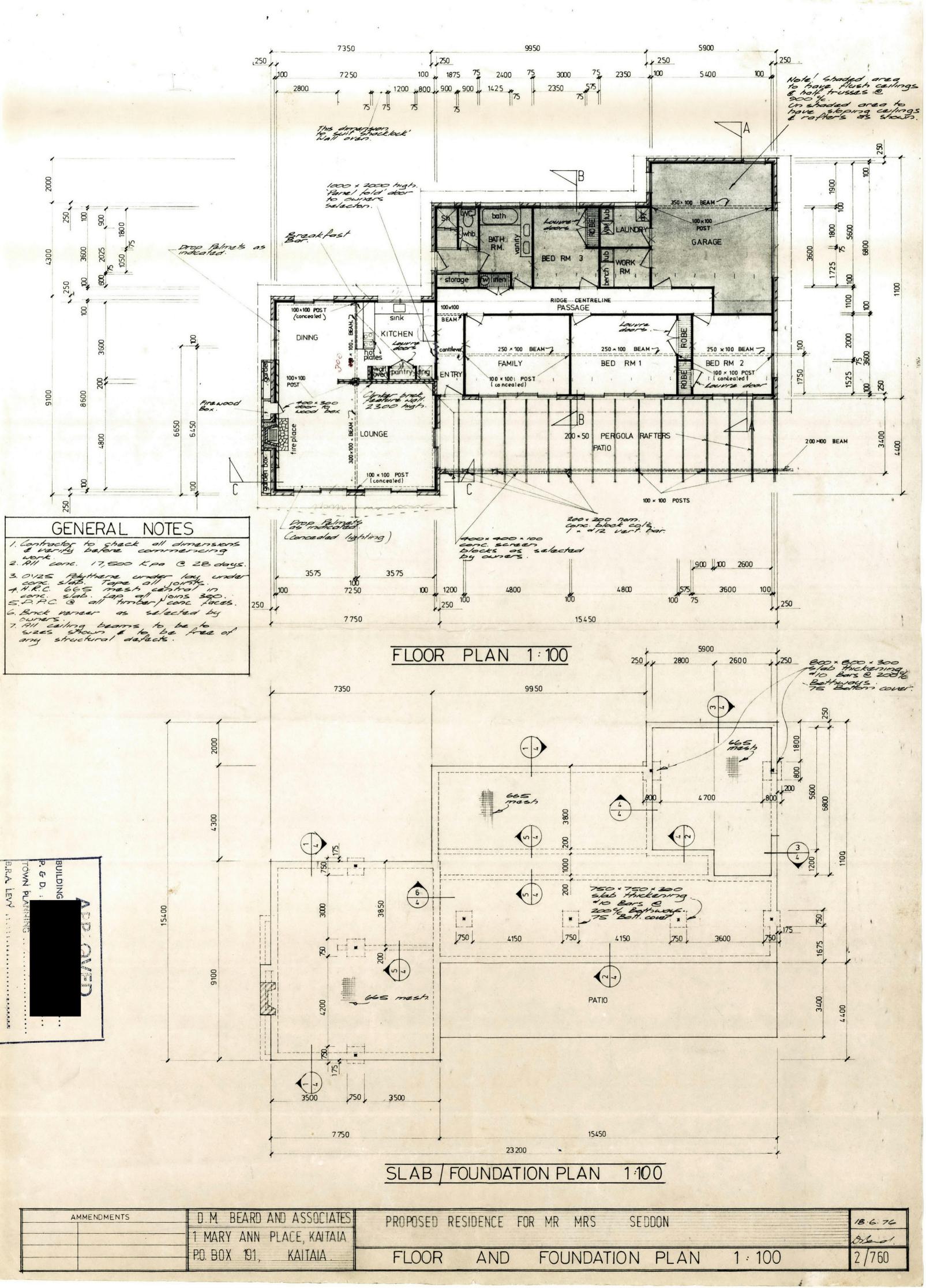
AND

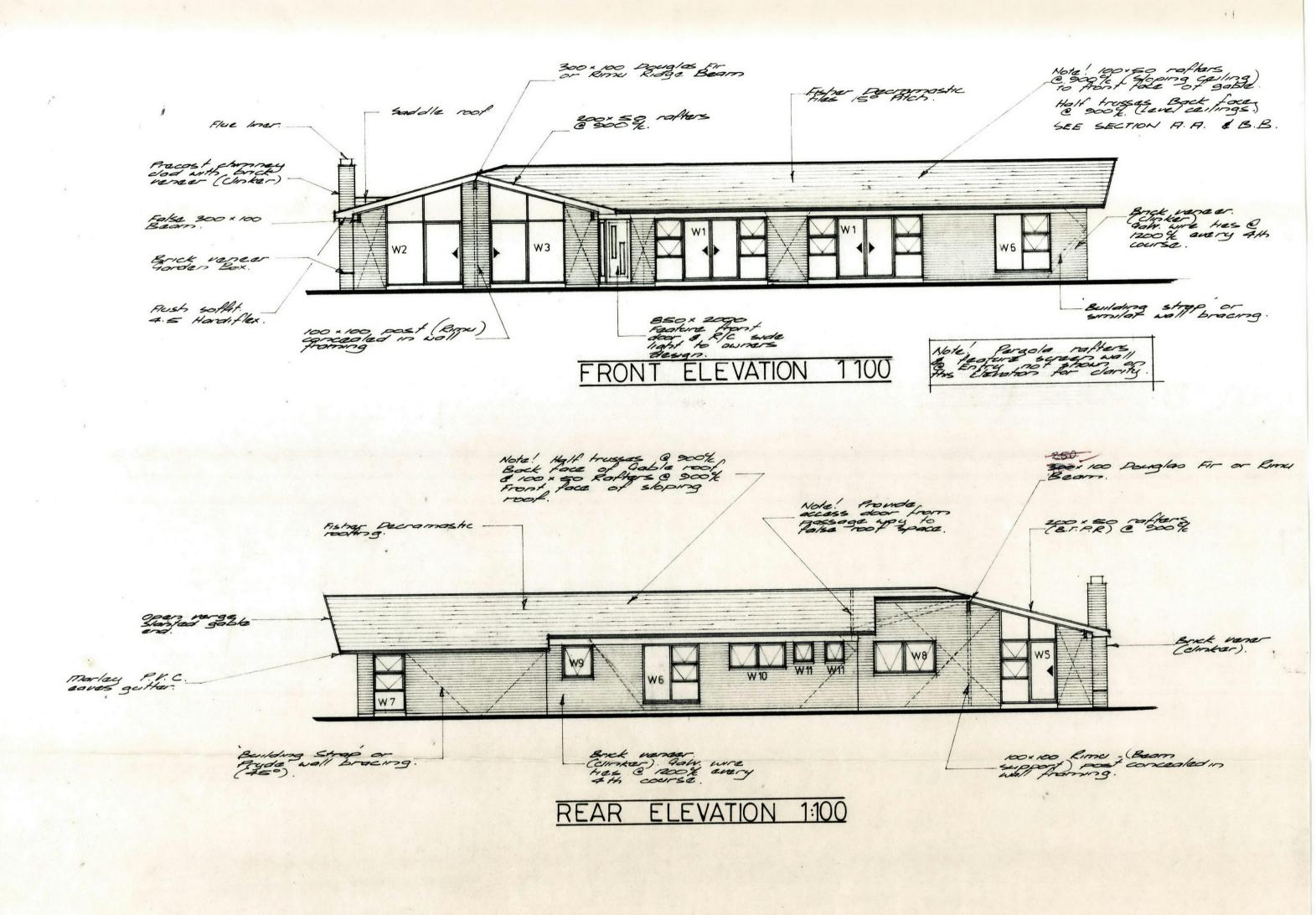
