



8570

28 April 2025

Resource Planner
Far North District Council
Private Bag 752
KAIKOHE 0440

RC 2250316-RMASUB – A. & H. Tubbs

669 Kaimaumau Road, Waiharara

VARIATION TO RESOURCE CONSENT PURSUANT TO SEC 127 RMA 1991

The applicant seeks a variation to RC 2250316 under Section 127 of the Resource Management Act (RMA).

The proposed changes include:

- A revision of the boundary layout to increase the size of Lot 2 by incorporating existing Lot 1 DP 340711.

Approved Lot 1: 8708m²

Proposed Lot 1 (including Lot 1 DP 340711): 8708m² + 6904m² = 1.56ha

- Retention of the existing easement (EI 7095747.3), which was previously proposed for cancellation as part of approved Activity D.
- Proposed amalgamation condition

These refinements enhance the overall site configuration while maintaining the same level of compliance with the planning requirements.

Outline of proposed variation

-The applicant seeks to incorporate additional land into Lot 1 to enhance its functionality and suitability for lifestyle living. The variation plan proposes transferring Lot 1 to the owner of Lot 1 DP 340711 and issuing a single Record of Title for both parcels. Council is required to obtain LINZ approval accordingly:

***That Lot 1 hereon be transferred to the owner of Lot 1 DP 340711
(RT 167459) and one Record of Title be issued to include both parcels.***

-The applicant seeks to maintain the existing Right of Way easement to provide access to the area of additional land, and proposes an extension of this Right of Way over area 'B'.



CSNZ

THE CONSULTING
SURVEYORS
OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

Section 127 RMA 1991 - Proposed consent conditions and amendments

Activity A: Subdivision Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Donaldsons Surveyors Registered Land Surveyors titled 'Proposed Boundary Adjustment Between Lots 1 & 2 DP 340711', dated February-March 2025 and referenced 8570 and attached to this consent with the Council's "Approved Stamp" affixed to it.

Comment: This updates the reference to the new scheme plan attached.

Activity D: Cancellation of Existing ROW Easements

Activity D: Cancellation of Existing ROW Easements
Further Resolution

Pursuant to s243(e) of the Resource Management Act 1991, the Far North District Council hereby revokes the condition as to the creation of Easement EI 7095747.3 shown as A on DP 340711.

Comment: This easement is now required based on the new layout.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Any additional effects generated by the proposed variations are considered less than minor, and in fact would reduce the impact on the environment by eliminating the possibility of Lot 2 potentially building near the roadside where there is a greater impact on public spaces.

Amenity values are therefore not undermined to any greater degree than anticipated by the existing approval. A future building site would likely be tucked in behind mature trees creating increased privacy that that currently approved.

The variation does not increase the impact on heritage values or cultural features. The proposal reduces the impact on the landscape by reducing the potential excavations closer to Rangaunu harbour and public spaces (Kaimaumau Road).

There are no increased effects and therefore no affected parties.

Other matters

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

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

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

To enhance the assessment of building suitability on Lot 2, the applicant has commissioned a wastewater assessment to evaluate the feasibility of on-site wastewater disposal. The assessment confirms that Lot 2 is capable of accommodating an appropriate wastewater management system in compliance with relevant TP-58 standards. This ensures that future development on the site will not result in adverse effects on soil quality or groundwater.

The proposed variation remains consistent with the provisions of the Resource Management Act 1991. It does not compromise any other relevant planning considerations, including environmental sustainability, infrastructure capacity, or the intent of the original consent. By maintaining compliance with regulatory requirements, the variation supports responsible land use while enhancing the practicality and long-term viability of both Lots 1 and 2 for lifestyle purposes.

Treaty of Waitangi

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

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

Assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b)

Section 104(1)(b)

any relevant provisions of—

- (i) a national environmental standard;*
- (ii) other regulations;*
- (iii) a national policy statement;*
- (iv) a New Zealand coastal policy statement;*
- (v) a regional policy statement or proposed regional policy statement;*
- (vi) a plan or proposed plan;*

The proposal does not detract from the intentions of any of the Policy Statement. There are no other relevant provisions regarding this minor variation.

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

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

CLAUSE 6

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

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

No concern.

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

The level of effects are considered adequately understood and less than minor.

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

Not applicable.

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

Not applicable.

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

All approved mitigation measures would continue to be enforced as approved.

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

There are no affected parties.

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

No monitoring necessary.

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

No concern.

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

The proposal does not require any further investigations in respect to policy statements.

CLAUSE 7

7 *Matters that must be addressed by assessment of environmental effects*

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

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

No concerns.

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

No concern.

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

No concern.

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

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

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

There are none.

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

To the best of our knowledge there are no concerns.

The environmental effects are deemed less than minor.

DISTRICT PLANS

The resource consent continues to maintain the same level of infringement under the boundary adjustment rules not to require re-assessment.

SUMMARY

The proposed variation to the approved boundary adjustment between Lots 1 and 2 of DP 340711 introduces refinements that improve the site's practicality and accessibility while maintaining compliance with relevant planning provisions. The amalgamation of Lot 1 with Lot 1 DP 340711 results in a more appropriately sized section, better suited for lifestyle living.

Overall, the proposed variation is a well-considered adjustment that aligns with sustainable land use and subdivision planning principles, ensuring Lot 1 remains functional, compliant, and more adaptable for lifestyle living, without compromising the integrity or usability of Lot 2.

