

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 checked="" 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 type="radio"/> 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:

Penelope Jane Fewkes & Nanette Lee

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Williams & King, Attention: Natalie Watson

Email:

Phone number:

Postal address:

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

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

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:

As per applicant details.

**Property Address/
Location:**

70 & 72 Reinga Road,
Kerikeri

Postcode

0230

8. Application Site Details

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

Name/s:

**Site Address/
Location:**

70 & 72 Reinga Road

Kerikeri

Postcode

0230

Legal Description:

Lot 1 DP 82639

Val Number:

00470-01108 & 22300

Certificate of title:

NA39A/1137

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

Site visit requirements:

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

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

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

Please contact applicant or agent to arrange a site 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 subdivision in the Coastal Residential Zone to create two lots (one additional Record of Title), where each proposed lot contains an existing lawfully established residential dwelling.

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

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)

Penelope Jane Fewkes

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Penelope Jane Fewkes

Signature:

(signature of bill payer)

Date 19/06/25

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.fnfdc.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)

Penelope Jane Fowkes

Signature:

[Redacted Signature]

Date 19/06/25

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.



Impermeable Areas

Lot 1	Lot 1 - House	135m ²
	Sleepout	100m ²
	Drive	222m ²
Total		458(27%)
Lot 2	Lot 2 - House	295m ²
	Concrete	59m ²
	Drive	305m ²
Total		660(39%)

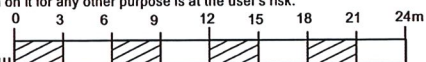
AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 0.3432ha
Comprised in: NA39A/1137

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

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



Prepared for: P J Fewkes



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

Proposed Subdivision of Lot 1 DP 82639

Survey	Name	Date	ORIGINAL SCALE	SHEET SIZE
Design	W & K	Apr 2025	1:300	A3
Drawn				
Rev				

24499

Penelope Jane Fewkes & Nanette Lee

Proposed Subdivision

70 & 72 Reinga Road, Kerikeri

Williams & King, Kerikeri¹
18 June 2025



¹ Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitiaki
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

1. OVERVIEW

Penelope Fewkes and Nanette Lee own a property developed to contain two lawfully established residential dwellings. This property is located at 70 & 72 Reinga Road, Kerikeri and legally described as Lot 1 DP 82639 held in Record of Title NA39A/1137, comprising 3,432m² of land.

The applicants are seeking resource consent to subdivide their property to create a separate Record of Title for each of the existing dwellings. Proposed Lots 1 and 2 are to have areas of 1,682m² and 1,748m² respectively. Each lot will retain its existing separate property access from Reinga Road, and no shared property access is required.

The subject site is zoned Coastal Residential in the Operative Far North District Plan, and the proposed subdivision has been assessed as a non-complying activity overall.

Under the Proposed Far North District Plan, the site is zoned Settlement. There are no relevant rules with immediate legal effect.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

2. DESCRIPTION OF PROPOSAL

2.1 Subdivision layout, lot sizes and easements

The overarching purpose of the proposal is to enable the creation of one additional Record of Title, allowing a separate Record of Title for each of the two existing residential dwellings. As the built development on the site is existing, and supports existing land use activities, there will be no detriment to the natural or physical resources on the site and surrounding environment.

The proposed subdivision creates Lots 1 and 2 as follows.

Table 1: Summary of proposed lot sizes, and land use.

Lot Number	Gross Area (Subject to Final Survey)	Existing Use
Lot 1	1,748m ²	Existing dwelling and attached garage. <ul style="list-style-type: none">• Building Permit 122038: New Dwelling• Permit No. 253: Plumbing and Drainage• Building Permit 173273: Garage / Rumpus
Lot 2	1,682m ²	Existing dwelling and attached garage. <ul style="list-style-type: none">• CCC Issued for BC-2003-512/1 on 3 April 2019.• RC 2030137: Land use consent to construct a second dwelling which does not comply with 'Residential Intensity' requirements.

Refer to the Scheme Plan in **Appendix 1** and **Figure 1** below. All areas and dimensions are subject to final survey.

