

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

2. Type of consent being applied for

(more than one circle can be ticked):

<input type="radio"/> Land Use	<input type="radio"/> Discharge
<input type="radio"/> Fast Track Land Use*	<input type="radio"/> Change of Consent Notice (s.221(3))
<input type="radio"/> Subdivision	<input type="radio"/> Extension of time (s.125)
<input type="radio"/> Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)	
<input 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:	Ngati Kahu Social & Health Services c/o Hemoata Tauroa
Email:	
Phone number:	
Postal address: (or alternative method of service under section 352 of the act)	

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:	Steven Sanson - Bay of Islands Planning Ltd
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.

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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:	Refer RoT Attached to application
Property address/ location:	39 Taipa Point Road, Taipa
	Postcode

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 Enter BC ref # here (if known)

Regional Council Consent (ref # if known) Ref # here (if known)

National Environmental Standard Consent Consent here (if known)

Other (please specify) Specify 'other' here

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)

Hemoata Tauroa - CEO of Ngati Kahu Social and Health Services Charitable Trust

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.

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)

Hemoata Tauroa

Signature:

(signature of bill payer)

Date 15-Dec-2025

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)

Signature

Date

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.

Bay Of Islands Planning Limited

Kerikeri House
Suite 3, 88 Kerikeri Road
Kerikeri

Email office@bayplan.co.nz Website www.bayplan.co.nz

11 December 2025

Dear Team Leaders

Re: Proposed change of use of 39 Taipa Point Road, Taipa

Our client, Ngati Kahu Social & Health Services, seek a resource consent to convert an existing residential dwelling in the Residential Zone of the Operative District Plan [**ODP**] to a clinic / drop in centre housing staff and clients.

The maximum number of staff and clients at any one time would be no more than 10 people. No internal or external changes are proposed.

The client does not currently own the property but is seeking a consent approval prior to purchase to ensure that the activity can be undertaken.

The site is located in the General Residential Zone of the Proposed District Plan [**PDP**]. No consents are required under the PDP.

We attach information required to be included in this application by the relevant statutory documents as follows:

- **Planning Report and Assessment of Environmental Effects**
- **Appendix A – Record of Title & Instruments**

- **Appendix B – LIM Report**
- **Appendix C – Photos of Property**

Please do not hesitate to contact me should you require any further information.



Steven Sanson
Consultant Planner

1. APPLICANT & PROPERTY DETAILS

Applicant	Ngati Kahu Social & Health Services
Address for Service	Bay of Islands Planning [2022] Limited PO Box 318 PAIHIA 0247 C/O – Steven Sanson steve@bayplan.co.nz 021-784-3331
Legal Description	Part Allotment 5 Section 1 Village of Taipa
Certificate Of Title	NA1016/153
Physical Address	39 Taipa Point Road, Taipa
Site Area	2,023m ² [Limited as to Parcels]
Owner of the Site	Lynn Macrae
District Plan Zone / Features	Residential [ODP] / General Residential [PDP] Coastal Environment [PDP] Coastal Hazard 2 [ODP] Coastal Flood Zone 1-3 [PDP] River Flood Zone 10 and 100 Year [PDP]
Archaeology	Nil
NRC Overlays	Coastal Environment
Soils	Class 3
Protected Natural Area	Nil
HAIL	Nil

Schedule 1

2. SUMMARY OF PROPOSAL

Proposal	Resource consent to convert the use of an existing residential building to allow for its use as an office and drop in clinic for up to 10 persons at any one time.
Reason for Application	<p>The proposal is considered to breach the following rules:</p> <ul style="list-style-type: none">• 7.6.5.1.3 Scale of Activities• 15.1.6A.2.1 Traffic Intensity• 15.1.6B.1.1 On Site Car Parking Spaces <p>The proposal is a Restricted Discretionary Activity.</p>
Appendices	Appendix A – Record of Title & Instruments Appendix B – LIM Report Appendix C – Photos of Property
Consultation	Nil
Pre Application Consultation	Nil

3. INTRODUCTION & PROPOSAL

3.1 Report Requirements

This report has been prepared for Ngati Kahu Social & Health Services in support of a land use consent application at 39 Taipa Point Road, Taipa.

The application has been prepared in accordance with the provisions of Section 88 and the Fourth Schedule of the Resource Management Act 1991 [**RMA**].

This report serves as the Assessment of Environmental Effects required under both provisions.

The report also includes an analysis of the relevant provisions of the Far North District Plan [Operative and Proposed], relevant Regional Planning documents, National Policy Statements and Environmental Standards, as well as Part 2 of the RMA.

3.2 Proposal

The site is located on NA1016/153 as outlined below with relevant interests as outlined on the Record of Title in Appendix A. The site is also shown below in Figure 1.



Figure 1: Site (Source: Prover)

There are no instruments on the Record of Title, however the site is 'Limited as to Parcels'.

The proposal seeks to convert the existing dwelling to an office / drop in space for staff and clients. No external or internal changes are promoted at this stage but are likely to be undertaken so that its use is compliant with the Building Act.

The applicant undertakes various social services throughout the north. This includes supporting those suffering from mild mental health issues such as anxiety and depression. One specific programme that would be supported from the site is Waka Ama – due to the closeness of the site to the River and boat ramp¹.

It is intended that this property act as a small and temporary base for staff and clients to drop in to and have refreshments as well as access to the water for certain

¹ See <https://ngatikahu.org.nz/waka-ama/>

initiatives such as waka ama, as well as other confidence boosting activities. The sites proximity to the reserve enables this area to be well utilised and supported.

It is not envisaged that the property is used as a headquarters for staff.

The property will be used in line with the permitted standards found within the Hours of Operation Rule as below:

7.6.5.1.13 HOURS OF OPERATION - NON-RESIDENTIAL ACTIVITIES

- (a) the maximum number of hours the activity shall be open to visitors, clients or deliveries shall be 50 hours per week; and
- (b) hours of operation shall be limited to between the hours:
0700 - 2000 Monday to Friday
0800 - 2000 Saturday, Sunday and Public Holidays

Provided that this rule does not apply:

- (i) where the entire activity is located within a building; and
- (ii) where each person engaged in the activity outside the above hours resides permanently on the site; and
- (iii) where there are no visitors, clients or deliveries to or from the site outside the above hours.

Exemptions: This rule does not apply to activities that have a predominantly residential function such as lodges, motels and homestays.

A LIM Report is provided in **Appendix B** for full disclosure about the property. Various photos of the site are provided in **Appendix C**.

The proposal is a **Restricted Discretionary Activity** under the ODP.

4. SITE & SURROUNDING ENVIRONMENT

4.1 Zoning, Overlays, & Instruments

The property is located entirely within the Residential Zone and is within the Coastal Hazard 2 Zone of the ODP.

Under the PDP, the site is to be zoned General Residential and is within the Coastal Environment. Both coastal and river flooding affect the site.



Figure 2: ODP Zoning (Source Far North Maps)

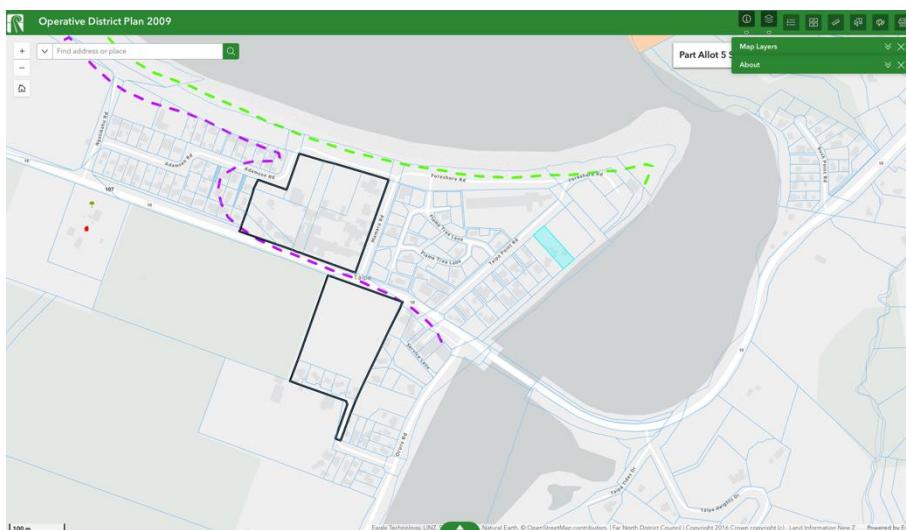


Figure 3: ODP Features (Source Far North Maps)

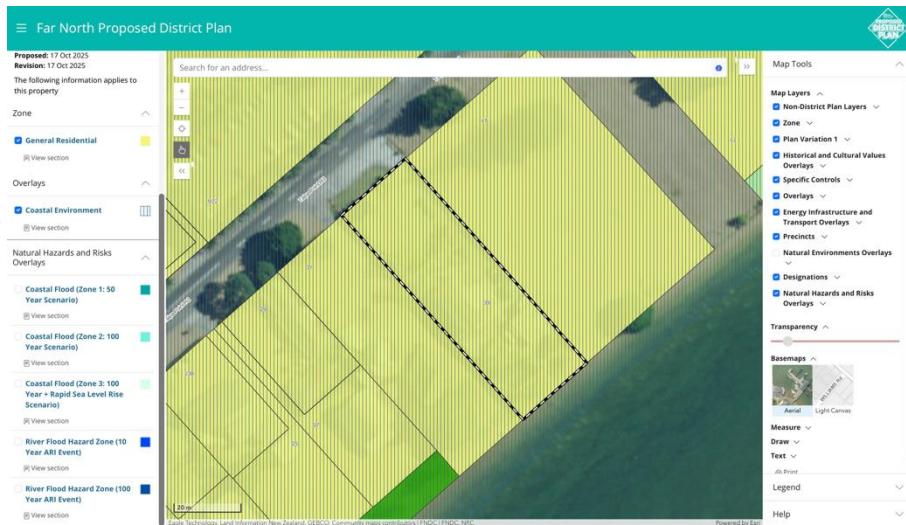


Figure 4: PDP Zoning (Source: Far North Maps)



Figure 5: PDP Features (Source: Far North Maps)

4.2 Location

The site is located near the end of Taipa Point Road, which is the first right after the Taipa Bridge on SH10 heading north. The site is opposite the Taipa Beach Resort and is next to a local reserve.

4.3 Topography & Natural Features

The site is landscaped internally and along the road boundary and coastal margin.
The site is largely flat.

4.4 Built Form & Access

The site contains an established two storey building which is estimated at 215m² in size. It contains two living areas, four bedrooms, and two bathrooms. There are a boatshed and garage also on site as well as three water tanks. The site is accessed from a concrete driveway from Taipa Point Road. There is carparking for at least 5 car parks.

The site has access to Council wastewater systems and is within Councils stormwater management plan for the area. The site provides its own water through roof collection.

4.5 Surrounding Environment

The surrounds are characterized by residential use both at a domestic and commercial scale with the Taipa Beach Resort in close proximity. The local reserve adjoins the site to the east which contains community amenities such as public toilets, the Taipa boat ramps and parking.

Taipa is serviced by a small commercial area that fronts SH10. This includes a gas station, bakery, and a few other smaller shops. Education facilities are located to the north along SH10.

5. ASSESSMENT OF RELEVANT RULES

5.1 Far North District Plan

An assessment of the relevant rules of the ODP has been undertaken below:

Table 1 –Residential Zone Land Use Rules

Rule	Assessment
7.6.5.1.1 Relocated Buildings	Not applicable Complies
7.6.5.1.2 Residential Intensity	No new residential units proposed. Complies
7.6.5.1.3 Scale of Activities	10 x staff and other visitors are proposed. The rule allows 2 persons per 600m ² as the site is sewered. The site is 2,023m ² which would allow 6 persons as a permitted activity. The proposal meets the requirements of 7.6.5.3.2. Restricted Discretionary
7.6.5.1.4 Building Height	Building is compliant / existing. Complies
7.6.5.1.5 Sunlight	Building is compliant / existing. Complies
7.6.5.1.6 Stormwater Management	Building is compliant / existing. Complies
7.6.5.1.7 Setback from boundaries	Building is compliant / existing. Complies
7.6.5.1.8 Screening for Neighbours – Non Residential Activities	The site is adequately fenced. Complies
7.6.5.1.9 Outdoor Activities	Not applicable Complies
7.6.5.1.10 Visual Amenity	Not applicable Complies
7.6.5.1.11 Transportation	Refer Table 3 below Restricted Discretionary

7.6.5.1.12 Site Intensity Non Residential Activities	The net site area of non-residential activities is limited to the current residential unit which is 215m ² . Complies
7.6.5.1.13 Hours of Operation Non Residential Activities	The activity will comply with the hour of operations standards. Complies
7.6.5.1.14 Keeping of Animals	Not applicable Complies
7.6.5.1.15 Noise	Residential noise is envisaged. Complies
7.6.5.1.16 Helicopter Landing Area	Not applicable Complies
7.6.5.1.17 Building Coverage	No new buildings are proposed. Complies

Table 2 – District Wide Rules

Rule	Assessment
12.1 Landscape & Natural Features	Not applicable. Complies
12.2 Indigenous Flora and Fauna	No indigenous vegetation clearance required. Complies
12.3 Earthworks	No works are required. Complies
12.4 Natural Hazards	No new buildings are proposed. Complies

12.5 Heritage	Not applicable. Complies
12.5A Heritage Precincts	Not applicable. Complies
12.6 Air	Not applicable. Complies
12.7 Lakes, Rivers, Wetlands and the Coastline	Not applicable. Complies
12.8 Hazardous Substances	Not applicable. Complies
12.9 Renewable Energy and Energy Efficiency	Not applicable. Complies

Table 3 – Transport Rules

Rule	Assessment
15.1.6A.2 Traffic Intensity	<p>The residential zone allows 20 traffic movements as a permitted activity. The most appropriate fit from Appendix 3A is Office and Commercial which is considered at 10 movements per 100m² GBA.</p> <p>The GBA is 215m². This results in 21.5 movements [22]. This is two movements above the permitted standard.</p> <p>Restricted Discretionary</p>
15.1.6B.1 Parking	Using Office and Commercial from Appendix 3C, 1 car park per 40m ² GBA is required. This results in the need for 5.375 [6] car parks. 5 x car parks are provided.

Restricted Discretionary	
15.1.6C Access	Access comes off the existing crossing and concrete internal access. Complies

Overall, this application falls to be considered as a ‘Discretionary Activity’ under the ODP.

Clause 2(1)(d) of Schedule 4 of the RMA requires applicants to identify other activities of the proposal with the intention of capturing activities which need permission or licensing under other enactments. These are considered below.

5.2 Northland Regional Council Requirements

The relevant matter to consider in terms of the proposal is with respect to the matters under management of the Northland Regional Council.

The proposal has been assessed against the Proposed Regional Plan for Northland and no consents are required.

5.3 Proposed Far North District Plan 2022

The PDP has rules which have immediate legal effect for the following chapters:

Table 4 – Assessment of the PDP Rules

Rule	Assessment
Hazardous Substances	Not relevant as no such substances proposed. Complies
Heritage Area Overlays	Not relevant. Complies
Historic Heritage	Not relevant.

	Complies
Notable Trees	Not relevant. Complies
Sites and Areas of Significance to Māori	Not relevant. Complies
Ecosystems and Indigenous Biodiversity	Not relevant. Complies
Activities on the Surface of Water	Not relevant Complies
Earthworks	These standards can be imposed and required at time of development. Complies
Signs	Not relevant. Complies
Orongo Bay Zone	Not relevant Complies
Subdivision	No subdivision is proposed. Complies

No consents are required under the PDP.

6. NOTIFICATION ASSESSMENT

6.1 Public Notification

The table below outlines the steps associated with public notification insofar as it relates to s95 of the Act.

Table 5 – s95 Assessment

Step 1	Mandatory public notification in certain circumstances
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S95A(3)(a)	Has the applicant requested that the application be publicly notified?	No
S95A(3)(b)	Is public notification required under section 95C? (after a request for further information)	TBC
S95A(3)(c)	Has the application been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.	No
<u>Step 2</u>	<u>if not required by step 1, public notification precluded in certain circumstances</u>	
S95A(5)(a)	Is the application 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?	No
S95A(5)(b)	Is the application 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.	No

The proposed development does not meet the tests for mandatory public notification, nor does it meet the tests for precluding public notification. Therefore, an assessment of environmental effects is required to consider whether these matters should be further explored.

7. EFFECTS ON THE ENVIRONMENT

7.1 Effects That Must Be Disregarded

Effects on persons who are owners and occupiers of the land in, on, or over which the application relates, or of adjacent land must be disregarded when considering effects on the environment (s 95D(a)). Those properties / persons are shown in Table 6 below.

Table 6 – Adjacent Persons

Address	Capital Value	Owners	Last Sale Date	Last Sale Price	Land Area	Floor Area	Cat
47 Taipa Point Road Taipa Far North	165000		01 Jan 1900	165000	1,000 m ²	140 m ²	RD195B Residential Dwelling
31 Taipa Point Road Taipa Far North	1210000	Andrew James Archibald	01 Apr 2016	700000	2,023 m ²	2,100 m ²	RD198A Residential Dwelling
15/22 Taipa Point Road Taipa Far North	195000	Leanne Karen Cutfield, Warwick Stephen Cutfield			41 m ²		RF200B Residential F – ownership home units



Figure 6: Adjacent Sites (Source: Prover)

7.2 Written Approvals

No written approvals have been sought

7.3 Effects That May Be Disregarded

Sections 95D(b) and 95E(2)(a) provide that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council 'may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect'. This is known as the permitted activity baseline test.

The purpose of the permitted baseline test is to isolate and make effects of activities on the environment that are permitted by a plan or NES, irrelevant.

When applying the permitted baseline such effects cannot then be taken into account when assessing the effects of a particular resource consent application. The baseline has been defined by case law as comprising non-fanciful (credible) activities that would be permitted as of right by the plan in question.

In relation to the above, the permitted baseline is considered relevant and the assessment of effects will only consider the following matters which are over and above that permitted:

- Scale of Activities – the effects of an additional two persons [non residents] on the site.
- Traffic Movements – the effects of an additional two movements per day from the site.
- Parking – the parking shortfall of 1 x car park from the activity.

7.4 Existing Environment

The receiving environment is the environment upon which a proposed activity might have effects. It is permissible (and often desirable or necessary) to consider the future state of the environment upon which effects will occur, including:

- the future state of the environment as it might be modified by the utilization of rights to carry out permitted activities (refer above).
- the environment as it might be modified by implementing resource consents that have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

The existing environment in this instance is characterized by the existing and legalized built development already located on site and in the surrounds.

There are no known unimplemented consents with respect to this site.

7.5 Effects Assessment

The following assessment (refer Table 7) has been prepared in accordance with Section 88 and Schedule 4 of the Act which specifies that the assessment of effects provided should correspond with the scale and significance of the proposal.

Table 7 – Effect Assessment (Environment)

Item	Assessment Criteria	Comments
Positive Effects	Nil	The proposal assists with a local service providers delivery of services in the Far North, enabling it to enhance the wellbeing of Far North residents who require their services, whilst ensuring that the effects of the use are commensurate with the underlying residential nature of the site and the surrounding environment.
Scale of Activities	Derived from Chapter 7	<p>In terms of the assessment criteria found in 7.6.5.3.2:</p> <ul style="list-style-type: none"> • The buildings are existing and no changes are proposed. There are no additional effects to neighbours that don't already exist. • The location and design of access is also unchanged. The access to the site is located closer to the reserve than the neighbouring property. The additional 2 traffic movements on and off the site at peak capacity is an effect that is difficult to differentiate from that which is permitted. • Hours of operation are proposed to be in accordance with the permitted standard. • Noise generation is expected to be in line with the existing residential use. • The site is serviced in terms of wastewater. Any additional demand for water can be serviced commercially. • The amount of people on the site is largely commensurate with the amount of people a family could have present on the site as a four bedroom dwelling. An extra two persons on the site above what is permitted is not expected to reduce the public use and enjoyment of a reserve.

Traffic Intensity	Derived from Chapter 15	<p>In terms of the assessment criteria found in 15.1.6A.4.1:</p> <ul style="list-style-type: none"> • The time of day for the extra movements will be associated with the permitted hours of operation sought. • The access to the site is 10m from the opposite vehicle crossing of the Taip Beach Resort and 25m from neighbouring property. • Taipa Point Road is sealed and marked for two way use. • A footpath is located on the opposite side of the road to the site. It does not appear to be well used due to the density of the surrounding residential uses. This may peak in summer but the extra persons on site will not alter the use or detract from the use of footpaths. • Sight distances are unchanged. • The existing volume on the road is considered to be low. An extra two movements above the baseline will retain a low volume. • There are no safety or congestion problems. • Vehicle movements on the site are screened and vehicles will be limited / confined to the hours of operation standard. • There are no changes proposed in terms of access proposed to and from the site. • There is no land administered by DoC within 500m of the site. • Pedestrians can safely access / egress the site.
Parking	Derived from Chapter 15	<p>In terms of the assessment criteria found in 15.1.6B.5:</p> <ul style="list-style-type: none"> • A shortfall of 1 x car park could be provided on the site, however it is unlikely that a full complement of 10 persons at any one time will be present on the site. There is considerable off street parking available.

<p><u>Concluding Statement:</u></p> <p>Having considered the relevant actual and potential effects associated with the development, it is considered that the proposed land use promotes effects that are less than more than minor on the environment.</p>		

8. EFFECTS TO PEOPLE

8.1 Limited Notification

The table below outlines the steps associated with limited notification insofar as it relates to s95 of the Act.

Table 8 – s95 Assessment

<u>Step 1</u>	<u>certain affected groups and affected persons must be notified</u>	
S95B(2)(a)	Are there any affected protected customary rights groups?	No
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?	No
S95B(3)(a)	Is the proposed activity on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?	No
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made an affected person under section 95E?	No
<u>Step 2</u>	<u>if not required by step 1, limited notification precluded in certain circumstances</u>	
S95B(6)(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 limited notification:	No
S95B(6)(b)	the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land)	No

8.2 Affected Person Determination

As the proposed activity does not trigger mandatory limited notification, nor is it precluded, an assessment of potential affected persons must be undertaken.

The consent authority has discretion to determine whether a person is an affected person. A person is affected if an activity's adverse effects are minor or more than minor to them.

The potential effects of the proposal on adjacent landowners has been undertaken below in context of those parties outlined earlier in Section 7.

8.3 Effects on Persons Assessment

The proposal is not considered to result in any potential affected persons for the following reasons:

- The effects are commensurate with a residential activity and the departure from the permitted baseline in terms of effects are hard to distinguish from a genuine residential use.
- The site can be serviced internally with minimal off-site effects if parking on the road is required.
- The house / site has no known effects to cultural or spiritual resources or values.

Accordingly, the effects to persons are less than minor.

9. STATUTORY CONTEXT

9.1 National Policy Statements and Plans

In terms of NPS' and NES' the following is provided:

- With respect to the National Environmental Standard – Soil Contamination, the site is not HAIL.
- The site is Coastal as per the Regional Policy Statement and therefore the New Zealand Coastal Policy Statement is relevant. Whilst the NZCPS is

relevant, there are no external or internal changes proposed that offends any objective or policy of the NZCPS. This is particularly true when the activity corresponds to the zone and results in no related visual infringements of the district plan.

- The site is within an urban area and is considered to be contributing to the outcomes outlined in the NPS – Urban Development.
- The site has no wetlands attributed to it as defined in various planning documents. The NPS for Freshwater Management is not considered relevant.
- The site is zoned Residential and therefore the NPS Highly Productive Land does not apply.

9.2 Regional Policy Statement for Northland

The role of the RPS is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.

While the subject site is located within the coastal environment, as identified in the RPS, the proposal is located entirely within an existing structure which is commensurate with the residential / coastal character in which it is located.

There are no offending aspects of the proposal in terms of the RPS.

9.3 Far North District Plan Assessment

An assessment of the relevant objectives and policies associated with the ODP has been undertaken for the Residential zone:

Table 9 – ODP Residential Zone Assessment

Objectives	Assessment
7.6.3.1 To achieve the development of new residential areas at similar densities to those prevailing at present.	Density is unchanged.
7.6.3.2 To enable development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activity.	The proposal meets this as although not a residential use, the effects resulting are no different from a residential activity on the site.
7.6.3.3 To protect the special amenity values of residential sites on the urban fringe, specifically Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333, Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), and those having frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive.	Not relevant.
Policies	Assessment
7.6.4.1 That the Residential Zone be applied to those parts of the District that are currently predominantly residential in form and character.	Noted
7.6.4.2 That the Residential Zone be applied to areas which are currently residential but where there is scope for new residential development.	Noted
7.6.4.3 That the Residential Zone be applied to areas where expansion would be sustainable in terms of its effects on the environment.	Noted
7.6.4.4 That the Residential Zone provide for a range of housing types and forms of accommodation.	Noted.
7.6.4.5 That non-residential activities	This proposal is considered to reflect

only be allowed to establish within residential areas where they will not detract from the existing residential environment	the intent of this policy as outlined through the report.
7.6.4.6 That activities with net effects that exceed those of a typical single residential unit, be required to avoid, remedy or mitigate those effects with respect to the ecological and amenity values and general peaceful enjoyment of adjacent residential activities.	The effects are marginally different to a large residential unit. No mitigation measures are considered necessary.

9.4 Proposed Far North District Plan

Section 88A(2) provides that “any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b).” This requires applications to be assessed under both the operative and proposed objective and policy frameworks from the date of notification of the proposed district plan.

In the event of differing directives between objective and policy frameworks, it is well established by case law that the weight to be given to a proposed district plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan moves through the notification and hearing process. In *Keystone Ridge Ltd v Auckland City Council*, the High Court held that the extent to which the provisions of a proposed plan are relevant should be considered on a case by case basis and might include:

- The extent (if any) to which the proposed measure might have been exposed to testing and independent decision making;
- Circumstances of injustice; and
- The extent to which a new measure, or the absence of one, might implement a coherent pattern of objectives and policies in a plan.

In my view the PDP has not gone through the sufficient process to allow a considered view of the relevant objectives and policies. However, for fullness the Subdivision and General Residential objectives and policies have been assessed below.

Table 10 – PDP General Residential Zone Assessment

Objective	Assessment
GRZ-O1 The General Residential zone provides a variety of densities, housing types and lot sizes that respond to: <ol style="list-style-type: none"> housing needs and demand; the adequacy and capacity of available or programmed development infrastructure; the amenity and character of the receiving residential environment; and historic heritage. 	Noted.
GRZ-O2 The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl.	Noted.
GRZ-O3 Non-residential activities contribute to the well-being of the community while complementing the scale, character and amenity of the General Residential zone	Noted.
GRZ-O4 Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.	There are adequate services provided to the site.

GRZ-O5 Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments.	The proposed land use adds to a functional living environment.
GRZ-O6 Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.	Noted.
Policy	Assessment
GRZ-P1 Enable land use and subdivision in the General Residential zone where: <ol style="list-style-type: none"> there is adequacy and capacity of available or programmed development infrastructure to support it; and it is consistent with the scale, character and amenity anticipated in the residential environment 	Services are available to the site.
GRZ-P2 Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot: <ol style="list-style-type: none"> telecommunications: <ol style="list-style-type: none"> fibre where it is available; or copper where fibre is not available; local electricity distribution network; wastewater; and potable water and stormwater where it is available. 	No subdivision proposed.

<p>GRZ-P3 Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure.</p>	<p>Not applicable.</p>
<p>GRZ-P4 Enable non-residential activities that:</p> <ul style="list-style-type: none"> a. do not detract from the vitality and viability of the Mixed Use zone; b. support the social and economic well-being of the community; c. are of a residential scale; and d. are consistent with the scale, character and amenity of the General Residential zone. 	<p>The non residential activity is of a residential scale and does not limit the very small Mixed Use zoning available in the northern east coast bays.</p>
<p>GRZ-P5 Provide for retirement villages where they:</p> <ul style="list-style-type: none"> a. compliment the character and amenity values of the surrounding area; b. contribute to the diverse needs of the community; c. do not adversely affect road safety or the efficiency of the transport network; and d. can be serviced by adequate development infrastructure. 	<p>Not applicable.</p>
<p>GRZ-P6 Encourage and support the use of on-site water storage to enable sustainable and efficient use of water resources</p>	<p>Noted.</p>

<p>GRZ-P7 Encourage energy efficient design and the use of small-scale renewable electricity generation in the construction of residential development.</p>	<p>Noted.</p>
<p>GRZ-P8 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:</p> <ul style="list-style-type: none"> a. consistency with the scale, design, amenity and character of the residential environment; b. the location, scale and design of buildings or structures, potential for shadowing and visual dominance; c. for residential activities: <ul style="list-style-type: none"> i. provision for outdoor living space; ii. privacy for adjoining sites; iii. access to sunlight; d. for non-residential activities: <ul style="list-style-type: none"> i. scale and compatibility with residential activities ii. hours of operation e. at zone interfaces, any setbacks, fencing, screening or landscaping required to address potential conflicts; f. the adequacy and capacity of available or programmed development infrastructure to 	<p>The proposal contains many of the facets sought by the proposal and is commensurate with the surrounds.</p>

<p>accommodate the proposed activity, including:</p> <ul style="list-style-type: none">i. opportunities for low impact design principlesii. ability of the site to address stormwater and soakage;g. managing natural hazards; andh. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6	
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Overall, and considering the above, the proposal is considered to be consistent with the objectives and policies of all relevant statutory documents.

In the context of the PDP, it is considered that the appropriate weighting to give the objectives and policies is nil as they have yet to go through sufficient public scrutiny to determine the application at hand.

10 PART 2 ASSESSMENT

10.1 Section 5 – Purpose of The RMA

Section 5 in Part 2 of the RMA identifies the purpose as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being which sustain those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding remedying or mitigating adverse effects on the environment.

It is considered that proposal represents a sustainable use of existing resources that allow people and the community to provide for its social and economic wellbeing in a manner that mitigates adverse effects on the environment.

10.2 Section 6 – Matters of National Importance

In achieving the purpose of the RMA, a range of matters are required to be recognised and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;

- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
- e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
- f) the protection of historic heritage from inappropriate subdivision, use, and development;
- g) the protection of protected customary rights;
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal and have been recognised and provided for in the design of the development.

10.3 Section 7 – Other Matters

In achieving the purpose of the RMA, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
- (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:

- (d) intrinsic values of ecosystems;
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment;
- (g) any finite characteristics of natural and physical resources;
- (h) the protection of the habitat of trout and salmon;
- (i) the effects of climate change;
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

10.4 Section 8 – Treaty of Waitangi

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

10.5 Section 8 – Part 2 Conclusion

Given the above, it is considered that the proposal meets the purpose of the RMA.

11. CONCLUSION

A Restricted Discretionary Activity resource consent is sought from the Far North District Council to carry out the proposed development.

The proposal is not precluded from public notification and is considered to have less than minor effects on the wider environment. Through assessment, there are considered to be no affected persons.

The proposal is consistent with the objectives and policies of the Far North District Plan, the Regional Policy Statement for Northland, and achieves the purpose of the RMA.

Given the assessment carried out in this report, it is considered that this proposal can be determined non-notified under the RMA. We would appreciate a review of draft conditions when available.

