

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of [Form 9](#)). Prior to, and during, completion of this application form, please refer to [Resource Consent Guidance Notes](#) and [Schedule of Fees and Charges](#) — both available on the Council's web page.

1. Pre-Lodgement Meeting

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

Yes No

If yes, who have you spoken with?

2. Type of consent being applied for

(more than one circle can be ticked):

Land Use

Discharge

Fast Track Land Use*

Change of Consent Notice (s.221(3))

Subdivision

Extension of time (s.125)

Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil)

Other (please specify)

**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:

Michael Yelavich

Email:

Phone number:

Postal address:

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

Postcode

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? Yes No

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Nina Pivac C/- Logiplan Limited

Email:

Phone number:

Postal address:

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

Postcode

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

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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:

Mate Yelavich and Company Limited

Property address/
location:

8. Application site details

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

Name/s:

Site address/
location:

 Postcode

Legal description:

Val Number:

Certificate of title:

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.

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

10. Would you like to request public notification?

Yes No

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

(more than one circle can be ticked):

Building Consent

Regional Council Consent (ref # if known)

National Environmental Standard Consent

Other (please specify)

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

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

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

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

Subdividing land

Disturbing, removing or sampling soil

Changing the use of a piece of land

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

14. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. 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)

Email:

Phone number:

<input type="text"/>	<input type="text"/>
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Postal address:

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

<input type="text"/>
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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.

15. Billing details continued...

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)

Michael Yelavich

Signature:

(signature of bill payer)

Date 30-Mar-2026

MANDATORY

16. 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.

17. Declaration

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

Name (please write in full)

Nina Pivac

Signature

Date 30-Mar-2026

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

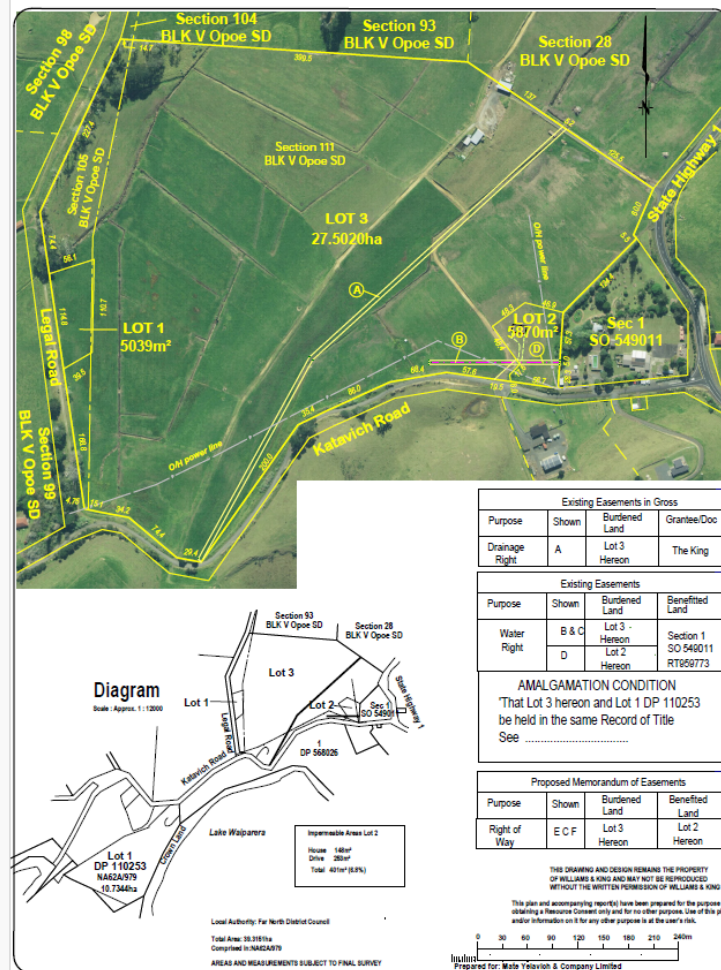
See overleaf for a checklist of your information...

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.



SUBDIVISION RESOURCE CONSENT APPLICATION

KATAVICH ROAD, WAIHARARA
SEC 105 AND SEC 111 BLOCK V OPOE SD AND LOT 1 DP 110253

ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:
MICHAEL YELAVICH

30 March 2026
REV A

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Appendix A – Scheme Plan

Appendix B – Certificate of Title

Appendix C – Site Suitability Report (FNR Consulting)

1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Far North District Council
Site address:	Katavich Road, Waiharara
Applicant's name:	Michael Yelavich
Address for service:	Logiplan Limited Attn: Nina Pivac 50-64 Commerce Street Kaitaia 0410
Legal description:	SEC 105 AND SEC 111 BLOCK V OPOE SD AND LOT 1 DP 110253
Site area:	39.3151ha
Site owner/s:	Mate Yelavich & Company Limited
Operative District Plan:	Far North District Plan
Operative zoning:	Rural Production Zone
Overlays/resource areas:	Partial flood susceptibility
Proposed District Plan:	Rural Production Zone
Proposed overlays/resource areas:	Partial flood susceptibility
Brief description of proposal:	To create two additional allotments in the Rural Production Zone, resulting in the following allotment areas: Lot 1 – 5039m ² (vacant) Lot 2 – 85870m ² (contains existing dwelling) Lot 3 – 27.5020ha (balance lot)
Summary of reasons for consent:	Overall, resource consent is required as a Restricted Discretionary Activity .

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

2.0 PROPOSAL

The applicant, Michael Yelavich, proposes to undertake a subdivision in the Rural Production Zone to create two additional allotments.

The proposal will result in the following allotment areas:

- Lot 1 – 5039m² (vacant)
- Lot 2 – 85870m² (contains existing dwelling)
- Lot 3 – 27.5020ha (balance lot)

A Site Suitability Report has been prepared in support of the application.

All necessary easements will be created as per the attached scheme plan (**Appendix A**).

Overall, the proposal is a Restricted Discretionary Activity under the Operative 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 located on Katavich Road, Waiharara and has a land area of 39.3151ha . The subject site is held within one Certificate of Title and is legally described as Section 105 and Section 111 Block V Opoe Survey District and Lot 1 Deposited Plan 110253.

A copy of the relevant Certificate of Title (CT) is attached as **Appendix B**. There are no Consent Notices registered on the title.



Figure 1: Map showing subject site and surrounds (Premise)

The subject site is zoned Rural Production under both the ODP and PDP. The site is partially flood susceptible as per NRC maps. However, all existing and proposed built development will be located outside of the mapped flood extent.

Proposed Lot 2 contains an existing dwelling as per previous Council approvals, while proposed Lots 1 and 3 are vacant.

The site does not contain any areas of significant indigenous vegetation or fauna.

Access to proposed Lots 2 and 3 is achieved via an existing vehicle crossing off Katavich Road. Access arrangements will remain unchanged and all necessary easements will be created.

Access to Lot 1 will be achieved via a legal paper road which adjoins the western boundary. A new vehicle crossing to this lot will be constructed to Council's Engineering Standards.