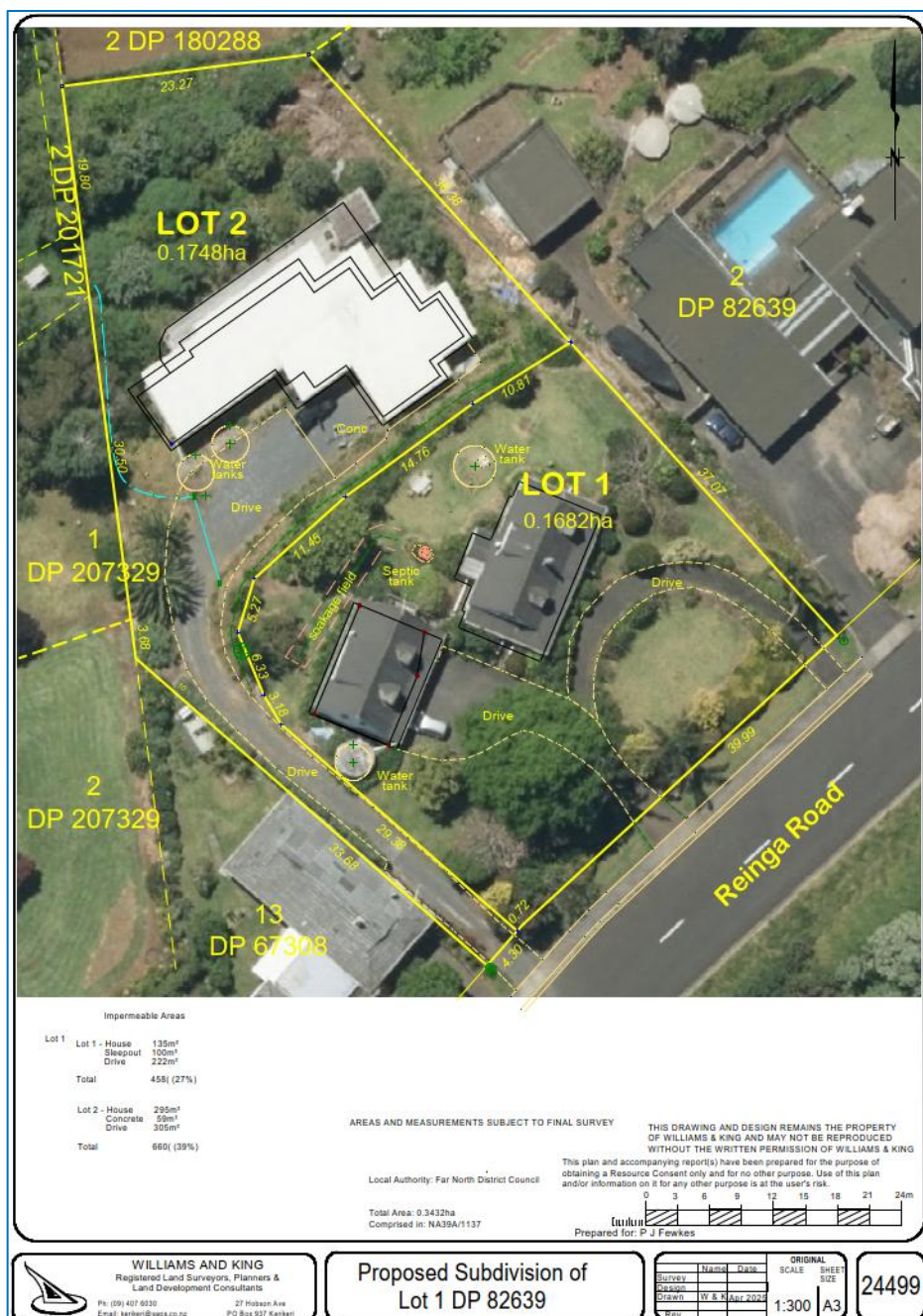


Figure 1: Scheme Plan of Proposed Subdivision.

2.2 Property access arrangements

Each lot will retain its existing property access provisions, with no change to the physical access arrangements that have been established under earlier building and resource consents. Lot 1 will retain its existing paved vehicle crossings and driveway, which are used to access the garage and outdoor parking area (Refer to **Photographs 1** and **2**), while Lot 2 will use the existing metalled driveway, which access the internal garage and adjacent concrete parking area (refer to **Photograph 3**).

As each lot will continue to use the separate property access formations, and no shared property access is required, no right of way easements are required.



Photograph 1: Existing entrance at centre of road boundary on Lot 1.



Photograph 3: Existing metalled entrance to Lot 2



Photograph 2: Existing vehicle crossing at eastern corner of Lot 1

2.3 Wastewater and stormwater management

The existing dwellings each have a separate onsite wastewater treatment and disposal system.

On Lot 1, the existing septic tank and disposal field are located within the lawn area to the north west of the buildings. These have been located and marked by a drainlayer, and shown on the proposed scheme plan to confirm that they remain within the proposed lot boundaries with a setback exceeding 1.5m. Refer to **Appendix 1**.

Lot 2 has a septic tank and soakage trench, with the components of this shown on the as built plan sourced from Council's Property File (BC-2003-512-0). Refer to **Figure 2**. The as built information matches the above ground / visible components of this system.

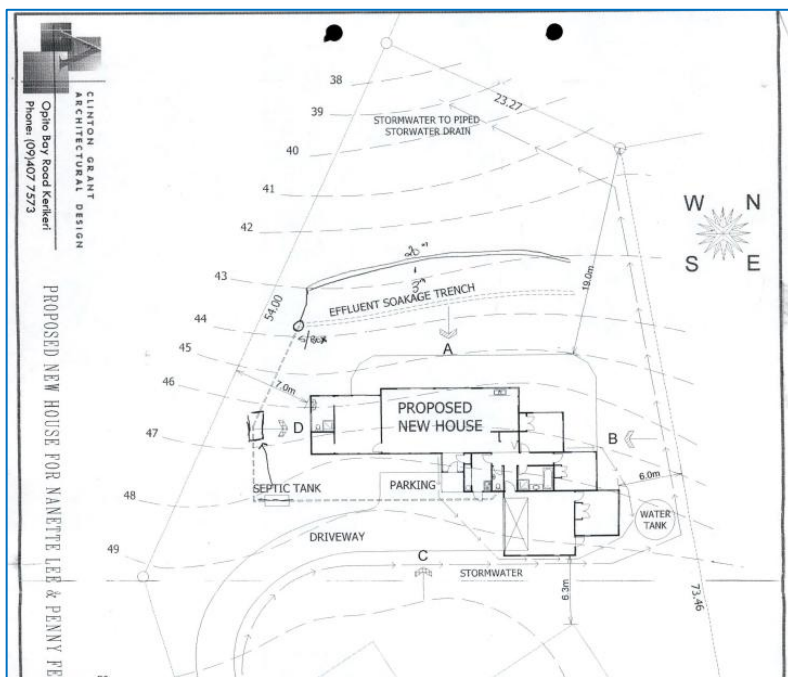


Figure 2: As built onsite wastewater information. Source: FNDC Property File BC-2003-512-0 – Plans.

Existing impermeable surface coverage has been measured by topographical survey, and is calculated on the Scheme Plan as comprising 458m² (27%) on Lot 1, and 660m² (39%) on Lot 2. The percentage of impermeable surface coverage on each lot complies the permitted activity standard for the Coastal Residential Zone of the Operative District Plan.

Existing stormwater management on Lot 1 comprises catchment of roof water in the two existing water tanks. The water tank adjacent to the Lot 2 driveway discharges back towards the road, as does the existing paved driveway and parking areas on the lot. The water tank in the northern part of the property is thought to be cracked, and upon inspection by a drainlayer, has no known outlet, simply soaking into the surrounding ground.

On Lot 2, the two water tanks collect rainwater from the roof surface. Overflow from this, together with stormwater collected from a catchpit in the driveway, are permitted to discharge to an existing drain on Lot 2 DP 201721, this being authorised by existing appurtenant easement 8395080.2 (refer to **Appendix 2**).

3. APPLICATION SITE DETAILS AND DESCRIPTION

3.1 Location

The subject site is located at 70 and 72 Reinga Road, Kerikeri. The property has direct frontage to Reinga Road along its south eastern boundary, and is located approximately 650m north of the intersection between Kerikeri Inlet Road and Reinga Road. Refer to the maps in **Figures 3 and 4**.