Yours faithfully,

Micah Donaldson

Registered Professional Surveyor



Attachments :

- *Application fee \$686*
- *Record of Title*
- *Resource Consent*
- *Wastewater Assessment*
- *Scheme plan – proposed subdivision*



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **167460**
Land Registration District **North Auckland**
Date Issued 02 November 2006

Prior References
NA126A/972

Estate Fee Simple
Area 6.1731 hectares more or less
Legal Description Lot 2 Deposited Plan 340711
Registered Owners
Allen James Tubbs and Hayley Tubbs

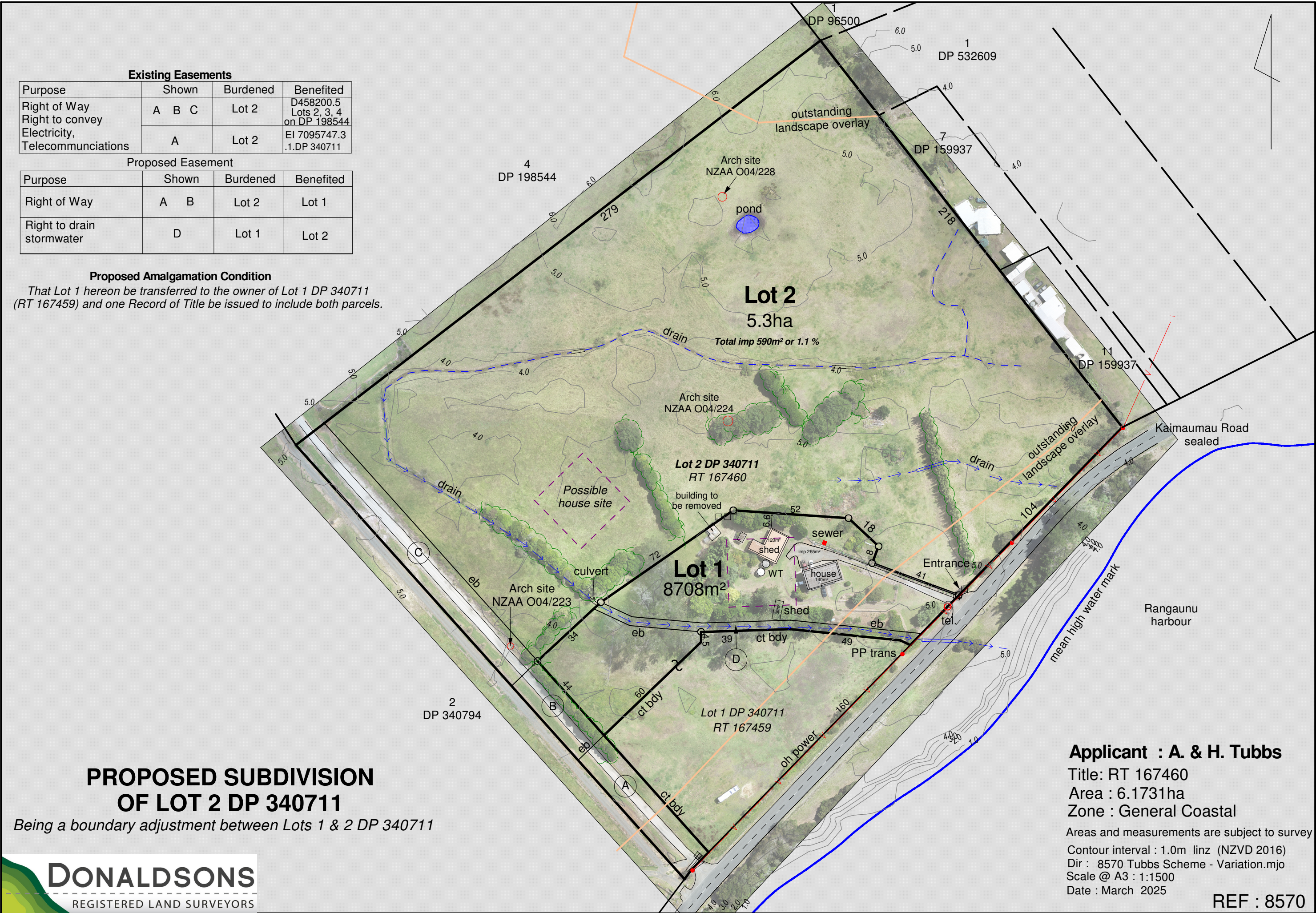
Interests

D458200.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 2.12.1999 at 2.55 pm
Subject to a right of way and to a right to convey electricity and telecommunications right over parts marked A & B on DP 340711 specified in Easement Certificate D458200.5 - 2.12.1999 at 2.55 pm
The easements specified in Easement Certificate D458200.5 are subject to Section 243 (a) Resource Management Act 1991
7095747.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.11.2006 at 9:00 am
Subject to a right of way, a right to convey electricity and a right to convey telecommunications and computer media over part marked A on DP 340711 created by Easement Instrument 7095747.3 - 2.11.2006 at 9:00 am

Existing Easements			
Purpose	Shown	Burdened	Benefited
Right of Way	A B C	Lot 2	D458200.5 Lots 2, 3, 4 on DP 198544
Electricity, Telecommunications	A	Lot 2	EI 7095747.3 .1.DP 340711

Proposed Easement			
Purpose	Shown	Burdened	Benefited
Right of Way	A B	Lot 2	Lot 1
Right to drain stormwater	D	Lot 1	Lot 2

Proposed Amalgamation Condition
That Lot 1 hereon be transferred to the owner of Lot 1 DP 340711 (RT 167459) and one Record of Title be issued to include both parcels.



PROPOSED SUBDIVISION OF LOT 2 DP 340711

Being a boundary adjustment between Lots 1 & 2 DP 340711



Applicant : A. & H. Tubbs
 Title: RT 167460
 Area : 6.1731ha
 Zone : General Coastal

Areas and measurements are subject to survey
 Contour interval : 1.0m linz (NZVD 2016)
 Dir : 8570 Tubbs Scheme - Variation.mjo
 Scale @ A3 : 1:1500
 Date : March 2025

REF : 8570



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **167459**
Land Registration District **North Auckland**
Date Issued 02 November 2006

Prior References
NA126A/972

Estate Fee Simple
Area 6904 square metres more or less
Legal Description Lot 1 Deposited Plan 340711
Registered Owners
Peter Robert Bilcich as Executor

Interests

D458200.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 2.12.1999 at 2.55 pm
7095747.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.11.2006 at 9:00 am
Appurtenant hereto is a right of way, a right to convey electricity and a right to convey telecommunications and computer media created by Easement Instrument 7095747.3 - 2.11.2006 at 9:00 am

10655 C-8/C/C/H (770)

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☐ Yes ☒ No

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| <input type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input checked="" type="radio"/> Other (please specify) <u>Variation to Resource Consent</u> | |