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	(b) A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m ² and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing 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.	All existing development will remain compliant with setback requirements. Controlled Activity

LANDUSE

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

Rural Production Zone	Permitted Standards	Compliance
Rule 8.6.5.1.1 Residential Intensity	One unit per 12ha of land is permitted, or one unit per site.	Lot 2 contains one dwelling per previous Council approvals. Permitted Activity
Rule 8.6.5.1.2 Sunlight	2m + 45-degree recession plane	All existing built development will remain compliant with the HIRB rules. Permitted Activity

Rural Production Zone	Permitted Standards	Compliance
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%.	Existing impermeable surfaces within Lot 2 equates to 6.8% which falls well within the permitted threshold. Permitted Activity
Rule 8.6.5.1.4 Setback from Boundaries	10m from any site boundary	All existing built development will not encroach the 10m setback from any new boundaries. Permitted Activity
Rule 8.6.5.1.5 Transportation	Refer to Chapter 15 – Transportation for Traffic, Parking and Access	As concluded in the site suitability report, the existing vehicle crossing and internal accessways have been formed to an adequate standard. Permitted Activity
Rule 8.6.5.1.8 Building Height	The maximum height of any building shall be 12m.	All existing buildings 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.	Existing building coverage within Lot 2 equates to 2.52% which falls well within the permitted threshold. Permitted Activity

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

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.

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. The use of the site will remain unchanged and no land disturbance is required as part of this proposal. Therefore, no further assessment is required under the NES Freshwater.

7.0 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPSHPL)

The subject site contains LUC 4 soils which are not deemed as 'highly productive' under the NPSHPL. Therefore, the NPSHPL is not applicable to the site.

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

As discussed earlier in the report, the subject site does not contain any significant areas of indigenous vegetation or habitats of indigenous fauna. The NPS-IB is therefore not relevant to this application.

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 sought as it is considered that any adverse effects as a result of this proposal will be less than minor or negligible.

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

As discussed earlier in the report. The use of the site will remain unchanged, and no physical works are required as part of the proposal. No additional development rights will be created as part of this application. On this basis, it is considered that any adverse effects in relation to amenity are negligible.

INDIGENOUS FLORA AND FAUNA

According to the aerial images, at present, there are no registered significant sites of indigenous flora or habitats of indigenous fauna within or in proximity to the subject site.

NATURAL AND OTHER HAZARDS

As per NRC Maps, the site has partially been mapped as flood susceptible. However, all existing and proposed built development will be located outside of this extent.

PROPERTY ACCESS

Access to proposed Lots 2 and 3 is achieved via an existing vehicle crossing off Katavich Road. Access arrangements will remain unchanged and all necessary easements will be created.

Access to Lot 1 will be achieved via a legal paper road which adjoins the western boundary. A new vehicle crossing to this lot will be constructed to Council's Engineering Standards.

SERVICING EFFECTS

Proposed Lot 2 is fully serviced in terms of access, stormwater and wastewater disposal, electricity and telecommunications. Current service arrangements will remain unchanged. As per the site suitability report, proposed Lots 1 and 2 have the ability to accommodate adequate services.

EASEMENTS FOR ANY PURPOSE

As per the scheme plan, all necessary easements will be created.

PRESERVATION OF HERITAGE RESOURCES

The site is not known to contain any heritage resources.

ACCESS TO RESERVES AND WATERWAYS

There are no reserves or waterways that will be affected by the proposal.

LAND USE COMPATIBILITY

The site is currently in residential and productive use which will remain unchanged.

PROXIMITY TO AIRPORTS

The subject site is located at least 21km 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 in 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 NA62A/979 to create two additional titles in the Rural Production Zone, as a Restricted Discretionary Activity.