Regards,



Steven Sanson
Consultant Planner



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **NA1016/153**
Land Registration District **North Auckland**
Date Issued 14 November 1951

Prior References
NA533/102

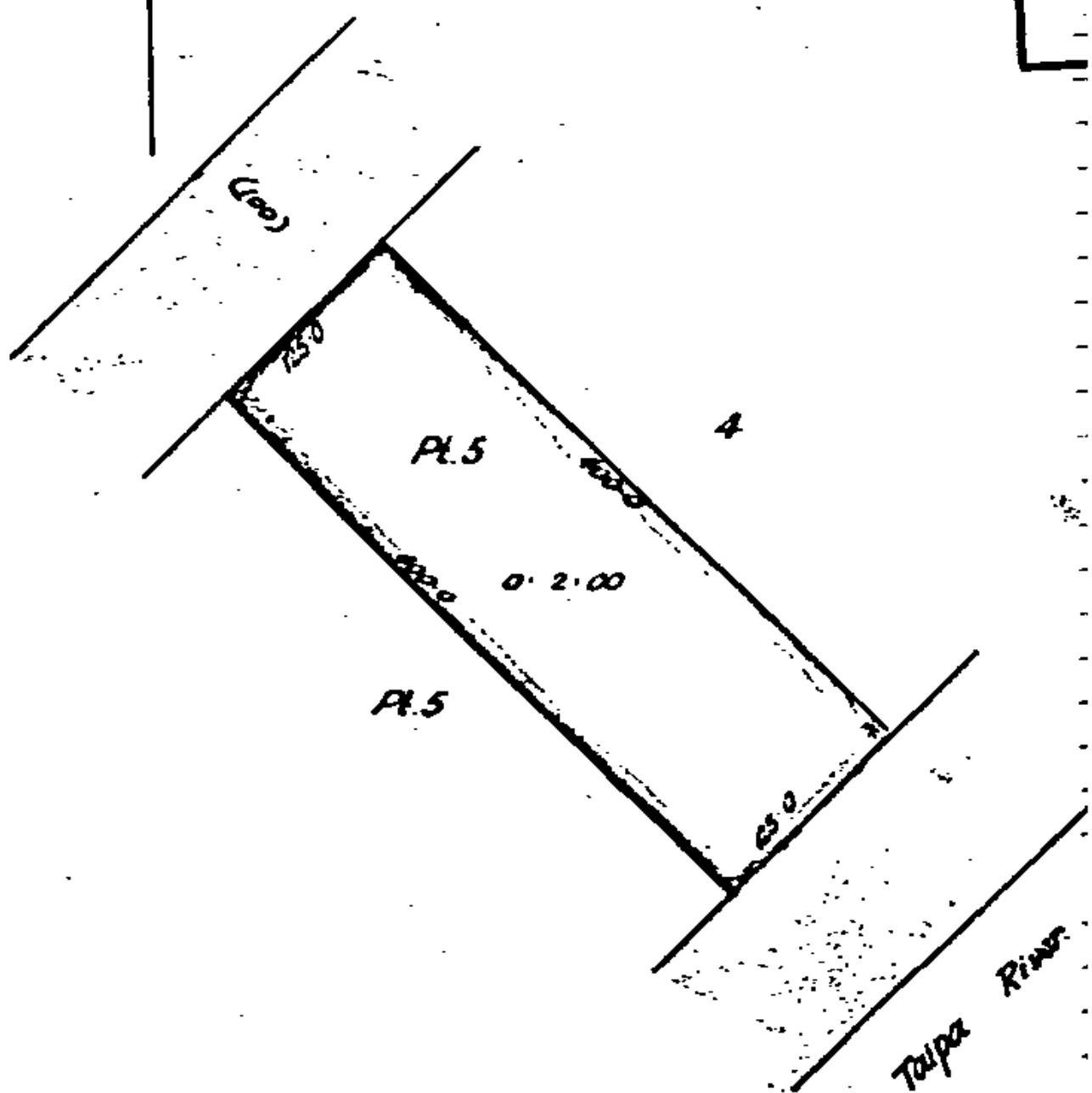
Estate Fee Simple
Area 2023 square metres more or less
Legal Description Part Allotment 5 Section 1 Village of Taipa
Registered Owners
Lynn Macrae as Executor

Interests

1 Link = .012 metres

IV MANGONUI S.D.

THE
CE
OR
SE



Pursuant to Local Government
Official Information and Meetings Act 1987
(Section 44A)

Land
Information
Memorandum

No. 2025-267

Bayleys Disclaimer:

This LIM Report has been provided by the vendor. The LIM Report is dated 08/10/2024 and copies have been made available to prospective purchasers and interested parties for general information purposes only. However, neither the vendor nor Bayleys in the North, Mackys Real Estate Ltd, warrant the accuracy of this copy and they accept no liability for any error or omissions in the report. It is recommended to all prospective purchasers and interested parties that they obtain their own independent enquiries for due diligence purposes.

The following information is provided to the Applicant in respect of the property described as PT ALLOT 5 SEC 1 VILLAGE OF TAIPA

Valuation Roll No: 00083-97700

Property ID No: 3308353

and located at: 39 Taipa Point Road, Taipa 0420

Land Information Memorandum

LIM-2025-267

Pursuant to Local Government Official Information and Meetings Act 1987 (Section 44A)

Date Lodged: 27-Sep-2024

Receipt No: 8081991

Issued Date: 08-Oct-2024

1. Personal details

Arahia Burkhardt MacRae
PO Box 276
Awani 0451

Email: ahipara@gmail.com

For any queries relating to the contents of this LIM please contact the relevant department in question. Contact information can be found at the end of each section.

2. Special Features or Characteristics

Refers to the NZ Land Resource Inventory Worksheet – Land Use Capability Unit 3s4.

Note that this site lies within a zone identified as "Northland Regional Council River Flood Hazard Zone" and "Northland Regional Council Coastal Flood Hazard Zone". The nature and severity of these hazards are not identified, independent expert advice should be sought if additional information is needed.

a	Slope	Flat to undulating.
b	Rock Type	Unconsolidated sands.
c	Soils	Yellow-brown sands and organic soils on aeolian sand. Moderately weathered, moderately to strongly leached yellow-brown sands of Pinaki suite and weakly to moderately podzolised yellow-brown earths of Pinaki suite, commonly associated with smaller areas of organic soils of Ruakaka suite.
d	Potential Erosion	Slight to moderate when cultivated.
e	Avulsion / Alluvion	Nil
f	Falling Debris	Nil
g	Subsidence	Nil
h	Slippage	Nil
i	Inundation	Nil
j	Hazardous Contaminants	None known
k	Any other	-

Note: The above information is generic and may not be site-specific, for more information please [click here](#).

If you have any queries regarding Section 2, please contact askus@fndc.govt.nz Subject: LUC query.

3. Disclosure of Rates for the Purposes of a Land Information Memorandum

The Local Government Official Information and Meetings Act requires that Council provide information relating to any rates owing in relation to the land covered by the LIM.

This disclosure document sets out the rate position as at the date shown below. It should be noted that this figure must not be taken as a settlement figure for the payment of outstanding rates as at the time of settlement of any purchase of the property concerned. It remains the responsibility of the vendor and purchaser to determine the final rates figure on the settlement date and ensure that this is paid in accordance with the requirements of the Local Government (Rating) Act 2002.

Valuation Number:		00083-97700
Rate Account No:		2408353
Rates Levied for the Current Year:	\$	4,748.98
Date of Disclosure:		27-Sep-2024

2022 Rating Valuation Details		00083-97700
Land Value:	\$	585,000
Improvement Value:	\$	375,000
Capital Value:	\$	960,000
Rating Value Area:		0.2023Ha

If you have any queries regarding Section 3, please contact rates@fndc.govt.nz.

4. Consents

Resource Consents	Includes Certificates, Notices and Orders where available.	
26-Jun-2000	20000993-RMALUC	To erect a garage within 30 metres of Mean High Water Springs, and within the Coastal Hazard 2 Zone.
23-May-1951	824405-TCPMSP	Subdivision of Allot 5 Village of Taipa Sec I Blk IV Mangonui SD.
Monitoring	Nil	
Licenses	Nil	

The Council has no current record of a pool or spa pool registered on this property. Swimming pools and spa pools must have a barrier that complies with the Building Act 2004. Pool barrier information is available [here](#).

If you have any queries regarding Section 4, please contact planningsupport@fndc.govt.nz.

5. Building Information

Status	Date of Issue	Number	Description
Building Consent Issued	14-Jul-2000	BC-2000-1878/0	Minor Extension.
Building Consent Issued	22-May-2000	BC-2000-1615/0	New Garage.
Building Permit Issued	03-Aug-1990	BP-338	Connect to Sewer.
Building Permit Issued	31-Mar-1987	BP-5023457	Additions to Pottery Shed.
Building Permit Issued	17-Jun-1982	BP-123139	Domestic Pottery Shed.
Building Permit Issued	02-May-1980	BP-52819	Garage.

Building Permit Issued	17-May-1976	BP-10510	New Garage & Dwelling Additions (Includes Plumbing & Drainage Permit No. 8212).
Building Permit Issued	03-Jul-1975	BP-80314	Boat Shed.
Building Permit Issued	04-Jun-1959	BP-82052	Connection P WC & San fitting to Septic Tank Effluent in sealed EW to Sump 400 Gallon Tank filled with water.

Comments:

- Council reserves the right to serve requisitions whenever found necessary.
- Memo attached - "Information Regarding Buildings where Council Holds no Record of Consents".
- Domestic Smoke Alarms Guidance Notes attached.

Any known outstanding issues:

BC-2000-1878 & BC-2000-1615

Code Compliance Certificates not Issued

Are there any unauthorised building works known to Council?

None known

Note 1: The Building Act 2004 was implemented from 31 March 2005 and replaced the Building Act 1991. All applications for building consents are now processed under this Act. Code Compliance Certificates do not apply to building permits that were issued prior to the Building Act 1991.

Note 2: Where a Code Compliance Certificate (a "CCC") has not issued, reasons could be that the owner has not requested a final inspection, or that there is further work required to meet compliance.

Note 3: The Far North District Council does not copy building plans for Land Information Memoranda. Site and drainage plans are included if on file.

If you have any queries regarding Section 5, please contact building.group@fndc.govt.nz.

6. Development Contributions

From the 1st of July 2015, Council has ceased charging Development Contributions. For the term of this Policy Council will not require Development Contributions.

7. Utilities

a)	Drinking Water Supply	Not known
b)	Doubtless Bay Water Supply Co ONLY: For information about the supply, to confirm whether this property is connected or able to be connected, and whether or not there are any conditions that are applicable to that supply, please contact the company direct. Ph: 09 406 0520.	
c)	Stormwater	See Stormwater management plan
d)	Sewer	Connected

If you have any queries regarding Section 7, please email islrfs@ventia.com

8. Land Uses

Far North District Plan

Land zoned as **Residential** under the Far North District Plan.

(Please refer to attached zone rules for Land Use and Subdivision activities).

Note: It is suggested that any queries you may have regarding any aspects of the Far North District Plan be referred to the Council's Planning Department, Ph 0800 920 029.

9. Notices under Other Acts Notified by any Statutory Organisation

Nothing on file.

10. Notices by any Network Utility Operator

Nothing on file.

11. Road Legalisation Issues

No known roading issues.

If you have any queries regarding Section 11, please email askus@fndc.govt.nz Subject: Roading query.

12. Other Information

This property is identified as being within the Coastal Hazard 2 zone of the Far North District Plan.

The Far North District Council is planning a number of new infrastructure projects across the district. When these projects are completed, the rates for the property subject to this Land Information Memorandum report may increase. These projects, and any associated estimated rates increase, are reported on in the most recent Far North District Council Long Term Plan or Annual Plan document.

See information attached re: Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.



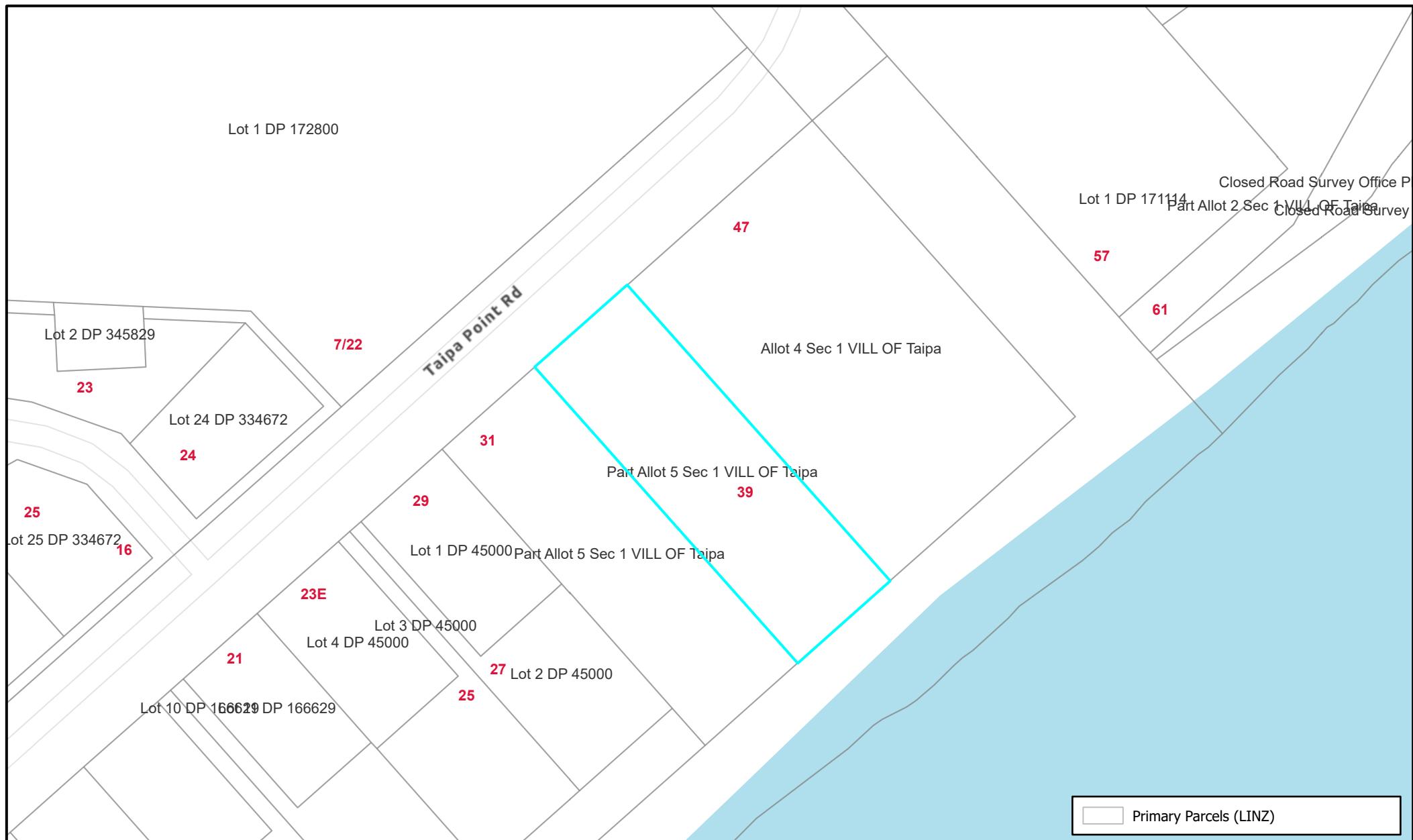
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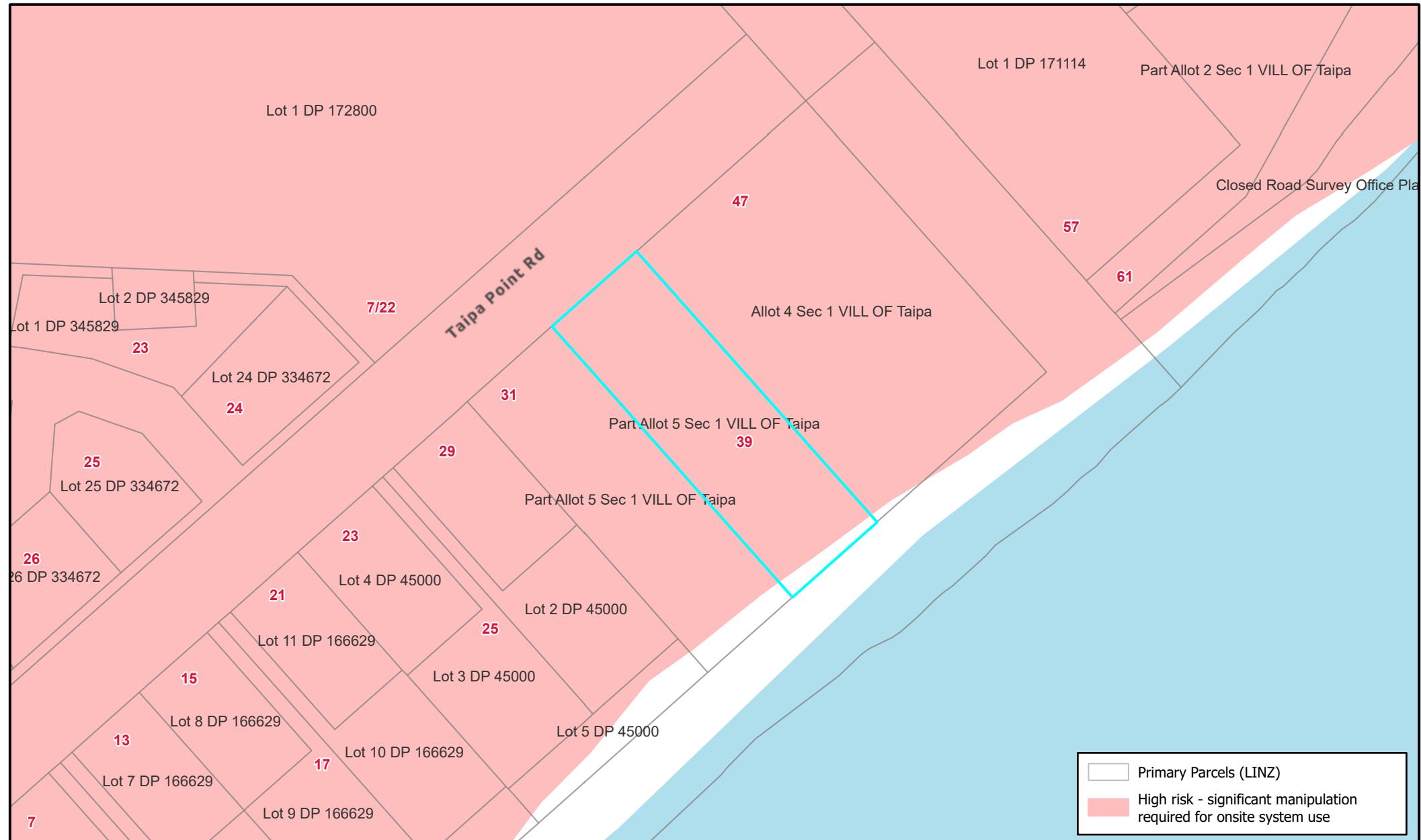
PROPERTY INFORMATION

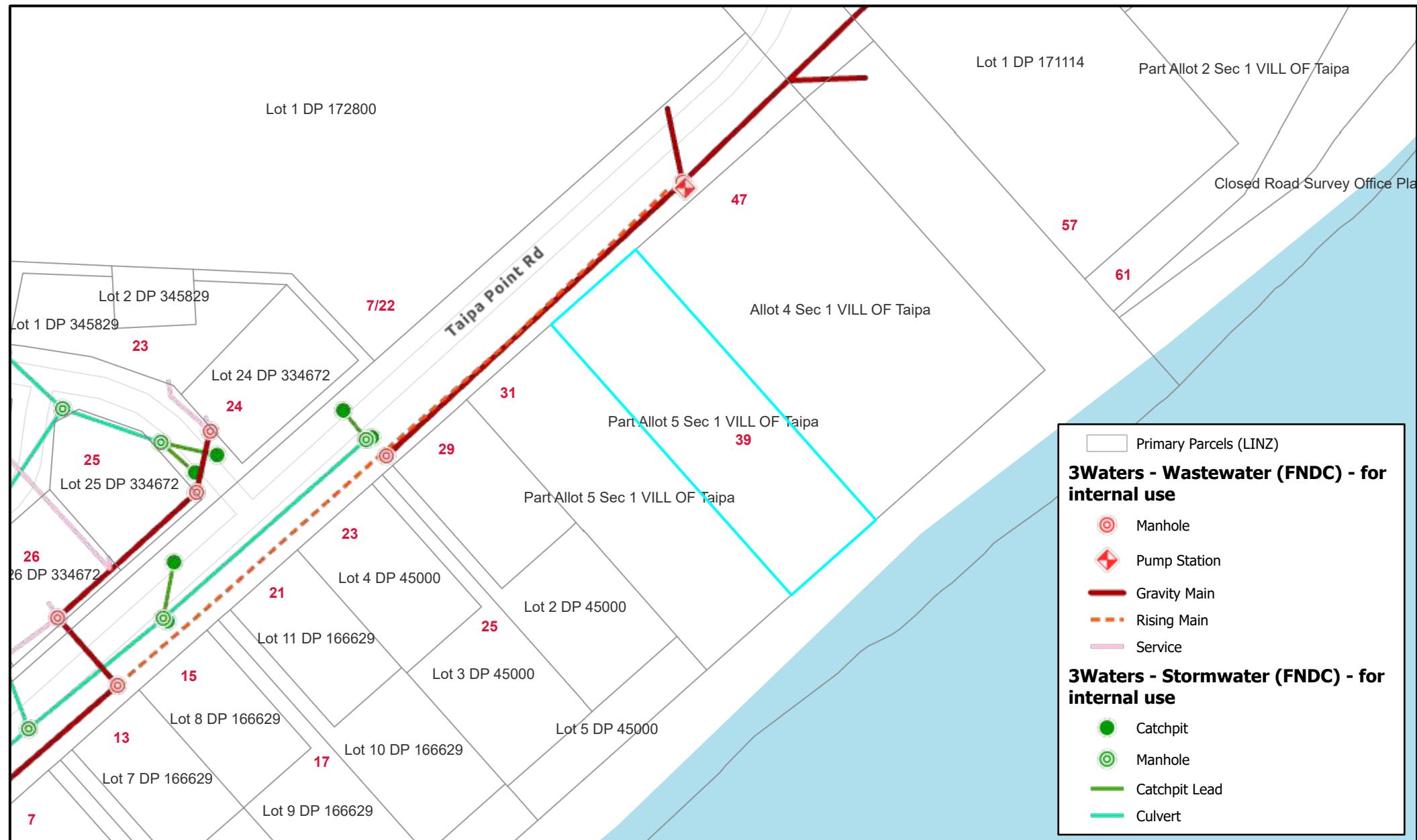
Note for Applicants: The above information represents the information held by the Far North District Council in respect of any of the categories of information listed. Where the Council has advised 'not known' in respect of any category it is the responsibility of the applicant to undertake any other enquiries. No further comment concerning this property can be made without an inspection by a Council Officer. Such inspection will be carried out if you desire and a charge will be made for this service on a cost basis.

Disclaimer

The information in this Memorandum is provided for the use of the applicant alone and is not to be relied on by any third party. The Council assumes no responsibility to any person other than the applicant. Where information has been supplied to Council by a third party it cannot guarantee the accuracy of that information and it is supplied on the understanding that no liability shall arise or be accepted by the Council for any error contained there.







Services



Projection NZTM2000. Datum NZGD2000. Scale:1:1,128

Projection NZTM2000, Datum NZGD2000, Scale 1:1,126

Created: 30/09/2024

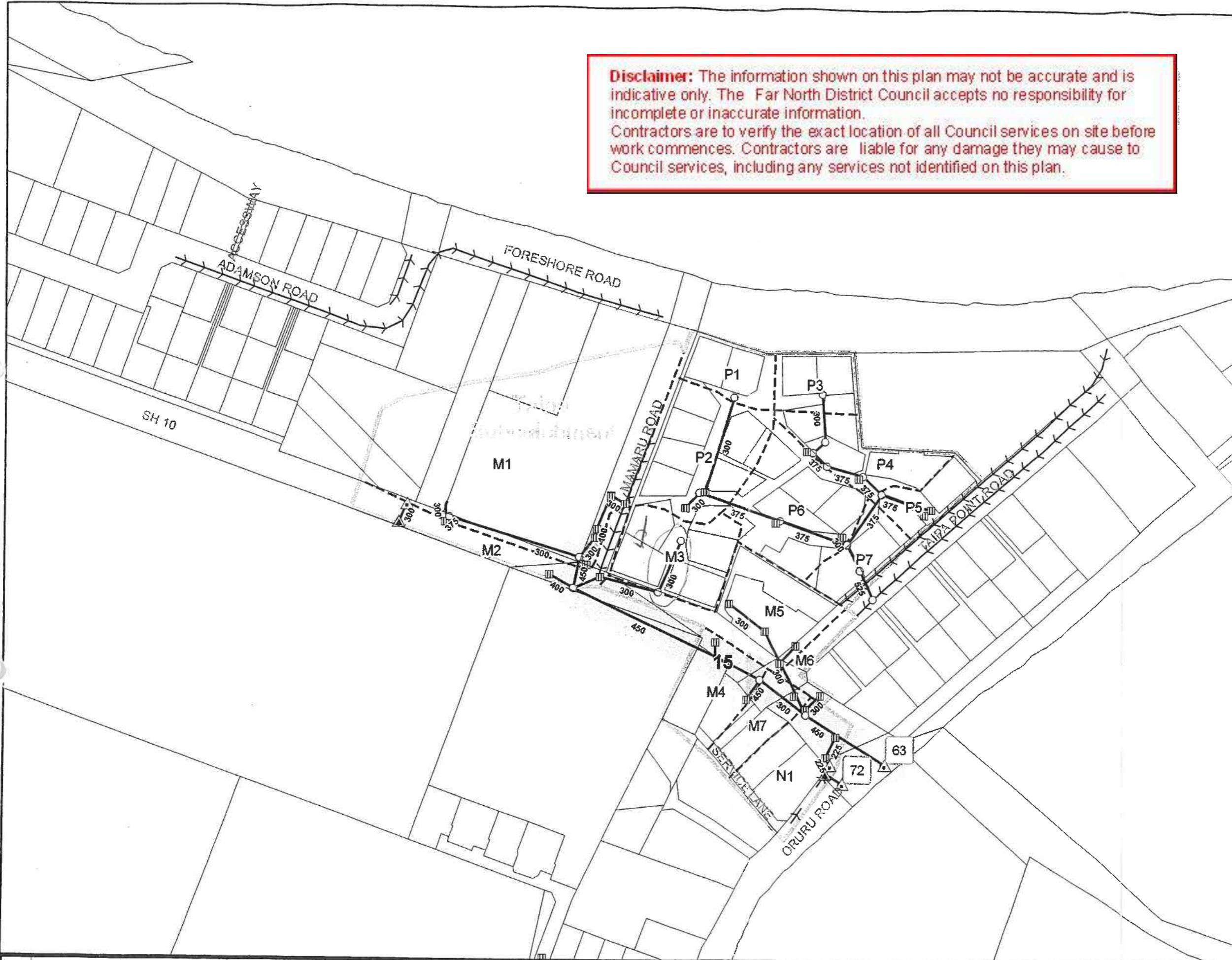
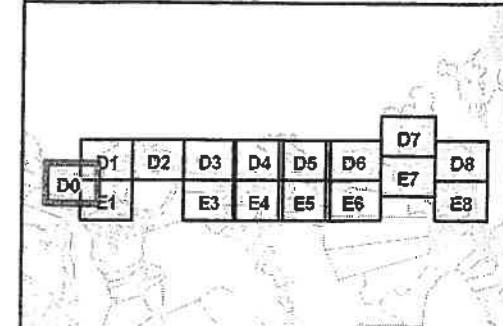
Disclaimer: The information shown on this plan may not be accurate and is indicative only. The Far North District Council accepts no responsibility for incomplete or inaccurate information.

Contractors are to verify the exact location of all Council services on site before work commences. Contractors are liable for any damage they may cause to Council services, including any services not identified on this plan.



Legend

- Manhole
- Cesspit/Sump
- ▲ Inlet
- △ Outlet
- Detention Pond
- Pipe
- Open Drain
- Stream
- ▨ Overland Flowpath
- Catchment Boundary
- ▨ Catchment Outlines
- Property Boundary
- 1 Capital Works Items (1 - 15)
- 1 Outlet ID (1 - 73 refer to Section 3.1.8)



Issue	Description	Date	Approved	Name	Date	Client:
A	Doubtless Bay Urban Stormwater Catchment Maps	19/09/2006		Designed: L. McCarthy	19/09/2006	
				Drawn: J. Chen	19/09/2006	
				Checked: C. AMBLER	19/09/2006	
				Approved: A. MONRO	19/09/2006	
	Scale @ A3 1:2,500					
	GIS No: G:\\124209\\GIS Maps\\All Plots\\Doubtless_Bay_Mapbook Black_White_A3_2500.mxd			Projection: NZTM 2000		

This map should only be used for the purposes for which it was intended. GHD Limited accepts no responsibility for errors or omissions that may occur in data supplied from external sources.



Level 1 Metal Building
Pulney Way
Manukau City
New Zealand
Ph: 64 9 261 1400
Fax: 64 9 262 0340

FNDC DOUBTLESS BAY STORMWATER MANAGEMENT PLANS
Taipa Subcatchment

Issued for:	Information	Project Number:	5124209	Sheet Number:	D0	Issue:	A
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DOUBTLESS BAY



Drawing № 35442/8

TAIPA BAY

Drawing № 35442/

Drawing No 35442/7

Drawing № 35442/

TREATMENT SITE

FRASER THOMAS PARTNERS CONSULTING ENGINEERS REGISTERED SURVEYORS ARCHITECTS & TOWN PLANNERS PAPATOETOE & MT ALBERT, AUCKLAND • KAIKOHE • PAIHIA, NEW ZEALAND

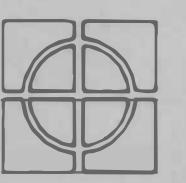
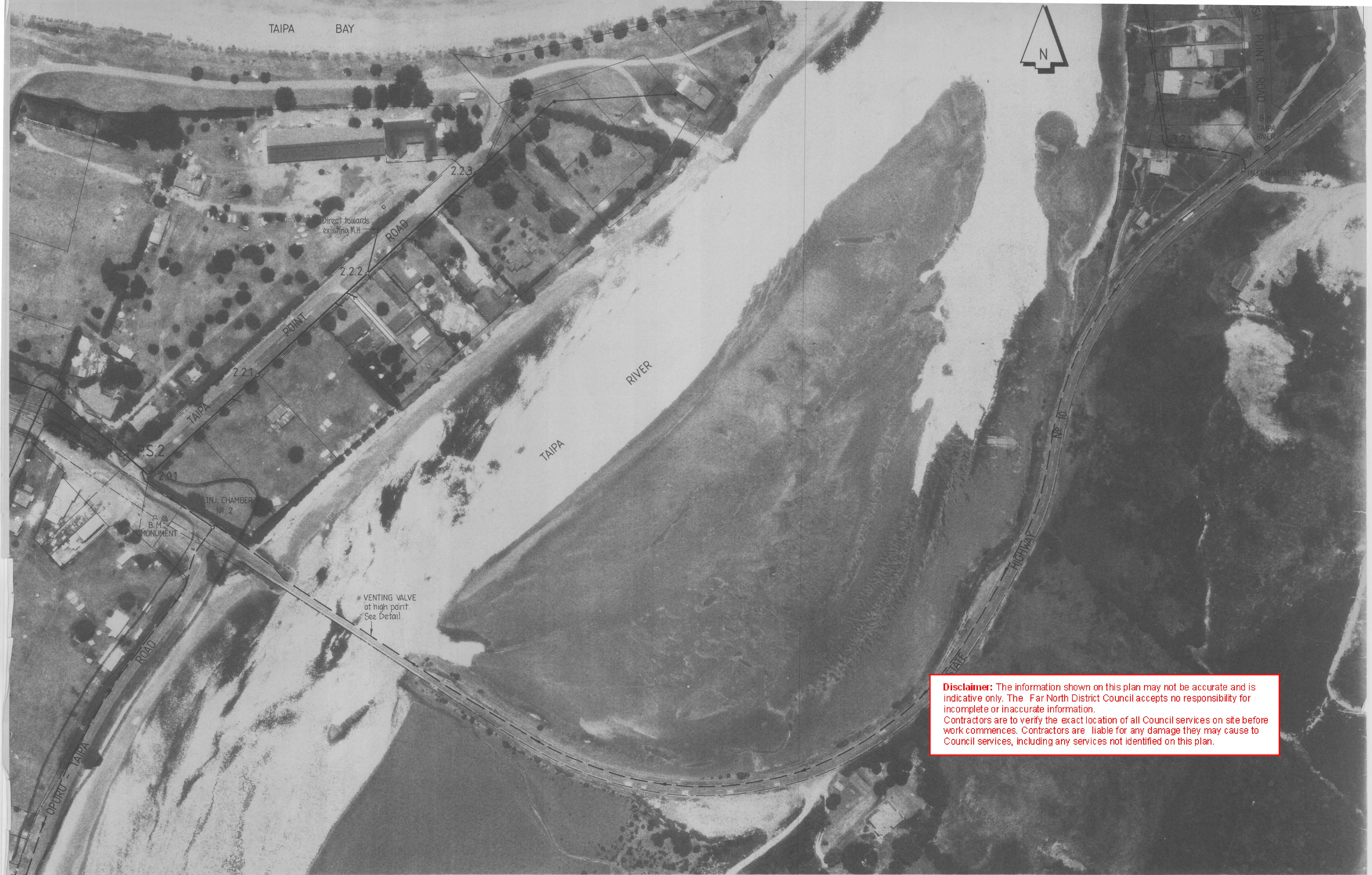
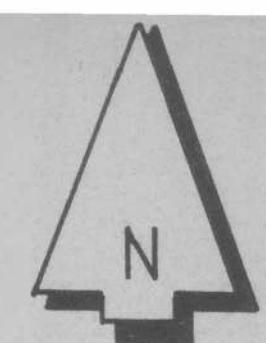
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DESIGNED	S M ^c H.	May 1985	<i>R. Glavin</i>	AMENDMENTS	
DRAWN	S M ^c H.	June 1985		A TRISING main from PS 2 realigned	9/6/86
TRACED	LK/ER	July 1985	DATE		
CHECKED	J MCC	Feb. '86	3.3.86		