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

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

☐ Yes ☒ No

4. Consultation

Have you consulted with Iwi/Hapū? ☐ Yes ☒ No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Allen & Hayley Tubbs

Email:

ngamaiafarms@gmail.com

Phone number:

Work

Home

Postal address:

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

Postcode

6. Address for Correspondence

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

Name/s:

Donaldsons Surveyors

Email:

micah@donaldsons.net.nz

Phone number:

Work 094079182

Home

Postal address:

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

PO Box 211 Kerikeri

Postcode

0245

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

7. Details of Property Owner/s and Occupier/s

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

Name/s:

Allen & Hayley Tubbs

**Property Address/
Location:**

669 Kaimaumau Road,
Kaimaumau

Postcode

8. Application Site Details

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

Name/s:

**Site Address/
Location:**

669 Kaimaumau Road,
Kaimaumau

Postcode

Legal Description:

Lots 1 & 2 DP 340711

Val Number:

Certificate of title:

RT 167460 & RT 167459

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

Site visit requirements:

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

Is there a dog on the property? ☐ Yes ☐ No

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

9. Description of the Proposal:

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

Proposed boundary adjustment in the General Coastal zone. Variation to consent.

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

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

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

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ☐ Yes ☒ No ☐ Don't know

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ☐ Yes ☒ No ☐ Don't know

- | | |
|---|---|
| <input type="radio"/> Subdividing land | <input type="radio"/> Disturbing, removing or sampling soil |
| <input type="radio"/> Changing the use of a piece of land | <input type="radio"/> Removing or replacing a fuel storage system |

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)

Donaldsons Surveyors Ltd

Email:

info@donaldsons.net.nz

Phone number:

Work 094079182

Home

Postal address:

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

PO Box 211 Kerikeri 0245

Postcode

0245

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)

Micah Donaldson

Signature:

(signature of bill payer)

MD

Date 28-Feb-2025

MANDATORY

15. Important Information:

Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form. You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

Micah Donaldson

Signature:

MD

Date 28-Feb-2025

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

Checklist (please tick if information is provided)

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

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

A & H Tubbs

669 Kaimaumau Road. Kaimaumau



NOTE:

**1 EFFLUENT DISPOSAL
SYSTEM CLEARANCES**

In order for the system to be a permitted activity the effluent field needs to be laid out to meet the following criteria:

- Clearance from boundaries = 1.5m
- Clearance from buildings = 3m
- Clearance from surface water = 15m
- Clearance from bores (including neighbours) = 20m
- Clearance above winter groundwater table = 0.6m



5°

7°

GT

PROPOSED
4-BEDROOM
DWELLING

DISPOSAL FIELD
288m² SURFACE DRIPPER LINE
ON 300mm MIN HIGH BUND
PINNED TO GROUND AND
COVERED WITH MIN 100mm
OF MULCH

50%
RESERVE
AREA

BORE HOLE POSITION

SELECTED SECONDARY TREATMENT
SYSTEM WITH PUMP STATION

NOTE:
EXACT POSITION OF
WASTEWATER TREATMENT SYSTEM
AND DISPOSAL FIELD
TO BE CONFIRMED ON
SITE WITH CLIENT

NOTE:

ENSURE TREATMENT SYSTEM AND
DISPOSAL FIELD ARE
LOCATED MINIMUM 20m FROM ANY
REGISTERED OR UNREGISTERED BORE
LOCATED ON THE PROPERTY
OR ANY NEIGHBOURING PROPERTY

The copyright of this drawing
remains with
**LEN PARKER &
SERA GRUBB DESIGN LTD**

NOTES

1. ALL WORK TO COMPLY WITH
ALL RELEVANT LOCAL AUTHORITY BY-LAWS
AND COUNCIL REGULATIONS
2. ALL DRAINAGE TO COMPLY WITH
AS/NZS 3500 & NZBC G13/A51
3. ALL DRAINAGE IS DIAGRAMMATIC
DRAIN LAYER TO DETERMINE ON SITE
DRAINAGE LAYOUT AND PROVIDE
ASBUILT PLAN WHEN COMPLETE

LEGAL DESCRIPTION

Lot 2
DP 340711
61731 m²

THE LEN PARKER



E-BIN™

SERA GRUBB DESIGN LTD

PH 027 4242 035
EMAIL: sdmi@sbdr.co.nz
PO BOX 488 KAIMAUMAU
WWW.EBIN.CO.NZ

LEN PARKER

CHARTERED MEMBER OF WATER
& ENVIRONMENTAL MANAGEMENT - 79912

A & H TUBBS

669 Kaimaumu Road

KAIMAUMAU

SITE PLAN

1 SITE PLAN
1:500

2 SITE PLAN
1:5000

DATE	April 25
SCALE	As Shown
JOB NO	25-04
DRAWN BY	SBDS

REVISIONS	
A	11/04/25 ISSUED FOR INFORMATION
-	-
-	-
-	-

ON-SITE PASSIVE WASTEWATER TREATMENT SYSTEM

25 04 A & H Tubbs

Address: 669 Kaimaumau Road. Kaimaumau

Lot: 2

DP No: 340711

CT No: 167460

ASSESSMENT OF ENVIRONMENTAL EFFECTS

What aspects of your proposal will affect:

- Others on your property and/or your neighbours?

No Effect

Will these effects be significant or minor and how can they be reduced?

N/A

- What effects will the proposal have on the wider community?

None

Will these effects be significant or minor and how can they be reduced?

N/A

- Maori Culture?

No Effect

- Any Ecosystems?

No Effect

- The landscape and visual amenity of the Environment?

No Effect

Will these effects be significant or minor and how can they be reduced?

N/A

- Any archaeological sites, historic buildings, notable trees, or any other area with a recognized value?

No Effect Known

Will these effects be significant or minor and how can they be reduced?

N/A

- Waterways in the area?

No-We have met clearance requirements

Will these effects be significant or minor and how can they be reduced?

N/A

- Any existing or potential natural hazards?

Tsunami Evacuation Zone

Will these effects be significant or minor and how can they be reduced?