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: 30 March 2026

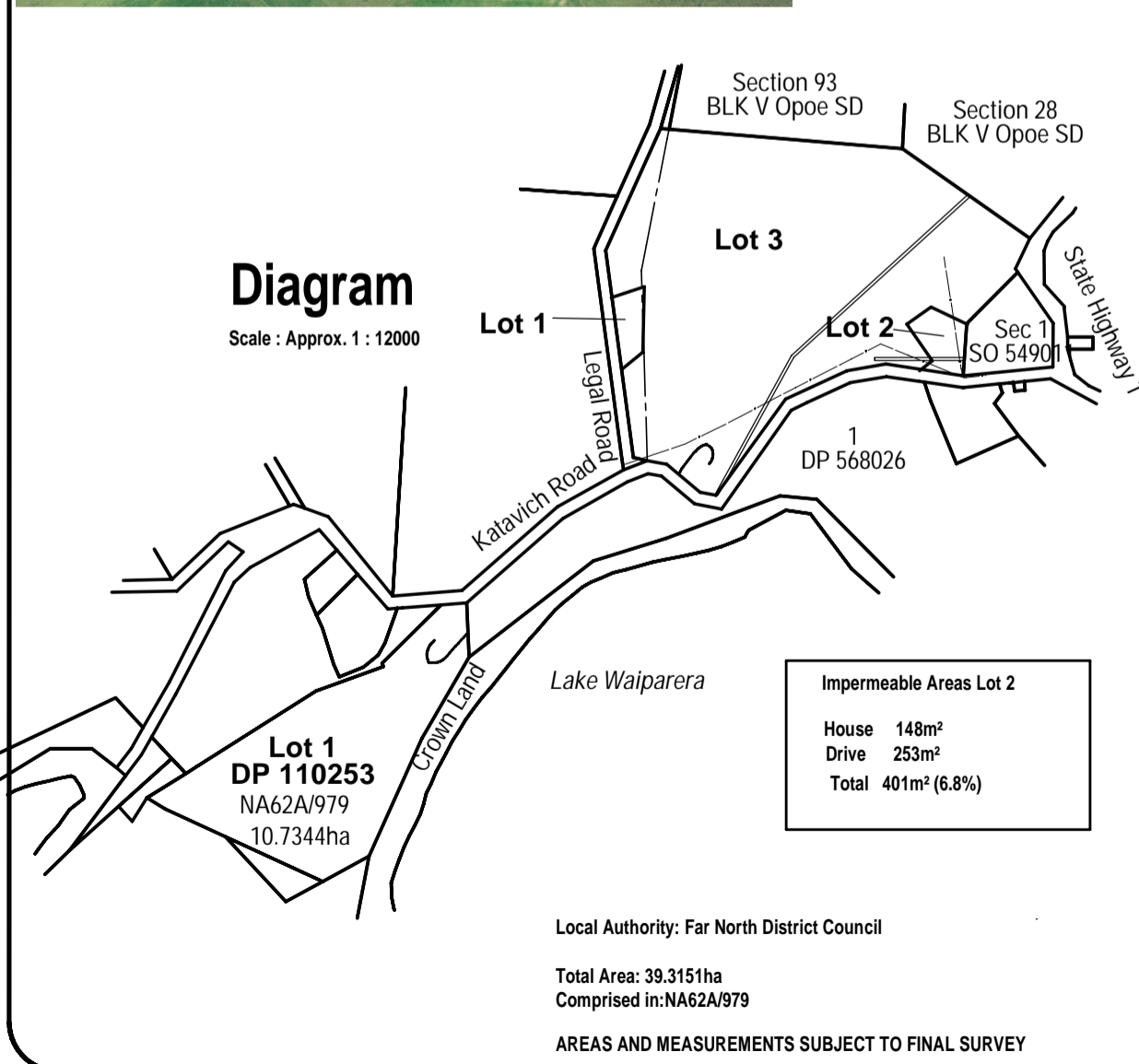
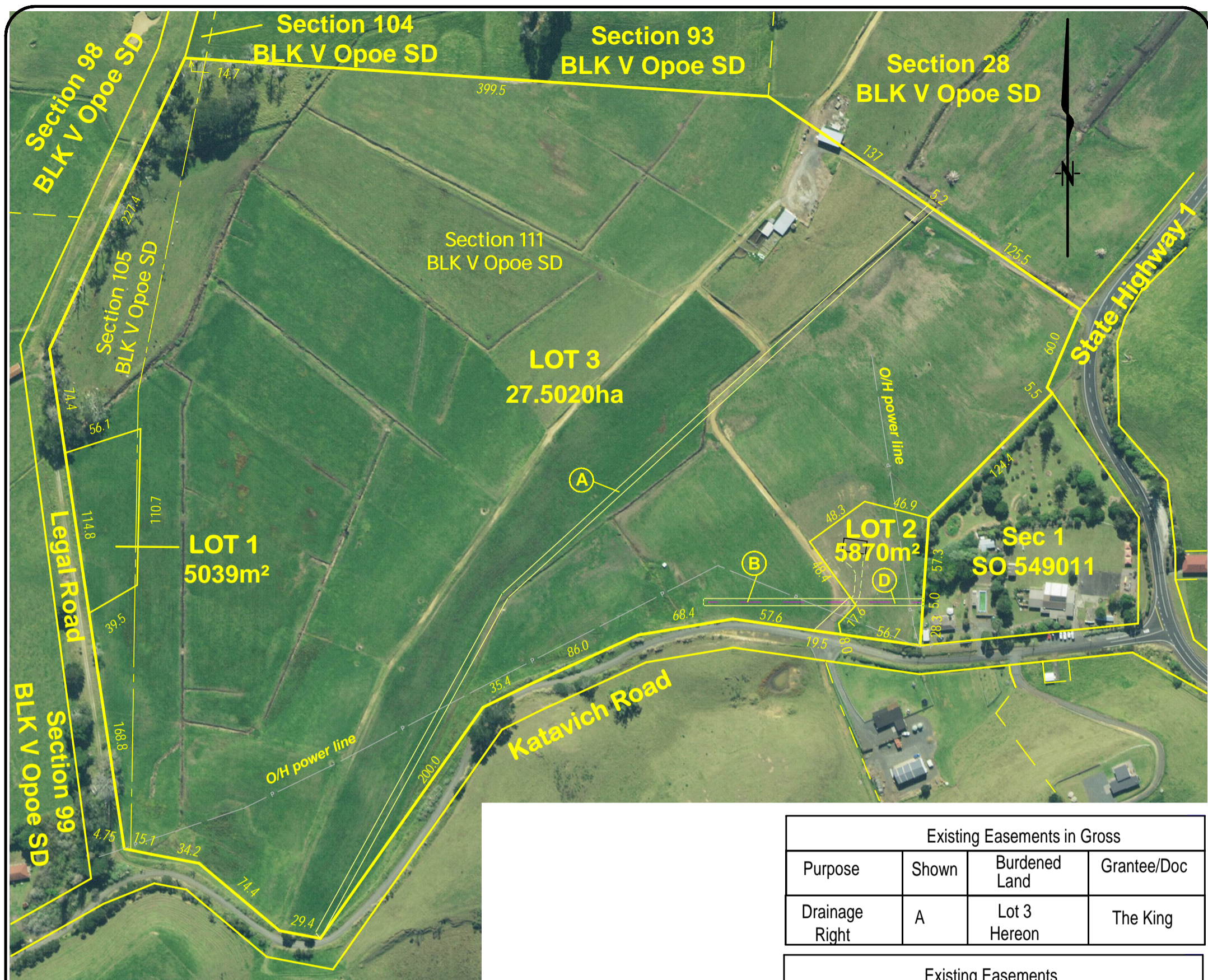
Appendices:

Appendix A – Scheme Plan

Appendix B – Certificate of Title

Appendix C – Site Suitability Report

Appendix A – Scheme Plan



Existing Easements in Gross			
Purpose	Shown	Burdened Land	Grantee/Doc
Drainage Right	A	Lot 3 Hereon	The King

Existing Easements			
Purpose	Shown	Burdened Land	Benefitted Land
Water Right	B & C	Lot 3 Hereon	Section 1 SO 549011 RT959773
	D	Lot 2 Hereon	

AMALGAMATION CONDITION
'That Lot 3 hereon and Lot 1 DP 110253 be held in the same Record of Title See

Proposed Memorandum of Easements			
Purpose	Shown	Burdened Land	Benefitted Land
Right of Way	E C F	Lot 3 Hereon	Lot 2 Hereon

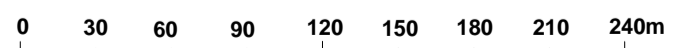
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Local Authority: Far North District Council

Total Area: 39.3151ha
Comprised in: NA62A/979

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY



Prepared for: Mate Yelavich & Company Limited

WILLIAMS AND KING
Registered Land Surveyors, Planners & Land Development Consultants
Ph: (09) 407 6030 27 Hobson Ave
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

Proposed Subdivision of
Section 105 and Section 111 Block V Opoe
Survey District and Lot 1 Deposited Plan 110253

Survey	Name	Date	ORIGINAL SCALE SHEET SIZE
Design			
Drawn	W & K	Feb 2026	1:3000 A3
Rev			

24761

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 **NA62A/979**
Land Registration District **North Auckland**
Date Issued 27 November 1986

Prior References
NA907/259 NA907/260

Estate Fee Simple
Area 39.3151 hectares more or less
Legal Description Section 105 and Section 111 Block V Opoe
Survey District and Lot 1 Deposited Plan
110253

Registered Owners
Mate Yelavich & Company Limited

Interests

Subject to Section 308 (4) Local Government Act 1974

Subject to a drainage right (in gross) over part in favour of Her Majesty the Queen (affects Section 111 Block V Opoe Survey District)