MANGONUI COUNTY COUNCIL

EAST COAST SEWERAGE SCHEME

AYOUT PLAN — TAIPA BAY

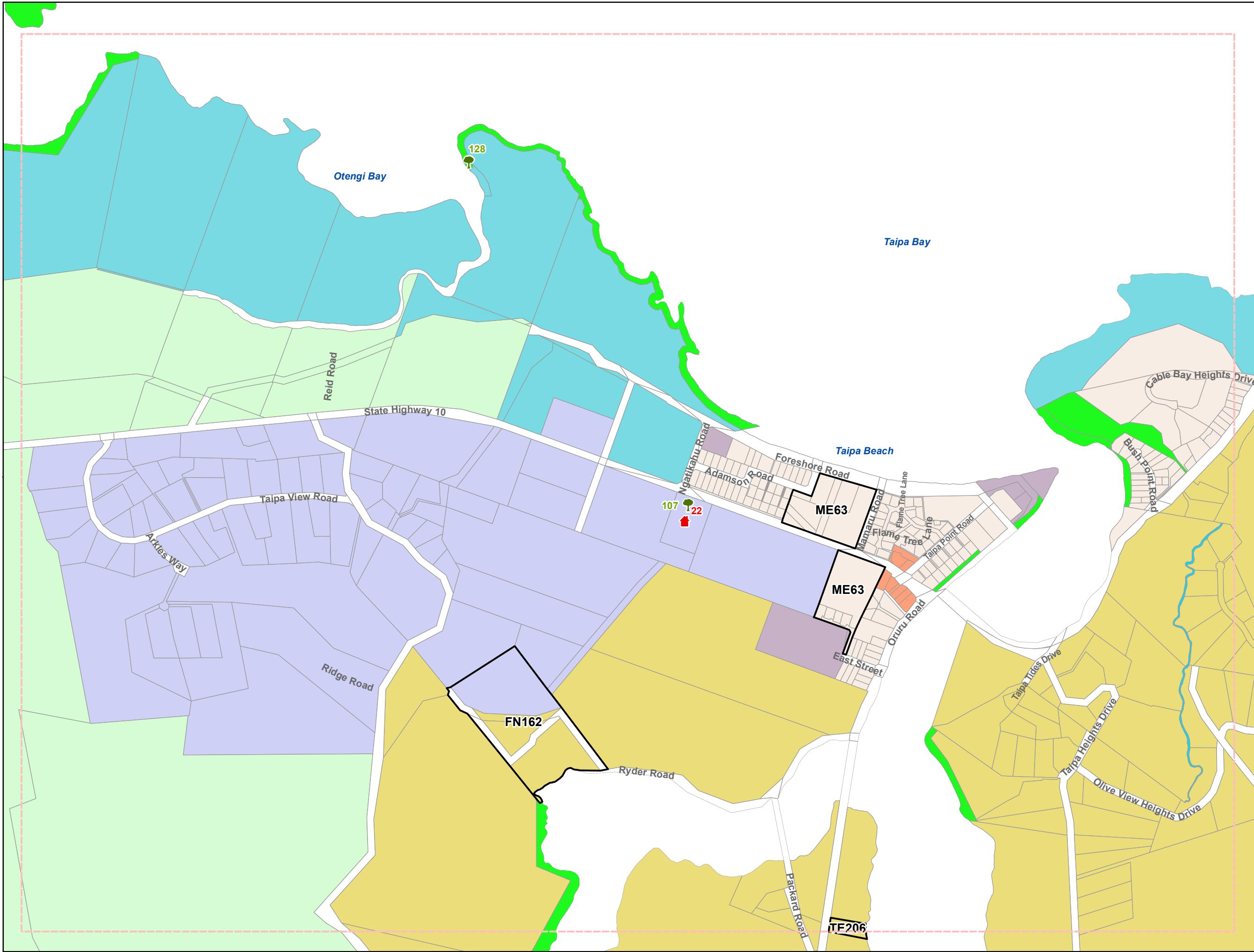
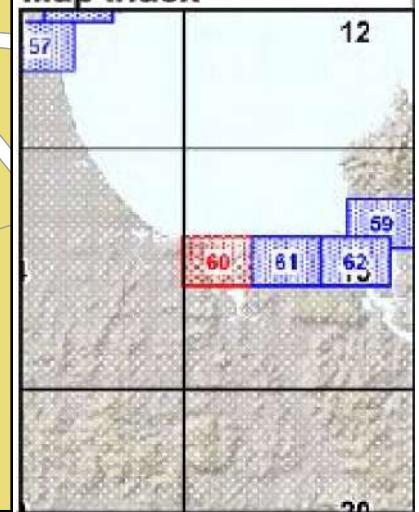
DRAWING N
35442 / A
SHEET 2 OF 43 SHEETS



Scale 1:10000
Date: 26/10/2017
Document Name: DP_Zone60_PC

- ● ● Heritage Area
- Heritage Precinct
- Pedestrian Frontage
- Designations
- ↑ Cemetery
- Historic Site
- National Grid Line
- Top Energy High Voltage Power Line
- High Voltage Power Pole
- Notable Tree
- District Boundary
- Railway
- Carrington Estate
- Coastal Living
- Coastal Marine
- Coastal Residential
- Commercial
- Conservation
- General Coastal
- Horticultural Processing
- Industrial
- Kauri Cliffs
- Lakes & Rivers
- Minerals
- Motoroa Island
- Orongo Bay Special Purpose
- Point Veronica
- Quail Ridge Country Club
- Rail
- Recreational Activities
- Residential
- Road
- Rural Living
- Rural Production
- Russell Township
- South Kerikeri Inlet Zone
- South Kerikeri Inlet Zone Sensitive Area

Map Index



Far North District Plan - Zone Map



0 100 200 300 400
Metres

Note:
Roads carry the same zoning as the adjoining land.
If the boundary between zones follows a road,
the zone boundary is located on the centerline
of the formed road, or where unformed,
the centerline of the legal road.

Disclaimer:
Considerable care has been taken to avoid errors and
omissions, and the latest information has been included
in these District plan maps.
However, even with the greatest care inaccuracies may
occur and therefore the Far North District Council cannot
accept any responsibility for such errors and omissions.

7 URBAN ENVIRONMENT

CONTEXT

Redistribution and increase of population in the District is causing a demand for the expansion of some settlements. This has the potential to cause significant effects on the environment. In particular, urban expansion requires the provision of infrastructure (roads, electricity, telecommunications, water supplies, sewage and stormwater disposal systems, and community facilities such as parks and reserves, public parking, libraries and halls). It also results in a demand for residential, commercial, industrial and community activity.

Some other settlements have declining populations and a consequent decline in associated urban activities. This can have the effect of creating a surplus of infrastructure for the activities which wish to utilise them. These resources, such as buildings, roads and service infrastructure, cannot be moved to another location. Enabling people and communities to provide for their well-being by the use of such physical resources in innovative ways which do not have significant adverse effects on the environment is as important as managing development in expanding communities.

The various urban areas within the District have distinct, and often unique, amenity values. It is this variety which contributes to the diversity of the District and to the quality of life of its residents.

Amenity is protected in this Plan by providing separate zones for housing, industry and commerce, and by establishing appropriate thresholds. The thresholds reflect the different levels of sensitivity to environmental effects of the various urban activities.

A consequence of urban development is an increase in the area of impermeable surfaces. This in turn can affect the speed, volume and quantity of runoff into streams and rivers and can result in a significant deterioration of the natural environment of streams, rivers and the coast. This can be minimised through the use of Low Impact Design principles and through catchment-based management measures.

7.1 ISSUES

- 7.1.1 The demand for development which leads to urban expansion and the potential for this expansion to adversely affect the character and amenity of the areas in which it occurs.
- 7.1.2 The intensity of urban development generates a need for community-based utility services, in order to avoid adverse effects on the environment.
- 7.1.3 The adverse effects on communities of under-utilised buildings and infrastructure.
- 7.1.4 Amenity values within urban areas can be adversely affected by inappropriate subdivision, use and development.
- 7.1.5 Urban development results in an increase in impermeable surfaces and a risk of environmental degradation of streams, rivers and the coast and the habitats of flora and fauna that they contain.
- 7.1.6 Urban development leads to an increased demand for water in a District where there are summer shortfalls.
- 7.1.7 Increasing the intensity of urban development may generate more traffic and a demand for roads and access to them.

7.2 ENVIRONMENTAL OUTCOMES EXPECTED

- 7.2.1 Urban areas developed in a manner that promotes sustainable management of natural and physical resources, while preserving the distinctive character and amenity of each area.
- 7.2.2 Urban areas where a wide range of activities are provided for in a manner which ensures that adverse effects on the environment are avoided, remedied or mitigated.
- 7.2.3 Urban areas containing a variety of residential and non-residential environments, providing for a level of amenity which is appropriate to the particular environment.

7.3 OBJECTIVES

- 7.3.1 To ensure that urban activities do not cause adverse environmental effects on the natural and physical resources of the District.
- 7.3.2 To enable the continuing use of buildings and infrastructure in urban areas, particularly where these are under-utilised.

- 7.3.3 To avoid, remedy or mitigate the adverse effects of activities on the amenity values of existing urban environments.
- 7.3.4 To enable urban activities to establish in areas where their potential effects will not adversely affect the character and amenity of those areas.
- 7.3.5 To achieve the development of community services as an integral and complementary component of urban development.
- 7.3.6 To ensure that sufficient water storage is available to meet the needs of the community all year round.

7.4 POLICIES

- 7.4.1 That amenity values of existing and newly developed areas be maintained or enhanced.
- 7.4.2 That the permissible level of effects created or received in residential areas reflects those appropriate for residential activities.
- 7.4.3 That adverse effects on publicly-provided facilities and services be avoided or remedied by new development, through the provision of additional services.
- 7.4.4 That stormwater systems for urban development be designed to minimise adverse effects on the environment.
- 7.4.5 That new urban development avoid:
 - (a) adversely affecting the natural character of the coastal environment, lakes, rivers, wetlands or their margins;
 - (b) adversely affecting areas of significant indigenous vegetation or significant habitats of indigenous fauna;
 - (c) adversely affecting outstanding natural features, landscapes and heritage resources;
 - (d) adversely affecting the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
 - (e) areas where natural hazards could adversely affect the physical resources of urban development or pose risk to people's health and safety;
 - (f) areas containing finite resources which can reasonably be expected to be valuable for future generations, where urban development would adversely affect their availability;
 - (g) adversely affecting the safety and efficiency of the roading network;
 - (h) the loss or permanent removal of highly productive and versatile soils from primary production due to subdivision and development for urban purposes.
- 7.4.6 That the natural and historic heritage of urban settlements in the District be protected (refer to **Chapter 12**).
- 7.4.7 That urban areas with distinctive characteristics be managed to maintain and enhance the level of amenity derived from those characteristics.
- 7.4.8 That infrastructure for urban areas be designed and operated in a way which:
 - (a) avoids remedies or mitigates adverse effects on the environment;
 - (b) provides adequately for the reasonably foreseeable needs of future generations; and
 - (c) safeguards the life-supporting capacity of air, water, soil and ecosystems.
- 7.4.9 That the need for community services in urban areas is recognised and provided for.

7.5 METHODS OF IMPLEMENTATION

DISTRICT PLAN METHODS

- 7.5.1 **Policies 7.4.1, 7.4.2 and 7.4.7** are implemented through patterns of zoning appropriate to each urban area and the zone rules in the Plan.
- 7.5.2 **Policies 7.4.3, 7.4.4 and 7.4.9** are implemented through controls on subdivision applications (**Chapter 13**) and on applications for land use consents.
- 7.5.3 Methods in **Chapter 12 - Natural and Physical Resources**, together with the zoning pattern, will achieve **Policies 7.4.5, 7.4.6 and 7.4.8**.

- 7.5.4 Financial contributions (**Chapter 14**), towards provision car parking associated with non-residential activities and esplanade areas may be required. The amount of contribution will take account of the need for such services (**Policy 7.4.3**).
- 7.5.5 Land suitable for urban expansion is identified in the **Zone Maps (Policy 7.4.5)** and also in structure plans e.g. the **Watea Structure Plan (Section 18.2)**.

OTHER METHODS

- 7.5.6 The Council may promote opportunities for development, particularly of urban areas with under-utilised physical resources, through means other than the Plan e.g. Mainstreet programmes.
- 7.5.7 The Council will investigate the introduction of bylaws requiring on-site water storage to be provided when land is subdivided or developed within the urban environment, notwithstanding that there may be an existing reticulated water supply.
- 7.5.8 The Council will investigate the need for, and opportunities to provide, additional water storage for new and existing settlements, especially those in coastal locations.
- 7.5.9 The Council will promote the use of Low Impact Design principles to reduce site impermeability and provide education material to increase awareness.

COMMENTARY

People accept changes as an inevitable consequence of life in the Far North but they also expect some degree of certainty in the development of urban areas. Certainty as to the effects of uses they and their neighbours can make of their land contributes to their well-being. Urban areas generally involve relatively intense forms of development that require communal services in order that the effects of development can be made acceptable. Having made the investment in these services it is sensible that the community is able to make continuing use of the services.

*The Plan is not prescriptive in respect of the types of activities that can occur in the urban areas of the District. Control of development as exercised through **Policies 7.4.2, 7.4.4, 7.4.7 and 7.4.8** is therefore aimed at avoiding, remedying or mitigating any adverse effects that activities may have on the environment.*

*For the same reason, **Policies 7.4.1 and 7.4.9** also target the need for activities to be consistent with, or to enhance, the amenity of the area in which they are located. Equity is important in this context. The policies apply equally to all people.*

Policies 7.4.3 and 7.4.7 recognise that urban development implies relatively high density of development. This in turn requires the provision of community-based services if amenity values and the condition of the natural and physical environment are to be maintained.

Impermeable surfaces are inevitable as development continues to occur in the Far North District. Impermeable surfaces generate stormwater run-off that can contribute to flooding, erosion and the release of contaminants into waterways. The use of Low Impact Design principles can reduce the run-off volume and velocity, and filter contaminants. People and communities need to be considerate of the benefits of development that uses Low Impact Design principles.

7.6 RESIDENTIAL ZONE

CONTEXT

The Residential Zone enables the development of residential areas where the effects of activities permitted in the zone are compatible with sustainable development and with the existing character and amenity, which is typically medium density residential living.

The zone contains specific amenity standards designed to protect the special amenity values of residential sites on the urban fringe, specifically Lot 1 DP 28017 and Lot 1 DP 46656 (and any sites created as a result of a subdivision of these lots), and those having frontage to Kerikeri Road between Maraenui Drive and the Kerikeri Town Centre.

The zone also contains specific provisions for protecting the residential amenity of the Coopers Beachfront Estate, as defined on **Planning Map 61**.

7.6.1 ISSUES

These issues supplement those set out in **Section 7.1**.

- 7.6.1.1 Areas that are predominantly residential, or that are identified for the future development of residential activity, can be adversely affected by development that does not have a residential character, scale and intensity similar to that of existing residential development.

7.6.2 ENVIRONMENTAL OUTCOMES EXPECTED

These outcomes supplement those set out in **Section 7.2**.

- 7.6.2.1 Residential areas containing a range of activities that are compatible, in terms of their effects, with the predominant residential use and character of those areas.

7.6.3 OBJECTIVES

These objectives supplement those set out in **Section 7.3**.

- 7.6.3.1 To achieve the development of new residential areas at similar densities to those prevailing at present.
- 7.6.3.2 To enable development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activity.
- 7.6.3.3 To protect the special amenity values of residential sites on the urban fringe, specifically Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333, Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), and those having frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive.

7.6.4 POLICIES

These policies supplement those set out in **Section 7.4**.

- 7.6.4.1 That the Residential Zone be applied to those parts of the District that are currently predominantly residential in form and character.
- 7.6.4.2 That the Residential Zone be applied to areas which are currently residential but where there is scope for new residential development.
- 7.6.4.3 That the Residential Zone be applied to areas where expansion would be sustainable in terms of its effects on the environment.
- 7.6.4.4 That the Residential Zone provide for a range of housing types and forms of accommodation.
- 7.6.4.5 That non-residential activities only be allowed to establish within residential areas where they will not detract from the existing residential environment.
- 7.6.4.6 That activities with net effects that exceed those of a typical single residential unit, be required to avoid, remedy or mitigate those effects with respect to the ecological and amenity values and general peaceful enjoyment of adjacent residential activities.

- 7.6.4.7 That residential activities have sufficient land associated with each household unit to provide for outdoor space, planting, parking and manoeuvring.
- 7.6.4.8 That the portion of a site or of a development that is covered in buildings and other impermeable surfaces be limited so as to provide open space around buildings to enable planting, and to reduce adverse hydrological, ecological and amenity effects.
- 7.6.4.9 That sites have adequate access to sunlight and daylight.
- 7.6.4.10 That provision be made to ensure a reasonable level of privacy for inhabitants of buildings on a site.
- 7.6.4.11 That the built form of development allowed on residential sites on the urban fringe, specifically Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333, Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), and those with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive remains small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.

COMMENTARY

This Plan identifies the need to provide for both additional development in existing residential areas, and for the expansion of residential development into new areas.

The Council does not see the need, at this stage in the development of the District, for a sophisticated array of development controls. Rather, it has established rules that are designed generally to ensure that the type of residential development that has occurred historically in the Far North can continue provided adverse environmental effects are avoided, remedied or mitigated.

However, the Plan provides flexibility for new forms of residential activity, and also non-residential activity, to locate in residential areas. It is assumed that this type of development will be the exception rather than the rule in the Residential Zone. The effect of all activity must be consistent with the residential nature of surrounding development. This is important in enabling people to make decisions about the use and development of their land, and contributes to their well-being.

The entrance to Kerikeri along Kerikeri Road from SH10 is an important part of the town's identity for local residents and visitors alike. The road side stalls, tourist orientated enterprises, extensive landscape planting and shelter belts, add to the character of the entrance to Kerikeri, which is one of a mature landscape in which built form is well integrated with the surrounding vegetation. Specific requirements for building setbacks, landscape planting and vehicle crossings along Kerikeri Road will ensure that these special amenity values are recognised and protected.

There are roads within the District that have comparatively high levels of vehicle use (over 1,000 vehicle movements per day). These require particular consideration in terms of the management of traffic effects.

7.6.5 ZONE RULES

Activities in the Residential Zone must comply not only with the zone rules but also with the relevant rules in **Part 3 of the Plan - District Wide Provisions**. An activity may be permitted by the zone rules but may require a resource consent because it does not comply with one or more of the rules in **Part 3**.

Particular attention is drawn to:

- (a) **Chapter 12 Natural and Physical Resources** (and the **District Plan Maps**);
- (b) **Chapter 13 Subdivision**;
- (c) **Chapter 14 Financial Contributions**;
- (d) **Section 15.1 Traffic, Parking and Access**;
- (e) **Chapter 16 Signs and Lighting**;
- (f) **Chapter 17 Designations and Utility Services** (and the **Zone Maps**).

7.6.5.1 PERMITTED ACTIVITIES

An activity is a permitted activity in the Residential Zone if:

- (a) it complies with the standards for permitted activities set out in **Rules 7.6.5.1.1** to **7.6.5.1.17** below; and
- (b) it complies with the relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

7.6.5.1.1 RELOCATED BUILDINGS

Buildings are permitted activities provided that they comply with all the standards for permitted activities in the Plan, and further provided that where the building is a relocated building all work required to reinstate the exterior including painting and repair of joinery shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.

7.6.5.1.2 RESIDENTIAL INTENSITY

(a) Each residential unit for a single household shall have available to it a minimum net site area of:

Sewered sites: 600m²

Unsewered sites: 3,000m²

This minimum net site area may be for the exclusive use of the residential unit, or as part of land held elsewhere on the property, provided that a ratio of one residential unit per minimum net site area (as stated above) is not exceeded.

Except that this rule shall not limit the use of an existing site for a single residential unit for a single household, provided that all other standards for permitted activities are complied with.

(b) Accessory buildings on a site within the Coopers Beachfront Estate are a permitted activity provided that:

- (i) there is no more than one accessory building detached from each residential unit on the site; and
- (ii) any accessory building which is detached from the residential unit has a total floor area of no more than 45m².

7.6.5.1.3 SCALE OF ACTIVITIES

The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed:

2 persons per 600m² (sewered)

2 persons per 3,000m² (unsewered)

Provided that:

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

In determining the total number of people engaged at any one period of time, the Council will consider the maximum capacity of the facility (for instance, the number of beds in visitors accommodation, the number of seats in a restaurant or theatre), the number of staff needed to cater for the maximum number of guests, and the number and nature of the vehicles that are to be accommodated on site to cater for those engaged in the activity.

Exemptions: The foregoing limits shall not apply to activities of a limited duration required by normal farming and plantation forestry activities, provided that the activity shall comply with the requirements of s16 of the Act.

7.6.5.1.4 BUILDING HEIGHT

The maximum height of any building shall be 8m.

7.6.5.1.5 SUNLIGHT

No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in **Chapter 3 - Definitions**), except that:

- (a) a building may exceed this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided that the maximum height of any building

where it exceeds the standard is 2.7m (refer to Recession Plane Diagram B within the definition of Recession Plane in **Chapter 3 – Definitions**); and

(b) where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way.

7.6.5.1.6 STORMWATER MANAGEMENT

The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 50%.

7.6.5.1.7 SET BACK FROM BOUNDARIES

(a) The minimum building setback from road boundaries shall be 3m, except that:

- (i) no building shall be erected within 9m of any road boundary with Kerikeri Road on properties with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive; and
- (ii) no building shall be erected within 10m of the Cobham Road boundary on Lot 1 DP 28017 and Lot 1 DP 46656 or the Kerikeri Inlet Road boundary of Lot 1 DP 404507 (and any sites created as a result of a subdivision of these lots);
- (iii) no new buildings as of 25 March 2019 shall be erected within 10m of the Kerikeri Inlet boundary of Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333.

(b) The minimum set-back from any boundary other than a road boundary, on all sites other than Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots), shall be 1.2m except that no set-back is required for a maximum total length of 10m along any one such boundary; and

(c) Not less than 50% of that part of the site between the road boundary and a parallel line 2m there from (i.e. a 2m wide planting strip along the road boundary) shall be landscaped, on all sites other than Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots). For the landscaping required on Lot 1 DP 28017 and Lot 1 DP 46656 (and any sites created as a result of a subdivision of these lots) refer to Rule 7.6.5.1.10 (b) below; and

(d) The minimum set back from any other boundary other than the road boundary on Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots) shall be 3m.

Landscaping includes grassed areas but does not include paved areas, drive ways or car parking (refer to **Chapter 3 Definitions**).

Attention is also drawn to the setback from **Lakes, Rivers, Wetlands and the Coastline** provisions in **Chapter 12.7**.

Note: This rule does not apply to the below ground components of wastewater disposal systems. However, provisions in **Chapter 12.7 – Lakes Rivers Wetlands and the Coastline** still apply to below ground components of wastewater treatment systems.

Attention is also drawn to the **TP58 On-site Wastewater Systems: Design and Management Manual** and the Regional Water and Soil Plan for Northland, as consent may be required.

7.6.5.1.8 SCREENING FOR NEIGHBOURS - NON-RESIDENTIAL ACTIVITIES

Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof. They shall be of a height sufficient to wholly or substantially separate these areas from the view of neighbouring properties. Structures shall be at least 1.8m in height, but no higher than 2.0m, along the length of the outdoor area. Where such screening is by way of landscaping it shall be a strip of vegetation which has or will attain a minimum height of 1.8m for a minimum depth of 2m.

7.6.5.1.9 OUTDOOR ACTIVITIES

Except as otherwise provided by **Rule 7.6.5.1.10**, any activity may be carried out outside except that any commercial non-residential activity involving manufacturing, altering, repairing, dismantling or processing of any materials, live produce, goods or articles shall be carried out within a building.

7.6.5.1.10 VISUAL AMENITY

(a) Within the Coopers Beachfront Estate (as defined on **Planning Map 61**) domestic vehicles, and recreational vessels which are on a road trailer, may be stored on a site provided that:

- (i) no materials, machinery, non-domestic vehicles or non-trailer borne vessels shall be stored; and
- (ii) no repair, restoration or maintenance of any vessels shall be carried out; and
- (iii) no new commercial non-residential activity involving manufacturing, altering, repairing, dismantling or processing of any materials, live produce, goods or articles, shall be carried out

on a site in the Coopers Beachfront Estate, unless stored or carried out within a building, except during the period of construction and/or maintenance of a residential unit and/or accessory buildings on the site.

(b) Prior to any building work on Lot 1 DP 28017 and Lot 1 DP 46656 located on Cobham Road, Kerikeri (and any sites created as a result of a subdivision of these lots or any amalgamation of the lots) the following shall be provided:

- (i) The entire length of the road boundary, other than access points, shall be fenced using a visually permeable fence of varying heights not exceeding 1.8m and shall be planted to a depth of at least 3m from the road boundary with trees and shrubs that reflect the non weed species present along the road corridor. The planting shall predominantly visually mitigate and screen the built development within the site when viewed from the road. Full screening of all built development is not required. This fencing and planting shall be maintained in perpetuity.
- (ii) All other external boundaries of the above sites, not including the road or stream boundaries, shall be fenced using a visually permeable fence not exceeding 1.8m in height and shall be planted to a depth of at least 1.5m from the site boundary with shrubs and trees that will, in time, achieve a height sufficient to ensure the mitigation and screening of buildings within the site from neighbouring properties. Full screening of all buildings is not required. This planting shall be maintained in perpetuity.

(c) Prior to any building work on Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 located on Kerikeri Inlet Road, Kerikeri (and any sites created as a result of a subdivision of these lots or any amalgamation of the lots) a landscaping plan that has been approved by Council showing:

- Screening of the entire length of the Kerikeri Inlet Road boundary, other than the access point, with a pittosporum hedge (or similar dense foliage evergreen hedge, or mix of species) capable of achieving a minimum height of 3m and a minimum of twenty trees capable of achieving a height of 5m within the 10m setback area behind the required hedge. Visually impermeable fencing can be installed on the road side of the hedge;
- Screening of the eastern boundary of Lot 1 DP 404507 with an evergreen hedge capable of growing to a minimum height of 3m;
- A hedge of Griselinia littoralis or similar along the western boundary of Lot 1 DP 404507 where it adjoins Lot 2 DP 103531 and Lot 1 DP 181291 to achieve a minimum height of 2.5m;
- Tree planting along the northern boundary, and within the northern third of Lot 1 DP 404507 and Lot 1 DP 181291. The proposed species must reflect the character of the area and the proximity to the stream, be capable of attaining a minimum height of 10.0 metres, and shall be resistant to Myrtle Rust. The trees shall be planted as pb95 specimens. The objective of the tree planting is to soften and fragment views of the site from the north rather than screen views.
- All planting shall be implemented and maintained in perpetuity.

7.6.5.1.11 TRANSPORTATION

Refer to **Chapter 15 – Transportation** for Traffic, Parking and Access rules.

7.6.5.1.12 SITE INTENSITY - NON-RESIDENTIAL ACTIVITIES

- (a) except as provided in (b) hereunder, the maximum net area of activities other than residential units on any site shall be 1,000m² for sewered sites, and 5,000m² for unsewered sites, except that this area may be exceeded for public reserves without buildings;
- (b) in the Coopers Beachfront Estate (as defined on **Planning Map 61**) retail sales of goods and services (excluding home stay accommodation, rental accommodation or holiday accommodation not being a camping ground or motor camp) are not a permitted activity.

7.6.5.1.13 HOURS OF OPERATION - NON-RESIDENTIAL ACTIVITIES

- (a) the maximum number of hours the activity shall be open to visitors, clients or deliveries shall be 50 hours per week; and
- (b) hours of operation shall be limited to between the hours:
0700 - 2000 Monday to Friday
0800 - 2000 Saturday, Sunday and Public Holidays

Provided that this rule does not apply:

- (i) where the entire activity is located within a building; and
- (ii) where each person engaged in the activity outside the above hours resides permanently on the site; and
- (iii) where there are no visitors, clients or deliveries to or from the site outside the above hours.

Exemptions: This rule does not apply to activities that have a predominantly residential function such as lodges, motels and homestays.

7.6.5.1.14 KEEPING OF ANIMALS

No site shall be used for factory farming, a boarding or breeding kennel or a cattery.

7.6.5.1.15 NOISE

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone, or at or within the notional boundary of any dwelling in a rural or coastal zone:

0700 to 2200 hours 50 dBA L₁₀
2200 to 0700 hours 45 dBA L₁₀ and
70 dBA L_{max}

Noise Measurement and Assessment:

Sound levels shall be measured in accordance with NZS 6801:1991 “Measurement of Sound” and assessed in accordance with NZS 6802:1991 “Assessment of Environmental Sound”.

The notional boundary is defined in NZS 6802:1991 “Assessment of Environmental Sound” as a line 20m from any part of any dwelling or the legal boundary where this is closer to the dwelling.

Construction Noise:

Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 “The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work”.

7.6.5.1.16 HELICOPTER LANDING AREA

Helicopter landing areas are not permitted.

7.6.5.1.17 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 45% of the gross site area.

7.6.5.2 CONTROLLED ACTIVITIES

An activity is a controlled activity in the Residential Zone if:

- (a) it complies with all of the standards for permitted activities under **Rules 7.6.5.1** except for **7.6.5.1.6 Stormwater Management**; and

- (b) it complies with **7.6.5.2.1 Stormwater Management** below; and
- (c) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council must approve an application for a land use consent for a controlled activity but it may impose conditions on that consent.

7.6.5.2.1 STORMWATER MANAGEMENT

The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 60% or 600m², whichever is the lesser.

In order for an activity to be regarded as a controlled activity, a report must be prepared to demonstrate the likely effects of the activity on stormwater run-off and the means of mitigating run-off to no more than the levels that would result from the permitted threshold of buildings and other impermeable surface coverage in **Rule 7.6.5.1.6**. Any report required by this rule shall be prepared by a Chartered Professional Engineer or other suitably qualified person and must be provided to Council with an application for resource consent.

Note: The Verification Method E1/VM1 in the New Zealand Building Code (1992), Clause E1 Surface Water, can be utilised to demonstrate compliance with this rule.

Note: If no report is provided with the application, or if the report cannot demonstrate the likely effects of the activity on stormwater run-off and the means of mitigating run-off, then the activity becomes a discretionary activity.

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (a) the extent to which building site coverage and Impermeable Surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment;
- (b) the extent to which Low Impact Design principles have been used to reduce site impermeability;
- (c) any cumulative effects on total catchment impermeability;
- (d) the extent to which building site coverage and Impermeable Surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water;
- (e) the physical qualities of the soil type;
- (f) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites;
- (g) the extent to which paved, Impermeable Surfaces are necessary for the proposed activity;
- (h) the extent to which landscaping and vegetation may reduce adverse effects of run-off;
- (i) the means and effectiveness of mitigating stormwater runoff to that expected by permitted activity threshold.

7.6.5.3 RESTRICTED DISCRETIONARY ACTIVITIES

An activity is a restricted discretionary activity in the Residential Zone if:

- (a) it does not comply with any one of the following **Rules 7.6.5.1.2 Residential Intensity; 7.6.5.1.3 Scale of Activities; 7.6.5.1.4 Building Height; 7.6.5.1.5 Sunlight; 7.6.5.1.7 Setback from Boundaries; 7.6.5.1.11 Transportation; 7.6.5.1.15 Noise** and/or **7.6.5.1.17 Building Coverage** as set out above; but
- (b) it complies with all of the other rules for permitted and controlled activities under **Rules 7.6.5.1 and 7.6.5.2**; and
- (c) it complies with **Rules 7.6.5.3.1 Residential Intensity; 7.6.5.3.2 Scale of Activities; 7.6.5.3.3 Building Height; 7.6.5.3.4 Sunlight; 7.6.5.3.5 Building Coverage; 7.6.5.3.6 Transportation; 7.6.5.3.7 Setback from Boundaries** and **7.6.5.3.8 Noise** below; and
- (d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent.

In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the specific matters listed for each rule below, or where there is no rule, to the specific matters listed below under the appropriate heading.

7.6.5.3.1 RESIDENTIAL INTENSITY

Each residential unit for a single household shall have available to it a minimum net site area of:

Sewered sites: 300m²

Unsewered sites: 2,000m²

This minimum net site area may be for the exclusive use of the residential unit, or as part of land held elsewhere on the property, provided that a ratio of one residential unit per minimum net site area (as stated above) is not exceeded.

Except that this rule shall not limit the use of an existing site for a single residential unit for a single household, provided that all other standards for permitted, controlled or restricted discretionary activities are complied with.

In assessing an application under this provision, the Council will restrict the exercise of its discretion to:

- (a) the character and appearance of building(s) and the extent to which they will be compatible with the principal activity on the site and with other buildings in the surrounding area;
- (b) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;
- (c) the size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects;
- (d) the ability of the immediate environment to cope with the effects of increased vehicular and pedestrian traffic;
- (e) the location and design of vehicular and pedestrian access, on site vehicle manoeuvring and parking areas and the ability of those to mitigate the adverse effects of additional traffic;
- (f) location in respect of the roading network – sites on local roads are not generally considered appropriate for activities which generate high levels of pedestrian and vehicular activity;
- (g) noise generation and the extent to which reduction measures are used;
- (h) any servicing requirements and/or constraints of the site – whether the site has adequate water supply and provision for disposal of waste products and stormwater;
- (i) whether the development is designed in a way that avoids, remedies or mitigates any adverse effects of stormwater discharge from the site into reticulated stormwater systems and/or natural water bodies;
- (j) the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site;
- (k) the degree to which mitigation measures are proposed for loss of open space and vegetation;
- (l) any adverse effects on the life supporting capacity of soils;
- (m) the suitability of sites for building and access;
- (n) visual effects of site layout on the natural character of the coastal environment;
- (o) the effect on indigenous vegetation and habitats of indigenous fauna.