N/A

- Will your proposal involve the discards of contaminants into the environment?

No

- Will your proposal involve the use of hazardous substances or hazardous installations?

No

PRODUCER STATEMENT (PS1)

DESIGN: **ON-SITE EFFLUENT DISPOSAL SYSTEMS**
ISSUED BY: **Sera-Belinda Grubb** (approved qualified design professional)
TO: **A & H Tubbs** (owner)
TO BE SUPPLIED TO: **Far North District Council**
PROPERTY LOCATION: **669 Kaimaumau Road. Kaimaumau**
LOT No: **2**
DP No: **340711**
CT No: **167460**
Total Property Area (m2): **61731**
VALUATION NUMBER: **0**

TO PROVIDE: Design an on-site effluent disposal system in accordance with AS/NZS 1547:2000 and TP58 and provide a schedule to the owner for the systems maintenance.

THE DESIGN: Has been in accordance with G13 (Foul Water) G14 (Industrial Liquid Waste) B2 (durability 15 years) of the Building Regulations 1992.

As an independent approved design professional covered by a current policy of Professional Indemnity Insurance (Design) to a minimum value of \$200,000.00, I BELIEVE ON REASONABLE GROUNDS that subject to:

- (1) The site verification of the soil types.
- (2) All proprietary products meet the performance requirements.

The proposed design will meet the relevant provisions of the Building Code and District Council Engineering Standards.



(Signature of Approved Design Professional)

B.A.S. B.Arch

(Professional Qualifications)

3070

(Licence Number or Professional Registration Number)

Address: **Sera Grubb Design**
PO Box 48. AWANUI 0486. NZ
Phone Number: **027 4242 035**
Email: **admin@ebin.co.nz**
Date: **11/04/2025**
Job No: **25 04**

ON-SITE PASSIVE WASTEWATER TREATMENT SYSTEM

25 04 A & H Tubbs

Client: A & H Tubbs
Address: 669 Kaimaumau Road. Kaimaumau
Lot: 2
DP No: 340711
CT No: 167460

CALCULATIONS

Logged By: SBG
Insp. Date: 3/04/2025
Excavation: 1
Slope: 5 & 7 %

1 SOIL CATEGORY

TP58 = Category 3
AS/NZS: 1547 2012 = Category 2
SOIL CATEGORY USED = Category 3
TP58

2 DESIGN LOADING RATE

AS/NZS:1547 2012
DLR = 5 mm/day

3 DESIGN AREA SIZING

AS/NZS 1547 2012, Section 4.2A7.3.2, Pg 118

$$L = \frac{Q}{DLR \times W}$$

Q = 1440 l/day (Design daily flow)
DLR = 5
W = 1 m
L = 288 m
Basal Area = 288 m²

4 DESIGN USED

288m² OF SURFACE DRIPPER LINE @ 1m CENTRES

ON-SITE PASSIVE WASTEWATER TREATMENT SYSTEM

25 04 A & H Tubbs

Date: 11/04/2025
Client: A & H Tubbs
Address: 669 Kaimaumau Road. Kaimaumau
Lot: 2
DP No: 340711
CT No: 167460

SOIL ASSIMILATIVE CAPACITY EVALUATION

Soils Category 3

Discharge/day 900 litres

Methodology

2 Test bores 15.24cm diameter and 100cm deep to establish a soils profile on the area designated for effluent dispersal. Surface area base inclusive of each base is 0.497m². Soil texture at varying depths indicate probable rates of dispersion or advection at each distinctive layer. Bores are taken then filled with freshwater and left for 2 hours to promote peripheral water content before testing. Refilled and drop tested hourly for 4 hours.

								Geometric Average = 4 hrs
Bore 1	Hr 1	25mm	Hr 2	15mm	Hr 3	12mm	Hr 4	8mm
Bore 2	Hr 1	30mm	Hr 2	20mm	Hr 3	10mm	Hr 4	15mm

Geometric Average all results = Freshwater values 14mm/4hrs = 84mm/m²/day

pH Soils 5
pH Effluent 7.2-7.4

Design Seepage Continuous Rating.

Septic tank effluent	30% of Freshwater value	pH 6.2	25mm/m ² /day
Facultative effluent	60% of Freshwater value	pH 7.2-7.4	50mm/m ² /day

Results indicate that 288m² will result in 5mm/m²/day application rate.



Chartered Water Environmental Manager 7912

APPENDIX E TP58

PART A – Owners Details

1. Applicant Details:

Applicant Name	A & H Tubbs		
Company Name			
	First Name(s)	Surname	
Property Owner Name(s)	A & H Tubbs		
Nature of Applicant*	Owner		

(*i.e. Owner, Lessee, Prospective Purchaser, Developer)

2. Consultant / Site Evaluator Details:

Consultant/Evaluator Name	Sera Grubb Design Ltd			
Site Evaluator Name	Sera-Belinda Grubb			
Postal Address	PO Box 48. AWANUI 0486. NZ			
Phone Number	Business	027 4242 035	Private	
	Mobile		Fax	0
Name of Contact Person	Sera-Belinda Grubb			
E-mail Address	admin@ebin.co.nz			

3. Are there any previous existing discharge consents relating to this proposal or other waste discharge on this site?

Yes		No	X	(Please tick)
If yes, give Reference Numbers and Description				

4. List any other consent in relation to this proposal site and indicate whether or not they have been applied for or granted. If so, specify Application Details and Consent No.

(eg. Land Use, Water Take, Subdivision, Earthworks Stormwater Consent)

N/A

PART B – Property Details

1. Property for which this application relates:

Physical Address of Property	669 Kaimaumau Road. Kaimaumau
Territorial Local Authority	Far North District Council
Regional Council	Northland Regional Council
Legal Status of Activity	Permitted: Controlled: Discretionary:
Relevant Regional Rule(s) (Note 1)	PERMITTED
Total Property Area (m ²)	61731
Map Grid Reference of Property If Known	

2. Legal description of land (as shown on Certificate of Title)

Lot No.	2
DP No.	340711
CT No.	167460
Other (specify)	

Please ensure copy of Certificate of Title is attached

PART C: Site Assessment - Surface Evaluation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation and Sn 5.2.2(a) Site Surface Evaluation)

Note: Underlined terms defined in Table 1, attached

Has a relevant property history study been conducted?