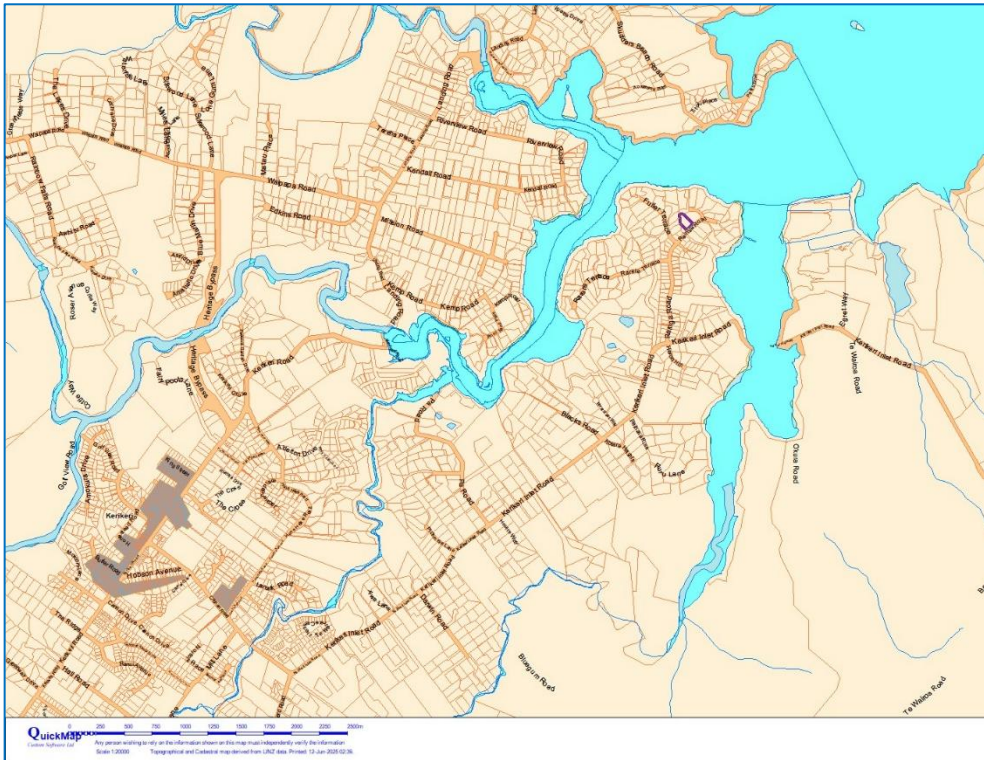


Figure 3: Location Map (Source: QuickMap)

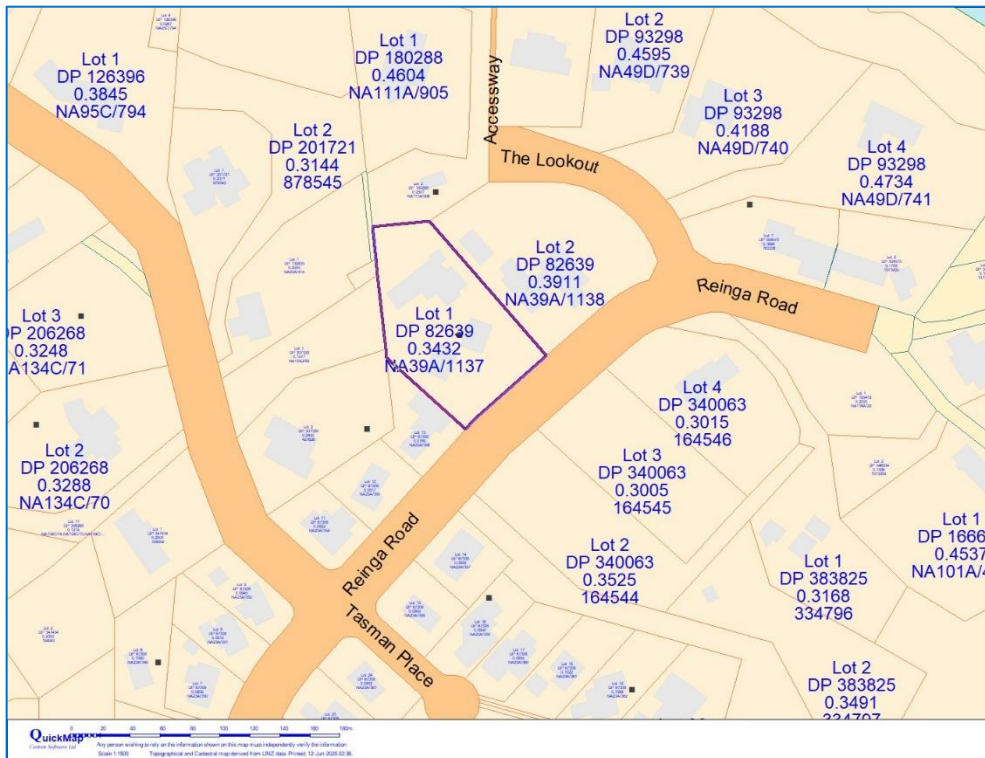


Figure 4: Cadastral Map Highlighting the Subdivision Site (Source: QuickMap).

3.2 Legal details

Legal details of the application site are summarised below and in the Record of Title (**Appendix 2**).

Table 2: Summary of Record of Title.

RECORD OF TITLE IDENTIFIER & LEGAL DESCRIPTION	TITLE AREA	INTERESTS
NA39A/1137	3432m ² more or less	Appurtenant hereto is a right to drain water specified in Easement Certificate 682597.8. Subject to Section 351E (1) (a) Municipal Corporations Act 1954. Appurtenant hereto is a right to drain stormwater created by Easement Instrument 8395080.2.

3.3 Natural and recorded features

The subject site is not within the coastal environment and does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features as recorded in the Regional Policy Statement.

The site is not part of any ecological unit recorded in the Department of Conservation Protected Natural Area mapping, nor is it within a North Island brown kiwi habitat as mapped by Far North Maps “Species Distribution (DoC)” Map.

The mapping related to kiwi habitat and Protected Natural Areas are non-statutory documents.

3.4 Existing land use and structures

Lot 1 is developed with an existing two storey dwelling, with an adjacent accessory building, which is consented as a garage / rumpus area. Two existing water tanks provide potable water for the buildings by collecting and storing the rainwater collected from the roof surfaces. The existing onsite wastewater treatment and disposal system is located within the lawn area to the north of the buildings. Access to the parking areas is currently via two paved entrances providing circular access. Other than the areas occupied by buildings and access, the site is in lawn with mature landscaped gardens.