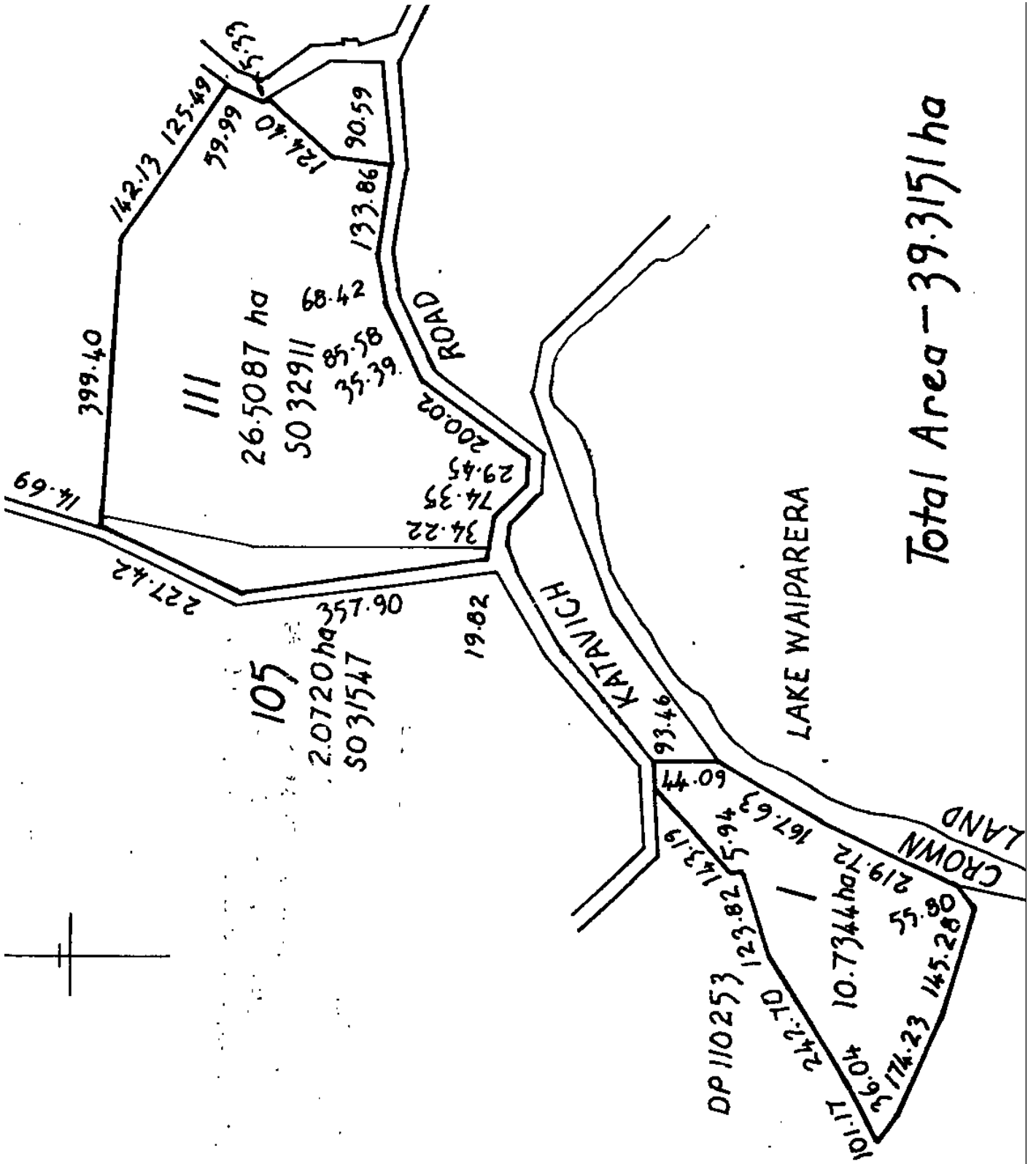
Saving and excepting all minerals within the meaning of the Land Act 1924 on or under the land and reserving always to Her Majesty the Queen and all persons lawfully entitled to work the said minerals a right of ingress egress and regress over the said land

Subject to a water right over part created by Transfer 524368 (affects Section 111 Block V Opoe Survey District)

D534037.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway IF to be a limited access road - 21.8.2000 at 2.05 pm

D535212.1 Notice pursuant to Sections 90 and 91 Transit New Zealand Act 1989 - 24.8.2000 at 12.55 pm (affects Section 111 Block V Opoe Survey District)

11629919.6 Mortgage to ANZ Bank New Zealand Limited - 21.1.2020 at 4:04 pm



Appendix C – Site Suitability Report (FNR Consulting)



2607 State Highway 1, Waiharara, Far North

Subdivision Site Suitability Report

Prepared for Mike Yelavich



Job No.	FNR1056A, Rev 1
Report Author	Tess Allen
Report Reviewer	Manu Burkhardt Macrae
Date	06/03/2026

Document Approval			
Action	Name	Signed	Date
Author	Tess Allen		06/03/2026
Reviewer	Manu Burkhardt Macrae		17/03/2026

Limitations

This report has been prepared by FNR Consulting Limited solely for the purpose specified within the agreed scope of engagement. It is intended for the exclusive use of the named client. The information and conclusions contained herein may not be appropriate for use by any other party or for any other purpose. Any reliance placed on this document by third parties is entirely at their own risk and without the endorsement of FNR Consulting Limited.

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Executive Summary

This report has been prepared to support an application for a three-lot greenfield subdivision of the property located at 2607 State Highway 1, Waiharara, Far North, legally described as Section 111 Block V Opoe SD and Section 105 Block V Opoe SD. The following scope of the report include a site suitability desktop assessment, site visit and some onsite testing. The two sites are currently zoned Rural Production under the Operative Far North District Plan.

The proposed subdivision seeks to create the following allotments of Section 111 Block V Opoe SD and Section 105 Block V Opoe SD.

Proposed Lot 1: 5039 m²

Proposed Lot 2: 5870 m² (Existing Dwelling)

Proposed Lot 3: 27.502 ha

The proposal represents a rural subdivision which enables appropriate rural development. Majority of the land is undeveloped. The proposed Lot 2 has an existing dwelling with Code of compliance.

No additional dwellings are proposed as part of this application. However, it is anticipated that, consistent with the established development pattern of surrounding properties, one dwelling may be established on each proposed Lot. Any dwelling construction will be subject to separate approvals (including building consent) and will be assessed at that stage.

The property is rural in character and generally flat farmland, with existing vegetation and landform typical of the Pukenui area. The proposed allotments are of a size and configuration that will allow for efficient future development while maintaining adequate separation and rural amenity.

Access to the proposed lots will be provided via individual access point, which is discussed within the report, connecting to Katavich Road, with any required legal access including right-of-way and easements to be established to ensure safe and compliant access to all lots.

Environmental assessments confirm that the subdivision can be undertaken without generating significant adverse effects. As no dwellings or earthwork-intensive development is proposed at this stage, the proposal will not result in an increase in stormwater runoff, demand on infrastructure, or environmental risk.

Stormwater will be managed on-site through infiltration and overland flow across permeable surfaces, with roof water collected and disposed of using methods suitable for local ground conditions. Water supply will be provided by rainwater collection and storage tanks, while wastewater will be treated and disposed of via

on-site systems designed in accordance with TP58 standards and Council requirements.

The subdivision is consistent with the servicing, access, and environmental performance expectations of the Far North District Council and demonstrates that the site can accommodate the proposed allotments without significant infrastructure upgrades or adverse environmental effects. Overall, the proposal represents a low-impact greenfield subdivision that enables rural development.

Site Description

The subject land is located at 2607 State Highway 1, Waiharara, Far North and is owned by Mike Yelavich and Hannah Petera. The land is legally described as Section 111 Block V Opoe SD and Section 105 Block V Opoe SD.



This subdivision comprises of two surveyed areas totalling:

- 26.5086 ha; and 2.0719 ha.