Yes		No	<input checked="" type="checkbox"/>	(Please tick one)
-----	--	----	-------------------------------------	-------------------

If yes, please specify the findings of the history study, and if not please specify why this was not considered necessary.

1. Has a Slope Stability Assessment been carried out on the property?

Yes		No	X	(Please tick one)
-----	--	----	----------	-------------------

If No, why not?

STABLE FLAT SITE

If Yes, please give details of report (and if possible, please attach report):

Author	
Company/Agency	
Date of Report	
Brief Description of Report Findings:	

2. Site Characteristics (See Table 1 attached):

Provide descriptive details below:
Performance of Adjacent Systems:
UNKNOWN
Estimated Rainfall and Seasonal Variation:
Information available from N.I.W.A MET RESEARCH
1000mm - 1250mm
Vegetation / Tree Cover:
GRASS
Slope Shape: (Please provide diagrams)
SEE SITE PLAN ATTACHED
Slope Angle:
5 & 7 DEGREES
Surface Water Drainage Characteristics:
STORMWATER DRAINS ON PROPERTY
Flooding Potential: YES/NO
TSUNAMI EVACUATION ZONE
If yes, specify relevant flood levels on appended site plan, i.e. one in 5 years and/or 20 year and/or 100 year return period flood level, relative to disposal area.
Surface Water Separation:
15m+
Site Characteristics or any other limitation influencing factors:
STORMWATER DRAINS ON PROPERTY

3. Site Geology

OT + RK = One Tree Point Peaty Sand + Ruakaka Peaty Sandy Loam

Imperfectly To Very Poorly Drained

Geological Map Reference No. NZMS 290 0 0405

4. What Aspect(s) does the proposed disposal system face? (please tick)

North	X	West	
North-West		South-West	
North-East		South-East	
East		South	

5. Site clearances (Indicate on site plan where relevant)

Separation Distance from	Treatment Separation Distance (m)	Disposal Field Separation Distance (m)
Boundaries	1.5m+	1.5m+
Surface water rivers drains etc	15m+	15m+
Groundwater	0.6m+	0.6m+
Stands of Trees/Shrubs	N/A	N/A
Wells, water bores	20m+	20m+
Embankments/retaining walls	N/A	N/A
Buildings	3m+	3m+
Other (specify):		

PART D: Site Assessment - Subsoil Investigation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation, and Sn 5.2.2(a) Site Surface Evaluation and Sn 5.3 Subsurface Investigations) Note: Underlined terms defined in Table 2, attached

1. Please identify the soil profile determination method:

Test Pit		Depth (m)		No of Test Pits
Bore Hole	1m	Depth (m)	1	No of Bore Holes
Other (specify):				

Soil Report attached?

Yes	X	No		(Please tick one)
-----	---	----	--	-------------------

2. Was fill material intercepted during the subsoil investigation?

Yes		No	X	(Please tick one)
-----	--	----	---	-------------------

If yes, please specify the effect of the fill on wastewater disposal

3. Percolation testing (mandatory and site specific for trenches in soil type 4 to 7)

Please specify the method

REPORT ATTACHED

Test Report attached?

Yes	X	No		(Please tick one)
-----	----------	----	--	-------------------

4. Are surface water interception/diversion drains required?

Yes		No	X	(Please tick one)
-----	--	----	----------	-------------------

If yes, please show on site plan

4a Are subsurface drains required

Yes		No	X	(Please tick one)
-----	--	----	----------	-------------------

If yes enter details

5. Please state the depth of the seasonal water table:

Winter	1m+			
Measured		Estimated	X	(Please tick one)

Summer	1m+			
Measured	X	Estimated		(Please tick one)

6. Are there any potential storm water short circuit paths?

Yes		No	X	(Please tick one)
-----	--	----	----------	-------------------

If the answer is yes, please explain how these have been addressed

7. Based on results of subsoil investigation above, please indicate the disposal field soil category

(Refer TP58 Table 5.1)

Is Topsoil Present?

Yes	X	No		(Please tick one)
-----	----------	----	--	-------------------

If so, Topsoil Depth?	300mm+
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Soil Category & Description	Drainage	Tick One
1. Gravel, coarse sand	Rapid Draining	
2. Coarse to medium sand	Free draining	
3. Medium-fine & loamy sand	Good drainage	X
4. Sandy loam, loam & silt loam	Moderate drainage	
5. Sandy clay-loam clay loam & silty clay-loam	Moderate to slow drainage	
6. Sandy clay, non-swelling clay & silty clay	Slow draining	
7. Swelling clay, grey clay, hardpan	Poorly or non-draining	

Reasons for placing in stated category

SEE SOIL PROFILE REPORT ATTACHED

PART E: Discharge Details

1. Water supply source for the property (please tick):

Rainwater (roof collection)	<input checked="" type="checkbox"/>
Bore/well	<input type="checkbox"/>
Public supply	<input type="checkbox"/>

2. Calculate the maximum daily volume of wastewater to be discharged, unless accurate water meter readings are available (Refer TP58 Table 6.1 and 6.2)

Number of Bedrooms	5	Number of Bedrooms (2 - 3 - 4)
Design Occupancy	8	Number of People
Per capita Wastewater Production	180	Litres/person/day (140 - 160 - 180, etc)
Other - specify		
Total Daily Wastewater Production	1440	Litres per day

3. Do any special conditions apply regarding water saving devices

a) Full Water Conservation Devices?

X

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	(Please tick one)
-----	--------------------------	----	-------------------------------------	-------------------

b) Water Recycling - what %?