Lot 2 contains an existing dwelling with attached garage. Two water tanks for potable use are located to the south of the dwelling adjacent to the driveway, and the wastewater disposal area is located below / to the north of the building within grass and treed area. This dwelling is accessed via an existing metalled driveway off Reinga Road. A rock lined bank supports the cut face to the south of the garage on Lot 1.

Refer to **Photographs 4 – 10**.



Photograph 4: Dwelling and lawn area on Lot 1. Other outdoor living areas are available to the north, south and east of the buildings.



Photograph 6: Rock lined bank with garden above, located to the south of the existing metalled driveway on Lot 2. The existing buildings on Lot 1 are visible above.



Photograph 5: Existing lawn to the north of the accessory building on Lot 1, with the new boundary to be located along the top of the bank on the left hand side of the photograph.



Photograph 7: Garage / Accessory building and additional outdoor car parking on Lot 1.



Photograph 8: Existing dwelling, metalled drive and concrete car parking area on Lot 2.



Photograph 10: Onsite Wastewater disposal field – Lot 2.



Photograph 9: Existing metalled drive on Lot 2.

4. DISTRICT PLAN ASSESSMENT

4.1 Far North Operative District Plan

The application site is zoned Coastal Residential and is not subject to any Resource Features. The proposal is assessed against the relevant rules of the Operative District Plan as follows.

4.1.1 Coastal Residential Zone

Rule	Discussion	Compliance
10.8.5.1 PERMITTED ACTIVITIES		
10.8.5.1.2 Residential Intensity	Following the subdivision, residential intensity will not exceed a single residential unit for a single household on each lot.	Complies
10.8.5.1.5 Sunlight	The relationship between the dwelling on Lot 2 and the proposed boundary complies with the permitted activity sunlight standard. Note that the boundary will be located above the bank, with the house level being much lower.	Complies
10.9.5.1.6 Stormwater Management	Existing impermeable surface coverage on each lot will not exceed the permitted activity standard (50%).	Complies
10.9.5.1.7 Setback from Boundaries	Existing buildings achieve the permitted activity 1.2m setback from the proposed boundary.	Complies
10.8.5.1.16 Building Coverage	No new buildings are proposed.	Not applicable

4.1.2 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 Legal Frontage	Each lot will have direct legal frontage to Reinga Road.	Complies
13.6.12 Suitability for Proposed Land Use	The land to be subdivided is not subject to any significant risk from natural hazards and section 106 does not apply to any part of it.	Not applicable
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 Minimum Area for Vacant New Lots ...	The minimum lot size of 3,000m ² (unsewered) is not achieved.	Does not comply
13.7.2.2 Allotment Dimensions	Each lot includes a dimension of 14 x 14m which does not encroach in to the required 3m road boundary setbacks and 1.2m setbacks from other boundaries.	Complies
13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES		
13.9.2 Management Plans	The minimum lot size of 2,000m ² (unsewered) is not achieved.	Does not comply
13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES		
13.11(a) Non-Complying (Subdivision) Activities	The proposal has been assessed as a non-complying activity.	Non-complying activity status

4.1.3 Transportation

The proposal has no implication in terms of District Plan rules relating to traffic. Existing car parking spaces are retained on each lot.

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private Accessway in all Zones	No private accessways (i.e. serving multiple sites) are required.	Not applicable
15.1.6C.1.4 Access over Footpaths	No new vehicle crossings are required. Note that following the subdivision, Lot 1 will have two crossings in compliance with this rule.	Not applicable
15.1.6C.1.5 Vehicle crossing standards in ... Coastal Zones	Existing single width crossings to the lots have been formed at the time of building consent. Although the metalled surface for the crossing to Lot 2 does not comply with (b), this is an existing situation.	Existing situation – not applicable
15.1.6C.1.7 General Access Standards	Existing on-site manoeuvring and stormwater drainage has been formed at the time of building consent.	Existing situation – not applicable
15.1.6C.1.8 Frontage to Existing Roads	Reinga Road is of sufficient legal width and carriageway width.	Complies

4.1.4 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a non-complying activity. Section 104D of the RMA sets out the specific requirements for the determination of non-complying activities.

4.2 Far North Proposed District Plan

The application site is zoned 'Settlement' in the Far North Proposed District Plan with no applicable Overlays.

The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Settlement Zone

Rule	Discussion	Compliance
RLZ-R2 Impermeable Surface Coverage	Impermeable surface coverage on Lot 2 will marginally exceed the permitted standard by 60m ² . Lot 1 will comply.	These rules do not have legal effect
RLZ-R3 Residential activity	A single residential unit per lot is intended.	
RSZ-S2 Height in Relation to Boundary	Complies	
RSZ-S3 Setback	Complies	
RSZ-S5 Outdoor living space	Complies	

4.2.2 District-Wide Matters – General District-Wide Matters – Energy, Infrastructure, & Transport – Transport

Rule	Discussion	Compliance
TRAN-R2 Vehicle crossings and access, including private accessways	Shared private access is not required, and no new vehicle crossings are required. Therefore, this rule is not considered to be relevant.	This rule does not have legal effect

4.2.3 District Wide Matters – Subdivision

Rule	Discussion	Compliance
SUB-R3 Subdivision of land to create a new allotment.	<p>CON-1</p> <ul style="list-style-type: none">• Each lot includes a 14m x 14m dimension, plus boundary setbacks.• Onsite water storage is existing.• Stormwater management is already established.• Existing onsite wastewater treatment and disposal is established separately for each lot.• Power and telecommunications are supplied to each lot.• Easements are not required. <p>CON-2</p> <ul style="list-style-type: none">• Discretionary activity minimum allotment sizes are achieved.• Esplanade Reserve not required.	These rules do not have legal effect

4.2.4 Summary of Activity Status under the Far North Proposed District Plan

There are no relevant rules with immediate effect at this time.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1)(a) and (ab) requires the consent authority to have regard to any actual and potential effects on the environment of allowing the activity; and any measure proposed or agreed to by the application for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. Under Section 104(2), when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. This assessment of environmental effect addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as specified in Rule 13.11 (Non-Complying (Subdivision) Activities), where relevant.