The site forms part of a wider rural landscape and is primarily open farmland. The land is generally flat and largely undeveloped. One existing dwelling is located within the overall landholding. The surrounding area is predominantly rural, consistent with the applicable zoning and the established character of the wider Pukenui area.

Environmental constraints

Natural hazards

A review of available natural hazard information confirms these are a relevant consideration for the subject sites. For this site suitability assessment, the key

natural hazard identified is flooding, including the presence of overland flow paths across areas of the proposed development.

The natural hazard risk should not necessarily stop the subdivision, provided that the proposed lots can accommodate development in locations that avoid hazard-prone areas and allow natural processes (such as stormwater conveyance) to continue functioning.

The proposed subdivision has been assessed with this in mind, including consideration of whether each proposed allotment contains an appropriate area for future building development outside identified hazard areas.

Flooding and Overland flow paths

Flood hazard mapping indicates that a small portion of the existing lot may be subject to inundation during significant rainfall events and identifies the presence of overland flow paths that act as natural stormwater conveyance routes. These mapped hazard areas are generally associated with low-lying sections of the site where stormwater may temporarily accumulate or pass-through during storm events.



Figure 2 - Flooding model of subject lot

Despite the presence of this limited flood hazard area, the subject land remains suitable for the proposed subdivision. The area affected represents only a small portion of the site, and each proposed allotment contains sufficient land to accommodate a future building platform and wastewater disposal fields located outside the mapped flood hazard

extent and clear of overland flow paths. All future buildings and associated infrastructure would be positioned in a manner that avoids potential flood risk while maintaining the natural function of existing stormwater flow paths.

No additional dwellings are proposed as part of this subdivision application. Any future building development will be subject to the relevant building consent, at which time the final location of building platforms, finished floor levels, and stormwater management measures will be confirmed to ensure that development is appropriately located and resilient to potential flooding.

Liquefaction risk

A desk-top study of liquefaction risk for this site has been undertaken.

“The area of Northland is identified to be at low risk of seismic hazard. There are no active faults known in the Far North. Small earthquakes will give short duration shaking that may not have enough cycles to cause liquefaction. Microzoning studies are probably not required as the hazard is low (GNS 2004)” - Regional Liquefaction Vulnerability Assessment – Far North District, prepared by Vision Consulting for FNDC 20/01/2023.

According to the above referenced report, and associated mapping, the Liquefaction Vulnerability Category for this site is currently “undetermined”, i.e. a liquefaction assessment has not been undertaken for this area or there is not enough information to determine the appropriate category.

Considering the above assessment, it is considered that the liquefaction vulnerability for this site is low and that the expected degree of liquefaction induced ground damage is none to minor. As a site specific investigation has not been completed the category will remain as undetermined.

Soils and stability

As there is no new or proposed dwelling to be included in this subdivision specific soil stability and testing requirements for construction is not included within this report. If additional building is proposed for the future the client is required to complete further investigation to ensure compliance. Existing roads and dwellings in the surrounding area indicate that development has previously occurred. However, site-specific investigation and testing will still be required to confirm soil conditions and ensure compliance for any future construction.

The soil type was assessed for the subject sites below.



Figure 3- New Zealand Soil Map (Waiharara area)

According to the New Zealand Land Inventory soil map “Soil Types Ahipara Herekino” 1:100,000 scale describes the soils at this site as: Houhora Sand (HO) and Ruakaka fine sandy peat (RK).

The site classification based on site reactivity in accordance with AS2870-2011 Table 2.1 is: Class A – Most sand and rock sites with little or no ground movement from moisture changes.

There are no visual signs of slope instability on the existing lots, and the proposed lots are in an appropriate location and do not pose a risk in terms of slope stability.

Some indicative ground testing was completed. Scala penetrometer tests were carried out to provide an indication of the underlying ground conditions. Good ground conditions were achieved at all of the tested locations. Please refer to Appendix B for the testing results and photos.

Additional ground investigation will be required at the time of building consent should development be proposed. This testing will be undertaken to confirm the presence and depth of “Good Ground” on the proposed building sites in accordance with the requirements of NZS 3604, or to otherwise inform an appropriate engineered foundation design if these conditions are not met.

Access and Vehicle Movement

Each proposed lot will have legal and physical access from Katavich Road.

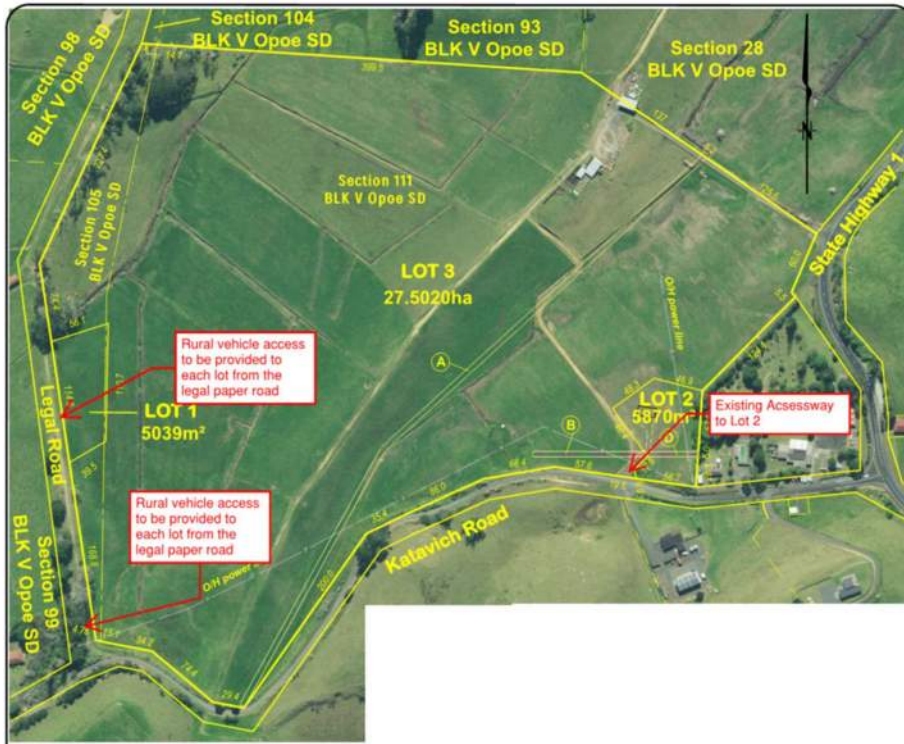


Figure 4- Scheme plan layout and access point

Traffic movements in the vicinity of the subject site are generally low. Vehicle access to the proposed allotments will be provided via Katavich Road, with traffic volumes along this route reflecting mostly local rural traffic.

Katavich Road is a rural road that experiences limited daily vehicle movements, with traffic largely generated by surrounding rural properties. Katavich Road has approximately 44 average vehicle movements per day with 10% of them heavy vehicles.

Proposed Lot 1 and 3:



Figure 5 and 6 – Legal Paper road and Katavich Road

Proposed Lot 2:



Figure 7- Lot 2 existing accessway

Separate rural access points to the proposed lots (Lot 1 and Lot 3) will be provided from Katavich Road via the adjoining legal paper road, while Lot 2 will retain direct access from Katavich Road via an existing compliant accessway.