	<input type="checkbox"/>	%	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	---	--------------------------	--------------------------

If you have answered yes, please state what conditions apply and include the estimated reduction in water usage

4. Is Daily Wastewater Discharge Volume more than 2000 litres:

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	(Please tick one)
-----	--------------------------	----	-------------------------------------	-------------------

Note if answer to the above is yes, an N.R.C wastewater discharge permit may be required

5. Gross Lot Area to Discharge Ratio:

Gross Lot Area	61731	Square Meters
Total Daily Wastewater Production	1440	Litres per day (from above)
Lot Area to Discharge Ratio	42.86875	

6. Does this proposal comply with the Northland Regional Council Gross Lot Area to Discharge Ratio of greater than 3?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	(Please tick one)
-----	-------------------------------------	----	--------------------------	-------------------

7. Is a Northland Regional Council Discharge Consent Required?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	(Please tick one)
-----	--------------------------	----	-------------------------------------	-------------------

PART F: Primary Treatment (Refer TP58 Section 7.2)

1. Please indicate below the no. and capacity (litres) of all septic tanks including type (single/dual chamber grease traps) to be installed or currently existing: If not 4500 litre, dual chamber explain why not

Number of Tanks	Type of Tank	Capacity of Tank (Litres)
1	SECONDARY TREATMENT	
	Total Capacity	0

2. Type of Septic Tank Outlet Filter to be installed?

ZABEL 2mm

PART G: Secondary and Tertiary Treatment

(Refer TP58 Section 7.3, 7.4, 7.5 and 7.6)

1. Please indicate the type of additional treatment, if any, proposed to be installed in the system: (please tick)

Secondary Treatment	X		
Home aeration plant			
Commercial aeration plant			
Intermediate sand filter			
Recirculating sand filter			
Recirculating textile filter			
Clarification tank			
Tertiary Treatment			
Ultraviolet disinfection			
Chlorination			
Other		Specify	

PART H: Land Disposal Method

(Refer TP58 Section 8)

1. Please indicate the proposed loading method: (please tick)

Gravity	
Dosing Siphon	
Pump	X

2. High water level alarm to be installed in pump chambers

Yes	X	No		(Please tick one)
-----	---	----	--	-------------------

If not to be installed, explain why

3. If a pump is being used, please provide the following information:

Total Design Head		(m)
Pump Chamber Volume		(Litres)
Emergency Storage Volume		(Litres)

4. Please identify the type(s) of land disposal method proposed for this site: (please tick)

<i>(Refer TP58 Sections 9 and 10)</i>			
Surface Dripper Irrigation	X		
Sub-surface Dripper irrigation			
Standard Trench			
Deep Trench			
Mound			
Evapo-transpiration Beds			
Other		Specify	

5. Please identify the loading rate you propose for the option selected in Part H, Section 4 above, stating the reasons for selecting this loading rate:

Loading Rate		5	(Litres/m ² /day)
Disposal Area	Design	288	(m ²)
	Reserve	144	(m ²)

Explanation *(Refer TP58 Sections 9 and 10)*

SEE CALCULATIONS ATTACHED

6. What is the available reserve wastewater disposal area (Refer TP58 Table 5.3)

Reserve Disposal Area (m ²)	144
Percentage of Primary Disposal Area (%)	50

7. Please provide a detailed description of the design and dimensions of the disposal field and attach a detailed plan of the field relative to the property site:

SEE SITE PLAN ATTACHED
Description and Dimensions of Disposal Field:
SEE SITE PLAN ATTACHED

Plan Attached?

Yes	X	No		(Please tick one)
-----	----------	----	--	-------------------

If not, explain why not

PART I: Maintenance & Management

(Refer TP58 Section 12.2)

1. Has a maintenance agreement been made with the treatment and disposal system suppliers?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	(Please tick one)
-----	-------------------------------------	----	--------------------------	-------------------

Name of Suppliers

TO BE CONFIRMED

PART J: Assessment of Environmental Effects**1. Is an assessment of environmental effects (AEE) included with application?**

(Refer TP58 section 5. Ensure all issues concerning potential effects addressed)

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	(Please tick one)
-----	-------------------------------------	----	--------------------------	-------------------

If Yes, list and explain possible effects

PART K: Is Your Application Complete?**1. In order to provide a complete application you have remembered to:**

Fully Complete this Assessment Form	<input checked="" type="checkbox"/>
Include a <i>Location Plan</i> and <i>Site Plan</i> (with Scale Bars)	<input checked="" type="checkbox"/>
Attach an Assessment of Environmental Effects (AEE)	<input checked="" type="checkbox"/>

1. Declaration

I hereby certify that, to the best of knowledge and belief, the information given in this application is true and complete.

Name	Sera-Belinda Grubb
Position	B.A.S. B.Arch 3070



11/04/2025

Signature

Date

Note: Any alteration to the site plan or design after approval will result in non compliance.

DECISION ON COMBINED RESOURCE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to sections 104, 104B 104D, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision and land use resource consent for a Non-Complying activity, subject to the conditions listed below, to:

Applicant: Hayley Tubbs and Allen James Tubbs

Council Reference: 2250316-RMASUB

Property Address: 669 Kaimaumau Road, Waiharara

Legal Description: Lots 1 & 2 DP 340711

The activity to which this consent relates is:

Activity A: Boundary adjustment with neighbouring Lot 1 DP 340711 in the General Coastal Zone as a Non-complying activity.

Activity B: Land Use Consent for Setback from Boundary infringement on proposed Lot 1 in the General Coastal Zone as a Restricted Discretionary activity.

Activity C: To cancel existing consent notices CONO 7095747.1 & CONOD458200.2 pursuant to s221(3)(a) of the Resource Management Act as Discretionary Activity.

Activity D: To cancel existing ROW easements registered in favour of Lot 1 DP 340711 under s243(e) of the Resource Management Act as Discretionary Activity.

Activity A: Subdivision Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Donaldsons Surveyors Registered Land Surveyors titled 'Proposed Boundary Adjustment Between Lots 1 & 2 DP 340711', dated February 2025 and referenced 8570 and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.

3. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. Submit to the Resource Consents Engineer or designate, confirmation that the existing wastewater disposal system for proposed Lot 1 is operational and fully contained within its boundaries. Should the disposal field extend beyond proposed Lot 1's boundaries, the consent holder is required to relocate the effluent field within proposed Lot 1.