SEDDON

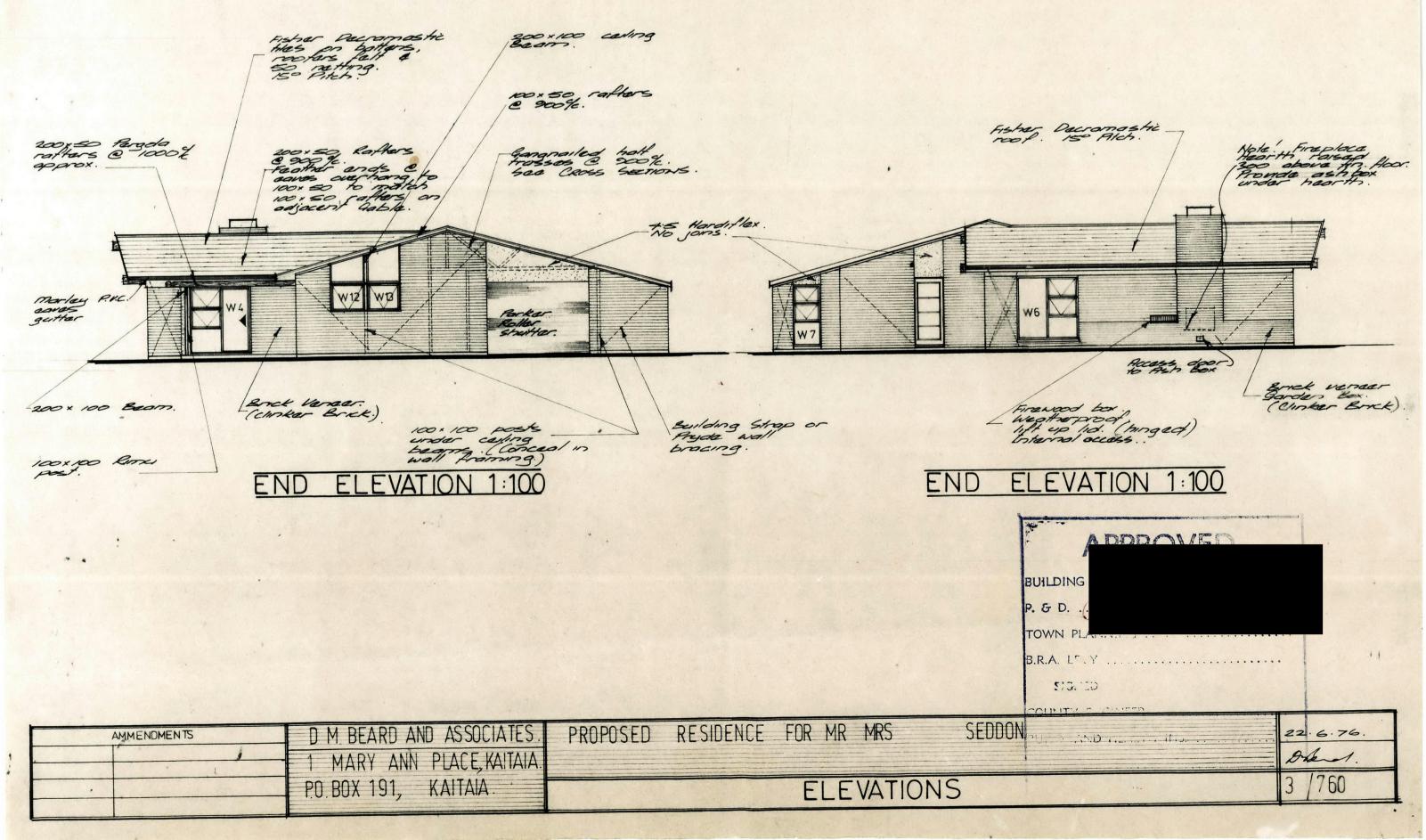
MRS