Any access formed within the legal road reserve will be required to comply with the Far North District Council (FNDC) Engineering Standards, which adopt the provisions of NZS 4404:2010. These standards require that accessways are

designed and constructed to provide safe, durable, and practical access suitable for residential use, ensuring that properties can be adequately serviced by vehicles, including emergency and service vehicles.

As the accessway via the legal paper road will service two allotments (Lot 1 and Lot 3), FNDC standards require a minimum formed access width of 3 m. A rural vehicle crossing will also be required where the access connects to Katavich Road. This crossing will need to be constructed in accordance with FNDC requirements to ensure safe entry and exit from the public road network and to maintain the integrity of the existing legal road and associated drainage. The relevant FNDC rural vehicle crossing detail is provided in Appendix C. The crossing will be installed to provide safe and compliant access to Lot 1 and Lot 3.

Lot 2 benefits from an existing vehicle crossing and driveway connection from Katavich Road. This access was visually assessed during the site inspection. The driveway is currently formed with a gravel surface and incorporates crossfall, which assists with the management of stormwater runoff. The alignment of the accessway rises gradually with some longitudinal gradient; however, this gradient is well within the FNDC maximum gradient requirement of 20% for residential accessways.

Based on site observations, the existing access from Katavich Road appears to be in suitable condition and capable of continuing to provide safe and functional access to the site. The current arrangement is considered consistent with the intent of the FNDC Engineering Standards for residential access serving a single lot. As such, no upgrades to the existing vehicle crossing or driveway are considered necessary for Lot 2 at this stage.

Stormwater Management

On all vacant site stormwater will be managed at the building consent stage. Stormwater that is generated from roof area of the developed site and other impervious surfaces is effectively managed using on-site rainwater collection tanks and overland dispersal across grassed and vegetated areas. During the site inspection there was no evidence of stormwater not effectively soaking to ground or surface ponding.

For future dwellings there is no reticulated stormwater system available in the area. There is no new proposed dwellings or construction at this stage and there will be no increase in impermeable surfaces with the completion of the subdivision.

The existing gravel driveway and accessway surfaces throughout the property appear to be free draining and not sealed. This allows some water to infiltrate through the gravel to ground. As per the below image the driveway is not completely gravel, and it is vegetated in the centre, indicating the driveway surface is more permeable.



Figure 8- Semi-permeable road surface

When referring to the Clause E1 of the Building Code regarding managing surface water unsealed roads have a runoff coefficient of $C=0.5$ meaning they semi-permeable. The metal driveway Impermeable surface calculations have been adapted to allow for the reduced permeability of these surfaces although they are not classified as impermeable.

Proposed Subdivision Permeability.

<u>Effective Impervious Area Calculations - Subdivision A</u>	
Lot 1- Impermeable surface	
Proposed accessway	Approximately 30 m ²
Accessway runoff coefficient	0.5
Total Impermeable runoff area	15 m ²
Total Lot Area	5039 m ²
Lot 2- Impermeable surface	
Existing accessway	253 m ²
Accessway runoff coefficient	0.5
Existing dwelling (Roof area)	148 m ²
Dwelling runoff coefficient	0.9
Existing water tanks	10 m ²
Water tanks runoff coefficient	0.9
Total Impermeable Surface	268.7 m ²
Total Lot Area	5870m ²
Lot 3- Impermeable surface	
Proposed accessway	Approximately 30 m ²

Accessway runoff coefficient	0.5
Existing shed	300 m ²
Dwelling runoff coefficient	0.9
Total Impermeable Surface	285 m ²
Total Lot Area	27.502ha

From the above results at the completion of the subdivision the dwellings, and driveways located on each Lot will only have the following impermeable surfaces:

Lot 1 – 0.3% Impermeable surface

Lot 2– 4.5% Impermeable surface

Lot 3– 0.1% Impermeable surface

Overall, the extent of impermeable surface coverage across all proposed lots is minimal, reflecting the rural character of the site and ensuring that stormwater generation will remain negligible and capable of being absorbed naturally within the site.

Swale and Drainage easements

There are existing drainage easements and swale features on the proposed lots that allow stormwater conveyance across the property. These assets will be retained, and any future development will be designed to ensure that their function and maintenance accessibility are maintained.

Water Supply

As there is no reticulated water supply network available in this location, water supply for the building sites for each of the proposed lots will be by roof water collection and storage in suitably sized tanks. The water supply for each lot will be established at the time of construction and will be controlled by the building consent process.

Firefighting Water Supply

Fire and Emergency New Zealand will require each lot to comply with the New Zealand Fire Services Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008). The water classification for the properties located in this subdivision would be FW2 and would require a non-reticulated supply storage capacity to be located within 90m of the dwelling.

A adequate static storage supply will be supplied to each existing building controlled at the building consent stage. Vehicle access to the firefighting water supply will also be provided as per the Code of practice requirements.

Wastewater Disposal

Each dwelling will be serviced by an individual on-site wastewater system comprising of a septic tank and effluent disposal field as there is currently no reticulated supply in the area. The wastewater system will be designed when a building consent is completed.

The sizing of each wastewater system is typically based on the following:

- Number of bedrooms or occupants (this can be based on approximately 180 L/person/day or more, depending on the dwelling type)
- Water source and usage habits (e.g., tank water vs mains)
- Fixtures (e.g., low-flow toilets/showers which have a reduce volumes)
- Soil Category and Design Loading Rate (DLR) Soil type determines how quickly water can soak into the ground. TP58 classifies soils (e.g., sandy, loam, clay) and assigns a Design Loading Rate (DLR), usually in mm/day.

Soil Type	Example DLR (m ² /L/day)
Sand	50 mm/day
Sandy loam	35 mm/day
Loam	25 mm/day
Clay loam	15 mm/day
Clay/heavy soil	10 mm/day

Site specific soil investigation would be required to determine the exact design loading rate of the soil types on the proposed lots when construction is proposed.

Electricity and Telecommunications

Power

The proposed development is capable of being serviced by mains electricity from the existing network. Connection can be provided via overhead lines with underground reticulation to individual building platforms, as required.

Currently, only one lot contains an existing dwelling, which is connected to the established electricity supply. The remaining lots are vacant, and any future electricity connections will be designed and installed at the time of building consent in accordance with the Building Code and the requirements of the relevant network utility operator.