5.1 Allotment sizes and dimensions

The subdivision design is based on the existing layout of buildings, private outdoor areas, and parking arrangements. Therefore, despite the non-compliance of the proposed area of each lot, it provides sufficient area and dimensions to provide for the existing residential purpose. Servicing for each lot is existing, with the already constructed wastewater treatment and disposal systems remaining on each lot within the proposed boundaries. Likewise, domestic / potable water supply and stormwater management are established.

Both lots include an allotment dimension that complies with the controlled activity standard for subdivision in the Coastal Residential Zone.

The proposal will not change the physical building layout on the site, or increase the overall residential intensity. There will be no change in terms of the relationship between the existing buildings and the external boundaries of the existing site. Furthermore, it is noted that the existing buildings will meet the permitted activity land use standards in relation to the proposed new boundaries, in relation to sunlight, setback and impermeable surface coverage.

The proposed lot sizes remain consistent with the subdivision pattern within the Reinga Heights area, and more specifically along this part of Reinga Road. The cadastral map in **Figure 4** shows that, despite the area of Lots 1 and 2 being less than the controlled and discretionary activity lot sizes provide for in the Operative District Plan, they will fit within the range of existing development in the surrounding environment.

Overall, it is considered that the proposed subdivision is in context with the wider existing settlement pattern and that there will be no change to the character of the subject land following the development, in order to retain the overall character of the existing natural and built environment. As such, the direct and cumulative adverse effects on the wider environment generated by the proposal will be less than minor, and the size of the proposed lots is suitable for their existing land use activity.

5.2 Natural and other hazards

The subject site is not affected by natural hazards as shown on the Northland Regional Council 'Natural Hazard' mapping. Furthermore, each lot has existing consented residential development, therefore no changes to the existing land use are proposed, and no subsequent land uses will result that differ from the existing situation in terms of natural hazards, including fire hazard. Therefore, it is considered that adverse effects of the proposal related to natural hazards and fire hazard are avoided.

5.3 Water supply

The property is not within the area of benefit for water reticulation, and existing water tanks collect and store rainwater for domestic and potable use. This is an existing situation, and no adverse effects with respect to water supply are anticipated. Likewise, there are no new requirements for water supply for fire fighting purposes.

5.4 Stormwater disposal

Existing impermeable surfaces comply with the permitted activity standard set out in the 'Stormwater Management' rule for the Coastal Residential Zone in the Operative District Plan, therefore effects of stormwater runoff can be disregarded as set out in Section 104(2) of the RMA. No additional impermeable surfaces are required to complete the proposal, therefore it is considered that it will not generate any new adverse effects in terms of stormwater runoff.

In terms of the effect that the subdivision will have on the existing stormwater management arrangements; provided that stormwater from Lot 1 is discharged in such a way that it doesn't flow over Lot 2, except if provided for by easement, the creation of separate titles for each existing residential development will not cause any adverse effects.

5.5 Sanitary sewage disposal

Each dwelling has an existing onsite wastewater disposal system, each of which is confirmed to be located within the proposed lot boundaries, with surplus reserve disposal area available on the lawn to the north, east and south of the buildings on Lot 1, and elsewhere in the northern part of Lot 2. The proposed subdivision will not result in additional wastewater discharge. It is therefore considered that the proposal will avoid adverse effects in terms of sanitary sewage disposal.

5.6 Energy and telecommunications supply

Each lot has existing power and telecommunications supply, with each supplied independently from Reinga Road.

Correspondence received from Top Energy (see **Appendix 3**) confirms that each lot has an existing power supply and that they have nil requirements.

The proposal has no effects in relation to the supply of electricity or telecommunications.

5.7 Easements for any purpose

As each lot has independent access and services, easements are not required to complete the subdivision.

5.8 Property access

Property access from Reinga Road to the parking area of each lot is already formed as previously described. As the proposal will not generate any additional traffic, and the existing level of traffic can be accommodated by the existing property access provisions, it is considered that the proposal avoids adverse effects in this regard.

Each lot contains existing off-street parking areas, which will remain within the proposed lot boundaries, with adequate manoeuvring area. Each parking area is adequate for the existing residential use.

Overall, it is considered that no additional traffic will be generated by the proposal, that existing traffic can be accommodated by existing property access provisions, and that the effects of the proposal on existing roading and traffic safety will be less than minor.

5.9 Archaeological and cultural effects

The site does not contain any known or mapped heritage resources or archaeological sites or sites of cultural significance. No earthworks or other land disturbance is required to complete the subdivision. The site is highly modified through the established land use activities. The standard Accidental Discovery Protocol advice note can be applied to the consent, outlining the procedures to be followed should any archaeological site be inadvertently uncovered, in order to avoid adverse effects on heritage resources.

5.10 Preservation and enhancement of vegetation and fauna

As noted, the site is not part of any protected natural area that has been mapped by the Department of Conservation and is not part of a North Island brown kiwi habitat. The proposal will not result in any direct or indirect adverse effects on ecological values, given that no new land uses will be established and there will be no increase in residential intensity as a result of the subdivision.

5.11 Landscape and visual effects

The site is not within an Outstanding Landscape, and does not have high or outstanding natural character.

Both proposed lots are fully developed and there will be no additional effects on the surrounding locality from the use of these sites, which will retain private open space and areas of mature plantings surrounding the existing buildings and their private outdoor areas. As such, there will be no adverse impacts on the visual amenity, or privacy of adjoining properties as a result of the proposed subdivision activity.

5.12 Soil

The site does not contain highly versatile soils or highly productive land and is not located within a primary production zone. Therefore, it is considered that the proposed subdivision and existing residential uses on Lots 1 and 2 will have no adverse effect on soil resources and the availability of suitable land for primary production.

5.13 Land use compatibility

The proposed subdivision supports an existing pattern of residential activity, which is surrounded by other residential properties. The proposal is therefore considered to avoid adverse effects associated with incompatible land use and reverse sensitivity, such that the existing uses of the lots and surrounding land can be accommodated.

6. STATUTORY ASSESSMENT

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- New Zealand Coastal Policy Statement
- Regional Policy Statement for Northland
- Operative Far North District Plan
- Proposed Far North District Plan
- Proposed Regional Plan for Northland

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment’s Hazardous Activities and Industries List.²

Far North Maps Land cover and land use classifications record the current land use as ‘Residential-Multi Unit’, with no horticultural / orcharding land cover since 1996.