7.6.5.3.2 SCALE OF ACTIVITIES

The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the same household shall not exceed:

4 persons per 600m² (sewered)

4 persons per 3,000m² (unsewered)

Provided that:

- (a) this number may be exceeded for a period totalling not more than 60 days in any 12 month period where the increased number of persons is a direct result of activities ancillary to the primary activity on the site; and

- (b) this number may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site; and
- (c) this number may be exceeded where persons are visiting marae.

In determining the total number of people engaged at any one period of time, the Council will consider the maximum capacity of the facility (for instance, the number of beds in visitors accommodation, the number of seats in a restaurant or theatre), the number of staff needed to cater for the maximum number of guests, and the number and nature of the vehicles that are to be accommodated on site to cater for those engaged in the activity.

Exemptions: The foregoing limits shall not apply to activities of a limited duration required by normal farming and plantation forestry activities, provided that the activity shall comply with the requirements of s16 of the Act.

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (i) the siting of the building(s), decks and outdoor areas relative to adjacent properties in order to avoid visual domination and loss of privacy and sunlight to those properties;
- (ii) the location and design of vehicular and pedestrian access, on site vehicle manoeuvring and parking areas and the ability of those to mitigate the adverse effects of additional traffic;
- (iii) the extent to which hours of operation are appropriate in terms of the surrounding environment;
- (iv) noise generation and the extent to which reduction measures are used;
- (v) any servicing requirements and/or constraints of the site – whether the site has adequate water supply and provision for disposal of waste products and stormwater;
- (vi) where a property is adjacent to a public reserve, the potential impacts on the public use and enjoyment of that reserve.

7.6.5.3.3 BUILDING HEIGHT

The maximum height of any building shall be 9m.

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;
- (b) the ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.

7.6.5.3.4 SUNLIGHT

No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 3m vertically above ground level on any site boundary (refer to definition of Recession Plane in **Chapter 3 - Definitions**).

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;
- (b) the location and proximity of adjacent residential units, and the outdoor space used by those units;
- (c) the ability to mitigate any adverse effects of loss of sunlight.

7.6.5.3.5 BUILDING COVERAGE

Any new building or alteration/addition to an existing building is a restricted discretionary activity if the total Building Coverage of a site does not exceed 55% or 550m², whichever is the lesser, of the gross site area.

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (a) the ability to provide adequate landscaping for all activities associated with the site;
- (b) the extent to which building(s) are consistent with the character and scale of the existing buildings in the surrounding environment;
- (c) the scale and bulk of the building in relation to the site;

- (d) the extent to which private open space can be provided for future uses;
- (e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment;
- (f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;
- (g) the extent to which landscaping and other visual mitigation measures may reduce adverse effects;
- (h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.

7.6.5.3.6 TRANSPORTATION

Refer to **Chapter 15 – Transportation** for Traffic, Parking and Access rules.

7.6.5.3.7 SETBACK FROM BOUNDARIES

In assessing an application resulting from a breach of **Rule 7.6.5.1.7 Setback from Boundaries** the matters to which the Council will restrict its discretion are:

- (a) the extent to which the proposal is in keeping with the existing character and form of the street or road, in particular with the external scale, proportions and buildings on the site and on adjacent sites;
- (b) the extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties;
- (c) the extent to which the buildings restrict visibility for vehicle manoeuvring;
- (d) the ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting;
- (e) for Lot 1 DP 28017, Lot 1 DP 46656, Lot 1 DP 404507, and Lot 1 DP 181291, Lot 2 DP 103531, Lot 1 DP 103531, Lot 2 DP 58333 and Pt Lot 1 DP 58333 (and any sites created as a result of a subdivision of these lots) and sites having frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive:
 - (i) the scale of the buildings;
 - (ii) the extent of setback from Kerikeri Road and Cobham Road;
 - (iii) the visual appearance of the site from the Kerikeri Road and Cobham Road frontage;
 - (iv) the extent to which the building(s) are in harmony with landscape plantings and shelter belts;
- (f) the extent to which the buildings and their use will impact on the public use and enjoyment of adjoining esplanade reserves and strips and adjacent coastal marine areas.

7.6.5.3.8 NOISE

In assessing an application resulting from a breach of **Rule 7.6.5.1.15 Noise** the matters to which the Council will restrict its discretion are:

- (a) the character, level and duration of noise from any activity as received at the boundary, or notional boundary of another site;
- (b) the hours of operation in relation to the surrounding environment;
- (c) the effectiveness of any noise mitigation measures proposed.

7.6.5.4 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity in the Residential Zone if:

- (a) it complies with **Rules 7.6.5.1.13 Hours of Operation for Non-residential Activities** and **7.6.5.1.14 Keeping of Animals** for permitted activities set out above; and
- (b) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**; but
- (c) it does not comply with one or more of the other standards for permitted, controlled or restricted discretionary activities in this zone as set out under **Rules 7.6.5.1, 7.6.5.2, and 7.6.5.3** above.

The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application the Council will have regard to the assessment criteria set out under **Chapter 11**.

If an activity does not comply with the standards for a discretionary activity it will be a non-complying activity in this zone.

7.6.5.4.1 HELICOPTER LANDING AREA

Any helicopter landing area.

13 SUBDIVISION

CONTEXT

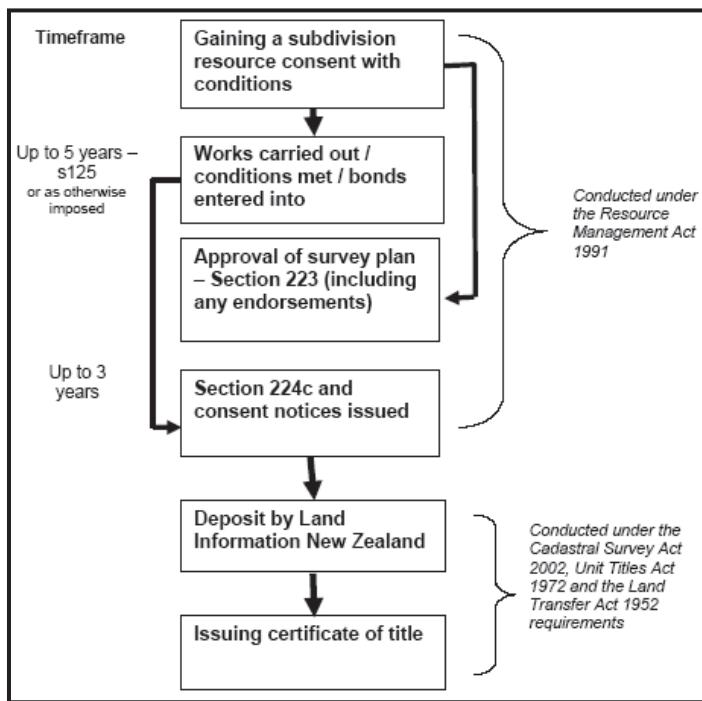
The Far North District Council is responsible for issuing two types of resource consents – land use consents and subdivision consents. In many cases both types of consents must be obtained before a development can proceed. Consents may also be needed from the Northland Regional Council. This chapter deals with subdivision.

Subdivision is essentially a process of dividing a parcel of land or a building into one or more further parcels, or changing an existing boundary location. Land subdivision creates separate and saleable certificates of title, which can define an existing interest in land (including buildings) and impose limitations on landowners or occupiers for how the land can be used or developed, through conditions and consent notices imposed under sections 108, 220 and 221 of the Resource Management Act 1991. Subdivision also provides the opportunity for Council to require land to be vested, and reserve and other financial contributions to be taken to provide necessary infrastructure.

Figure 1 below shows the subdivision process. [Ministry for the Environment Quality Planning website]

Note that Council does not have control of the whole process.

FIGURE 1: PROCESS OF SUBDIVISION



Land subdivision under the RMA includes:

- the creation of separate fee-simple allotments with new certificates of title (freehold);
- the lease of land or buildings or both for 35 years or longer (leasehold);
- the creation of a unit title, company lease, or cross-lease.

Freehold subdivisions occur where new allotments (usually referred to as lots) are created under the Land Transfer Act and ownership is held in an estate in fee simple. Fee simple means that the ownership of the land and the buildings on it is held solely by those persons listed on the certificate of title. Freehold is the most common form of subdivision. The boundaries are pegged by licensed cadastral surveyors and a 'guaranteed' title is issued.

Leasehold subdivisions: land or buildings or both that are leased for a period exceeding 35 years is defined in the RMA as a subdivision. A leasehold estate is most commonly defined as an estate or interest in land held for a fixed term of years. **Cross-lease subdivisions** (occasionally called composite leasehold and share titles) occur where buildings or dwellings are leased. The cross-lease plan shows the dwellings as 'flats' and is often called a 'flats-plan'. The term 'cross-lease' is used to describe the method whereby the purchaser of a dwelling / flat obtains a lease of that dwelling, generally for a term of 999 years, together with an undivided share in the underlying fee-simple estate. Cross-lease titles usually involve common-use areas (eg, shared driveways) and exclusive or restrictive covenant areas (eg, backyards). The owners agree to use certain areas for their own use without infringing on the areas of the other owners. For any changes to be made to a cross-lease site or building the leaseholder must have regard to the cross-lease documents that may require the consent of all other cross-leasing owners (eg, to erect a garage or add a new room)

Unit title subdivisions (or strata titles) generally occur where more than one dwelling or building is built on a single title and separate ownership is required. This includes multi-storey developments and the unit title allows for ownership to be defined in three dimensions. A unit title provides single ownership of a 'principal unit' (the dwelling) and one or more 'accessory units' (eg, garages or outdoor spaces). Each principal and each accessory unit will usually be defined spatially, so that the dwelling and any other buildings or outdoor spaces are contained in compartments of space, which are owned rather than leased. There are usually common areas that provide access for all unit title owners (eg, driveways, lifts and stairwells).

A unit title is made up of two components:

- (a) ownership in the particular unit
- (b) an undivided share in the ownership of the common property.

[quoted from Ministry for the Environment Quality Planning website]

All subdivision requires resource consent except for:

- (a) lots for utility services under the Public Works Act;
- (b) those other situations set out in Section 11 of the Act. The exemptions in s11 anticipate (among other things) the creation of separate titles for natural and historic conservation purposes.

Boundary adjustments are a controlled activity throughout the District, subject to meeting specific criteria. Section 13.7.2, which includes Table 13.7.2.1, sets out the activity status, allotment sizes and dimensions for all other subdivisions throughout the District. The matters, or topics, which the Council will consider in any application for a resource consent for subdivision, and the rules that apply to any such application are set out in section 13.7.3 of this chapter. The rules will ensure that appropriate consideration is given to the relevant elements of subdivision, and that conditions of consent are directed towards those elements.

Attention is drawn to the fact that rules in parts of the Plan other than this chapter may have a bearing on subdivision applications. For example, a subdivision may result in an existing land use activity failing to comply with the relevant zone rules or District-wide rules. The provisions of the relevant zone rules and District-wide rules will be relevant for land use activities, which may be associated with subdivisions and which would allow the subdivision to proceed.

Chapter 2 of this Plan describes in general terms the role of the Maori Land Court in regulating the partition, amalgamation, aggregation and exchange of Maori land. Subdivision of ancestral land does not occur in the ordinary course of events and so there is no special provision in this Plan for it. However, the Council recognises the need to provide for the development of ancestral land and this is included in **Part 2 of the Plan - Environment Provisions**.

For the context of the management plan rule refer to **Rule 13.9.2**.

13.1 ISSUES

- 13.1.1 Because the type and scale of activities that can occur in the District are often linked to the size of a lot, the effect of subdividing land is reflected in the subsequent development of that land.
- 13.1.2 While subdivision is essentially a mechanistic process, integrated management of resources can be assisted by the imposition of appropriate controls on the way in which subdivision is carried out.
- 13.1.3 The subdivision of land can result in development that has significant effects on natural character.
- 13.1.4 Subdivision of properties containing scheduled heritage resources (as listed in **Appendices 1D, 1E, 1F and 1G**) can result in the alienation of a heritage resource from land closely associated with it and the consequent loss/degradation/diminution of its heritage values.

- 13.1.5 Subdivisions may lead to an increased demand for water in a District where there are summer shortfalls.
- 13.1.6 Subdivision may lead to an increased demand for energy in the District where there is a limited reticulated supply and a reliance on electricity generated outside the District. The adoption of energy efficiency and renewable energy initiatives and technologies will need to be considered in all new subdivisions and related development.
- 13.1.7 The subdivision of land can result in development that has an adverse effect on the sustainable functioning of infrastructure, particularly roads.
- 13.1.8 Inappropriate subdivision, use and development can cause reverse sensitivity effects on the National Grid, compromising its safe and efficient operation, development, maintenance and upgrading.

Note: Attention is also drawn to the provisions of **Section 12.9**. This section includes an Issue, Objective and Policy with respect to potential reverse sensitivity effects arising from subdivision, use and development adjacent to consented or existing lawfully established renewable energy projects, including associated transmission activities.

13.2 ENVIRONMENTAL OUTCOMES EXPECTED

- 13.2.1 A subdivision pattern that is consistent with:
 - (a) existing land uses;
 - (b) the preservation of the natural character of the coastal environment and the restoration or enhancement of areas which may have been compromised by past land management practices;
 - (c) the protection, restoration and/or enhancement of outstanding natural features and landscapes;
 - (d) the protection, restoration and/or enhancement of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
 - (e) the maintenance and enhancement of public access to and along the coast and lakes and rivers;
 - (f) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga;
 - (g) the type of management of natural and physical resources that is provided for in the **Environmental Provisions** (refer to **Part 2**) and elsewhere in the **District Wide Provisions** (refer to **Part 3**) of this Plan;
 - (h) the retention of heritage values of heritage resources (as listed in **Appendices 1D, 1E, 1F** and **1G**) through conservation of its immediate context.
- 13.2.2 Sufficient water storage is provided to meet the present and likely future needs of the Community.
- 13.2.3 Subdivisions, land use and development which respond in a sustainable way to the site specific environmental conditions, values and enhancement opportunities, through the use of management plans.
- 13.2.4 A sufficient and secure energy supply is available to meet the present and likely future needs of the District.
- 13.2.5 Where the safe and efficient operation, maintenance, development and upgrading of the existing National Grid operations are protected from the reverse sensitivity effects of other activities.

13.3 OBJECTIVES

- 13.3.1 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.
- 13.3.2 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.

- 13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.
- 13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.
- 13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.
- 13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.
- 13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.
- 13.3.8 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.
- 13.3.9 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).
- 13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.
- 13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities

13.4 POLICIES

- 13.4.1 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:
 - (a) natural character, particularly of the coastal environment;
 - (b) ecological values;
 - (c) landscape values;
 - (d) amenity values;
 - (e) cultural values;
 - (f) heritage values; and
 - (g) existing land uses.
- 13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.
- 13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.
- 13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.
- 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.
- 13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.
- 13.4.7 That the need for a financial contribution be considered only where the subdivision would:
 - (a) result in increased demands on car parking associated with non-residential activities; or
 - (b) result in increased demand for esplanade areas; or
 - (c) involve adverse effects on riparian areas; or

- (d) depend on the assimilative capacity of the environment external to the site.

13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.

13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.

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.

13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.

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 and the coastal marine area;
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
- (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer **Chapter 2** and in particular **Section 2.5** and Council's "*Tangata Whenua Values and Perspectives*" (2004));
- (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;
- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.
- (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

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.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:

- (a) development of energy efficient buildings and structures;
- (b) reduced travel distances and private car usage;
- (c) encouragement of pedestrian and cycle use;
- (d) access to alternative transport facilities;
- (e) domestic or community renewable electricity generation and renewable energy use.

13.4.16 When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:

- (a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;
- (b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and

- (c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.

Note 1: Structures and activities located near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001.

Note 2: Vegetation to be planted within, or adjacent to, the National Grid Corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

13.5 METHODS

DISTRICT PLAN METHODS

- 13.5.1 Rules in **Chapter 13** of the Plan impose controls on most forms of subdivision activity.
- 13.5.2 **Chapter 13** provides an alternative to the standard rules, through the implementation of a management plan for subdivision in the Rural Production, General Coastal, Coastal Living, South Kerikeri Inlet and Waimate North Zones.
- 13.5.3 Financial contributions in respect of subdivision are set out in **Chapter 14**.
- 13.5.4 Matters of National Importance specified in s6 of the Act are addressed in various sections of the District Plan, including the following sections in particular:
 - (a) preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins is provided for in **Chapter 10** and in **Section 12.7**;
 - (b) protection and enhancement of outstanding natural features and landscapes is provided for in **Section 12.1** and by the restriction on subdivision in the Recreational Activities and Conservation Zones;
 - (c) the protection of significant indigenous vegetation and significant habitats of indigenous fauna is addressed in **Section 12.2**;
 - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers is provided for in **Chapter 10**, **Section 12.7** and **Chapter 14**;
 - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga are provided for throughout the District Plan but attention is drawn in particular to **Chapter 2**; and
 - (f) the protection of historic heritage is addressed in **Chapter 12.5**.

The objectives and policies relating to each of the above (where relevant) and those of the applicable zone will be taken into account in assessing applications for subdivision, including applications made under **Rule 13.9.2**.

- 13.5.5 Structure Plans are included as an alternative means of providing for subdivision on a comprehensive basis (**Section 13.12**).
- 13.5.6 Where a subdivision (which includes a boundary adjustment) is proposed on land where a hazardous activity of industry has been, or is more likely than not to have been, or is currently operating, then the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 apply.
- 13.5.7 Where an application is made for an activity, breaching **Rule 13.8.1** Transpower New Zealand Limited shall be considered an affected party, due to the national significance of the National Grid.

OTHER METHODS

- 13.5.8 Non-regulatory methods, including brochures and informal contact with applicants will help to promote subdivision activities that are sensitive to the physical environment. In this respect, the Council encourages early consultation with parties who may be affected by a subdivision proposal such as neighbouring landowners, Heritage New Zealand Pouhere Taonga and tangata whenua.
- 13.5.9 The Council encourages applicants to take into account any provisions of any relevant planning documents prepared for the area and recognised by iwi authorities, pursuant to Sections 6(e), 6(g), 7(a) and 7(aa) of the Resource Management Act 1991

COMMENTARY

Subdivision of land can have adverse effects on the environment if the design of the subdivision is such that subsequent use and development on the subdivided land is environmentally inappropriate. While it is the

use of land, and not the subdivision pattern itself, that has the effects, the subdivision pattern enables the use. Consequently, the control of subdivision is justified because it enables the Council to minimise the risk of activities being established on lots that are too small, too steep, hazard prone, incapable of being serviced, and so on.

To this extent the control of subdivision is complementary to the control of land use activities.

The Council's approach has therefore been to ensure that the conditions of consent for subdivisions enable appropriate subsequent use and development, and the objectives and policies in this chapter reflect this approach.

The Council also recognises the desirability of responding positively to innovative subdivision proposals that, although they may not comply with the rules, offer a good resource management outcome for the development of a property. This chapter provides for such innovation.

Applicants can choose whether to apply first for a land use or a subdivision consent, or apply for both together.

13.6 GENERAL RULES

The following rules shall apply, unless specifically stated otherwise, to all applications for subdivision of land.

When preparing subdivision applications, applicants should be mindful of the relevant zoning (refer to **Part 2 - Environment Provisions**), as well as to the provisions elsewhere in **Part 3 - District Wide Provisions**, particularly:

- (a) **Chapter 12 Natural and Physical Resources**;
- (b) **Chapter 14 Financial Contributions**;
- (c) **Chapter 15 Transportation**;
- (d) **Chapter 18 Special Areas**.

13.6.1 DEFINITION OF SUBDIVISION OF LAND

The definition of the subdivision of land is set out in s218 of the Act, and this definition is included in a Glossary of Definitions from the Act.

13.6.2 RELEVANT SECTIONS OF ACT

All applications are subject to the requirements set out in the Act, with particular reference to s106, s219, s220, and s230 - s237G. S104 and s105 are also relevant, in respect of the assessment of applications, as is the Government Roading Powers Act 1989

13.6.3 RELEVANT SECTIONS OF THE DISTRICT PLAN

All applications will be assessed against the objectives and policies of the applicable zone(s) and those contained in **Chapters 12, 14, 15 and 18** where relevant.

13.6.4 OTHER LEGISLATION

All applications shall comply with the relevant requirements contained in other Acts and codes, with particular reference to the Building Act 2004, the Local Government Act 2002, the Local Government Act 1974, the Resource Management (National Environmental Standard for Air Quality) Regulations 2004, the Resource Management (National Environmental Standard for sources of Human Drinking water) Regulations 2007, the Resource Management (National Environmental Standard for Telecommunication Facilities) Regulations 2008, the Resource Management (National Environmental Standard for Electricity Transmission) Regulations 2010, the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 and any relevant Regional Plan for Northland.

13.6.5 LEGAL ROAD FRONTAGE

All new allotments shall be provided with frontage to a legal road, or to a road to be vested on the application, except where access by a private road or right of way is included, and approved, within the subdivision consent application or where prior consent pursuant to s348 of the Local Government Act 1974 has been obtained

13.6.6 BONDS

The Council may require bonds as a condition of a subdivision consent. The bond is repaid on the completion of some specified work or action. The purpose of a bond is to provide an incentive to resource consent holders to give effect to the conditions of consent. A bond also gives the Council the ability to arrange for the work or action required to be carried out even if the resource consent holder does not.

13.6.7 CONSENT NOTICES

Where there is any on-going condition of a subdivision consent, a consent notice pursuant to s221 of the Act shall be registered against the Certificate of Title to the allotment to which the condition applies. Examples of the matters that may be included in a consent notice could be any encumbrances on the Title and any provision for the protection of transmission lines.

13.6.8 SUBDIVISION CONSENT BEFORE WORK COMMENCES

Except where prior consent has been obtained to excavate or fill land pursuant to rules under **Section 12.3**, or consent to vegetation clearance has been obtained pursuant to rules under **Sections 12.1 or 12.2**, and/or relevant consents have been obtained from the Regional Council, no work, other than investigatory work, involving the disturbance of the land or clearance of vegetation shall be undertaken until a subdivision consent has been obtained.

When the subdivision consent is granted, provided all the necessary calculations and assessment of effects is provided with the application, the subdivision consent application shall be deemed to include consent to excavate or fill land, and clear vegetation to the extent authorised by the consent and subject to any conditions in the consent. Alternatively, an applicant may apply to add a land use consent application to the subdivision consent application, for any excavation/filling work and/or vegetation clearance. This does not exempt a consent holder from also obtaining any relevant resource consent or approvals from the Regional Council or the Heritage New Zealand Pouhere Taonga for earthworks, vegetation clearance or disturbance of an archaeological site.

13.6.9 ASSESSING RESOURCE CONSENTS

Where the rules specify that the Council shall consider certain matters in regard to granting consent or imposing conditions, in the case of controlled subdivision activities, the application will only be assessed in terms of possible conditions, and would only be declined pursuant to s106 of the Act (natural hazards and access).

13.6.10 JOINT APPLICATIONS

Any application arising from non-compliance with zone standards caused by the proposed subdivision shall be considered jointly with the subdivision consent.

13.6.11 JOINT HEARINGS

Where a subdivision activity also requires a resource consent from Northland Regional Council and both the Regional and District Council consents are subject to public notification, the Council will promote that the applications be heard jointly.

13.6.12 SUITABILITY FOR PROPOSED LAND USE

Where s106 of the Act applies to any part of the land to be subdivided, or any part of the land contains contamination, it is the applicant's responsibility to provide all information relative to the potential hazard and to show the means whereby the land shall be made suitable for the proposed land use. The Council shall have regard to any appropriate proposals before issuing the subdivision consent, or declining approval pursuant to s106 (relating to natural and other hazards such as subsidence, erosion and flooding, legal and physical access).

13.7 CONTROLLED (SUBDIVISION) ACTIVITIES

Subdivision is a controlled activity where it complies with the following standards and the standards set out in rules under **13.7.1, 13.7.2 and 13.7.3**.

Under s106(1) the Council may refuse to grant a subdivision consent if it considers that either:

- (a) any land in respect of which a consent is sought, or any structure on that land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- (b) any subsequent use that is likely to accelerate, worsen, or result in material damage to that land, other land, or structure, by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES

Boundary Adjustments Performance Standards

Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:

- (a) there is no change in the number and location of any access to the lots involved; and
- (b) there is no increase in the number of certificates of title; and
- (c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer **Table 13.7.2.1**); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and
- (d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and
- (e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and
- (f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.

Applications under this rule will not be notified but where these conditions cannot be met the application will be considered under the relevant zone rules set out in **Rules 13.7.2 to 13.7.10**.

13.7.2 ALLOTMENT SIZES, DIMENSIONS AND OTHER STANDARDS

13.7.2.1 MINIMUM AREA FOR VACANT NEW LOTS AND NEW LOTS WHICH ALREADY ACCOMMODATE STRUCTURES

Every allotment to be created by a subdivision shall comply either with the conditions of a resource consent or with the minimum standards specified as follows in Table 13.7.2.1, and shall comply with all other relevant zone rules, except as provided for in **Rules 13.7.2.4, 13.7.2.5, 13.7.2.6** and **13.7.2.7** below.

TABLE 13.7.2.1: MINIMUM LOT SIZES

(i) RURAL PRODUCTION ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>The minimum lot size is 20ha.</p> <p>Note 1: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5).</p> <p>Note 2: Subdivision in the Pouerua Heritage Precinct (refer Maps 35, 41 and HP1), is a discretionary subdivision activity.</p> <p>Note 3: Subdivision within 100m of the boundary of the Minerals Zone is a restricted discretionary activity.</p>	<p>1. Subdivision that complies with the controlled activity standard, but is within 100m of the boundary of the Minerals Zone;</p> <p>2. The minimum lot size is 12ha; or</p> <p>3. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m² 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; or</p> <p>4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000;</p> <p>5. Rules under clauses 3 and 4 provide two alternative options for the creation of a specified number of small lots from sites existing at 28 April 2000. Where an application under one of these clauses takes up only part of the total allowance, a subsequent application to take up the remainder of that particular allowance may be considered by Council, notwithstanding that the subsequent application involves a lot which no longer meets the existing at 28 April 2000 criterion.</p> <p>Note 1: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5).</p> <p>Note 2: Subdivision in the Pouerua Heritage Precinct (refer Maps 35, 41 and HP1), is a discretionary subdivision activity.</p>	<p>1. The minimum lot size is 4ha; or</p> <p>2. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 2,000m² and there is at least 1 lot in the subdivision with a minimum 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; or</p> <p>3. A subdivision in terms of a management plan as per Rule 13.9.2 may be approved.</p> <p>4. Subdivision in the Pouerua Heritage Precinct (refer Maps 35, 41 and HP1), is a discretionary subdivision activity.</p> <p>Note 1: There is no restriction on the number of 4ha lots in a subdivision (clause 1).</p> <p>Note 2: The effect of the rule under clause 2 is that there is a once-off opportunity to subdivide a maximum of two small lots from a site existing at 28 April 2000. Subdivision of small lots which does not meet this rule is a non-complying activity unless the lots are part of a Management Plan application.</p>

(ii) MINERALS ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Subdivision is not a controlled activity in this zone		Subdivision is a discretionary activity in this zone

(iii) WAIMATE NORTH ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m² and there is at least 1 lot in the subdivision with a minimum 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.</p> <p>Note: The effect of the above rule is that there is a once-off opportunity to subdivide a maximum of two small lots from a site existing at 28 April 2000. Subdivision of small lots which does not meet this rule is a non-complying activity unless the lots are part of a Management Plan application.</p>		<p>1. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 2,000m² and there is at least 1 lot in the subdivision with a minimum 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; or</p> <p>2. A subdivision in terms of a management plan as per Rule 13.9.2 may be approved.</p> <p>Note: Any further subdivision under this alternative (Clause 1) is a Non-complying Activity.</p>

(iv) RURAL LIVING ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>The minimum lot size is 4,000m²</p> <p>Note 1: There is no restriction on the number of 4,000m² lots in a subdivision.</p> <p>Note 2: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5).</p>		<p>The minimum lot size is 3,000m²</p> <p>Note: There is no restriction on the number of 3,000m² lots in a subdivision.</p>

(v) RESIDENTIAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered) and 600m ² (sewered).		The minimum lot sizes are 2,000m ² (unsewered) and 300m ² (sewered).

(vi) COMMERCIAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered) and 250m ² (sewered).		The minimum lot size is 2,000m ² (unsewered). There is no limit for seweried lots, provided that servicing of the lot (including car parking, loading etc), can be achieved.

(vii) INDUSTRIAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered) and 500m ² (sewered).		The minimum lot size is 2,000m ² (unsewered). There is no limit for seweried sites, provided that servicing of the site (including car parking, loading etc), can be achieved.

(viii) GENERAL COASTAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Subdivision is not a controlled activity in this zone.	The minimum lot size is 20ha. Note 1: There is no restriction on the number of 20ha lots in a subdivision. Note 2: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5).	A subdivision in terms of via a management plan as per Rule 13.9.2 may be approved.

(ix) COASTAL LIVING ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot size is 4ha (with provision for stormwater and wastewater disposal as a necessary part of the application). Note 1: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5). Note 2: Subdivision within 100m of the boundary of a Mineral Zone is a restricted discretionary activity.	1. The minimum lot size is 8,000m ² (with provision for stormwater and wastewater disposal as a necessary part of the application). 2. Subdivision that complies with the Controlled Activity Standard, but is within 100m of the boundary of the Minerals Zone.	1. The minimum lot size is 5,000m ² (with provision for stormwater and wastewater disposal as a necessary part of the application); or 2. A subdivision in terms of a management plan as per Rule 13.9.2 may be approved.

(x) COASTAL RESIDENTIAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered) and 800m ² (sewered).		The minimum lot sizes are 2,000m ² (unsewered) and 600m ² (sewered).

(xi) RUSSELL TOWNSHIP ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered); and 1,000m ² (sewered).		The minimum lot sizes are 2,000m ² (unsewered) and 800m ² (sewered).

(xii) SOUTH KERIKERI INLET ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Subdivision is not a controlled activity in this zone.	The minimum lot size is 4 ha in non-sensitive areas (see Map 84).	Subdivision via a management plan only as per Rule 13.9.2 may be approved.

(xiii) RECREATIONAL ACTIVITIES ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Nil. Subdivision is a non-complying activity in this zone.		Nil. Subdivision is a non-complying activity in this zone.

(xiv) POINT VERONICA ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
As in accordance with the approved development plan (refer Appendix 6D)		Any subdivision not provided for by way of a controlled activity shall be non-complying.

(xv) CARRINGTON ESTATE ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Unit title subdivision of the accommodation units and lodge/golf club complex within the Carrington Estate Zone, as identified in the Carrington Estate Development Plan and Schedule (Appendix 6E in Part 4 of the Plan), and as further detailed in Maps Sub 1-9 submitted within the consent applications, and in accordance with the conditions of RC 1990480/A .		Any subdivision not provided for by way of a controlled activity shall be non-complying.

(xvi) HORTICULTURAL PROCESSING ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Minimum lot size of 4,000m ² , maximum of 3 lots; for horticultural processing activities (as described in Rule 18.4.6.1).		Minimum lot size of 2,000m ² , maximum of 3 lots; for horticultural processing activities (as described in Rule 18.4.6.1); or for any other activity.

(xvii) CONSERVATION ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
Nil. Subdivision is a non-complying activity in this zone.		Nil. Subdivision is a non-complying activity in this zone.

(xviii) ORONGO BAY SPECIAL ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot sizes are 3,000m ² (unsewered) and 1,000m ² (sewered) provided the subdivision is part of an approved Comprehensive Development Plan in accordance with Rule 18.8.6.1 and Rule 18.8.6.3.3 and provided that the maximum number of separate titles created shall not exceed seven in the zone.		The minimum lot sizes are 2,000m ² (unsewered) provided that the subdivision is part of an approved Comprehensive Development Plan in accordance with Rule 18.8.6.1 and Rule 18.8.6.3.3 and provided that the maximum number of separate titles created shall not exceed seven in the zone.