Existing overhead power lines traverse the proposed subdivision; however, sufficient space is available on each lot to accommodate a building platform that maintains the

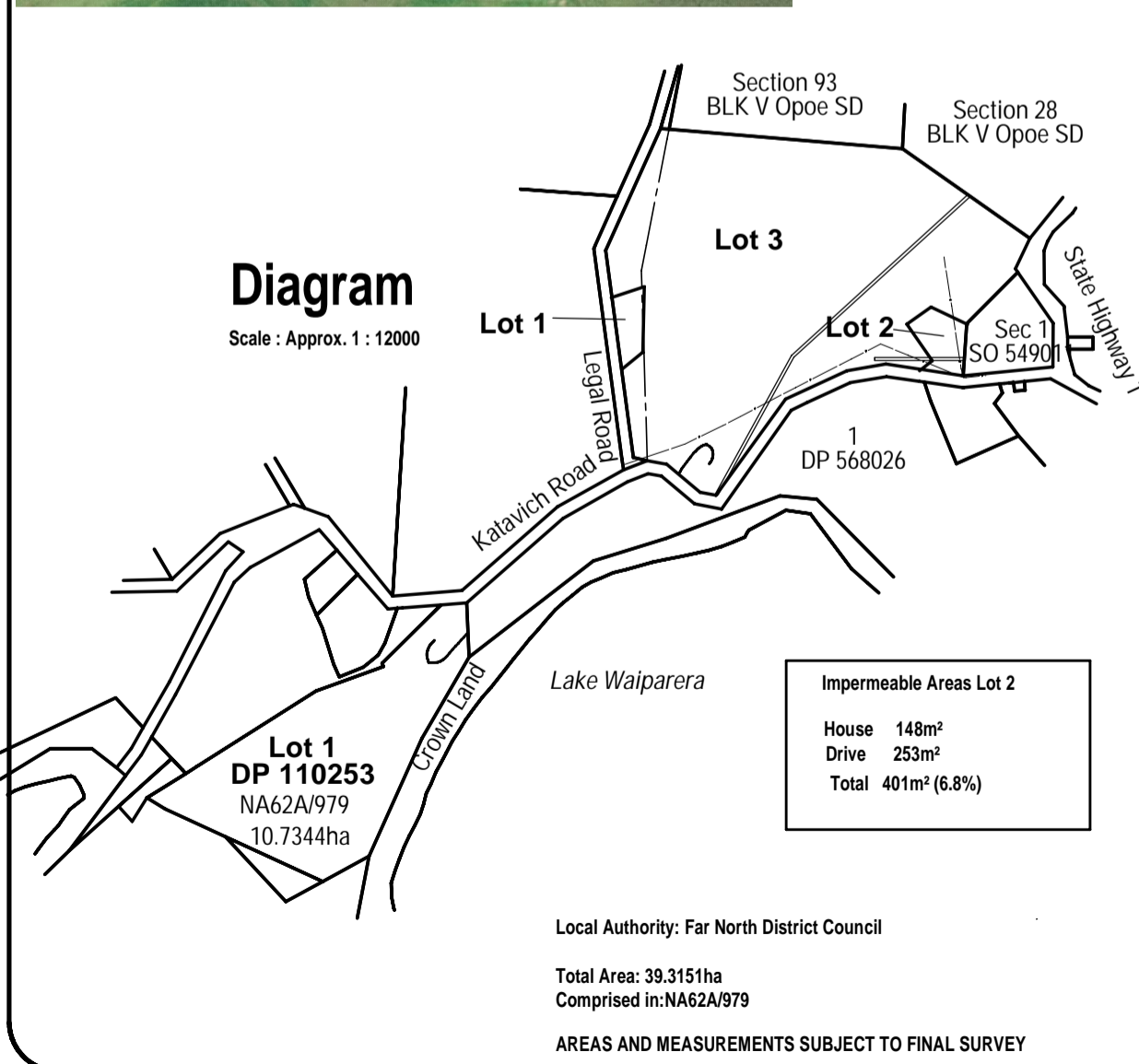
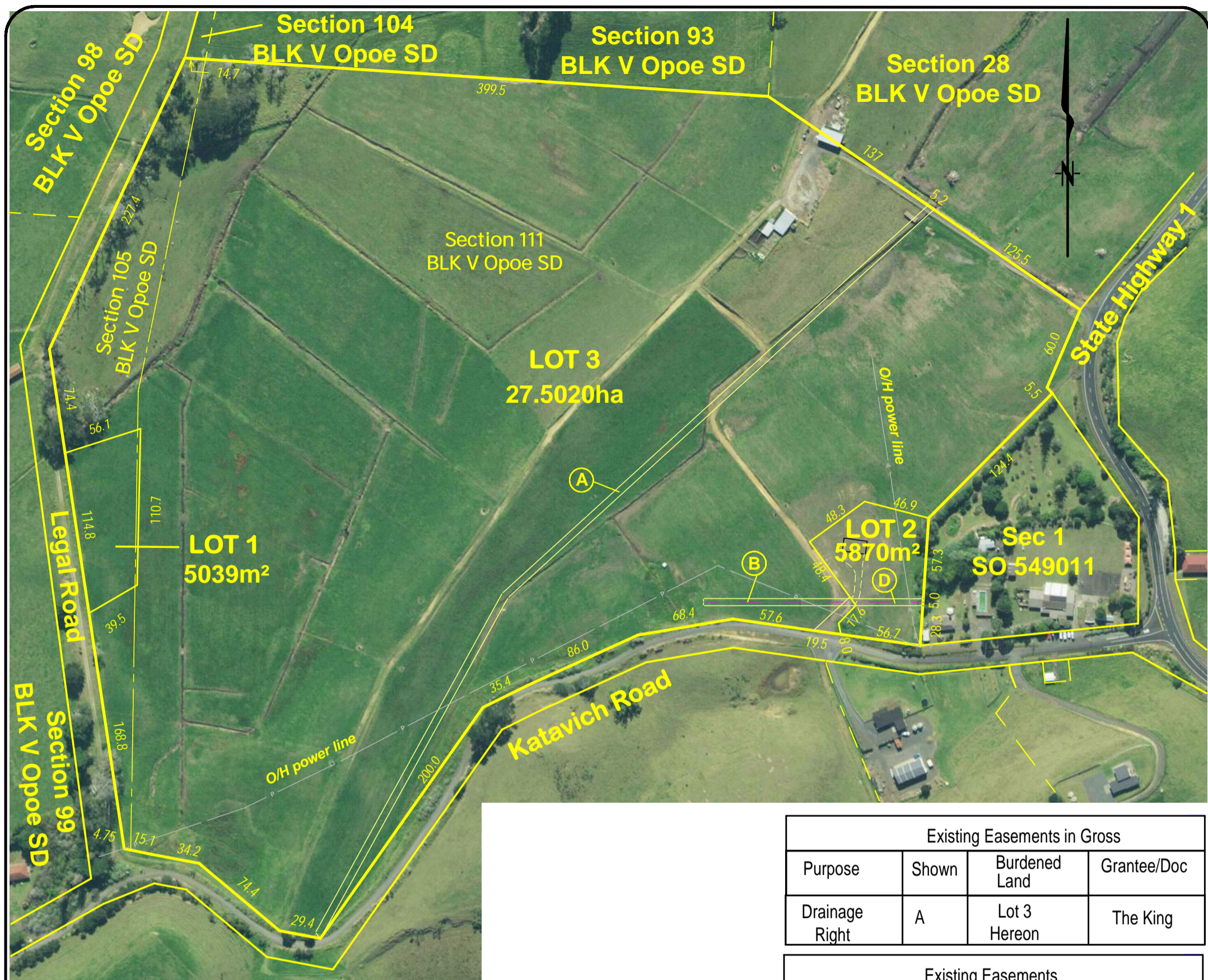
required electrical safety clearances in accordance with NZECP 34- Electrical Safe Distances.