Review of historic aerial photography using Retrolens, indicates that the property was either in scrub or in pasture between 1965 and 1981.³

Therefore, using Method 6(2), the subject site is not considered to be a ‘piece of land’ in terms of the above regulations.

6.1.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

The proposed subdivision does not involve any vegetation clearance, earthworks or taking, use, damming, diversion or discharge of water.

The Northland Regional Council Biodiversity Wetlands mapping does not record any wetlands within 100m of the subject site and there are no wetlands in close proximity (within 100m) apparent on aerial photography. Therefore, the proposal is not considered to have any implications in terms of the above regulations.

² Northland Regional Council (n.d.): *Selected Land-use Register Map*. Retrieved 16 June 2025 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

³ Sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0

6.2 National Policy Statements

6.2.1 New Zealand Coastal Policy Statement 2010 (“NZCPS”)

Despite its Coastal Environment classification under the Operative District Plan, the subject site is not in the coastal environment as mapped by the more recent Regional Policy Statement for Northland. Therefore, the NZCPS is not considered relevant to the proposed activity.

6.3 Regional Policy Statement for Northland (“RPS”)

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region.

Despite its Coastal Environment classification under the Operative District Plan, the subject site is not in the coastal environment as mapped by the more recent RPS. It is not within any outstanding natural landscapes or features and does not include any areas of high or outstanding natural character.

The relevant policy from the RPS is addressed beneath the applicable heading below.

Policy 5.1.1 – Planned and coordinated development, requires co-ordinated location, design and building or subdivision, use and development. Relevant matters are listed under (a), (c), (e), (g) and (h). These matters have been considered in preceding sections of this report. In particular:

- Servicing with the necessary infrastructure is already established.
- The site is not near any significant mineral resources.
- The residential use of each site is established – the proposal does not result in incompatible land use activities and avoids reverse sensitivity.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- No new adverse effects on significant ecological areas or species will result.
- Adverse effects associated with natural hazards are avoided.
- The site does not contain highly versatile soils.
- The existing residential use of the lots is consistent within the predominant land use and subdivision development in the surrounding environment. The character of the surrounding environment can be retained.
- The proposal has no implications on matters such as renewable energy, sustainable design technologies.

6.4 District Plan Objectives and policies

6.4.1 Operative Far North District Plan

The objectives and policies of the Coastal Environment, Coastal Residential Zone and Subdivision Sections of the District Plan are relevant to this proposal. As discussed below, it has been concluded that the proposal is not contrary to the overall objectives and policies of the District Plan and consequently meets the test of section 104D(1)(b).

COASTAL ENVIRONMENT	
10.3 Objectives	
10.3.1 <i>To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.</i>	Adverse effects are avoided given the existing residential land use established on each lot.
10.3.2 <i>To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:</i> <i>(a) the natural character of the coastline and coastal environment;</i> <i>(b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>(d) the open space and amenity values of the coastal environment;</i> <i>(e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council)</i>	The existing level of natural character, open space and amenity values will be retained, and the proposal has no adverse impacts on ecological values, water quality and soil conservation.
10.3.3 <i>To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.</i>	There are no known or recorded heritage or cultural sites within the subject property. Land disturbance is not required.
10.3.8 <i>To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.</i>	Existing on-site water storage will be retained.
10.4 Policies	
10.4.1 <i>That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</i> <i>(a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and</i> <i>(b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and</i> <i>(c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and</i> <i>(d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and</i> <i>(e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</i> <i>(f) recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and</i>	Given the developed nature of each site, the proposal is considered to be an appropriate subdivision, which does not impact natural character, the coastal environment, heritage, landscape, cultural or ecological features, existing amenity values. The proposal has no implications in terms of public access or servicing.

<p>(g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and</p> <p>(h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.</p>	
10.4.2 That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.	The subdivision sits within an existing settlement and is neither sprawling nor sporadic.
10.4.9 That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.	The site is not subject to natural hazards.
10.4.10 To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.	Water supply is available using the existing on-site water tanks.
10.4.11 To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.	No earthworks or other land disturbance is required.
<p>10.4.12 That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:</p> <p>(a) the siting of buildings relative to the skyline, ridges, headlands and natural features;</p> <p>(b) the number of buildings and intensity of development;</p> <p>(c) the colour and reflectivity of buildings;</p> <p>(d) the landscaping (including planting) of the site;</p> <p>(e) the location and design of vehicle access, manoeuvring and parking areas</p>	No new buildings will result from the proposal, and existing landscaping is in place to minimise effects on natural character and amenity values.
COASTAL RESIDENTIAL ZONE	
10.8.3 Objectives	
10.8.3.2 To protect the coastline from inappropriate subdivision, use and development.	The subdivision relates to existing built development and residential activity, and is considered to be an appropriate activity.
10.8.4 Policies	
10.8.4.3 That residential activities have sufficient land associated with each household unit to provide for outdoor space and sewage disposal.	Each existing dwelling has areas of private outdoor spaces as well as an existing onsite wastewater disposal system, which will be retained within the respective lot boundaries.
10.8.4.4 That the portion of a site covered in buildings and other impermeable surfaces be limited to enable open space and landscaping around buildings and avoid or mitigate the effects of stormwater runoff on receiving environments	No additional impermeable surface coverage is proposed, and existing impermeable cover complies with the permitted activity standard.
10.8.4.7 That provision be made to ensure a reasonable level of privacy and amenity for inhabitants of buildings.	Existing landscaping and building placement / orientation creates private areas within each lot, allowing residents of the existing dwellings suitable privacy and outdoor living areas.