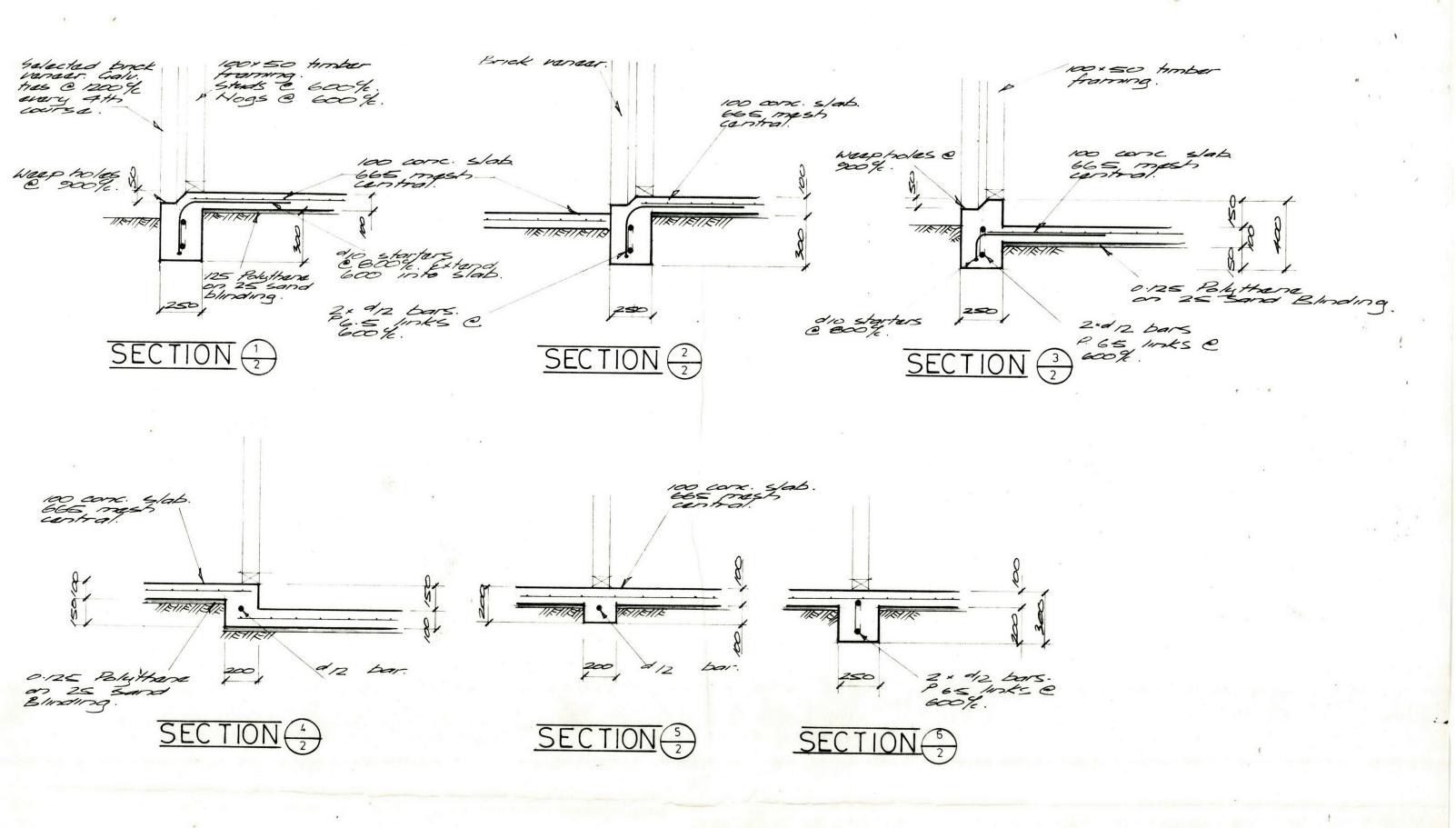
RESIDENCE FOR MR