(xix) OUTSTANDING LANDSCAPE, OUTSTANDING LANDSCAPE FEATURES AND OUTSTANDING NATURAL FEATURES, AS SHOWN ON THE RESOURCE MAPS - REFER ALSO TO RULE 13.7.2.5

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>The minimum lot size is 20ha except in the General Coastal Zone.</p> <p>Note: This standard applies to any part of a lot that is included in an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, as listed in Appendices 1A and 1B and as shown on the Resource Maps.</p> <p>Where a new boundary line passes through the Outstanding Natural Feature (Appendix 1A) or Outstanding Landscape Feature (Appendix 1B) or a lot is created which results in the only building site and/or access to it being located in the feature unless it is for creation of a reserve under the Reserves Act 1977 subdivision is a non-complying activity (this does not apply within the Pouerua Heritage Precinct).</p>	<p>The minimum lot size is 20ha in the General Coastal Zone.</p>	<ol style="list-style-type: none"> For the Rural Production, General Coastal and Coastal Living Zones subdivision via a management plan as per Rule 13.9.2; For all other zones, the minimum lot size for a discretionary activity in an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, as listed in Appendices 1A and 1B and as shown on the Resource Maps is the same as the discretionary standard that applies to the zone in which the site is located. <p>Where a new boundary line passes through the Outstanding Natural Feature (Appendix 1A) or Outstanding Landscape Feature (Appendix 1B) or a lot is created which results in the only building site and/or access to it being located in the feature unless it is for creation of a reserve under the Reserves Act 1977 subdivision is a non-complying activity (this does not apply within the Pouerua Heritage</p>

	Precinct).
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(xx) GOLF LIVING SUB-ZONE OF KAURI CLIFFS ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
	<p>Subdivision of up to 60 new lots for residential (golf living) purposes, provided that:</p> <ul style="list-style-type: none"> (a) no lot is less than 4,000m² in area; (b) the subdivision is otherwise undertaken in accordance with Rules 13.7 to 13.11 (Chapter 13 Subdivision), but excluding Rule 13.7.2.1. (c) on-site treatment and disposal of wastewater is provided for; and (d) the building footprints are specified on an approved plan of subdivision. <p>The provisions of Rule 13.10 shall apply when assessing any proposed subdivision within the Golf living sub-zone.</p> <p>Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained, and will be assessed having regard to:</p> <ul style="list-style-type: none"> (i) the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone; (ii) the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; (iii) the effect on adjoining activities. 	Subdivision that does not comply with the Restricted Discretionary Activity Standard.

Provided that any existing development on any new lot in the subdivision must comply with all of the relevant zone rules and the rules in **Part 3 of the Plan - District Wide Provisions** for permitted or controlled activities.

13.7.2.2 ALLOTMENT DIMENSIONS

Any allotment created in terms of these rules must be able to accommodate a square building envelope of the minimum dimensions specified below; which does not encroach into the permitted activity boundary setbacks for the relevant zones:

Zone	Minimum Dimension
Residential, Coastal Residential, Russell Township	14m x 14m
Rural Production, Minerals, General Coastal, Coastal Living, South Kerikeri Inlet, Rural Living, Waimate North, Point Veronica and Carrington Estate	30m x 30m

Any allotment created in terms of these rules shall comprise one contiguous parcel of land, except that in the case of land subdivided under the Unit Titles Act 2010, the principal unit and any accessory units shall be deemed to be a contiguous area if they are contained within the same site.

13.7.2.3 AMALGAMATION OF LAND IN A RURAL ZONE WITH LAND IN AN URBAN OR COASTAL ZONE

Notwithstanding the provisions of **Rule 13.7.2.1** and **Table 13.7.2.1**, an allotment in a rural zone may be amalgamated into one certificate of title with an adjoining (contiguous) allotment in any urban or coastal zone, but only where that part of the title in the urban or coastal zone meets all the requirements for a separate controlled activity allotment in that zone, as set out in **Table 13.7.2.1** and **Rule 13.7.2.2**, except that in the General Coastal Zone such subdivision will be assessed as a restricted-discretionary activity.

13.7.2.4 LOTS DIVIDED BY ZONE BOUNDARIES

Where an allotment is shown on the **Zone Maps** as having two or more zones applicable, a subdivision along a zone boundary shall be a controlled (subdivision) activity, provided that the resulting lot complies with the minimum controlled activity lot size applicable in that zone except in the General Coastal Zone where subdivision will be assessed as a restricted-discretionary activity and provided that any subdivision of a lot divided by a boundary between the Minerals Zone and any other zone is a restricted discretionary activity (refer to **Rule 13.7.2.1** and **Table 13.7.2.1**).

13.7.2.5 SITES DIVIDED BY AN OUTSTANDING LANDSCAPE, OUTSTANDING LANDSCAPE FEATURE OR OUTSTANDING NATURAL FEATURE

The subdivision rules relating to the size of allotments in areas covered by an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, as shown on the Resource Maps, take precedence over the comparable rules for zones.

Where a site contains, or is divided by the boundary of an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, for those parts of the site not covered by the landscape or feature, rules relating to allotment size for the particular zone apply as if the legal boundary of the site was located along the boundary of the landscape or feature.

Where a site contains, or is divided by the boundary of an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, minimum lot sizes for that part of the site within the landscape or feature is specified within **Rule 13.7.2.1(xix)** of **Table 13.7.2.1**.

Where a site contains, or is divided by the boundary of an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature, and the area within the landscape or feature is smaller than the lot sizes provided for in **Rule 13.7.2.1(xix)** of **Table 13.7.2.1**, the whole of the site must be taken as Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature and **Rule 13.7.2.1(xix)** applies over the entire site.

13.7.2.6 ACCESS, UTILITIES, ROADS, RESERVES

Notwithstanding the standards for minimum net area, there shall be no minimum allotment areas in any zone for allotments created for access, utilities, roads and reserves. Within areas covered by a structure plan, appropriate provision shall be made for access, utilities, roads and reserves in terms of those structure plans.

A consent notice may be registered on the Certificate of Title, pursuant to **Rule 13.6.7**, in respect of any lot occupied by a utility, requiring enforcement of a condition that, in the event of the utility being removed, the lot be amalgamated with an adjoining allotment unless it is a fully complying allotment for the respective zone.

13.7.2.7 SAVINGS AS TO PREVIOUS APPROVALS

Notwithstanding the standards for minimum net area in **Rule 13.7.2.1** and **Table 13.7.2.1**, there are no minimum allotment areas in any zone for unit titles where a proposed unit development plan has been granted subdivision consent. This rule applies only to allotments approved by Council prior to 28 April 2000. All relevant rules applicable within the zone must be complied with by the building/s erected, or to be erected, on allotments in terms of this rule.

13.7.2.8 PROXIMITY TO TOP ENERGY TRANSMISSION LINES

Where an electricity transmission line (of 110 kV or more) crosses land subject to a proposed subdivision, the application shall clearly show those lines and all proposed building sites in relation to those lines. No activity (including earthworks) or proposed building sites shall be located within 20m of any support structure and no building platform shall be located within a corridor measured 20m from the centre line of the transmission lines.

13.7.2.9 PROXIMITY TO THE NATIONAL GRID

Where an electricity transmission line identified on the zone maps as part of the National Grid crosses or adjoins land subject to a proposed subdivision, the application shall clearly show those lines and all proposed building sites in relation to that infrastructure.

Note: Attention is also drawn to the provisions of Part 3 of the Plan – District Wide Provisions, which reference the rules relating to development occurring within the National Grid Yard.

13.7.3 CONTROLLED (SUBDIVISION) ACTIVITIES: OTHER MATTERS TO BE TAKEN INTO ACCOUNT

Any application for a controlled (subdivision) activity resource consent must also make provision (where relevant) for the matters listed under **Rules 13.7.3.1 to 13.7.3.12** (inclusive), and the Council shall take account of these matters in reaching a decision on the application.

13.7.3.1 PROPERTY ACCESS (see *Chapter 15 Transportation*)

A controlled (subdivision) activity application must comply with rules for property access in *Chapter 15*, namely **Rules 15.1.6C.1.1 - 15.1.6C.1.11** (inclusive).

13.7.3.2 NATURAL AND OTHER HAZARDS

Any proposed subdivision shall avoid, remedy or mitigate any adverse effects of natural hazards.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.2** the Council will restrict the exercise of its control to the following matters and shall have regard to section 106 of the Resource Management Act 1991:

- (a) the degree to which the proposed subdivision avoids, remedies or mitigates the potential adverse effects of:
 - (i) erosion;
 - (ii) overland flow paths, flooding and inundation;
 - (iii) landslip;
 - (iv) rockfall;
 - (v) alluvion (deposition of alluvium);
 - (vi) avulsion (erosion by streams or rivers);
 - (vii) unconsolidated fill;
 - (viii) soil contamination;
 - (ix) subsidence;
 - (x) fire hazard;
 - (xi) sea level rise

Provided that where **Coastal Hazard Maps** show land as being within a Coastal Hazard 1 Area, any subdivision that will create additional allotments (other than to facilitate the subdivision of land for the purposes of transfer to the Council) shall be a non-complying subdivision activity.

13.7.3.3 WATER SUPPLY

All new allotments shall be provided with the ability to connect to a safe potable water supply with an adequate capacity for the respective potential land uses, except where the allotment is for a utility, road, reserve or access purposes, by means of one of the following:

- (a) a lawfully established reticulated water supply system; or
- (b) where no reticulated water supply is available, the ability to provide an individual water supply on the respective allotment.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.3** the Council will restrict the exercise of its control to the following matters:

- (i) the adequacy of the supply of water to every allotment being created on the subdivision, and its suitability for the likely land use, for example the installation of filtration equipment if necessary;
- (ii) adequacy of water supplies, and access for fire fighting purposes;
- (iii) the standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision.

13.7.3.4 STORMWATER DISPOSAL

- (a) All allotments shall be provided, within their net area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties. This shall be done for a rainfall event with a 10% Annual Exceedance Probability (AEP).
- (b) The preferred means of disposal of collected stormwater in urban areas will be by way of piping to an approved outfall, each new allotment shall be provided with a piped connection to the outfall laid at least 600mm into the net area of the allotment. This includes land allocated on a cross lease or company lease. The connection should be at the lowest point of the site to enable water from driveways and other impervious surfaces to drain to it. Where it is not practical to provide stormwater connections for each lot then the application for subdivision shall include a report detailing how stormwater from each lot is to be disposed of without adversely affecting downstream properties or the receiving environment.
- (c) The provision of grass swales and other water retention devices such as ponds and depressions in the land surface may be required by the Council in order to achieve adequate mitigation of the effects of stormwater runoff.
- (d) All subdivision applications creating sites 2ha or less shall include a detailed report from a Chartered Professional Engineer or other suitably qualified person addressing stormwater disposal.
- (d) Where flow rate control is required to protect downstream properties and/or the receiving environment then the stormwater disposal system shall be designed in accordance with the onsite control practices as contained in *“Technical Publication 10, Stormwater Management Devices – Design Guidelines Manual” Auckland Regional Council (2003)*.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.4** the Council will restrict the exercise of its control to the following matters:

- (i) control of water-borne contaminants, litter and sediments;
- (ii) the capacity of existing and proposed stormwater disposal systems (refer also to the Council's various urban stormwater management plans and any relevant Northland Regional Council stormwater discharge consents);
- (iii) the effectiveness and environmental impacts of any measures proposed for avoiding or mitigating the effects of stormwater runoff, including low impact design principles;
- (iv) the location, scale and construction of stormwater infrastructure;
- (v) measures that are necessary in order to give effect to any drainage or catchment management plan that has been prepared for the area.

13.7.3.5 SANITARY SEWAGE DISPOSAL

- (a) Where an allotment is situated within a duly gazetted district or drainage area of a lawfully established reticulated sewerage scheme, or within an area to be serviced by a private reticulated sewerage scheme for which Northland Regional Council has issued a consent, each new allotment shall be provided with a piped outfall connected to that scheme and shall be laid at least 600mm into the net area of the allotment.
- (b) Where connection is not available, all allotments in urban, rural and coastal zones shall be provided with a means of disposing of sanitary sewage within the net area of the allotment, except where the allotment is for a road, or for access purposes, or for a purpose or activity for which sewerage is not necessary (such as a transformer).

Note: Allotments include additional vacant sites on cross lease or unit titles.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.5** the Council will restrict the exercise of its control to the following matters:

- (i) the method and adequacy of sewage disposal where a Council owned reticulated system is not available;
- (ii) the capacity of, and impacts on, the existing reticulated sewage disposal system;
- (iii) the location, capacity and environmental effects of the proposed sanitary sewerage system.

13.7.3.6 ENERGY SUPPLY

All urban allotments (Residential, Commercial, Industrial Zones) including the Coastal Residential, Russell Township, and Rural Living Zones, shall be provided with the ability to connect to an electrical utility system and applications for subdivision consent should indicate how this could be done.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.6** the Council will restrict the exercise of its control to the following matters:

- (i) the adequacy and standard of any electrical utility system.

13.7.3.7 TELECOMMUNICATIONS

All urban allotments (Residential, Commercial, Industrial Zones) including the Coastal Residential, Russell Township, and Rural Living Zones, shall be provided with the ability to connect to a telecommunications system at the boundary of the site.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.7** the Council will restrict the exercise of its control to the following matters:

- (i) the adequacy and standard of telecommunication installations.

13.7.3.8 EASEMENTS FOR ANY PURPOSE

Easements shall be provided where necessary for public works and utility services.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.8** the Council will restrict the exercise of its control to the following matters:

- (a) Easements in gross where a service or access is required by the Council.
- (b) Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title.
- (c) Service easements, whether in gross or private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements shall apply when the line is privately owned and unlikely to require upgrading.
- (d) The need for easements for any of the following purposes:
 - (i) private ways, whether mutual or not;
 - (ii) stormwater, sanitary sewer, water supply, electric power, gas reticulation;
 - (iii) telecommunications;
 - (iv) party walls and floors/ceilings;
 - (v) other utilities.

13.7.3.9 PRESERVATION OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES

Where any proposed allotment contains one or more of the following:

- (a) a Notable Tree as listed in **Appendix 1D**;
- (b) an Historic Site, Building or Object as listed in **Appendix 1E**;
- (c) a Site of Cultural Significance to Maori as listed in **Appendix 1F**;
- (d) an Outstanding Natural Feature as listed in **Appendix 1A**;
- (e) an Outstanding Landscape Feature as listed in **Appendix 1B**;
- (f) an archaeological site as listed in **Appendix 1G**;
- (g) an area of significant indigenous vegetation or significant habitats of indigenous fauna, as defined in **Method 12.2.5.6**.

The continued preservation of that resource, area or feature shall be an ongoing condition for approval to the subdivision consent.

Note: There are many ways in which preservation/protection can be achieved, and the appropriate means will vary according to the circumstance. In some cases physical means (e.g. fencing) may be appropriate. In other cases, a legal means will be preferred instead of (or as well as) physical means.

Council encourages permanent protection by:

- (i) a reserve or covenant under the Reserves Act;
- (ii) a Maori reservation under s338 and s340 of Te Ture Whenua Maori (Maori Land) Act;
- (iii) a conservation covenant with the Department of Conservation or the Council;
- (iv) an open space covenant with the Queen Elizabeth II National Trust;
- (v) a heritage covenant with the Heritage New Zealand Pouhere Taonga.

The Act also provides for a consent notice under s221 in accordance with **Rule 13.6.7**.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.9** the Council will restrict the exercise of its control to the preservation of significant indigenous vegetation and fauna habitats, heritage resources and landscape.

Where an application is made under this provision, the following shall be included as affected parties in terms of s93 and s94 of the Act:

- for an Historic Site, Building or Object, or archaeological site, the Heritage New Zealand Pouhere Taonga and the Department of Conservation;
- for a Site of Cultural Significance to Maori, the tangata whenua for whom the site has significance;
- for an area of significant indigenous vegetation or significant habitat of indigenous fauna, the Department of Conservation.

13.7.3.10 ACCESS TO RESERVES AND WATERWAYS

Where appropriate and relevant, public access shall be provided in proposed subdivisions, to public reserves, waterways and esplanade reserves.

The Council may decide, on application, that public access to reserves or public areas may be provided in lieu of, or partially in lieu of, any reserves or financial contribution that is required in respect of the subdivision.

In considering a controlled (subdivision) activity application under **Rule 13.7.3.10** the Council will restrict the exercise of its control to the provision of easements or registration of an instrument for the purpose of public access and the provision of public works and utility services.

13.7.3.11 LAND USE COMPATIBILITY

Subdivision shall avoid, remedy or mitigate any adverse effects of incompatible land uses (reverse sensitivity). In considering a controlled subdivision activity under **Rule 13.7.3.11** the Council will restrict the exercise of its control to the following matters:

- (i) the degree to which the proposed allotments take into account adverse effects arising from incompatible land use activities (including but not limited to noise, vibration, smell, smoke, dust and spray) resulting from an existing land use adjacent to the proposed subdivision.

13.7.3.12 PROXIMITY TO AIRPORTS

Where applications for subdivision consent relate to land that is situated within 500m of the nearest boundary of land that is used for an airport, the airport operator will be considered by the Council to be an affected party. The written approval of the airport operator to the proposed subdivision must be obtained by the applicant. Where this approval cannot be obtained, the Council will consider the application as a discretionary activity application.

13.7.4 SUBDIVISION WITHIN THE NATIONAL GRID CORRIDOR FOR ALL ZONES

Subdivision is a controlled activity where:

- (a) The site is within the National Grid Corridor, and every allotment is capable of containing within its net site area a building envelope located entirely outside of the National Grid Yard.

In considering whether or not to grant consent or impose conditions on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:

- (i) Whether the design and construction of any subdivision allows for earthworks, buildings and structures to comply with the requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001);
- (ii) Whether the design and construction of any subdivision provides for continued physical access to the National Grid line to provide for inspections, maintenance and upgrading of the transmission network;
- (iii) The extent to which the subdivision design and consequential development (e.g. future building envelope location, outlook of buildings, access location) will avoid, remedy or mitigate the potential reverse sensitivity on the National Grid, while also addressing nuisance effects (e.g. visual amenity) created by the National Grid;
- (iv) The extent to which the design and construction of the subdivision allows for activities to be setback from high voltage transmission lines to ensure adverse effects on and from the National Grid

transmission network and on public safety and property are appropriately avoided, remedied or mitigated e.g. through the location of roads, reserves and building envelopes;

(v) The nature and location of any proposed vegetation to be planted in the vicinity of any National Grid transmission lines;

(vi) Provision for the ongoing operation; maintenance and any planned development and upgrade of the existing National Grid;

(vii) The outcome of any consultation with Transpower in relation to (i)-(v) above;

(viii) The matters listed in 13.7.3.

Where an application is required because of non-compliance with this rule, Transpower New Zealand Limited shall be considered an affected party in accordance with the Act.

Note: If a subdivision activity does not comply with the above rule it becomes a non complying activity in accordance with **Rule 13.11(e)**.

13.8 RESTRICTED DISCRETIONARY ACTIVITIES

13.8.1 SUBDIVISION WITHIN THE RURAL PRODUCTION ZONE

Subdivision is a restricted discretionary activity where:

- (a) the minimum lot size is 12ha; or alternatively
- (b) a maximum of 3 lots in any subdivision, provided that the minimum size of any lot is 4,000m² and there is at least one 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; or alternatively
- (c) a maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of lots is 2ha, and where the subdivision is created from a lot that existed at or prior to 28 April 2000.

In considering whether or not to grant consent on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:

- (i) for applications under **13.8.1(a)**:
 - effects on the natural character of the coastal environment for proposed lots which are in the coastal environment.
- (ii) for applications under **13.8.1(b)** or **(c)**:
 - effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;
 - effects of the subdivision under **(b)** and **(c)** above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;
 - effects on areas of significant indigenous flora and significant habitats of indigenous fauna;
 - the mitigation of fire hazards for health and safety of residents.

In considering whether or not to impose conditions on applications for restricted discretionary subdivision activities the Council will restrict the exercise of its discretion to the following matters:

- (1) the matters listed in **13.7.3**;
- (2) the matters listed in **(i)** and **(ii)** above.

For the purposes of this rule the upstream boundary of the coastal environment in the upper reaches of harbours is to be established by multiplying the width of the river mouth by five.

13.8.2 SUBDIVISION WITHIN 100M OF MINERALS ZONE

Subdivision is a restricted discretionary activity in the Rural Production and Coastal Living Zones where any part of any proposed lot is within 100m of the boundary of a Minerals Zone.

In considering whether or not to grant consent or impose conditions on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to consideration of the following matters:

- (i) the location of the building site(s) for residential buildings having regard to topography, geology, distance from the boundary of the Minerals Zone, distance from the existing and proposed quarry faces;

- (ii) the likelihood and effects of vibration, dust, noise and flyrock on the identified building site/s;
- (iii) any cumulative adverse effects resulting from the approval of the subdivision;
- (iv) access to the subdivision in relation to the adjoining Minerals Zone;
- (v) the matters listed in **13.7.3**.

13.8.3 SUBDIVISION IN THE GOLF LIVING SUB-ZONE (KAURI CLIFFS ZONE)

Subdivision of up to 60 new lots for residential (golf living) purposes is a restricted discretionary activity in the Golf living sub-zone of the Kauri Cliffs Zone, provided that:

- (a) no lot is less than 4,000m² in area;
- (b) the subdivision is otherwise undertaken in accordance with **Rules 13.7 to 13.11 (Chapter 13 Subdivision)**, but excluding **Rule 13.7.2.1**;
- (c) on-site treatment and disposal of wastewater is provided for; and
- (d) the building footprints are specified on an approved plan of subdivision.

The provisions of **Rule 13.10** shall apply when assessing any proposed subdivision within the Golf living sub-zone.

Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained, and will be assessed having regard to:

- (i) the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone;
- (ii) the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated;
- (iii) the effect on adjoining activities.

13.8.4 SUBDIVISION IN THE GENERAL COASTAL ZONE

The Council will restrict the exercise of its discretion and may impose conditions on restricted discretionary activity applications for subdivision in the General Coastal Zone to the following matters:

- (a) the location of access to the lots;
- (b) the location of utility services;
- (c) the location of building envelopes;
- (d) the effect of earthworks and utilities;
- (e) the location of lot boundaries;
- (f) the matters listed in **13.7.3**;
- (g) whether provision for access to the subdivision has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, visual effects, effects on vegetation and habitats, and natural character;
- (h) whether the effects of earthworks and the provision of services to the subdivision will have an adverse visual effect on the environment and whether these effects can be avoided, remedied or mitigated;
- (i) the maintenance and enhancement of public access to and along the coastal marine area and other water bodies. Refer also to rules in **Chapters 12.7 and 14**.

13.8.5 SUBDIVISION IN THE COASTAL LIVING AND SOUTH KERIKERI INLET ZONES

The Council will restrict the exercise of its discretion and may impose conditions on restricted discretionary activity applications for subdivision in the Coastal Living and South Kerikeri Inlet Zones to the following matters:

- (a) the location of access to the lots;
- (b) the location of utility services;
- (c) the location of building envelopes;
- (d) the effect of earthworks and utilities;
- (e) the location of lot boundaries;
- (f) the mitigation of fire hazards for health and safety of residents;
- (g) the matters listed in **13.7.3**;

- (h) whether provision for access to the subdivision has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, visual effects, effects on vegetation and habitats, and natural character;
- (i) whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.

Applications for restricted discretionary activities within the South Kerikeri Inlet Zone will be treated as limited notification applications requiring notification of all property owners within the Zone and DH Ellis (being the property owner of Lot 2 DP 114410) at least.

13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES

Subdivision is a discretionary activity where:

- (a) it does not comply with one or more of the standards for controlled or restricted-discretionary (subdivision) activities set out in rules under **13.7** and **13.8**, but
- (b) it complies with the rules under **13.9.1**, **13.9.2** or **13.9.3**;
- (c) it is located in the Pouerua Heritage Precinct.

Applications for discretionary and non-complying activities within the South Kerikeri Inlet Zone will require notification of all property owners within the Zone and DH Ellis (being the property owner of Lot 2 DP 114410) at least.

If a subdivision activity does not comply with the standards for a discretionary (subdivision) activity, it will be a non-complying (subdivision) activity.

13.9.1 MINIMUM NET AREA FOR VACANT NEW LOTS AND NEW LOTS WHICH ALREADY ACCOMMODATE STRUCTURES

Refer to *Table 13.7.2.1* under **Rule 13.7.2.1** column headed "Discretionary Activity Status".

13.9.2 MANAGEMENT PLANS

CONTEXT

The purpose of management plan subdivision or development is to facilitate the sustainable management of natural and physical resources in an integrated way.

The management plan rule provides a once-off opportunity for integrated subdivision or development which results in superior outcomes to more traditional forms of subdivision, use or development.

Management plans allow subdivision and development where the location, form and scale of the proposal complements sustainable environmental management consistent with the protection of natural character, landscape, amenity, heritage, and cultural values.

Management plans provide flexibility to create innovative and site specific proposals.

13.9.2.1 CONTENTS OF APPLICATION

An application for a management plan subdivision or development must, to the extent that it is relevant to the site and the proposal, provide within the application, including assessment of environmental effects and accompanying specialist reports, information on the following:

(a) Description of the Proposal

- (i) a cadastral plan that shows the parent site(s) in which the management plan is located; the specified portion of the site(s) subject to the management plan; and any balance area, including for the purpose of complying with **Rule 13.9.2.2(c)**;
- (ii) the size and location of the proposed lots on the property and the provision made for roads, accessways, public utilities, proposed reserves (including esplanade reserves, esplanade strips, and access strips), covenanted areas or other encumbrances or restrictions, and information on infrastructure proposed to vest in Council (including road, utilities, and reserves);
- (iii) details of the building envelopes within which all built elements are to be located;
- (iv) details of requirements for earthworks including the management of run-off during construction;
- (v) requirements for vegetation clearance;
- (vi) stormwater and effluent disposal systems;

- (vii) proposals for staging of development including, where a subdivision is to be staged, arrangements for vesting any reserves, access facilities (vehicle and pedestrian) or public utilities required by the resource consent and located in subsequent stages;
- (viii) details of the consultation that has been undertaken and the result(s) of this;
- (ix) how sustainable management is to be achieved including the management objectives, details of what is to happen and where, and how this is to be monitored and reviewed.

(b) Existing Site Characteristics

- (i) a description of the shape and location of the property in relation to its wider geographic context and local setting;
- (ii) topography and geography of the property;
- (iii) geotechnical aspects of the property;
- (iv) stormwater channels/overland flow paths and presence of natural hazards (such as flood prone land or land liable to erosion or any fire hazard);
- (v) the property history including past uses and management and any implications for future management;
- (vi) soil types and their classification on the NZ Land Inventory worksheets;
- (vii) the natural character, landscape (including identification of any Outstanding Landscapes, Outstanding Landscape Features and Outstanding Natural Features as shown on the **Resource Maps**), visual and amenity value characteristics of the site, and an assessment of the effects of construction and site development on those characteristics and values. Attention is drawn to the 1995 LA4 Landscape Assessment of the Far North District held by the Council that provides further information on landscape values and characteristics of the District;
- (viii) areas of indigenous vegetation and habitats of indigenous fauna with identification of any such areas which are significant as defined in **Method 12.2.5.6**, and any notable or heritage trees;
- (ix) archaeological sites, historic heritage resources or sites of significance to Maori;
- (x) relevant information regarding adjoining properties;
- (xi) the location and purpose of any public reserve land in the vicinity of the site;
- (xii) any known areas in the vicinity which are being actively managed for pest control or protected or enhanced for conservation benefit;
- (xiii) the District Plan zoning of surrounding land, including any relevant structure plan, Long Term Council Community Plan proposal(s) or other document identified in s74.
- (xiv) the presence of any transmission lines or network utility within, or in the vicinity of, the site.

(c) Proposed Management Measures

- (i) measures to protect, manage and enhance indigenous vegetation and habitats, outstanding landscapes and natural features, heritage resources and riparian margins, including appropriate means of controlling dogs, cats, rats¹, mustelids and other animal pests and the means of controlling pest plants;
- (ii) measures to maintain open space in order to retain coastal and/or rural character;
- (iii) measures to protect the life-supporting capacity of soils;
- (iv) measures to protect sites of significance to Maori on the property;
- (v) measures for the ongoing control and management of stormwater and effluent disposal;
- (vi) measures to promote and achieve integrated catchment management;
- (vii) measures to control the placement and visual appearance of dwellings and ancillary buildings such as garages and water tanks;
- (viii) any other measures to internalise adverse effects including measures to avoid reverse sensitivity on existing activities or uses.

The Council may require additional information on aspects of the proposal.

¹Kiore are considered a taonga by Ngatiwai Trust Board.

(d) Draft Management Plan

The proposal must include a Draft Management Plan (to be finalised in accordance with the conditions of consent) setting out, the extent relevant to the proposal:

- (i) the objectives of the proposal;
- (ii) the mechanisms to ensure that the management plan applies to and binds future owners;
- (iii) where restoration planting and/or other natural resource management works are to be undertaken, performance may be secured by a Council bond on the following basis:
 - bonded work is to be completed within 4 years of the subdivision s224(c) certificate issuing;
 - access to bonding will not be available until one year after planting, where there is evidence to Council's satisfaction of the successful initial implementation of an approved management plan;
 - the management plan is to include matters of the following type. Named species appropriate to the location, size at planting, density (for example 7,000 stems/ha), seed source, weed clearance/release, pest control, fertiliser application and, at Council's discretion, a requirement for irrigation should conditions require;
 - legally effective post s224 certificate arrangements are required which secure the retention of re-planted vegetation; establish responsibility for continued execution of the management plan until its objectives (be they tree height, percentage canopy cover or both) and/or term are satisfied (this may require a community owned management structure depending on the number of subsequent owners); and ensure Council access to the land in the event the bond is to be executed. These requirements may necessitate a bond to be complemented by covenants or other legal instruments;
 - Council retains the discretion not to accept bonding where there is a potentially harsh environment or other factor(s), which present a significant risk in its assessment to successful re-establishment or management plan implementation. Evidence of the degree of risk should be included in the information required by **Rule 13.9.2.1**.

13.9.2.2 MANAGEMENT PLAN STANDARDS

Management plan subdivision is a discretionary activity in the Rural Production, Waimate North, General Coastal and Coastal Living Zones where it complies with the standards set out below:

- (a) The average size of all lots in the management plan subdivision, excluding lots used solely for access, utilities, roads and reserves shall be no less than:
 - (i) 2ha in the Rural Production Zone;
 - (ii) 1ha in the Waimate North Zone;
 - (iii) 6ha in the General Coastal Zone;
 - (iv) 5,000m² in the Coastal Living Zone; and
 - (v) 2ha average in the South Kerikeri Inlet Zone.
 over that specified portion of the site that is subject to the management plan.
- (b) Only one consent for a discretionary (subdivision) activity in terms of a management plan can be granted in respect of a site or any specified portion of a site provided that the averaging provisions contained within this rule can only be used for each specified portion of the site once.
- (c) Where a management plan subdivision or development is granted in respect of a specified portion of a site, separate title shall be obtained or amalgamated with another adjoining lot not within the management plan application for the portion of the site not subject to the management plan. The portion of a site that is not subject to the management plan shall be no less than:
 - (i) 4ha in the Rural Production Zone;
 - (ii) 4ha in the Waimate North Zone;
 - (iii) 20ha in the General Coastal Zone; and
 - (iv) 4ha in the Coastal Living Zone and South Kerikeri Inlet Zone.

- (d) The Development Bonuses available under **Rules 12.1.6.3.1, 12.2.6.3.2, 12.5.6.3.1** and **18.3.6.4.3** will not be available on any site created by a consent granted under this rule, nor will they be available as part of the process of obtaining such a consent.
- (e) Any further subdivision of any lot contained within a subdivision management plan shall be a non-complying activity.
- (f) The application must include a draft management plan as described in **Rule 13.9.2.1(d)**.