Section 224(c) compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Upgrade the existing entrance from Kaimamau Road to a double width crossing to the access proposed for Lots 1 and 2 which complies with the Councils Engineering Standard FNDC/S/6, 6B and section 3.3.7.1 of the Engineering Standards and NZS4404:2004. Seal the entrance from the edge of the existing seal to the boundary of the proposed Lots 1 and 2.
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
 - a. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

[Lot 2]

- b. In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval an onsite wastewater report prepared by a suitably qualified and experienced Chartered Professional Engineer or a Council 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 reserve disposal area.

[Lot 2]

- c. All allotments are to be managed so as to minimise any potential to adversely affect the significant habitats which adjoin the site (being Kaimaumu Swamp and the Rangaunu Harbour from potential effects such as contaminated runoff, clearance of indigenous vegetation (buffers) and the introduction of invasive species are noted in particular.

[Lots 1 & 2]

- d. At the time of the submittal of a consent application for a building on Lot 2, the applicant is to provide for a specific, detailed stormwater management and disposal

plan for the site, its proposed buildings and their access, by a Chartered Professional Engineer or SQEP.

[Lot 2]

- e. The application for a building consent on Lot 2 is to include an effluent disposal design in general accordance with the attached engineers report (Or a similarly detailed reported prepared by a similarly qualified person) with regard to effluent disposal on the site, including the recommendation that the hard pan should be penetrated to the depth of 800mm over an area of approximately 66 square metres.

[Lot 2]

- f. At the time of building consent application for a dwelling or any other building (requiring building consent) on Lot 2, the resource consent application required [because of the visual amenity rule as it applies to the General Coastal zone, and the need for vegetation buffers] is to be accompanied by a landscaping plan from a suitably-qualified person which indicates the means to lessen the visual impact of the building, its access and any earthworks.

[Lot 2]

Activity B: Land Use Conditions

1. No conditions of consent with respect to the breach in Setback standard.

Activity C: Cancellation of Consent Notices

Pursuant to section 221(3) of the Resource Management Act, the Far North District Council hereby resolves to cancel consent notices CONO 7095747.1 & CONOD458200.2 insofar as they relate to Lot 1 DP 340711 & Lot 2 DP 340711.

Activity D: Cancellation of Existing ROW Easements

Further Resolution

Pursuant to s243(e) of the Resource Management Act 1991, the Far North District Council hereby revokes the condition as to the creation of Easement EI 7095747.3 shown as A on DP 340711.

Advice Notes

Lapsing of Consent

1. *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) *A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; 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

- 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.*

Archaeological Sites

- 3. 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.*

Section 224 Certification

- 4. A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other costs associated with the Resource Consent have been paid in full.*

General Advice Notes

- 5. This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
- 6. The Consent Holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring, inspection and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.*
- 7. The consent holder is advised that they are responsible for submitting a Traffic Management Plan (TMP) and/or a Corridor Access Request (CAR) for approval by Council's Corridor Access Engineer prior to construction of any vehicle crossing within the road reserve and to the existing public road carriageway. Application for TMP and CAR are made via <https://www.fndc.govt.nz/Our-Services/Transport/Roads/Road-closures-and-restrictions>*

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 also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.*
- 2. The application is for a Non-Complying activity resource consent as such under section 104 the Council can consider all relevant matters.*

3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The activity is a logical and practical reconfiguration of land that enhances property use while maintaining environmental integrity.
 - b. The activity aligns with the General Coastal Zone which prioritizes low-density, rural lifestyle development. This is further supported by two titles remaining from this activity.
 - c. The activity makes practical improvements to property layout without altering its use or impacting adjacent properties.
4. In regard to section 104(1)(ab) 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 section 104(1)(b) 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

Operative Far North District Plan

Subdivision Chapter

The activity is consistent with Chapter 13 Subdivision as it ensures sustainable land management by optimizing Lot 1 to accommodate the existing house while Lot 2 remains a viable site for future development (Objective 13.3.1). The activity avoids unnecessary fragmentation (Objective 13.3.2) by ensuring it does not compromise soil, water or ecological systems. There is existing access arrangements and as part of this consent will be upgraded (Objective 13.3.10 & Policy 13.4.2). The activity maintains existing stormwater management specifically for Lot 1 and whereby there is ample space on Lot 2 for stormwater management (Objective 13.3.6 and Policy 13.4.10). The activity will see Lot 1 have existing water supply and firefighting purposes onsite and Lot 2 is conditioned for water supply for firefighting purposes (Objective 13.3.5 & Policy 13.4.8).

General Coastal Zone

The activity is a Boundary Adjustment that does not intensify development in the coastal environment (Objective 10.6.3.1). It will maintain existing land uses and landscape features ensure no new built development occurs at this stage and ensure that any future dwelling on Lot 2 will be well integrated with the environment avoiding unnecessary fragmentation or sprawl (Objective 10.6.3.2). The subdivision will not create additional lot but will enhance the functionality of the existing land allowing for sustainable future development while maintain coastal and rural lifestyle values. Additionally, the activity will not introduce new land uses or structures that would alter the existing natural character and Lot 2 remains vacant for future development (Policy 10.6.4.1). The activity maintains the existing vegetation and landforms ensuring no additional visual impact on the coastal environment. Future development on Lot 2 will be subject to setback and landscape controls to minimize its visibility and protect coastal amenity values (Policy 10.6.4.2 & Policy 10.6.4.4)

Proposed Far North District Plan

Rural Production Zone

The site in its current form is predominantly rural lifestyle/coastal living, characterized by low-density residential use with open space and pasture. However, under the Proposed District Plan the site is zoned Rural Production which prioritizes primary production activities such as farming and horticulture. Given its established rural lifestyle / coastal living character and existing use, the activity will result in lot sizes and use not fully align with the intended outcomes of the Rural Production zoning. This creates a situation where the activity and proposed zoning framework are not entirely consistent.

For this resource consent application the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As assessed above the outcomes sought are different under the operative and proposed plan frameworks. Therefore, it is necessary to consider the weight to be given to each framework and which outcome should prevail.