Telecommunications

Telecommunications are currently provided to the occupied lot through individual wireless satellite broadband systems, offering high-speed internet access. This system includes an on-site dish and router installed, enabling reliable wireless connectivity suited to the rural environment.

The existing utility servicing arrangements provided to the occupied lot can also be proposed as a compliant and appropriate telecommunication system for future dwellings as part of the proposed subdivision.

Appendix A- Subdivision Scheme Plan



Existing Easements in Gross			
Purpose	Shown	Burdened Land	Grantee/Doc
Drainage Right	A	Lot 3 Hereon	The King

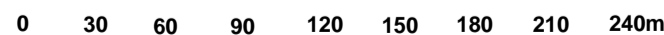
Existing Easements			
Purpose	Shown	Burdened Land	Benefitted Land
Water Right	B & C	Lot 3 Hereon	Section 1 SO 549011 RT959773
	D	Lot 2 Hereon	

AMALGAMATION CONDITION
'That Lot 3 hereon and Lot 1 DP 110253 be held in the same Record of Title
See

Proposed Memorandum of Easements			
Purpose	Shown	Burdened Land	Benefitted Land
Right of Way	E C F	Lot 3 Hereon	Lot 2 Hereon

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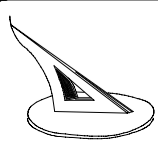


Prepared for: Mate Yelavich & Company Limited

Local Authority: Far North District Council

Total Area: 39.3151ha
Comprised in: NA62A/979

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY



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Proposed Subdivision of
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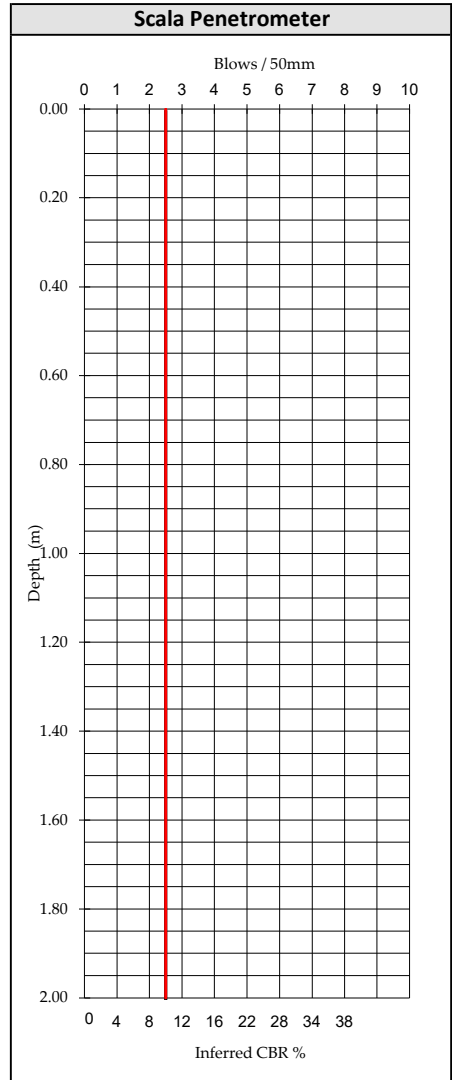
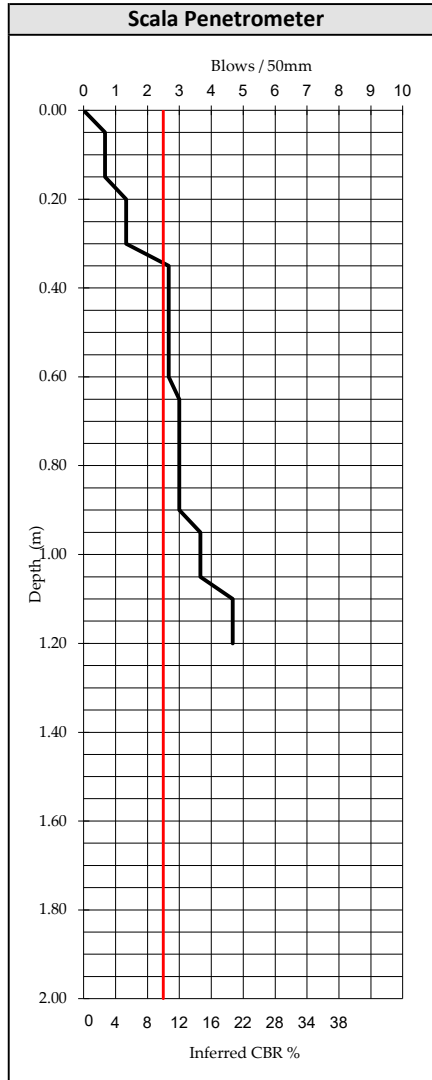
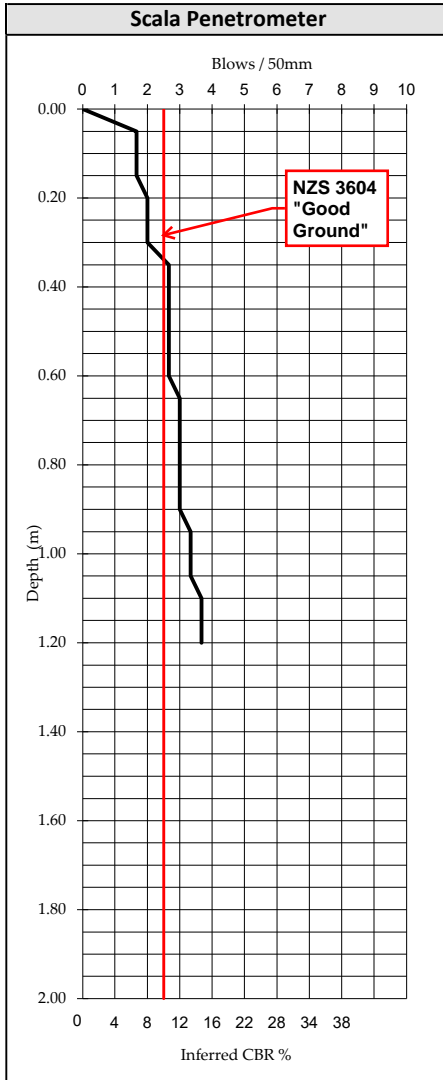
Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey Design Drawn	W & K Feb 2026		
Rev			

24761

Appendix B- Scala Penetrometer Testing and Results

SCALA PENETROMETER TEST REPORT

Project :	Yelavich Subdivison	
Location :	Katavich Road, Pukenui	
Client :	Mike Yelavich	
Contractor :	FNR Consulting	
Test number :	1	Test number : 2
Water level :	N/A	Water level : N/A
Reduced level :	Ex. GL	Reduced level : Ex. GL
		Test number : N/A
		Water level : N/A
		Reduced level : Ex. GL



Test Methods

Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2

Inferred CBR values taken from Austroads Pavement Design Manual 2004

Date tested :	17/03/26	Tested by:	MY
Date reported :	18/03/26	Reported by:	TA

Scala Test Locations



Appendix C- Vehicle crossing - Rural detail as per FNDC Engineering specification.