13.9.2.3 ASSESSMENT CRITERIA

In assessing an application for discretionary subdivision and development in accordance with a management plan, the Council may require more detail to be provided and will have regard to the following matters (to the extent that these are relevant to the proposal) in addition to other relevant matters set out in **Rule 13.10**:

- (a) the adequacy of the management plan;
- (b) the degree to which the management plan gives effect to the NZ Coastal Policy Statement;
- (c) the degree to which the management plan gives effect to the Regional Policy Statement for Northland and is consistent with the Regional Coastal Plan for Northland;
- (d) the District-wide objectives and policies the objectives and policies of this chapter and those for the particular zone or zones affected by the application; including, where relevant, the objectives and policies applying generally to the coastal environment set out in **Sections 10.3 and 10.4** and the rural environment set out in **Sections 8.3 and 8.4**;
- (e) the degree to which potential adverse effects on the environment have been identified and avoided as far as practicable, and where it is not practicable to avoid any adverse effects, those have been remedied or mitigated;
- (f) the degree to which the proposal represents better sustainable management of natural and physical resources of the land and surrounding environment; (and protects the productive potential of the land);
- (g) where the subdivision is all or partly within the coastal environment (and acknowledging that the management plan provisions also apply elsewhere in the District) the degree to which the proposal preserves the natural character of the coastal environment, wetlands, and lakes and rivers and their margins and protects them from inappropriate subdivision, use and development and enhances the natural character of the coastal environment;
- (h) whether landscape, visual and amenity value characteristics of the site are maintained, protected or enhanced and the degree to which regard is had of the LA4 Landscape Assessment report (1995);
- (i) whether the proposals to ensure long-term protection and enhancement of indigenous flora and fauna are adequate and the need for conditions to ensure ongoing compliance with such proposals;
- (j) the adequacy of proposals for rehabilitation or re-establishment of areas of indigenous flora, including the extent to which land which is steep or has stability issues or is of low value for food production is set aside for revegetation;
- (k) the extent to which planting proposals utilise indigenous flora appropriate to the locality and the extent to which local genetic stock is used;
- (l) where relevant, measures to provide public access through the property to and along the coastal marine area, lakes and rivers;
- (m) the proposals to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga;
- (n) the adequacy of any areas proposed to be vested as open space reserve(s) using mechanisms identified in **Rule 13.7.3.9 (i – v)**;
- (o) the degree to which the proposal protects life supporting capacity of soils and provides for continued productive use of the land;
- (p) whether the subdivision proposed by the management plan is likely to have more than a minor adverse effect on the options for a future road network to serve the area, or for water supply, sewerage, and stormwater reticulation, or for reserves or community facilities or for any other utility service;
- (q) effects of the subdivision on the use and management of public land in the vicinity of the site;
- (r) the degree to which the proposal avoids natural hazards including fire hazards;
- (s) whether the proposal has the potential to cause reverse sensitivity issues for existing activities or uses;
- (t) the degree to which the application complies with the Other Matters set out in **Rule 13.7.3**;

- (u) the provisions of any structure plan or other management plan on an adjoining property that has been prepared for the locality;
- (v) whether bonds are necessary to assist in achieving the management plan;
- (w) the extent to which information and proposed management measures are provided by suitably qualified persons;
- (x) the extent to which the proposal creates a large balance lot and protects and, if appropriate, restores it;
- (y) the appropriateness of the location of building platforms and the associated building envelopes;
- (z) the extent to which the application promotes energy efficiency and renewable energy development and use as provided for in Policy 13.4.15 through incorporating the following initiatives:
 - (i) ability to develop energy efficient buildings and structures (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);
 - (ii) reduced travel distances and car usage by designing a layout with as many links to adjacent sites and surrounding roads as practicable;
 - (iii) encouragement of pedestrian and cycle use by designing a layout that allows easy direct access to and from, shops, schools, work places, reserves and other amenities;
 - (iv) access to alternative transport facilities;
 - (v) domestic or community renewable electricity generation;
 - (vi) solar street lighting;
- (aa) any other matter which is determined to be relevant to the application; and in particular:
 - (i) whether further subdivision of all lots within the management plan is prohibited through the use of relevant legal instruments.

13.9.3 DEVELOPMENT BONUS

Where any proposed plan of subdivision provides for the formal protection of Outstanding Landscape (as shown on the **Resource Maps**), or Outstanding Landscape Features or Outstanding Natural Features (as listed in **Appendices 1A** and **1B** and shown on the **Resource Maps**), or areas of significant indigenous vegetation or significant habitats of indigenous fauna (refer to criteria in **Method 12.2.5.6** of the Plan), or heritage resources, the Council may grant a development bonus, on application for a resource consent. Notwithstanding the rules referred to below, bonus lots may not be located in Natural Resource Overlay Areas or in the General Coastal Zone.

The rules relating to development bonuses are as follows:

- (a) **12.1.6.3.1** (in respect of landscape and natural features);
- (b) **12.2.6.3.2** (in respect of indigenous flora and fauna);
- (c) **12.5.6.3.1** (in respect of heritage resources); and
- (d) **18.3.6.4.3** (in respect of the Waimate North Zone).

Note: Applications under these rules must identify donor and recipient areas and assess environmental effects on those areas.

13.10 ASSESSMENT CRITERIA

In considering whether or not to grant consent or impose conditions on applications for discretionary (subdivision) activities, the Council will have regard to s104, s105 and s106 of the Act, the objectives and policies of the Plan and to the assessment criteria set out below.

Note: Attention is drawn to the need to also refer to **Chapter 15.1** for rules relating to property access.

13.10.1 ALLOTMENT SIZES AND DIMENSIONS

- (a) Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.
- (b) Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.
- (c) The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.

- (d) Whether the cumulative and long term implications of proposed subdivisions are sustainable in terms of preservation of the rural and coastal environments.

13.10.2 NATURAL AND OTHER HAZARDS

In assessing any subdivision, and for the purposes of s106 of the Act, the Council will have regard to:

- (a) Any information held by the Council or the Northland Regional Council regarding natural hazards, contaminated sites or other hazards.
- (b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.
- (c) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.
- (d) In relation to inundation from any source, the Council shall have regard to the following factors:
 - (i) the effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
 - (ii) flood plain management measures proposed;
 - (iii) the proposed coastal protection mechanisms / techniques / measures and their environmental effects;
 - (iv) any proposed boundary drainage to protect surrounding properties;
 - (v) the adequacy of existing outfalls and any need for upgrading;
 - (vi) any need for retention basins to regulate the rate and volume of surface run-off.
- (e) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title, pursuant to **Rule 13.6.7**.
- (f) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title, pursuant to **Rule 13.6.7**.
- (g) In relation to contaminated sites, any soil tests establishing suitability, and methods to avoid, mitigate or remedy the effects, including removal to approved disposal points.
- (h) In relation to land filling and excavation operations, the following factors:
 - (i) the effects on surrounding properties in terms of dust nuisance, visual detraction, or the potential height of buildings on filled land;
 - (ii) any adverse impacts on the natural pattern of surface drainage both on and outside the site;
 - (iii) the type of, and placement of, fill material in terms of its potential for contamination of land or water, or potential subsidence;
 - (iv) mitigation, or avoidance, of adverse effects caused by filtration affecting neighbouring properties;
 - (v) remedies necessary during emergencies;
 - (vi) the rules contained in **Section 12.3** relating to filling and excavation of land;
 - (vii) the impact of filling or excavation on heritage values, ecological values, cultural values, surface water quality, and access along waterways;
 - (viii) any beneficial effects in terms of waterway enhancement.

Attention is drawn to Northland Regional Council's natural hazards information and to s106 of the Resource Management Act 1991 which allows a consent authority to refuse subdivision consent in certain circumstances.

13.10.3 WATER SUPPLY

- (a) Where there is no reticulated water supply available for connection, whether it would be appropriate to allow a private restricted flow rural-type water supply system; such supply being always available and complying with "*Drinking Water Standards of New Zealand*" (1995).
- (b) Whether the provisions of the "*Engineering Standards and Guidelines 2004 – Revised March 2009*" (to be used in conjunction with NZS 4404:2004) have been met in respect of fire fighting water supply requirements.
- (c) Whether the provisions of the Council's "*Engineering Standards and Guidelines*" (2004) - *Revised March 2009* (to be used in conjunction with NZS 4404:2004) have been met in

respect of installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service and fire hydrants.

- (d) Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision.
- (e) Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increased pipe sizes leading to the subdivision in existing streets, or providing new wells and new pumping units.
- (f) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public water supply utility required to be provided.

13.10.4 STORMWATER DISPOSAL

- (a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.
- (b) Whether the application complies with the provisions of the Council's *"Engineering Standards and Guidelines"* (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).
- (c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.
- (d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.
- (e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.
- (f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.
- (g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.
- (h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.
- (i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.
- (j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.
- (k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.
- (l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipe lines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.
- (m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.
- (n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.
- (o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.
- (p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.
- (q) The need for and extent of any financial contributions to achieve the above matters.
- (r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.

13.10.5 SANITARY SEWAGE DISPOSAL

- (a) Whether the capacity, availability, and accessibility of the reticulated system is adequate to serve the proposed subdivision.

- (b) Whether the application includes the installation of all new reticulation, and complies with the provisions of the Council's "*Engineering Standards and Guidelines*" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).
- (c) Whether the existing sanitary sewage disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision.
- (d) Whether a reticulated system with a gravity outfall is provided, and where it is impracticable to do so, whether it is feasible to provide alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems.

Note: Council consent to install private rising mains within legal roads will be required, under the Local Government Act.

- (e) Where a reticulated system is not available, or a connection is impractical, whether a suitable sewage treatment or other disposal systems is provided in accordance with regional rules or a discharge system in accordance with regional rules or a discharge permit issued by the Northland Regional Council.
- (f) Where a reticulated system is not immediately available but is likely to be in the near future, whether a temporary system is appropriate.

Note: Consent notices may be registered against Certificates of Title pursuant to **Rule 13.6.7** requiring individual allotments to connect with the system when it does become available.

- (g) Whether provision has been made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from a suitable sewage treatment or other disposal system, together with any consent notices to ensure compliance.
- (h) Whether there is a need for, and the extent of, any development contributions to achieve the above matters.
- (i) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public sewage utility for sanitary disposal purposes required to be provided.
- (j) Whether the subdivision represents the best practical option in respect of the provision that is made for the disposal of sewage and waste water.

13.10.6 ENERGY SUPPLY

- (a) Where the subdivision involves the construction of new roads or formed rights of way, whether an extended reticulation system will be installed (at the subdivider's cost), having regard to the provisions of the Council's "*Engineering Standards and Guidelines 2004 – Revised March 2009* (to be used in conjunction with NZS 4404:2004). The application for subdivision consent should also indicate how lots are to be reticulated.
- (b) Whether the proposed reticulated system to be installed by the subdivider is adequate for the likely development.
- (c) Where the proposed system will serve other land that is not part of the subdivision, whether the network operator is providing sufficient capacity as initially installed and the cost of such provision.

Note: Upgrading or cost sharing will be solely a matter for the network operator.

- (d) Where a gas supply is proposed, whether the gas network operator is responsible for the installation of all pipelines and their future maintenance, in line with the provisions of the Council's "*Engineering Standards and Guidelines*" (2004)- Revised March 2009 (to be used in conjunction with NZS 4404:2004).
- (e) Whether there is a need for a local purpose reserve to be set aside as a site for any public utility required to be provided.
- (f) Whether there will be potential adverse effects of the proposed reticulation system on amenity values.
- (g) Whether the subdivision design, location of building platforms and proposed electricity supply has had adequate regard to the future adoption of appropriate renewable energy initiatives and technologies.

13.10.7 TOP ENERGY TRANSMISSION LINES

Where it is proposed to subdivide land to create new allotments within an area measured 20m of either side of the centre point of an electrical transmission line designed to operate at or above 50 KV, particular regard shall be had to the following matters:

- (a) The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line.

- (b) The ability to carry out maintenance and inspection of transmission lines to avoid risk of injury and/or property damage.
- (c) The outcomes of consultation with the affected utility operator.
- (d) The subdivision design, location of building platforms, location of any proposed tree planting, extent and nature of earthworks.

13.10.8 TELECOMMUNICATIONS

- (a) Where the subdivision involves construction of new roads or formed rights of way, whether an extended reticulation system has been installed (at the subdivider's cost), having regard to the Council's "*Engineering Standards and Guidelines 2004 – Revised March 2009* (to be used in conjunction with NZS 4404:2004) and "*The National Environmental Standard for Telecommunication Facilities 2008*".
- (b) Where the proposed system will serve other land which is not part of the subdivision, whether the network operator is providing sufficient capacity as initially installed, and the cost of such provision.
- (c) Whether the proposed reticulation system will have potential adverse effects on amenity values.

Note: Upgrading or cost-sharing will be solely a matter for the network operator.

13.10.9 EASEMENTS FOR ANY PURPOSE

Whether there is a need for an easement for any of the following purposes:

- (a) Easements in gross where a service or access is required by the Council.
- (b) Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title.
- (c) Service easements, whether in gross or private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements shall apply when the line is privately owned and unlikely to require upgrading.
- (d) Easements for any of the following purposes:
 - (i) private ways, whether mutual or not;
 - (ii) stormwater, sanitary sewer, water supply, electric power, gas reticulation;
 - (iii) telecommunications;
 - (iv) party walls and floors/ceilings.
 - (v) any other network utilities.
- (e) Easements in gross in favour of the Council adjoining banks of rivers, streams, lakes, wetlands or the coastal marine area not subject to an esplanade reserve or strip.
- (f) Stormwater easements passing through esplanade reserves where drainage will be to the adjoining lake or river.

13.10.10 PROVISION OF ACCESS

- (a) Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.

13.10.11 EFFECT OF EARTHWORKS AND UTILITIES

- (a) Whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.

13.10.12 BUILDING LOCATIONS

- (a) Whether the subdivision provides physically suitable building sites.
- (b) Whether or not development on an allotment should be restricted to parts of the site.
- (c) Where a proposed subdivision may be subject to inundation, whether the establishment of minimum floor heights for buildings is necessary in order to avoid or mitigate damage.
- (d) Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g. through a northerly aspect on an east/west axis).

Note: Attention is also drawn to the Visual Amenity rules applying in the General Coastal, South Kerikeri Inlet and Coastal Living Zones and in Outstanding Landscapes (see **Chapter 10** and **Section 11.1**).

13.10.13 PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES

- (a) Whether any vegetation, habitats of indigenous fauna, heritage resources and landscape features are of sufficient value in terms of the objectives and policies in **Chapter 12** of the Plan, that they should be protected.
- (b) Whether the means (physical and/or legal) by which ongoing preservation of the resource, area or feature will be achieved is adequate.
- (c) Where there are Sites of Cultural Significance to Maori, (refer to **Appendix 1F** and the **Resource Maps**), whether it is appropriate to require their protection by physical or legal means and/or to provide for access to the site over the land to be subdivided.
- (d) Where a reserve is to be set aside and vested in the Council, whether the value of the reserve land is offset against the assessment of any financial contribution.
- (e) Whether any measures are proposed to protect known high density kiwi habitats from predation by dogs, cats, rats, mustelids, pigs, and other animal pests.
- (f) Whether the subdivision would have an adverse effect on the ability to protect listed historic buildings, places or objects and their setting or surrounds; and the protection of listed notable trees.
- (g) Whether the subdivision will result in the permanent protection and/or enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding landscapes, outstanding landscape features or outstanding natural features.
- (h) Whether the subdivision will result in the significant enhancement of biodiversity values through planting of native flora (preferably those species that naturally grow in the area) and ongoing management (including pest animal and plant control, fencing and replacement of failed plantings, stream enhancement and waterway protection).

Note: There are many ways in which preservation/protection can be achieved, and the appropriate means will vary according to the circumstance. In some cases physical means (e.g. fencing) may be appropriate. In other cases, a legal means will be preferred instead of (or as well as) physical means. Mechanisms other than a Consent Notice which may be acceptable include:

- (i) a Maori reservation under s338 and s340 of Te Ture Whenua Maori (Maori Land) Act;
- (ii) a conservation covenant with the Department of Conservation or the Council;
- (iii) an open space covenant with the Queen Elizabeth II National Trust;
- (iv) a heritage covenant with the Heritage New Zealand Pouhere Taonga;
- (v) a reserve under the Reserves Act.

13.10.14 SOIL

- (a) The extent to which any subdivision will contribute to or affect the ability to safeguard the life supporting capability of soil.
- (b) The degree to which the life supporting capacity of the soil may be adversely affected by the subdivision and the degree to which any soils classified as I, II or III in the NZ Land Resource Inventory Worksheets are adversely affected by the subdivision.

13.10.15 ACCESS TO WATERBODIES

- (a) Whether the subdivision provides public access to and along the coastal marine area or to and along banks of lakes or rivers, and whether that access is appropriate, given the nature of the land subject to the subdivision application, and the sensitivity of the waterbody to environmental effects resulting from the use of that access by the public.

13.10.16 LAND USE INCOMPATIBILITY

- (a) The degree to which the proposed allotments take into account adverse effects arising from incompatible land use activities (including but not limited to noise, vibration, smell, smoke, dust and spray) resulting from an existing land use adjacent to the proposed subdivision.

13.10.17 PROXIMITY TO AIRPORTS

- (a) The degree to which the proposal takes into account reverse sensitivity - adverse effects arising from incompatible land use activities arising from being in proximity to an airport (including, but not limited to, the hours of operation, flight paths, noise, vibration, glare and visual intrusion).

13.10.18 NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

- (a) The degree to which the proposal takes into account the preservation and/or enhancement of the natural character of the coastal environment.

13.10.19 ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE

The extent to which the application promotes energy efficiency and renewable energy development and use through the following initiatives:

- (a) ability to develop energy efficient buildings and structures (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);
- (b) reduced travel distances and car usage by designing a layout with as many links to adjacent sites and surrounding roads as practicable;
- (c) encouragement of pedestrian and cycle use by designing a layout that allows easy direct access to and from, shops, schools, work places, reserves and other amenities;
- (d) access to alternative transport facilities;
- (e) domestic or community renewable electricity generation;
- (f) solar street lighting.

13.10.20 NATIONAL GRID CORRIDOR

Where it is proposed to have development within the National Grid Corridor particular regard shall be had to the following matters:

- (a) Whether the design and construction of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
- (b) Provision for the ongoing operation, maintenance and planned upgrade of the National Grid.

Where an application is made for development within the National Grid Corridor as a non complying activity, Transpower New Zealand Limited will be considered an affected party in accordance with the Act.

13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES

Subdivision is a non-complying activity where:

- (a) If a subdivision activity does not comply with the standards for a discretionary (subdivision) activity; or
- (b) the subdivision is in a Coastal Hazard 1 Area, as shown on the **Coastal Hazard Maps**;
- (c) the subdivision is in the Recreational Activities and Conservation Zones. Any application for a subdivision in the Recreational Activities and Conservation Zones will be publicly notified; or
- (d) a new boundary line passes through the Outstanding Natural Feature (**Appendix 1A**) or Outstanding Landscape Feature (**Appendix 1B**) or a lot is created which results in the only building site and/or access to it being located in the feature unless it is for creation of a reserve under the Reserves Act 1977. This clause does not apply within the Pouerua Heritage Precinct.
- (e) if a subdivision activity does not comply with the standards of Rule 13.8.1 (National Grid Corridor).

The Council will use the assessment criteria in **13.10** as a guide when assessing non-complying subdivision activities in conjunction with the matters set out in Sections 104, 104B, 104D and 106 of the Act.

13.12 STRUCTURE PLANS

Structure plans are valuable tools to co-ordinate development carried out by individuals, and particularly urban development on the periphery of existing settlements. Development carried out in accordance with a structure plan will ensure that proper provision is made for roads, reserves, community facilities and public works so that the new area of development is a logical and workable extension of the existing development.

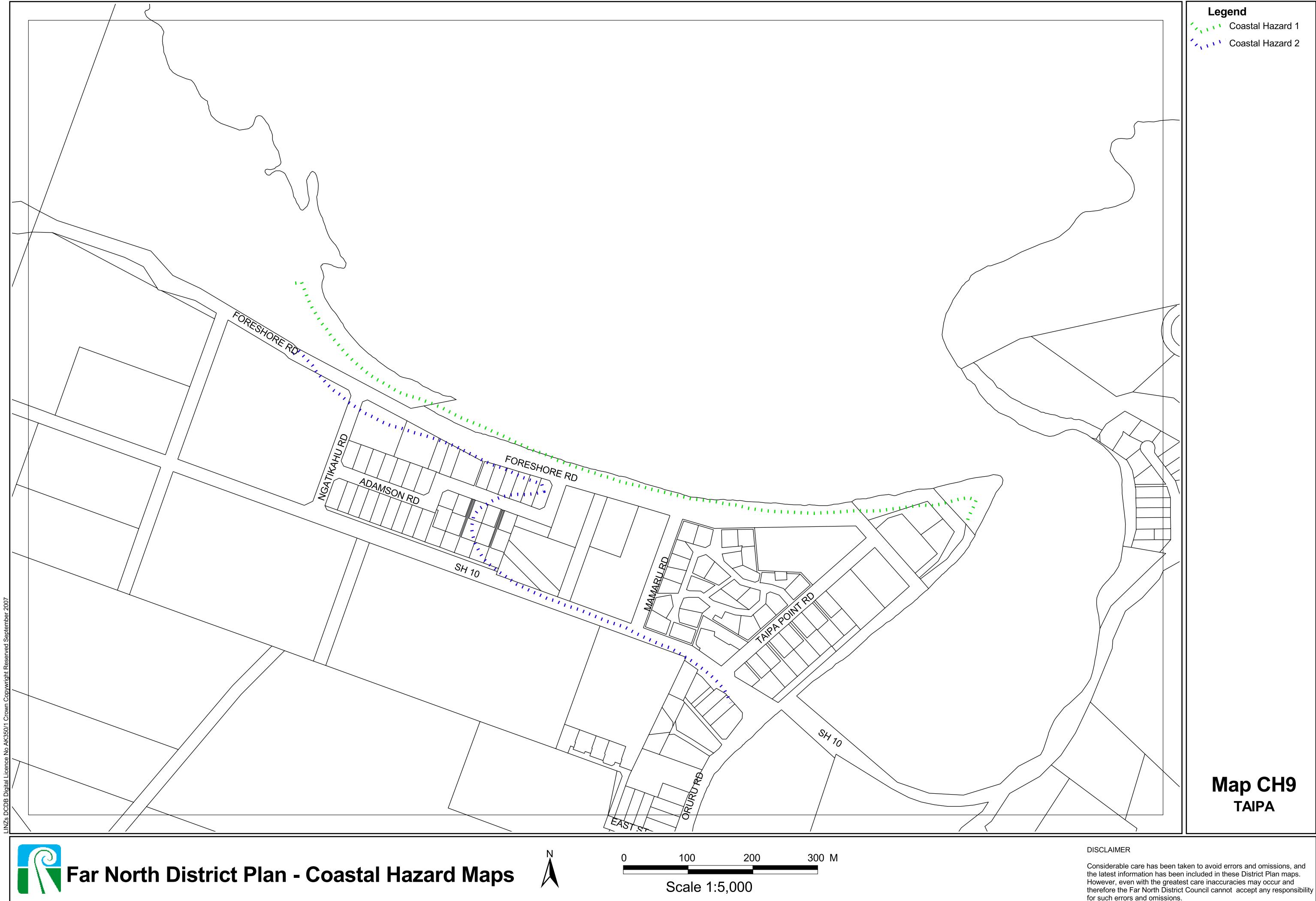
A structure plan will be given effect to through a Proposed Change to the District Plan. The relevant provisions of the Act will apply to any such Proposed Change.

A structure plan may be prepared by the Council or by others as a preliminary to subdivision. The purpose of a structure plan is to establish the broad framework for development in a particular area. The plan will

make provision for the community infrastructure which is needed, and will ensure that individual development decisions and applications in the area covered by the plan are co-ordinated and consistent with the District Plan.

A structure plan will consist of plans and written material and should include information on the following:

- (a) the size and location of the area covered by the structure plan;
- (b) the topography and geography of the structure plan area;
- (c) the classification of the soil;
- (d) the geotechnical aspects of the structure plan area;
- (e) the presence of natural hazards (such as flood prone land or land liable to erosion);
- (f) the identification of any outstanding landscapes and natural features, areas of significant indigenous vegetation and significant habitats of indigenous fauna, or heritage resources;
- (g) the proposed roading pattern for the area (including footpaths and cycleways);
- (h) the proposed reserves network for the area;
- (i) the proposed location of community facilities such as halls and community centres;
- (j) the proposed location of rural, residential, commercial and industrial environments;
- (k) the requirements (if any) of network utility operators such as electricity, telecommunications, education and healthcare;
- (l) the Low Impact Design principles utilised to reduce impermeable areas and reduce stormwater runoff volumes and avoid or mitigate adverse effects on receiving environments.



12.4 NATURAL HAZARDS

Morea Tuturu

Me ako tatou ki te noho ora ki waengau i nga mahi morea - me ka whakarereketia te taiao, me ka kore tatou e tuku kino haere enei mahi morea.

Natural Hazards

Nature constantly challenges us to cope with natural hazards. Let us try to modify our environment only in ways that do not in themselves create further and greater hazards.

CONTEXT

Processes which form, shape and change the natural environment become natural hazards when in conflict with human activities or development. Accordingly, the key to managing the effects of natural hazards is risk assessment. In other words, the need for intervention must be judged relative to the risk posed by the natural hazard to human life, property and the environment.

Risk management depends firstly on the identification and quantification of the natural hazard, and secondly on mapping precisely land which “is or is likely to be” subject to natural hazards in relation to public and private property and assets. Coastal hazard mapping, for example, is an ongoing process requiring frequent revision of identified hazards as new techniques become available or risks are re-evaluated e.g. aerial photography providing better base data is made available or fresh forecasts of the effects of sea-level change alter the assessment of risk in a particular area. Safety factors representing uncertainties in the data are also incorporated in any risk assessment. Consequently, the Plan indicates the extent of the land likely to be affected by natural hazards in terms of the best information available at the time. It follows that there will always be a need to re-consider the risk arising from natural hazards when major changes in land use are mooted throughout the District.

In the Far North District three types of risk arising from natural hazards have been identified as requiring intervention.

First, coastal erosion and inundation in a number of coastal settlements is a problem e.g. Opononi-Omapere, Hihi, Coopers Beach. A planning horizon of 50 years has been adopted for those areas where, based on available data including current forecasts of Climate Change from an enhanced Greenhouse Effect, there is considerable certainty as to the extent and nature of the risk. These are identified as Coastal Hazard 1 Areas on the Coastal Hazard maps (**Maps CH 1 - 17**). Coastal Hazard 2 Areas (also shown on the Coastal Hazard maps) apply where the extent and nature of the risk is less certain and the planning period is 100 years. Again, current forecasts of Climate Change from an enhanced Greenhouse Effect have been taken into account. Both coastal hazard areas are subject to rules ensuring that human activity does not exacerbate the risks arising from natural hazards.

Second, parts of the District are vulnerable to flooding. Information about the susceptibility of the District to flooding is held by the Council on its hazard register. This information is used in connection with building consent applications and is included in Land Information Memoranda (LIMs). Ongoing information gathering and re-assessment of risk will improve the quality of information on the hazards register and will therefore increase its usefulness.

Third, the retention of indigenous vegetation and increased planting of exotic forests, allied with subdivision and development of rural living blocks, means that many houses are being built within, or very close to, large areas of inflammable trees. There is a significant risk of fire and therefore to life, property and the environment.

Activities such as excavation and filling, which may increase the risk of land instability or subsidence, are also subject to rules in this Plan (refer to **Section 12.3**).

Guarding against the effects of natural hazards is an individual as well as a Council responsibility. The Council has exercised this responsibility by sourcing information about hazards and using this information as the basis for the controls in the Plan. Improvements to the information will become available from time to time and will be used to update the controls. Individuals should be aware that the level of detail of the information that the Council has available for the whole District will never substitute for a detailed site by site analysis. The controls are therefore conservative in that they are based largely on general rather than site specific information. If individuals wish to develop land to a level greater than the Plan provides for they are allowed, and should be prepared, to commission the more detailed work on natural hazards that is necessary.

12.4.1 ISSUES

- 12.4.1.1 Human activities and development can increase the risk to life, property and the environment when they occur in or near areas prone to natural hazards.
- 12.4.1.2 Certain natural features (such as sand dunes and wetlands) function to absorb the effects of natural hazards but may lose their protective role due to human intervention, thereby exacerbating the risks from natural hazards e.g. draining wetlands may lead to increased downstream flooding.
- 12.4.1.3 The risk to life, property and the environment from flooding in low lying areas, coastal erosion, landslips and storm damage. These events are unpredictable and their impacts are intense and highly localised, making it difficult for communities to avoid the risk.
- 12.4.1.4 The risk of fire causing loss of life, severe damage to property and loss of indigenous vegetation and habitats of indigenous fauna is increasing due to the practice of building homes within or close to inflammable vegetation and/or in isolated areas remote from fire fighting services.
- 12.4.1.5 Coastal erosion is a natural process that can be initiated or exacerbated by human activities. Coastal hazards can arise when communities have constructed buildings too close to the coastal marine area, especially on dunes, spits or near wetlands. Sea level rise is occurring, and dunes and wetlands will provide an increasingly important natural hazard buffer as this occurs. There are areas of known coastal hazard which affects existing development. Subdivision, use and development require management, and natural ecosystems require protection in a coastal situation.
- 12.4.1.6 The maps (**Maps FL 1 - 5**) in Volume 2 of the Far North District Plan denote areas of floodplain and alluvial soil that are considered susceptible to flooding. Due to the scale of mapping, there will be some land within the areas so defined which may well be free from flooding, just as there will be land outside of the areas defined as flood-susceptible that is subject to flooding. The objective of publishing these indicative maps is to alert people to a potential hazard, enabling any decisions on the development or use of the land to be made having due regard to the risks involved.

Some of the areas so defined are on the floodplains of rivers for which more detailed information is available or will become available over the next five to ten years. This data is held on a Hazards Database and may be inspected at the offices of the Far North District Council or the Northland Regional Council.

The data from which these maps have been derived has been surveyed and recorded at a scale of 1:50,000. These maps should not be enlarged or used at any more detailed scale.

12.4.2 ENVIRONMENTAL OUTCOMES EXPECTED

- 12.4.2.1 Reduced risk to life, property and the environment from natural hazards.
- 12.4.2.2 Appropriate control of new development in locations where there is a high risk of significant damage from natural hazards.
- 12.4.2.3 Increased public awareness of the risks of natural hazards and the role of natural features in natural hazard mitigation.
- 12.4.2.4 A reduction in the damage caused to the environment by inappropriate protection works.

12.4.3 OBJECTIVES

- 12.4.3.1 To reduce the threat of natural hazards to life, property and the environment, thereby to promote the well being of the community.
- 12.4.3.2 To ensure that development does not induce natural hazards or exacerbate the effects of natural hazards.
- 12.4.3.3 To ensure that natural hazard protection works do not have adverse effects on the environment.
- 12.4.3.4 To ensure that the role in hazard mitigation played by natural features is recognised and protected.
- 12.4.3.5 To improve public awareness of natural hazards as a means of helping people to avoid them.
- 12.4.3.6 To take into account reasonably foreseeable changes in the nature and location of natural hazards.

12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.

12.4.4 POLICIES

12.4.4.1 That earthworks and the erection of structures not be undertaken in areas where there is a significant potential for natural hazards unless they can be carried out in such a way so as to avoid being adversely affected by the natural hazards, and can avoid exacerbating natural hazards.

12.4.4.2 That the natural character of features, such as beaches, sand dunes, mangrove areas, wetlands and vegetation, which have the capacity to protect land values and assets from natural coastal hazards, is protected and enhanced.

12.4.4.3 That protection works for existing development be allowed only where they are the best practicable option compatible with sustainable management of the environment.

12.4.4.4 That the sea level rise, as predicted by the Intergovernmental Panel of Climate Change or Royal Society of NZ, be taken into account when assessing development in areas potentially affected.

12.4.4.5 That information on known natural hazards be made available in order that the public can make informed resource management decisions.

12.4.4.6 That the adverse effects on people, property and the environment from coastal hazards in Coastal Hazard Areas, as identified by the Northland Regional Council, are avoided.

12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided.

12.4.4.8 That the location, intensity, design and type of new coastal subdivision, use and development be controlled so that the need for hazard protection works is avoided or minimised.

12.4.4.9 That the role of riparian margins in the mitigation of the effects of natural hazards is recognised and that the continuing ability of riparian margins to perform this role be assured.

12.4.5 METHODS OF IMPLEMENTATION

DISTRICT PLAN METHODS

12.4.5.1 Policies on natural hazards are given effect through the rules in this section and **Section 12.3**.

12.4.5.2 Restriction of excavation and filling, and the erection of new buildings/structures in Coastal Hazard 1 Areas (as identified on the Coastal Hazard **Maps CH 1 - 17**).

12.4.5.3 Controls on the extent of allowable excavation and filling, and buildings/structures in Coastal Hazard 2 Areas (as identified on the Coastal Hazard **Maps CH 1 - 17**).

12.4.5.4 Controls on excavation and filling above prescribed thresholds (these thresholds having been selected to complement the provisions of the Regional Water and Soil Plan) wherever these activities occur (refer to **Section 12.3**).

OTHER METHODS

12.4.5.5 To the extent that information is available on the nature and location of natural hazards, the Council will make this available to the public. This will be achieved through:

- providing this information in Land Information Memoranda and Project Information Memoranda;
- using the information in processing resource consents and building consents;
- providing this information in revisions to the Plan;
- the distribution of information on hazards and studies related to hazards.

12.4.5.6 The Council will review the effectiveness of flood control schemes from time to time and will take action where necessary to maintain the effectiveness of the schemes (refer to Management Plans for the Kaitaia, Kaikino, Waiharara and Motutangi Drainage Districts).

12.4.5.7 The Council controls the erection of buildings on hazard prone land through the building consent process (under the Building Act 2004).

12.4.5.8 The Northland Regional Council also has a responsibility, under the Act, to control the use of land for the purpose of the avoidance or mitigation of natural hazards. The Northland Regional Council addresses this responsibility through its Regional Policy Statement, Regional Coastal Plan and Regional Water and Soil Plan.

12.4.5.9 The Council will jointly establish a monitoring programme with Northland Regional Council to monitor both the effects of identified natural hazards and the effectiveness of policies applying to Coastal Hazard Areas aimed at reducing risk to life, property and the environment within such Areas.