The PDP has only been recently notified and as such there is potential for change as the plan goes through the statutory process. As such despite the different outcomes anticipated by the PDP little weight is given to these provisions.

6. In regard to section 104(1)(c) of the Act the following other matters are relevant and reasonably necessary to determine the application:

The non-compliance is largely technical in nature and any precedent set is not considered undesirable and approval of the application will not undermine the integrity of the District Plan.

The approval of the proposal will not undermine the integrity of the District Plan as the activity will produce only localised and minor effects, if any, and will not set an undesirable precedent.

7. In regard to section 104D of the Act the activity meets one test as any adverse effects arising from this proposed activity will not be more than minor, and the activity will not be contrary to the objectives and policies of the Operative District Plan. Therefore, consent can be granted for this non-complying activity.
8. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, Council is able to grant this subdivision consent subject to the conditions above.
9. Based on the assessment above the activity will be consistent with Part 2 of the Act.

The activity 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 application. The proposal is 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.

10. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Salamasina Brown, Intermediate 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.



Name: Pat Killalea

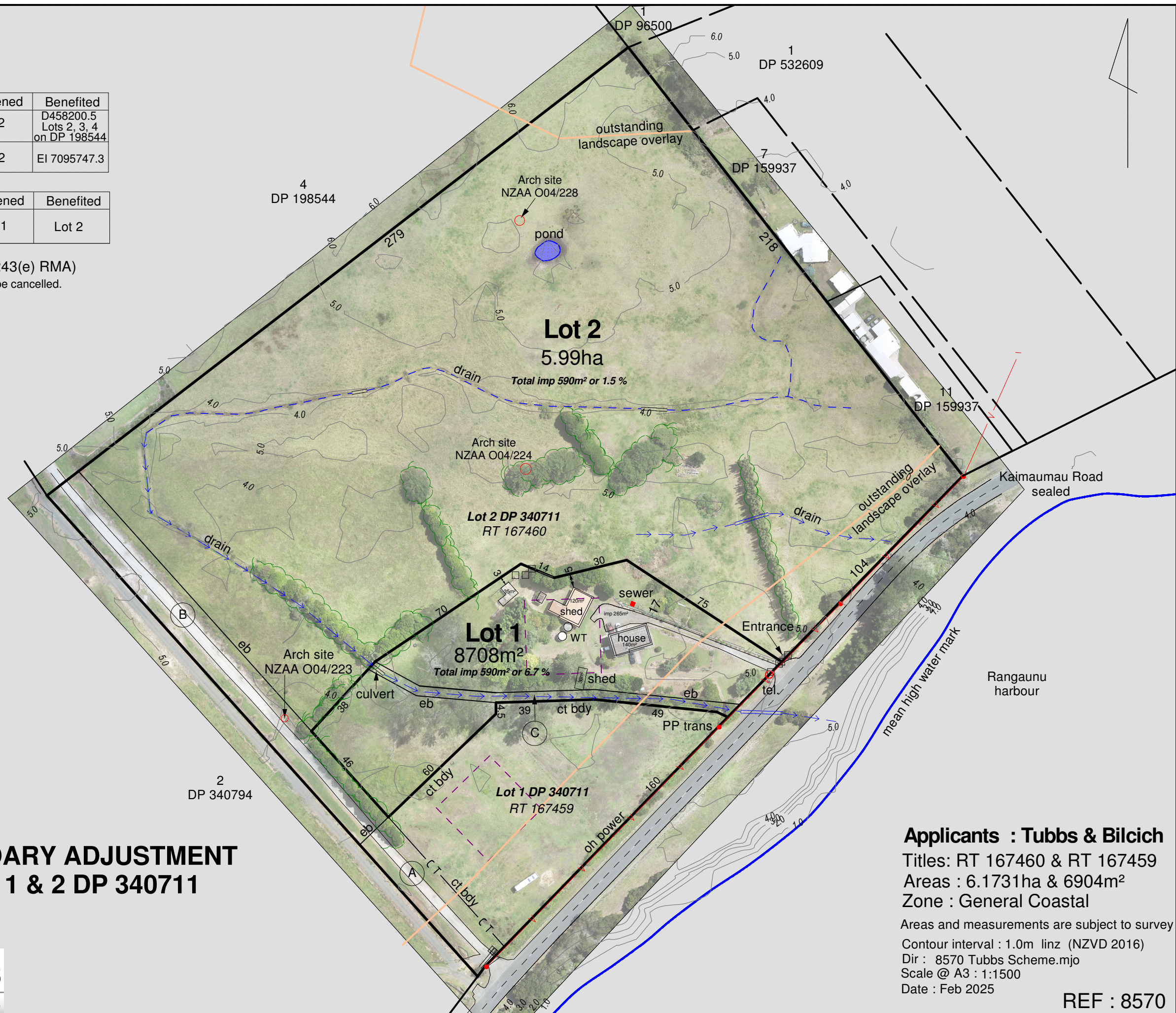
Date: 21st March 2025

Title: Independent Commissioner

Existing Easements			
Purpose	Shown		Benefited
Right of Way	A	B	Lot 2
Right to convey Electricity, Telecommunications	A		Lot 2
			D458200.5 Lots 2, 3, 4 on DP 198544
			EI 7095747.3

Proposed Easement			
Purpose	Shown	Burdened	Benefited
Right to drain stormwater	C	Lot 1	Lot 2

Proposed Easement cancellation (Sec 243(e) RMA)
Area 'A' on DP 340711 created by EI 7095747.3 to be cancelled.



APPROVED PLAN

Planner: Salamasina Brown
pp: eramsay
RC: 2250316-RMASUB
Date: 21/03/2025

**PROPOSED BOUNDARY ADJUSTMENT
BETWEEN LOTS 1 & 2 DP 340711**



Applicants : Tubbs & Bilcich
Titles: RT 167460 & RT 167459
Areas : 6.1731ha & 6904m²
Zone : General Coastal

Areas and measurements are subject to survey
Contour interval : 1.0m linz (NZVD 2016)
Dir : 8570 Tubbs Scheme.mjo
Scale @ A3 : 1:1500
Date : Feb 2025

REF : 8570