SUBDIVISION	
13.3 Objectives	
13.3.1 <i>To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.</i>	The proposal is a sustainable subdivision which is based on the existing layout of built development on the site.
13.3.2 <i>To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.</i>	Adverse effects on natural resources are avoided through the location of the subdivision, and as no change to land use will result.
13.3.5 <i>To ensure that all new subdivisions provide ... on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.</i>	Water storage and stormwater management is existing.
13.3.7 <i>To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.</i>	There are no known or recorded heritage or cultural sites within the subject property. No land disturbance is involved.
13.3.8 <i>To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.</i>	Each lot has an existing electricity supply.
13.3.9 <i>To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).</i>	Both lots are developed, and the proposal has no implications in terms of this objective.
13.3.10 <i>To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.</i>	The existing infrastructure framework is established on the adjoining local road network. Existing telecommunications connections are established.
13.4 Policies	
13.4.1 <i>That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:</i> (a) <i>natural character, particularly of the coastal environment;</i> (b) <i>ecological values;</i> (d) <i>amenity values;</i> (g) <i>existing land uses.</i>	The allotment dimensions meet the controlled activity standard. The lots are suitable for their existing land use and remain consistent with the range of nearby properties.
13.4.2 <i>That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.</i>	Existing property access arrangements will be retained.
13.4.3 <i>That natural and other hazards be taken into account in the design and location of any subdivision.</i>	The site is not subject to natural hazards; furthermore, the residential development is established, and no new risk to the health and safety of residents will arise.
13.4.4 <i>That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.</i>	The lots have existing utility connections.

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.	No new physical property access formations are required.
13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of ... significant habitats of indigenous fauna, threatened species ... where appropriate.	There are no significant vegetation or habitat areas on the site.
13.4.8 That the provision of water storage be taken into account in the design of any subdivision.	Water storage is existing on each lot.
13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.	There are no known or recorded heritage or cultural sites within the subject property. Land disturbance is not required.
13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including: (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns; (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land ... (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests; (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.	The coastal character of this part of Reinga Road will be preserved, and no new buildings are proposed. Therefore, the proposal avoids adverse effects in terms of the listed matters.
13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.	Refer to the assessment above.

6.4.2 Proposed Far North District Plan

Relevant objectives and policies set out under the chapters 'Settlement Zone' and 'Subdivision', and are commented on below, and it is concluded that the proposal will be consistent with the relevant strategies.

SETTLEMENT ZONE	
Objectives	
<i>RSZ-O2 Land use and subdivision is of a scale and intensity that is in keeping with the rural or coastal character and amenity of each settlement.</i>	The existing land use activities are established – no impacts on rural character or amenity values will arise.
<i>RSZ-O3 Land use and subdivision in the Settlement zone is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.</i>	The subdivision layout is based on the existing physical development on the site.
<i>RSZ-O4 Land use and subdivision in the Settlement zone is managed to control any reverse sensitivity issues that may occur within the zone or at the zone interface.</i>	The relationship between the existing land use activities within the site, and with other surrounding land, is established, with the existing area being residential in nature. No effects on reverse sensitivity will arise
Policies	
<i>RSZ-P5 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</i> <ol style="list-style-type: none"> <i>the scale, character and amenity of the settlement, in particular impacts on existing residential activities;</i> <i>siting and design;</i> <i>cultural and social well-being, including health and safety;</i> <i>potential reverse sensitivity effects both within the settlement and on adjacent zones;</i> <i>its location within or adjoining to the settlement; and</i> <i>the vitality and viability of nearby urban environments.</i> <i>the capacity of the site to cater for on-site infrastructure associated with the proposed activity;</i> <i>the adequacy of roading infrastructure to service the proposed activity;</i> <i>managing natural hazards;</i> <i>any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</i> <i>any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</i> <i></i> 	<ul style="list-style-type: none"> • No public impacts will arise from the proposed activity. • The siting and design of buildings and property access arrangements will remain unchanged. • No adverse effects on the character and amenity of the area will arise. • No construction effects will arise. • No earthworks are required. • Existing stormwater management will be retained. • The subdivision activity will not exacerbate natural hazards. • No impacts on historic heritage, indigenous biodiversity, natural character of the coastal environment / water bodies, landforms, cultural features, esplanade areas. • The existing design and layout of open space and outdoor living areas will be used. • Existing household planting is established. • No change will arise in terms of consistency with the surrounding residential environment. • No change in terms of privacy, shading, visual dominance will occur.
SUBDIVISION	
Objectives	
<i>SUB-O1 Subdivision results in the efficient use of land, which:</i> <ol style="list-style-type: none"> <i>achieves the objectives of each relevant zone, overlays and district wide provisions;</i> <i>contributes to the local character and sense of place;</i> <i>avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from</i> 	The subdivision provides for the existing residential dwellings, and is an efficient use of the land as per the listed objectives.

<p><i>continuing to operate;</i></p> <p><i>d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;</i></p> <p><i>e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and</i></p> <p><i>f. manages adverse effects on the environment.</i></p>	
<p><i>SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:</i></p> <p><i>a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and</i></p> <p><i>b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.</i></p>	Existing infrastructure already in place. There will be no additional demand on any service infrastructure.
Policies	
<p><i>SUB-P3 Provide for subdivision where it results in allotments that:</i></p> <p><i>a. are consistent with the purpose, characteristics and qualities of the zone;</i></p> <p><i>b. comply with the minimum allotment sizes for each zone;</i></p> <p><i>c. have an adequate size and appropriate shape to contain a building platform; and</i></p> <p><i>d. have legal and physical access.</i></p>	The subdivision meets the minimum discretionary activity lot sizes. The subdivision design is based on the existing layout of buildings, parking, and outdoor living areas and represents the best practicable option in terms of size, dimension and area. Each lot retains direct frontage to Reinga Road as per the existing access arrangements.
<p><i>SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan</i></p>	No infringements of other District Wide matters have been identified. In terms of natural hazards, no new land use activities are proposed which would increase the risk of natural hazard.
<p><i>SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:</i></p> <p><i>a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and</i></p> <p><i>b. ensuring that the infrastructure is provided in accordance the purpose, characteristics and qualities of the zone.</i></p>	Existing servicing is in place. There will be no additional demand on any service infrastructure.
<p><i>SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:</i></p> <p><i>a. consistency with the scale, density, design and character of the environment and purpose of the zone;</i></p> <p><i>b. the location, scale and design of buildings and structures;</i></p> <p><i>c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;</i></p> <p><i>d. managing natural hazards;</i></p>	As discussed above, adverse effects are largely avoided, as the subdivision supports established land use activities and buildings.

<p>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</p> <p>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	
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6.4.2 Weighting assessment of Operative and Proposed Far North District Plan

The current District Plan review process was initiated in 2016. Submissions and further submissions have been received. Public hearings are currently taking place, and in 2026 the council will give notice of its decisions on the Proposed District Plan. At this stage, as there is scope for relevant rules, objectives and policies to change, it is considered that limited weight should be attributed to the Proposed District Plan, and more weight applied to the provisions of the Operative District Plan.