12.4.5.10 A precautionary approach to the erection of residential units in Flood Susceptible Areas (as identified on the Council's Hazards Register). When undertaking any excavation (including cellar construction), or filling, compliance with Council's earthworks bylaw (Bylaw 22) is required

COMMENTARY

The availability of reliable information that is constantly updated in light of changing circumstances, is fundamental to risk assessment. Therefore, it is important that the Council maintains a database on natural hazards and also consults the community when re-evaluating environmental risk so that its values are taken into account when intervention is considered (Objective 12.4.3.5, Policies 12.4.4.4 and 12.4.4.5, Method 12.4.5.1 and 12.4.5.10).

Under the Act, both the Northland Regional Council and the Far North District Council have responsibilities to avoid or mitigate the effects of natural hazards. Having discussed their respective responsibilities, it has been agreed that the Regional Council will concentrate on risks of regional significance, principally coastal erosion, flooding in major catchments, and drought, whereas the District Council will focus on more localised erosion, flooding, land instability and subsidence threats. In the latter regard, rules relating to the use of hazard prone land are to be incorporated into the District Plan. This approach is seen as the most appropriate, given the District Council's duties under the Building Act 2004 to control the erection of buildings on hazard prone land through the building consent process (refer to s21/2 of the Regional Policy Statement for Northland). Accordingly, areas known to be at risk from coastal hazards have been identified on the Coastal Hazard maps (Maps CH 1 - 17) and suitable rules adopted to ensure that these risks are avoided or mitigated (Objectives 12.4.3.1, 12.4.3.2, 12.4.3.4 and 12.4.3.6; Policies 12.4.4.1, 12.4.4.2, 12.4.4.4 and 12.4.4.6; and Methods 12.4.5.1, 12.4.5.2, 12.4.5.3, 12.4.5.4, 12.4.5.7, 12.4.5.8, 12.4.5.9 and 12.4.5.10).

Areas susceptible to flooding are identified on the Council's hazard register. This means that the information is made available as part of a request for a Land Information Memorandum (LIM). The information is also used by the Council when checking a building consent application (Method 12.4.5.10).

In accordance with the New Zealand Coastal Policy Statement, works which are intended to provide protection from natural hazards e.g. groynes, are discouraged because they have the potential to adversely affect the environment, especially the natural functioning of coastal processes (Objective 12.4.3.3; Policies 12.4.4.1, 12.4.4.2 and 12.4.4.3; and Methods 12.4.5.1, 12.4.5.2, 12.4.5.3 and 12.4.5.7).

The risks from fire are greatest in rural areas where fire fighting services are less assured, and therefore it is important to ensure that human life is safeguarded by separating houses from trees and by requiring an on-site water supply. Equally, a separation distance from trees helps to safeguard indigenous vegetation and habitats, and to protect exotic forests (Objective 12.4.3.7, Policy 12.4.4.7 and Method 12.4.5.1).

12.4.6 RULES

Activities affected by this section of the Plan must comply not only with the rules in this section, but also with the relevant standards applying to the zone in which the activity is located (refer to **Part 2 Environment Provisions**), and with other relevant standards in **Part 3 – District Wide Provisions**.

Particular attention is drawn to:

- (a) **Chapters 7-10 in Part 2;**
- (b) Other sections within **Chapter 12 Natural and Physical Resources** (and the **District Plan Maps**);
- (c) **Chapter 13 Subdivision;**
- (d) **Chapter 14 Financial Contributions;**
- (e) **Section 15.1 Traffic, Parking and Access;**
- (f) **Chapter 17 Designations and Utility Services** (and the **Zone Maps**).

Where relevant, refer to other sections of the plan such as Part 2 – Environmental Provisions and other parts of Part 3 – District Wide Provisions as there may be other provisions that need to be considered.

Rules in this section continue to apply to plantation forestry activities in addition to National Environmental Standards for Plantation Forestry (NES PF) requirements.

12.4.6.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards for permitted activities set out in **Rules 12.4.6.1.1 to 12.4.6.1.2** below; and
- (b) it complies with the relevant standards for permitted activities in the zone in which it is located, set out in **Part 2 of the Plan - Environment Provisions**; and
- (c) it complies with the other relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

12.4.6.1.1 COASTAL HAZARD 2 AREAS

On land identified on the Coastal Hazard maps (**Maps CH 1 - 17**) as lying within a Coastal Hazard 2 Area, excavation and filling, and alterations to existing buildings/ structures, may be carried out as a permitted activity if they are associated with:

- (a) the maintenance of flood protection works or existing drains, buildings/structures; or
- (b) the establishment, repair or replacement of any permitted utilities; or
- (c) the erection of fences; or
- (d) the planting of trees and plants.

Provided that, in the case of buildings/structures, no changes are made to the external dimensions.

Note: The erection of new buildings/structures, and alterations and additions to existing buildings/structures that increase the external dimensions, are controlled activities in Coastal Hazard 2 Areas (refer to **Rule 12.4.6.2.1**).

12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS

- (a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest;
- (b) Any trees in a deliberately planted woodlot or forest shall be planted at least 20m away from any urban environment zone, Russell Township or Coastal Residential Zone boundary, excluding the replanting of plantation forests existing at July 2003.

12.4.6.2 CONTROLLED ACTIVITIES

An activity is a controlled activity if:

- (a) it does not comply with **Rule 12.4.6.1.1 Coastal Hazard 2 Areas** above; but
- (b) it complies with **Rule 12.4.6.1.2 Fire Risk to Residential Units** above; and
- (c) it complies with **Rule 12.4.6.2.1 New Buildings in Coastal Hazard 2 Areas** below; and
- (d) it complies with the relevant standards for permitted and controlled activities in the zone in which it is located, set out in **Part 2 of the Plan - Environment Provisions**; and
- (e) it complies with the other relevant standards for permitted and controlled activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council must approve an application for a land use consent for a controlled activity but it may impose conditions on that consent.

12.4.6.2.1 NEW BUILDINGS & ADDITIONS TO EXISTING BUILDINGS IN COASTAL HAZARD 2 AREAS

The erection of new buildings/structures and additions to existing buildings/ structures that increase the external dimensions, on land identified on the Coastal Hazard maps (Maps CH 1-17) as lying within a Coastal Hazard 2 Area, are controlled activities provided a report from a person suitably qualified in coastal processes is lodged with the Council in respect of the proposed development. In order for the activity to be regarded as a controlled activity, the report shall specify that the design of the new building/structure or addition will not increase the risk to people, property or the environment.

Note: If no report is provided with the application, or if the report cannot state that the design of the new building/structure or addition will not increase the risk to people, property or the environment, then the activity becomes a discretionary activity, under **Rule 12.4.6.3** below.

In considering an application under this provision the Council will restrict the exercise of its control to the following matters:

- (a) the adequacy of the design in light of the environmental risks;
- (b) the measures proposed to mitigate adverse effects of the proposed development.

12.4.6.3 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity if:

- (a) it does not comply with one or more of the standards for permitted or controlled activities as set out under **Rules 12.4.6.1** and **12.4.6.2**; but
- (b) it complies with Rule **12.4.6.3.1 Coastal Hazard 1 Areas** below; and
- (c) it complies with the relevant standards for permitted, controlled, restricted discretionary and discretionary activities in the zone in which it is located, set out in **Part 2 of the Plan - Environment Provisions**; and
- (d) it complies with the other relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application, the Council will have regard to the assessment criteria set out under **Section 12.4.7**.

If an activity does not comply with the standards for a discretionary activity, it will be a non-complying activity.

12.4.6.3.1 COASTAL HAZARD 1 AREAS

Development, including building works, excavation and filling, and works to protect existing development or coastal features on land identified on the Coastal Hazard maps (Maps CH 1-17) as lying within a Coastal Hazard 1 Area will be considered as a discretionary activity if a report by a person suitably qualified in coastal processes specifying the likely effects that the development and/or earthworks will have on coastal hazard processes, including risk to people, property or the environment is provided as part of the application.

Buildings may be established in the Coastal Hazard 1 Area, under this discretionary activity rule, where they are designed, constructed and located so as to be able to be transported off the site in the event of a natural hazard causing the building site to become untenable.

Note 1: A resource consent granted for a building or earthworks within a Coastal Hazard 1 Area does not automatically permit protection works at a later date. A further resource consent may be necessary.

Note 2: If no report is provided with the application then the application is a non-complying activity.

12.4.7 ASSESSMENT CRITERIA

The matters set out in s104 and s105, and in Part II of the Act, apply to the consideration of all resource consents for land use activities.

In addition to these matters, the Council shall also apply the relevant assessment matters set out below:

- (a) the degree to which the activity may cause or exacerbate natural hazards or may be adversely affected by natural hazards, and therefore increase the risk to life, property and the environment;
- (b) the extent to which the activity may adversely affect cultural and spiritual values;
- (c) the degree to which any proposed activity is compatible with the maintenance of the natural character of the environment;
- (d) the effects on amenity values, landscape values, heritage features and indigenous habitats and ecosystems, especially in the coastal environment and associated with rivers, lakes, wetlands and their margins;
- (e) the effects on natural features, such as beaches, sand dunes, mangrove areas, wetlands and vegetation, which have the capacity to protect land and structures from natural hazards;
- (f) any adverse effects on water quality;
- (g) any adverse effects of the activity on any archaeological sites;
- (h) any effect on the life supporting capacity of soil;
- (i) the potential impact of sea level rise;
- (j) in respect of fire risk to residential units:
 - (i) the degree of fire risk to dwellings arising from the proximity of the woodlot or forest and vice versa; and
 - (ii) any mitigation measures proposed to reduce the fire risk; and

- (iii) the adequacy of the water supply; and
- (iv) the accessibility of the water supply to fire service vehicles.
- (k) any cumulative adverse effects on the environment arising from the activity;
- (l) the potential need for ongoing maintenance and the potential effects of such maintenance;
- (m) the effects of any proposed option to either avoid, remedy or mitigate the effects of identified natural hazards;
- (n) the ability to monitor the effects of the activity and take remedial action (e.g. removal) if necessary;
 - (o) the extent to which any proposed activity or works intended to provide protection from natural hazards will result in the effects of the natural hazard being transferred to another location.



NORTHLAND REGIONAL COUNCIL – Coastal Hazard maps

Northland Regional Council (NRC) has updated coastal hazard maps that show areas potentially subject to coastal erosion and coastal flooding considering 50- and 100-year timeframes, including sea level rise projections due to climate change. The updated maps, made available in April 2021, are available at the NRC Natural Hazards Map Viewer. [Far North Maps Far North District Council \(fndc.govt.nz\)](http://Far%20North%20Maps%20Far%20North%20District%20Council%20%28fndc.govt.nz%29)

The coastal flooding maps show four different scenarios:

- **Current day** (CFHZ 0): areas currently susceptible to coastal flooding in a 1-in-100-year storm event with no allowance for sea level rise.
- **50-year projection** (CFHZ 1): areas susceptible to coastal flooding in a 1-in-50-year storm event, with a projected sea-level rise of 0.6m by 2080.
- **100-year projection** (CFHZ2): areas susceptible to coastal flooding in a 1-in-100-year storm event, with a projected sea-level rise of 1.2m by 2130.
- **100-year ‘rapid sea level rise’ projection** (CFHZ 3): areas susceptible to coastal flooding in a 1-in-100-year storm event, with a sea-level rise scenario of 1.5m by 2130. This is representative of a high-emissions scenario where more rapid rates of sea level rise occur due to dynamic ice sheet instabilities.

Further information from NRC about the hazard maps and the their method for identifying these hazard areas is available at the web link. <https://www.nrc.govt.nz/environment/river-flooding-and-coastal-hazards/coastal-hazards/update-to-coastal-hazard-maps/>

The maps showing potential future areas at risk are based on a conservatively predicted sea level rise scenario assessed by external experts. Information on natural hazards can be considered when applying for building consents or resource consents or undertaking development on a site.

Flood Hazards

Differentiating between the District Plan Maps and the Far North Maps Flood Plain data.

District Plan maps (<https://www.fndc.govt.nz/Your-Council/District-Plan/Operative-maps>) include a series of maps showing "NRC Potential Flooding Maps". These are portrayed in the District Plan Maps FL1-FL5 and are at 1:200,000 scale. The data from which these maps have been derived has been surveyed and recorded at a scale of 1:50,000, and the maps should not be enlarged or used at a more detailed scale. The maps are indicative only and show areas that are considered to be susceptible to flooding. It is recommended that the public contact the Northland Regional Council for more accurate information.

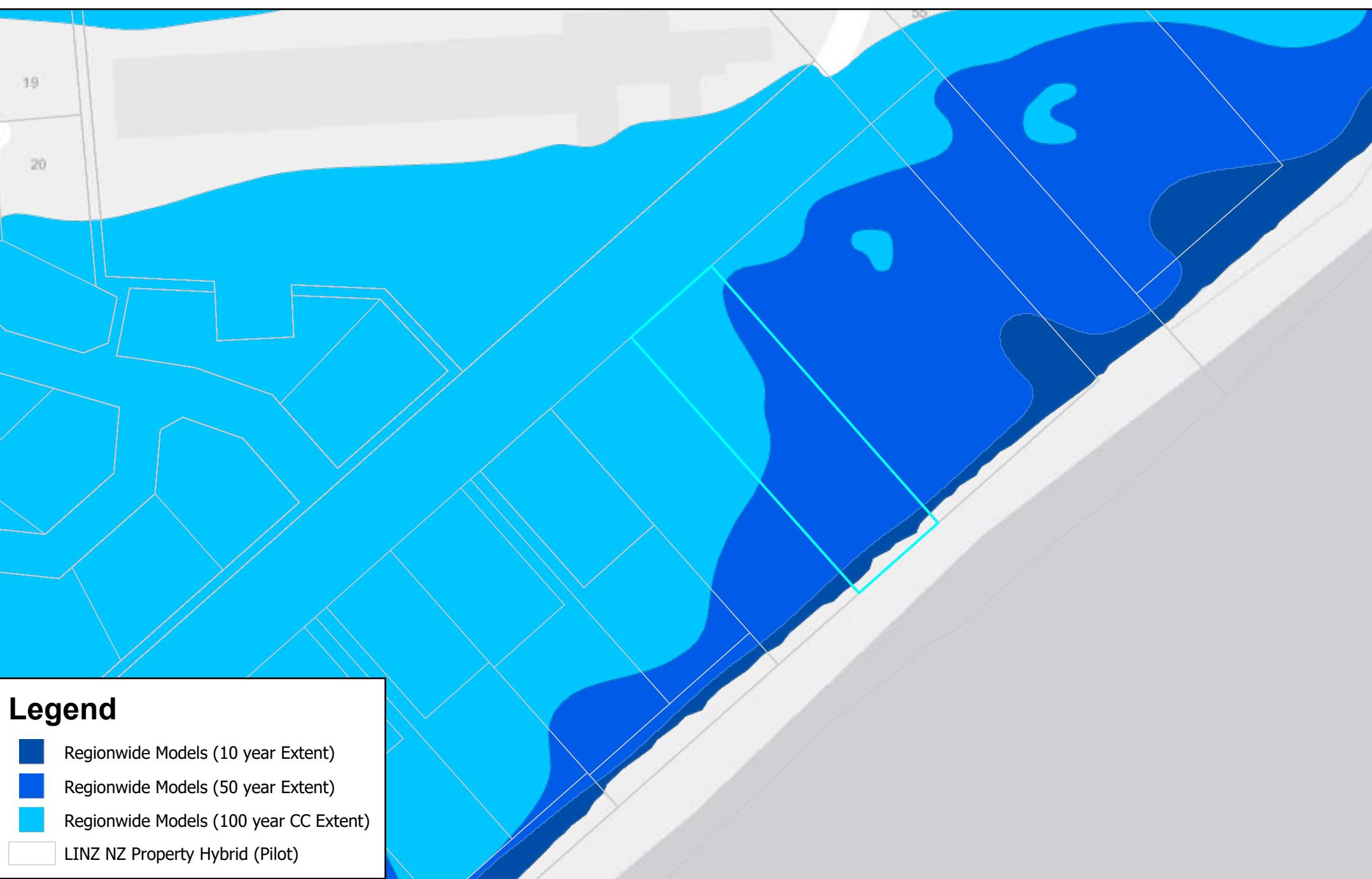
For some areas more recent and more accurate information is now available on **Far North Maps** <https://www.fndc.govt.nz/Our-Services/Online-maps/Far-North-Maps>. Stormwater Catchment Management Maps (SCMMs) show areas within the district likely to be susceptible to surface flooding in extreme weather events. These new SCMMs have identified additional locations which may be susceptible to flooding under certain circumstances.

Coastal Hazards

Differentiating between the District Plan Maps and the Northland Regional Council Coastal Hazard maps.

District Plan maps include a series of maps showing "Coastal Hazard" areas in the Far North. These are portrayed in the District Plan Maps CH1-CH17 and are at 1:5,000 scale. The maps are based on data from the Northland Regional Council which was available prior to 2000 and include forecasts of climate change from an enhanced Greenhouse Effect. Coastal Hazard 1 areas are based on a planning horizon of 50 years whereas Coastal Hazard 2 areas are based on a planning horizon of 100 years. The coastal hazard rules in the District Plan relate to this set of maps.

Since 2000, the Northland Regional Council has reviewed the base information and data previously used to develop the coastal hazard maps. As a result of changes to this information and data the Northland Regional Council has made available a number of modified coastal hazard maps. These revised maps have been included on Far North Maps. These Northland Regional Council coastal hazard maps have not been included in the District Plan meaning there are two sets of coastal hazard data available – the maps as included in the District Plan and the revised coastal hazard maps.



FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN [MANGONUI SECTION] AND PROPOSED FAR NORTH DISTRICT PLAN

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF an application for Resource Consent under the aforesaid Act by

M Clapshaw
(D Wilkinson)

FILE NUMBER RC 2000993

APPLICATION

Application for **LAND USE CONSENT** to erect a garage within 30 metres of Mean High Water Springs, and within the Coastal Hazard 2 Zone.

The property in respect of which the application is made is situated at 39 Taipa Point Road, Taipa, and is legally described as Part Section 5, Block IV, Mangonui SD.

DECISION

That pursuant to Section 105 (1)(b) of the Resource Management Act 1991, Council grants its consent to the application [being RC 2000993] by M Clapshaw to erect a garage within 30 metres of Mean High Water Springs, and within the Coastal Hazard 2 Zone, generally as indicated on the plans and information provided with the application.

No conditions have been imposed as part of this consent.

Reasons for the Decision

In consideration of the application under Section 104 of the Act, the Council has made its decision for the following reasons:

- (A) Written approval to the proposed activity from adjoining owners and interested parties has not been sought, as the Council is of the opinion that no one will be adversely affected by the grant of consent to the proposal.
- (B) There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the District Plan.

Decision prepared by: A J HARTSTONE, RESOURCE PLANNER (KAITAIA)

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P.J. Hartstone

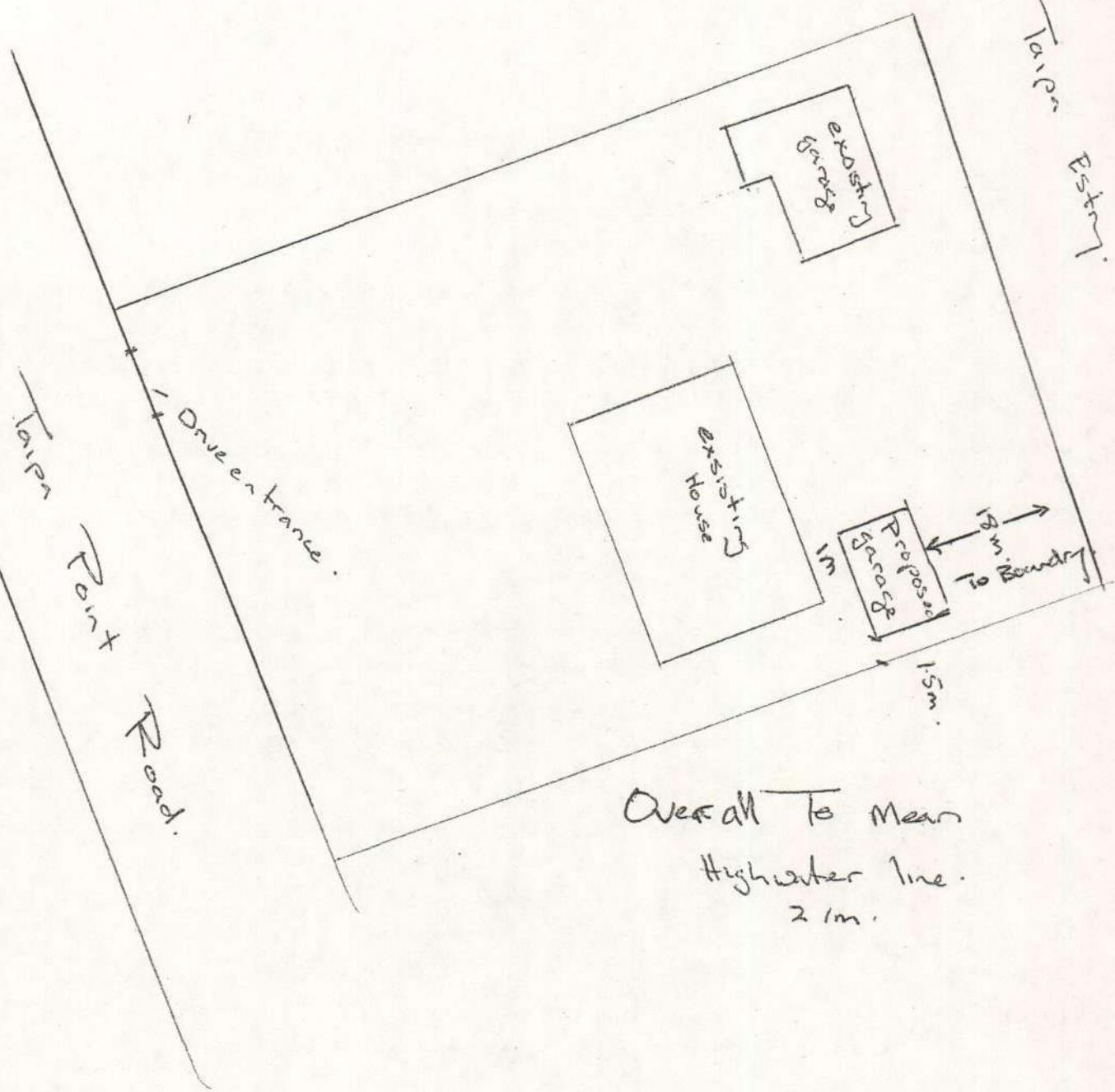
RESOURCE CONSENTS MANAGER

26th June 2000 DATE
RC 2000993

DEC\2LDEC20993.DOC



RCPPLE



COMMENTS OF LOCAL AUTHORITY.

I, Angus John Mackintosh

County Clerk

on

behalf of the **MANGONUI**

County Council HEREBY

SUBMIT the following comments in regard to the proposed subdivision
of **Allot. 5 Village of Taipa Section I Block IV Mangonui Survey
District.**

shown in Scheme Plan No. **4405** of the Town of **Mangonui.**

Extension No. **16** lodged in the Office of the Chief Surveyor
at Auckland.

The Mangonui County Council considers that:-

1. Drainage can be adequately disposed of.
2. Reserve requirement can best be met with a cash payment.

Angus J. Mackintosh
County Clerk.

23/5/51

County

NORTH AUCKLAND LAND DISTRICT

MANGONUI COUNTY

REFERENCE

Date of receipt of plan 23.3.51 D.O. File No. 556/66

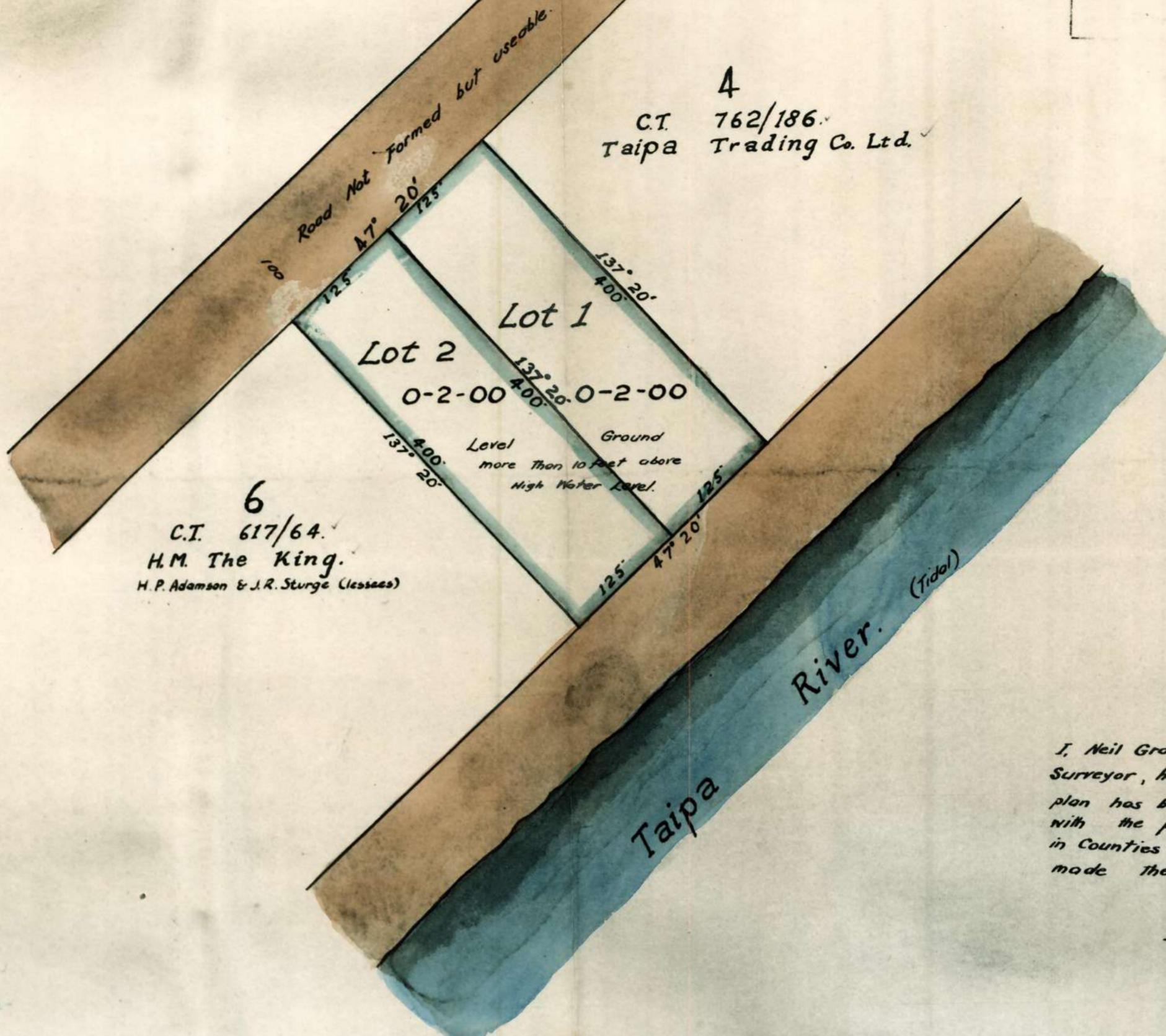
Date copy submitted to Local Authority for comments under
Section 3(4) of the Act 26.4.51

Date of receipt of comments of Local Authority 25.5.51

Date of submission of copy of approved plan to:

Surveyor-General Local Authority

Land Registrar



I, Neil Graham Dickel of Kaitaia, Registered Surveyor, hereby certify that this scheme plan has been prepared by me in accordance with the provisions of the Land Subdivision in Counties Act 1946 & the regulations made thereunder.

Neil G. Dickel
Registered Surveyor.

I, THOMAS STRATHMALLI F.R.S.,
certify that this is a copy of
a Scheme Plan approved in accord-
ance with the provisions of the
Land Subdivision in Counties Act,
1946.

Blair
CHIEF SURVEYOR

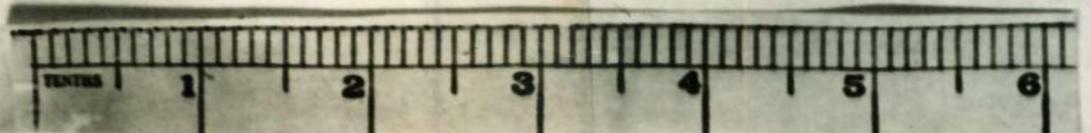
RCPPPL 01

Town of Mangonui Extn. No 16
Proposed Subdn. of Allot 5 Village of Taipa
Sec 1
IV MANGONUI S. D.

Comprised in C.T. 533/102 Messrs. J. Archibald & P.R. Wilkinson (owners)

Scale: one chain to an inch N.G. Dickel, Reg. Surveyor.

March 1951



Approved
John Archibald
P.R. Wilkinson
Reg. Owners.

Approved

Chief Surveyor.

4405



BCDEC



Issued by: Far North District Council

BUILDING CONSENT NUMBER: ABA 20001878
SECTION 31, BUILDING ACT 1991

DETAILS OF APPLICANT(S)

Name(s) WILKINSON, DOREEN

Address P O BOX 166
KAITAIA 0500

Contact Person: PHILLIP GORE

Telephone: 09 406 0106

SITE LOCATION

Address: 39 TAIPA POINT ROAD, R 083
Legal Description: PT SEC 5 BLK IV MANGONUI SD
Valuation No: 00083 97700 Location ID:

PROJECT DESCRIPTION

Intended Use(s) MINOR EXTENSION

Estimated Value (including GST) \$ 9300

Floor Area 9.0

PROPOSED WORK	INTENDED LIFE
MINOR EXTENSION	Indefinite, but not less than 50 years

This building consent is a consent under the Building Act 1991, to undertake building work in accordance with the attached plans and specifications, to comply with the provisions of the Building Code. It does not affect any duty or responsibility under any other Act, or permit any breach of any other Act.

This building consent is issued subject to endorsements shown on the approved plans and may be subject to any conditions as attached.

SIGNED BY, OR ON BEHALF OF COUNCIL

Date: 14/07/2000

STANDARD CONDITIONS
BUILDING CONSENT NO: ABA 20001878
SECTION 31, BUILDING ACT 1991

This building consent is issued subject to the conditions specified below and contained in the Building Consent headed "Special Conditions" applicable to Building Consent Application No. ABA 20001878

1. This building consent is a consent under the Building Act 1991 to undertake building work in accordance with the attached plans and specifications so as to comply with the provisions of the building code. It does not affect any duty or responsibility under any other Act nor permit any breach of any other Act.
2. The applicant is fully responsible for any damage done to any systems such as Telecom cables, power lines, water mains, sewer and stormwater pipes, footpaths, roads or any other utility or service.
3. No deviation or alteration from the original approved plans and specifications is permissible without a further consent being obtained from Council.

It is also an offence to convert the building to any other use than that stated in this consent.

These and other offences are contained in Section 80 of the Building Act 1991, in association with all relevant penalties.

4. This consent expires and becomes void if:
 - a) The work it authorises is not commenced within six (6) months after the date of issue of the consent or within such additional time as Council, in its absolute discretion, may allow.
 - b) Reasonable progress on the building work has not been made within twelve (12) months after work has commenced or within such additional time as Council in its absolute discretion, may allow.