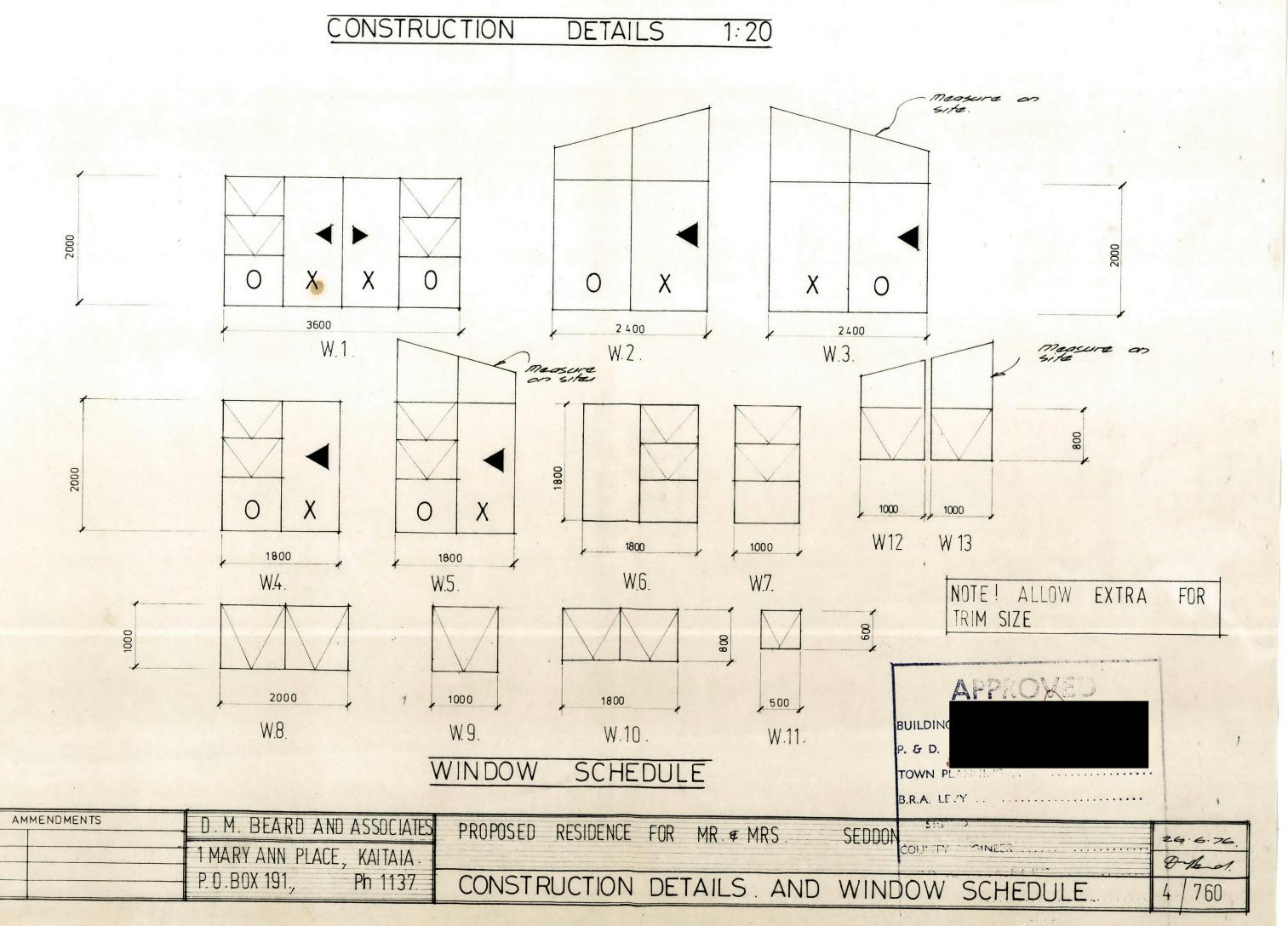
PROPOSED

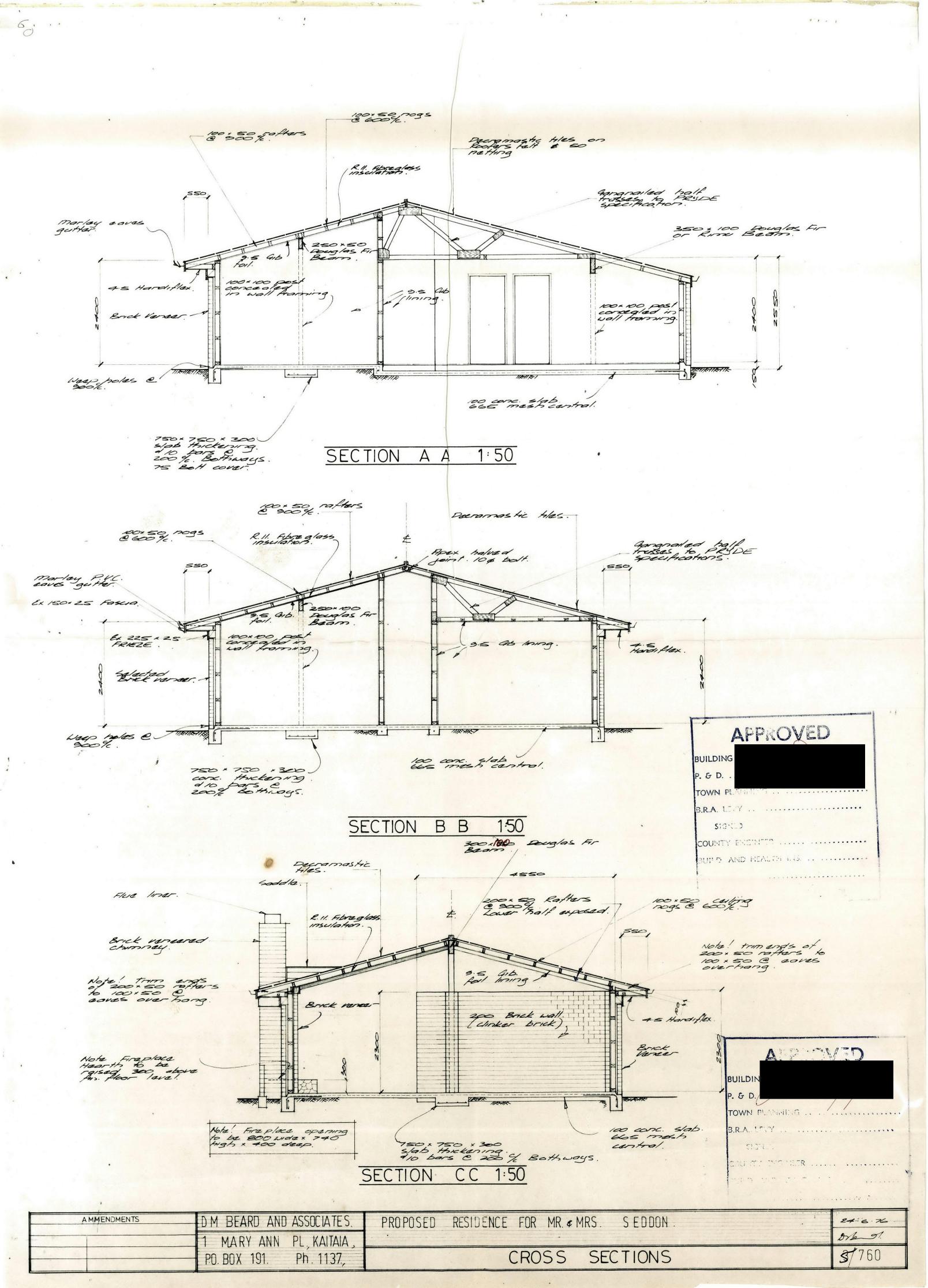












27/5/75 - Rafters not checked into Redge Beam no wire dogs en multipuls 04783 : no apex Halved joint 037-01800. 1976 BP 41870