6.5 Proposed Regional Plan for Northland (February 2024)

No consents are required under the Proposed Regional Plan.

6.6 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

7 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-

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

8 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 (Te Tiriti o Waitangi).

The proposal is considered to promote sustainable management as per the purpose of the Act (Section 5) by creating separate Records of Title for each existing dwelling on the site. With buildings and land use activities established on each lot, the proposal avoids adverse effects on natural and physical resources, and on the wider environment.

There are no relevant matters of national importance.

The proposed subdivision is considered to be an efficient use of this land, which supports existing built development and land use activities within an existing residential setting. In these circumstances there will be no detriment to amenity values, or the overall quality of the environment in terms of section 7.

The proposal has no known implications in terms of the Treaty of Waitangi.

The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7. OTHER MATTERS

Section 104(1)(c) requires the consent authority, subject to Part 2 of the Act, to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

7.1 Precedent effect

The precedent resulting from granting a resource consent is an 'other matter' that Council can have regard to in considering an application for consent for a non-complying activity. The non-complying activity status does not of itself create a precedent effect; however, a relevant consideration is whether granting this consent, and the anticipation that like cases will be treated alike, will contribute to an adverse cumulative effect that follows from this activity.

Case law has indicated that although precedent effects are relevant, they should not be attributed too much weight, as every application must be considered on its own merits and against the relevant provisions of the District Plan (Berry v Gisborne District Council [2010] NZEnvC 71).

As the subdivision relates to existing built development and residential land use activities, the subdivision itself fully avoids adverse effects on natural and physical resources, and is able to pass both limbs of the Section 104D gateway test. Therefore, despite its non-complying activity status, approval of this application would not establish a precedent.

For these reasons, it is considered that a precedent will not be created through the granting of this application due to its distinguishing features and circumstances.

8. CONSULTATION & NOTIFICATION ASSESSMENT

8.1 Public notification

Step 1: Public notification is not requested. Sections 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

Step 3: There are no relevant rules that require public notification, and the adverse effects of the proposal have been assessed as being less than minor, as set out in Section 5 of this Report. As such, public notification is not considered necessary.

Step 4: No special circumstances are considered to exist to warrant public notification.

8.2 Limited notification

Step 1: There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

Step 3: Section 95E describes when a person is an affected person. No person is considered to be an affected person in terms of this proposed activity as there will be no change to natural or physical resources as a result of the subdivision, given that it creates separate Records of Title for established buildings and residential land use activities.

As such, it is considered that limited notification is not required via Step 3.

Step 4: No special circumstances exist.

8.3 Summary of Notification Assessment

As outlined above, we anticipate that the application can be treated as non-notified.

9. CONCLUSION

In terms of section 104 , 104B and 104D of the Resource Management Act 1991, we consider that:

- the proposed activity achieves the “threshold test” set out in 104D(1) as:
 - the adverse effects of the activity on the environment resulting from the proposed activity will be less than minor; and
 - the proposal is considered to be consistent with the objectives and policies of the Operative District Plan and Proposed District Plan.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.
- The proposal is not contrary to the Regional Policy Statement for Northland.

We also note that:

- The proposal has been assessed as satisfying the statutory requirements to proceed without notification.


Signed
Natalie Watson,
Resource Planner

Date **18 June 2025**
WILLIAMS & KING
Kerikeri

10. APPENDICES

Appendix 1	Scheme Plan
Appendix 2	Record of Title
Appendix 3	Top Energy Correspondence



Impermeable Areas

Lot 1	Lot 1 - House	135m ²
	Sleepout	100m ²
Total	Drive	222m ²
		458((27%)
Lot 2	Lot 2 - House	295m ²
	Concrete	59m ²
Total	Drive	305m ²
		660((39%)

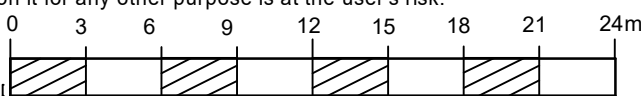
AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 0.3432ha
Comprised in: NA39A/1137

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

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



Prepared for: P J Fewkes



WILLIAMS AND KING
Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 407 6030
Email: kerikeri@saps.co.nz

27 Hobson Ave
PO Box 937 Kerikeri

Proposed Subdivision of
Lot 1 DP 82639

Name		Date	ORIGINAL SCALE	SHEET SIZE
Survey				
Design			1:300	A3
Drawn	W & K	Apr 2025		
Rev				

24499



Top Energy Limited

Level 2, John Butler Centre
60 Kerikeri Road
P O Box 43
Kerikeri 0245
New Zealand
PH +64 (0)9 401 5440
FAX +64 (0)9 407 0611

18 June 2025

Natalie Watson
Williams & King
PO Box 937
KERIKERI 0230

Email: nat@saps.co.nz

To Whom It May Concern:

RE: PROPOSED SUBDIVISION
PJ Fewkes – 70 & 72 Reinga Road, Kerikeri. Lot 1 DP 82639.

Thank you for your recent correspondence with attached proposed subdivision scheme plans.

Top Energy's requirement for this subdivision is nil.

Top Energy advises that there is an existing power supply to both of the proposed lots 1 & 2.

In order to get a letter from Top Energy upon completion of your subdivision, a copy of the resource consent decision must be provided.

Yours sincerely

Aaron Birt
Planning and Design
T: 09 407 0685
E: aaron.birt@topenergy.co.nz



**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 **NA39A/1137**
Land Registration District **North Auckland**
Date Issued 15 May 1978

Prior References
NA40C/1093

Estate Fee Simple
Area 3432 square metres more or less
Legal Description Lot 1 Deposited Plan 82639

Registered Owners

Nanette Lee as to a 1/2 share
Penelope Jane Fewkes as to a 1/2 share

Interests

The easements specified in Easement Certificate 682597.8 are subject to Section 351E (1) (a) Municipal Corporations Act 1954

Appurtenant hereto is a right to drain water specified in Easement Certificate 682597.8 - 27.3.1979 at 2:19 pm

Appurtenant hereto is a right to drain stormwater created by Easement Instrument 8395080.2 - 26.11.2010 at 11:02 am