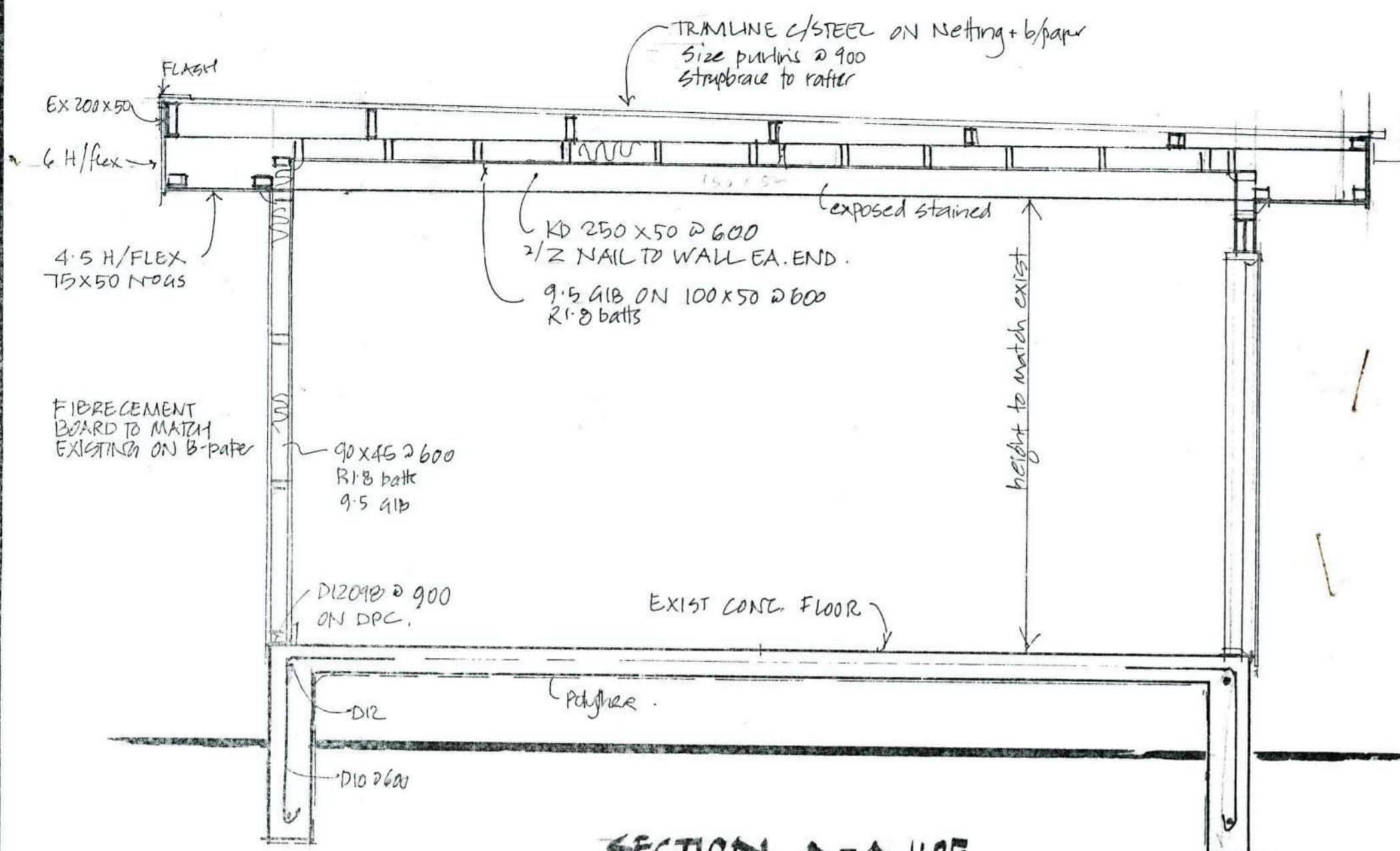
Written applications for extensions of time must be submitted to Council.

Council may further cancel building consent as specified in Section 41(2), (3) and (4) of the Building Act 1991.

5. Inspections of the building work are to be carried out at the stages of construction as endorsed on the approved plans with the notice time being given as specified in those endorsements.
6. This Building Consent is issued in accordance with Project Information Memorandum No:

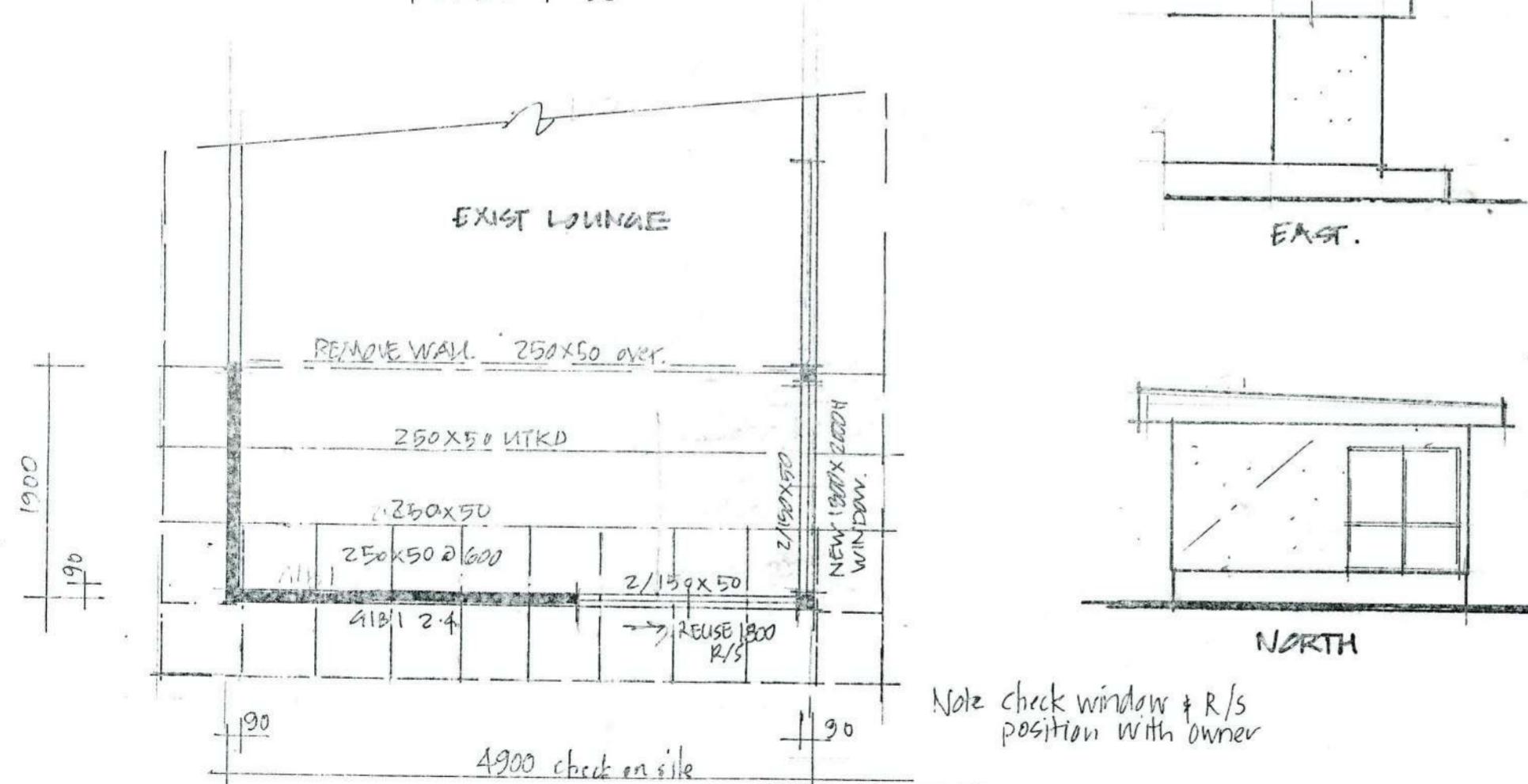
CONDITIONS OF BUILDING CONSENT
NUMBER ABA 20001878

1. Stainless steel 304 or 316 to be used on all exposed fixings and connections.



SECTION A-A 1125

PLAN 1:50



ADDITION FOR MRS D WILKINSON Taipa

ESMARY.

~~pp~~ North

ANSWER

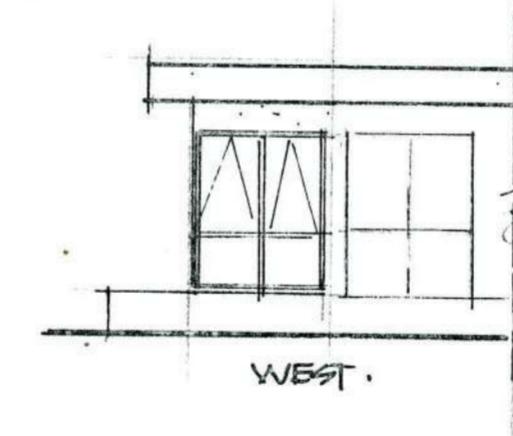
Garage.

Far North District Council NOTIFIABLE INSPECTIONS	
Site Inspection	
Footing/Foundation	✓
Slab	✓
Bond beam	
Sub-floor	
Framing	✓
Exposed Rafter Strapping	
Pre-line	✓
Sheet Bracing	✓
Other (specify)	
Final Inspection	✓

⑥ Inspection

APPROVED PIM/BC
Date 26-6-01
Signed B. How
FARNORTH DISTRICT COUNCIL

All exposed Metal fixings & connections
to be 304 or 316 stainless steel



ELEVATIONS 1:100

Builder to check all dimensions. Plans are subject to council approval which may require alteration. Liability will not be taken for costs of extra labour and materials not shown on plans or required by council.

SITE PLAN 1:200

— 1 —

THE INFLUENCE OF THE CULTURE OF THE PUPILS ON THE PUPILS' LEARNING 11

CHECKED	SCALES
---------	--------

DATE May 2000

Alan Simpkin ARCHITECTURAL DESIGNER

09 408.2233 49 MATTHEWS AVE, KAITAIA



BCDEC



FAR NORTH DISTRICT COUNCIL
BUILDING CONSENT NUMBER: ABA20001615
SECTION 31, BUILDING ACT 1991

DETAILS OF OWNER(S)

Name(s) WILKINSON, DORREEN
Address C-VERSATILE BUILDINGS
P O BOX 31
WAIPAPA 0470
Contact Person: MIKE CLAPSHAW -VERSATILE BUILDINGS
Phone: 09 4079861

SITE LOCATION

Address: 39 TAIPA POINT ROAD, R 083 *TAIPA*
Legal Description: PT SEC 5 BLK IV MANGONUI SD
Valuation No: 00083 97700

PROJECT DESCRIPTION

Intended Use(s) NEW GARAGE
Estimated Value (including GST) \$ 9000
Floor Area 28.5

PROPOSED WORK	INTENDED LIFE
NEW GARAGE	Indefinite, but not less than 50 years

This building consent is a consent under the Building Act 1991, to undertake building work in accordance with the attached plans and specifications, to comply with the provisions of the building code. It does not affect any duty or responsibility under any other Act, or permit any breach of any other Act.

This building consent is issued subject to endorsements shown on the approved plans and may be subject to any conditions as attached.

SIGNED BY, OR ON BEHALF OF COUNCIL

22/05/2000

STANDARD CONDITIONS
BUILDING CONSENT NO: ABA **20001615**
SECTON 31, BUILDING ACT 1991

This building consent is issued subject to the conditions specified below and contained on the Building Consent headed "Special Conditions" applicable to Building Consent Application No. ABA 20001615

1. This building consent is a consent under the Building Act 1991 to undertake building work in accordance with the attached plans and specifications so as to comply with the provisions of the building code. It does not affect any duty or responsibility under any other Act nor permit any breach of any other Act.
2. The applicant is fully responsible for any damage done to any systems such as Telecom cables, power lines, water mains, sewer and stormwater pipes, footpaths, roads or any other utility or service.
3. No deviation or alteration from the original approved plans and specifications is permissible without a further consent being obtained from Council.

It is also an offence to convert the building to any other use than that stated in this consent.

These and other offences are contained in Section 80 of the Building Act 1991, in association with all relevant penalties.

4. This consent expires and becomes void if:
 - a) The work it authorises is not commenced within 6 (6) months after the date of issue of the consent or within such additional time as Council, in its absolute discretion, may allow.
 - b) Reasonable progress on the building work has not been made within twelve (12) months after work has commenced or within such additional time as Council in its absolute discretion, may allow.

Written applications for extensions of time must be submitted to Council.

Council may further cancel building consent as specified in Section 41(2), (3) and (4) of the Building Act 1991.

5. Inspections of the building work are to be carried out at the stages of construction as endorsed on the approved plans with the notice time being given as specified in those endorsements.
6. This Building Consent is issued in accordance with Project Information Memorandum No:

PROJECT INFORMATION MEMORANDUM NO. ABA 20001615
SECTION 31, BUILDING ACT 1991

DETAILS OF OWNER(S)

Name(s) WILKINSON, DORREEN
 Address C-/VERSATILE BUILDINGS, P O BOX 31, WAIPAPA 0470

Contact Person: MIKE CLAPSHAW -VERSATILE BUILDINGS
 Phone No.09 4079861

SITE LOCATION

Address: 39 TAIPA POINT ROAD, R 083
 Legal Description: PT SEC 5 BLK IV MANGONUI SD
 Valuation No: 00083 97700

PROJECT DESCRIPTION

Intended Use(s) NEW GARAGE
 Estimated Value (including GST)
 Floor Area 28.5

PROPOSED WORK	INTENDED LIFE
NEW GARAGE	Indefinite, but not less than 50 years

This Project Information Memorandum is....
 (Cross where applicable)



Confirmation that the proposed work may be undertaken, subject to the provisions of the Building Act 1991, and requirements of the building consent.

✓

Not yet applied for

No. 20001615 attached (w,ia condition)

Not yet issued



Notification that the proposed work may not be undertaken because a necessary Authorisation has been refused

PROJECT INFORMATION MEMORANDUM NO. ABA 20001615
SECTION 31, BUILDING ACT 1991

THIS PROJECT INFORMATION MEMORANDUM INCLUDES:

(Cross each applicable box, attach relevant documents and send a copy to any relevant network utility operators and organisations having the power to classify land and buildings)

Information identifying special features of the land concerned

Information about the land or buildings concerned notified to Council by any statutory Organisation having the power to classify land and buildings

Details of relevant utility systems

Details of authorisations which have been granted

BP A23139 17/6/82 POTTERY SHED

BP 10510 17/3/76 NEW GARAGE & POTTERY ADDITIONS

BP 052819 25/1/80 GARAGE

BP 80316 31/7/75 BOAT SHED

BP 1023457 27/3/87 ADDITIONS TO POTTERY SHED

Details of authorisations which have not been refused

Notification of any other authorisation which must be obtained before the proposed building work may be undertaken

SIGNED FOR AND ON BEHALF OF COUNCIL

Name: *[Signature]*
Position: L.S.O.
22/05/2000



83-977,

FORM 4A

CERTIFICATE IN RESPECT OF THE RESOURCE MANAGEMENT ACT

Section 35(1a), Building Act 1991

Issued by FAR NORTH DISTRICT COUNCIL

In respect of

BUILDING CONSENT NO: 20001615..... issued to: D. WILKINSON

Description of Work: *NEW GARAGE*

Street Address: *39 TAIPA POINT ROAD, TAIPA.*

Legal Description: *PT SEC 5 BIR IV MANGONUI SD.*

No building work to which the above building consent relates may be undertaken until the following matters are attended to:

Building work to which the above building consent relates may be undertaken only to the extent specified:

Construction may commence, as only administrative work and the setting of conditions remain on the resource consent.

Signed for and on behalf of the Council:

Name: *A. HARTSTONE*

Position: *RESOURCE PLANNER*

Date: *21/6/2000*



FORM 4A

CERTIFICATE IN RESPECT OF THE RESOURCE MANAGEMENT ACT

Section 35(1a), Building Act 1991

Issued by FAR NORTH DISTRICT COUNCIL

In respect of

BUILDING CONSENT NO: 2000/615..... issued to: D. WILKINSON

Description of Work: **NEW GARAGE**

Street Address: **39 TAIPA POINT ROAD, TAIPA**

Legal Description: **ALLOT 5 OF SEC 1 TAIPA VILLAGE.**

No building work to which the above building consent relates may be undertaken until the following matters are attended to:

UNTIL RESOURCE CONSENT APPROVAL HAS BEEN PROVIDED.

Building work to which the above building consent relates may be undertaken only to the extent specified:

Signed for and on behalf of the Council:

Name: D. Hartstone A. HARTSTONE

Position: RESOURCE PLANNER

Date: 22/5/2000



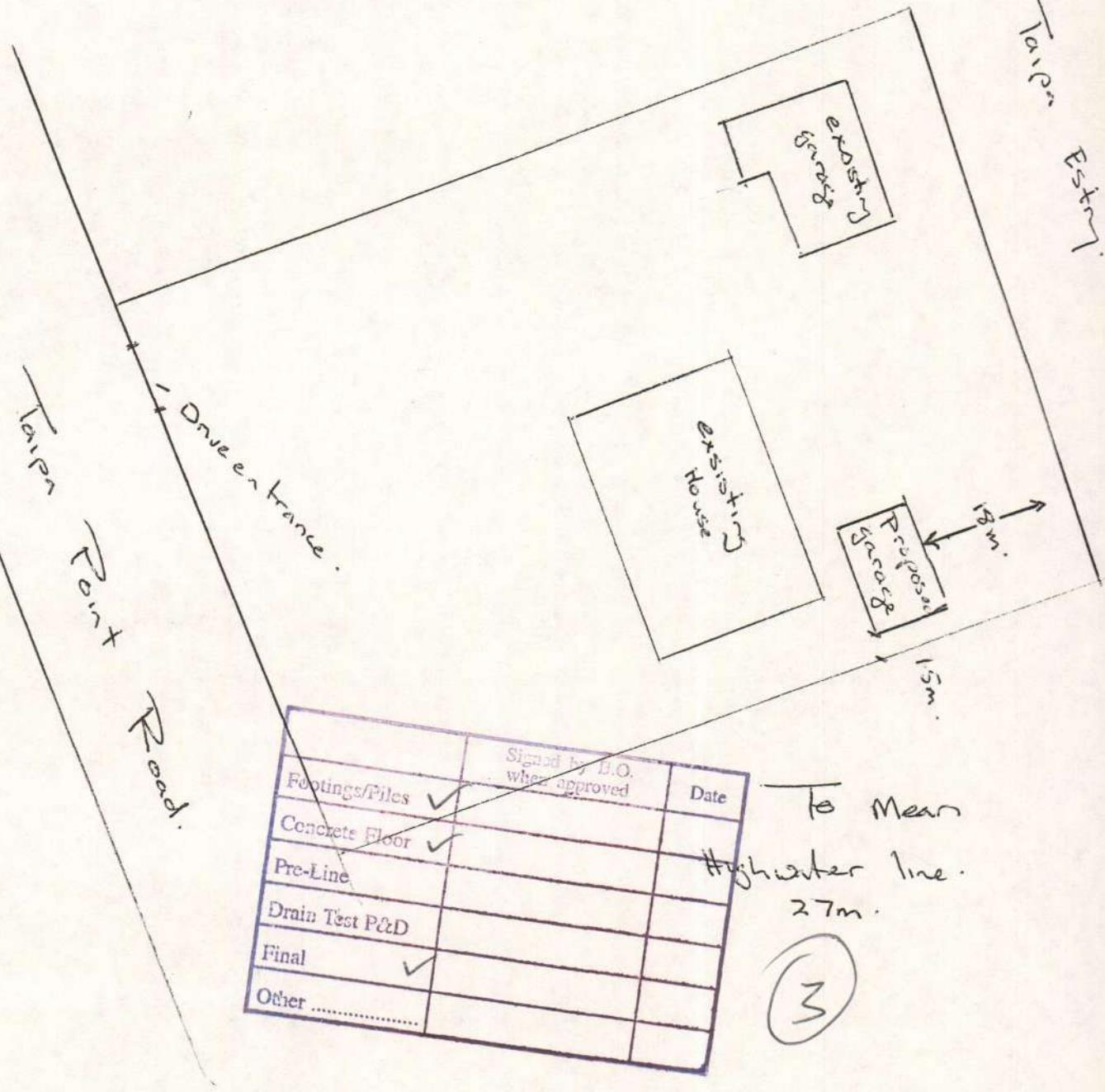
BCPLA

APPROVED PIM/BC

Date 19.5.00

Signed B. Mood

FARNORTH DISTRICT COUNCIL



W
FAR NORTH DISTRICT COUNCIL

MANSONT COUNTY COUNCIL

APPLICATION FOR DRAINAGE OR PLUMBING PERMIT

FAR NORTH DISTRICT COUNCIL
TO THE HEALTH INSPECTOR.
P.O. BOX 57
Mangonui ~~COUNTY~~ Council.

PERMIT No. 3386
3 AUG 1990

DATE

REF. B.P. No.

(If applicable)

VALN. No. 40/765

SOAKAGE TEST No.

I, the undersigned, P. WILKINSON, (name in full)

hereby apply for permission to have the work described hereunder carried out by:

Name of Plumber and/or Drainlayer: T. FOWKE

Registration Number:

Description of work: Water Supply:

Sanitary Drainage: CONNECT TO SEWER

Stormwater Drainage:

Sanitary Plumbing:

All work is to be carried out to comply with the relevant parts of the Drainage and Plumbing Regulations 1978 and the County Health Inspector will be advised on completion.

Situation of Premises: 11 TAIPA POINT RD Road
(Road)

Owner:

Occupier:

Proposed commencement date: _____ Estimated date of completion _____

Estimated value of: Sanitary Plumbing \$ _____

Drainage \$ _____

TOTAL \$ _____

FEE \$ _____

Signatures: R. F. Fowke Reg. Plumber

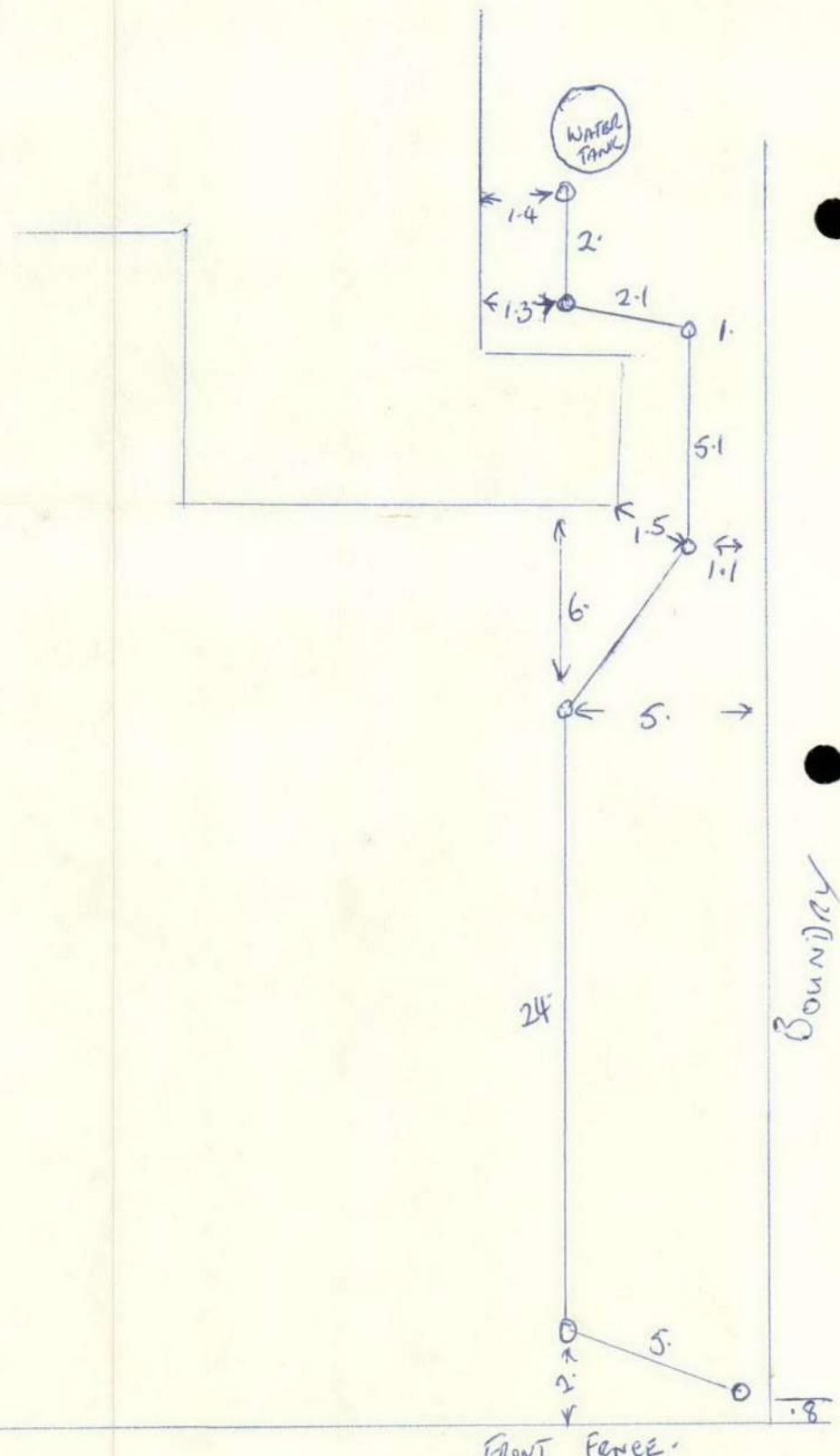
Reg. Drainlayer

Address: _____

Date: _____

SCHEDULE OF FEES

available on enquiry at Council office.



TAIPA POINT (D).

BUILDING PERMIT

(Office Copy)

AUTHORITY

Stats. No. E-023457
No.

Receipt No.

MANGONUI COUNTY COUNCIL

Date Permit Issued 31/3/81

OWNER

Name P. WILKINSON
 Mailing Address TAIPA POINT RD
TAIPA

BUILDER

Name M. BROTT
 Mailing Address 16 KUPE RD
R.D.3
KAITAIA

PROPERTY ON WHICH BUILDING IS TO BE ERECTED/DEMOLISHED

SITE

Street No.
 Street Name TAIPA PT RD
 Town/District TAIPA
 Siding EAST COAST C/C

LEGAL DESCRIPTION

Valuation Roll No. 40/765
 Lot _____ D.P. _____
 Section PT 5 Block IV
 Survey District MANGONUI

DESCRIPTION OF PROPOSED WORK AND MAIN PURPOSE OF USE

ADDITIONS TO POTTERY SHED

FLOOR AREA

DWELLING UNITS

Whole Sq. Metres	<u>11</u>	Number Erected	
ESTIMATED VALUES \$	Building	<u>3000</u>	
	Plumbing		
	Drainage		
	TOTAL	<u>3000</u>	

NATURE OF PERMIT (TICK BOX)

NEW BUILDING
 - exclude domestic garages and domestic outbuildings

FOUNDATIONS ONLY

ALTERED, REPAIRED, EXTENDED, CONVERTED, RESITED
 - include installation of heating appliances

NEW CONSTRUCTION
 OTHER THAN BUILDINGS - include demolitions

DOMESTIC GARAGES
 AND DOMESTIC OUTBUILDINGS

FEES APPLICABLE

Building Permit	\$ <u>48</u>	40	Water Connection	\$
Street Damage Deposit ..	\$		Vehicle Crossing Levy ...	\$
Building Research Levy ..	\$		M.S. Plumbing	\$
Plumbing	\$			\$
Drainage	\$			\$
Sewer Connection	\$			\$
			TOTAL:	\$ <u>48</u>

Receipt No. 14628Date of Payment 27/3/81Authorised Officer J.W.

Special Conditions: (In addition to those noted on reverse):



BCDEC

NOTICE TO APPLICANT

PERMISSION IS HEREBY GRANTED YOU to carry out the works as proposed in accordance with the drawings and other documents submitted, and with any conditions defined; such work to be subject to inspection at any time during progress and to be carried out in strict conformity with the requirements of the Council By-Laws.

IMPORTANT — YOU ARE FULLY RESPONSIBLE for any damage done to any works such as telephone cables, power cables, water mains, gas mains, sewers, pipes, footpaths, roads or other services.

Copy)

MANGONUI COUNTY COUNCIL

Receipt No. 7232394.

OWNER

Name P. WILKINSON
 Address R.D. 3
KAITAIKA.

BUILDER

Name KIDRON BUILDERS
 Mailing Address R.D. 3
KAITAIKA.

PROPERTY ON WHICH BUILDING IS TO BE ERECTED/DEMOLISHED

SITE

Street No. NIL.
 Street Name TAIPA ROAD
 Town/District TAIPA
 Riding ENST COAST BAYS.

LEGAL DESCRIPTION

Valuation Roll No. 40/765
 Lot _____ D.P. _____
 Section Pr 5 Block 1 TAIPA VILLAGE. Block _____
 Survey District MANGONUI

DESCRIPTION OF PROPOSED WORK AND MAIN PURPOSE OF USE

DOMESTIC POTERLY SHED.

FLOOR AREA

DWELLING UNITS

Whole Sq. Metres 6 Number Erected NIL

ESTIMATED VALUES
\$

Building	<u>1600</u>
Drainage	_____
Plumbing	_____
TOTAL	<u>\$1600</u>

NATURE OF PERMIT (TICK BOX)

NEW BUILDING
- include dwelling added, exclude domestic garages

FOUNDATIONS ONLY

ALTERED, REPAIRED, EXTENDED
- include conversions and domestic garages

NEW CONSTRUCTION
OTHER THAN
BUILDINGS
- include demolitions

FEES APPLICABLE

Building Permit (etc)	\$ <u>18</u>
Building Research Levy	\$ _____
Sewer Connection	\$ _____
Water Connection	\$ _____
Street Damage Deposit	\$ _____
TOTAL	\$ <u>18</u>

Authorised Officer Joe St!Date 17/6/82

Special Conditions: (In addition to those noted on reverse):



BCDEC

NOTICE TO APPLICANT

PERMISSION IS HEREBY GRANTED YOU to carry out the works as proposed in accordance with the drawings and other documents submitted, and with any conditions defined; such work to be subject to inspection at any time during progress and to be carried out in strict conformity with the requirements of the Council By-Laws

IMPORTANT — YOU ARE FULLY RESPONSIBLE for any damage done to any works such as telephone cables, water mains, gas mains, sewers, pipes, footpaths, roads or other services.

MANGONUI COUNTY COUNCIL

BUILDING PERMIT APPLICATION

Receipt Nos.

Fees Building 14-00
 B.R.A. Levy —
 P. & D. Fee 14
 Other \$ 14-00

2634 ~~1405~~ Permit No. 052819
 Date Issued 25/80



BCDEC

VALUATION NO.

4/765

Nature of Building GARAGE Riding EAST CONST
 Owner's Name (in full) PETER ROLLAWS WILKINSON
 Residential Address TAIPA R. D. 3 KAITAIA
 Legal Description of Property : Lot — D.P. —
 Pt. Section 3 Block 1 TAIPA VILLAGE Block IV S.D. MANGONUI
 Road or Street —

Estimated Value of Completed Building (including materials and labour whether paid for or not)

Building 1200-00
 Plumbing & Drainage —
 Total Value \$ 1200-00

Name and Address of Builder: OWNER
 Total Area 55 m² (Basement — Upper Floors —)

BASIC INFORMATION RELATIVE TO THE ISSUE OF BUILDING PERMITS IN THE MANGONUI COUNTY :

All construction will be to N.Z.S.S. 1900 and Amendments including N.Z.S. 360A. Any building with a floor area greater than 7 square metres requires a permit. Water tanks of 5000 gal. capacity or less are excluded unless designed as a terrace or deck, or placed under or into ground.

Dwelling permits require approval by the Health Inspector regarding availability of sewerage connection, or approval of septic soakage on each individual site. Quote soak test reference number on Plumbing and Drainage application form which must be completed by the Registered Tradesmen or firm doing the work. Failure to complete this requirement will delay issue of the Building Permit.

Permits will not be issued for garage/shed only, on residential sections that do not have an existing dwelling, unless a bond of \$3,000 is deposited with Council that a dwelling will be built on the section within two years of the issue of the Building Permit for the garage.

Permits will not be issued for "Shell only" dwellings, unless all partitioning, insulation - electrical wiring and full household plumbing and drainage is installed at the time of erection and before even temporary occupation.

All construction must be to 50/metre second wind loading and all glazing shall be to 1100 D.W.P., Insulation to N.Z.S. 4218 P.

Plans for structures requiring specific design, such as walls retaining 1.2m or greater. Pole Frame Houses, water tanks of greater than 5000 gal. capacity, Free Standing blockwalls, etc. must be accompanied by a copy of the engineering calculations.



BCDEC

FEES: 852.50RECEIPT: 8213DATE: 17-5-16PERMIT NO.: 10510DATE ISSUED: 17/5/16
(For Office use only)

APPLICATION FOR BUILDING PERMIT

To the Building Inspector:

I, the undersigned do hereby apply for a permit to build in accordance with the undermentioned particulars in the EAST COAST Riding.

1. NATURE OF BUILDING: NEW GARAGE & DWELLING ADDITIONS

2. OWNERS NAME (In full) P. R. WILKINSON

ADDRESS Box 123 MANGONUI, KAITAIA

3. VALUATION ROLL NO. 4/764

4. LEGAL DESCRIPTION OF PROPERTY: Lot PT SEC 5 BLK IV MANGONUI S.D. D.P. Section

Block _____ Survey District _____ Rd or Street.

5. NEAREST TOWNSHIP MANGONUI

6. BRIEF SPECIFICATIONS

7. ESTIMATED VALUE OF COMPLETED BUILDING, INCLUDING MATERIALS & LABOUR WHETHER PAID FOR OR NOT. \$ 12000 - 00

(a) Length _____ (b) Width _____
(c) Height of Walls _____
(d) Materials to be used:

8. NAME & ADDRESS OF BUILDER:
OWNER
AS ABOVE

Floor _____
Wall Framing _____ *PLANS & SPECS*
Outer Sheathing AB PER _____
Inner Lining _____
Roofing _____
Roof Style _____ *GARAGE 28 m²*
Ceiling _____ Floor Area 84 m²
HOUSE

9. SIGNATURE OF APPLICANT: P. Wilkinson

SCALE OF FEES

If the value of the building is not more than	\$200	\$ 0 - 50
If the value is over \$200 but not more than	\$400	\$ 2 - 00
" " " " \$400 " " " " \$1200		\$ 4 - 00
" " " " \$1200 " " " " \$1600		\$ 6 - 00
" " " " \$1600 " " " " \$2000		\$ 8 - 00
" " " " \$2000 " " " " \$2500		\$10 - 00
" " " " \$2500 " " " " \$3000		\$12 - 00
" " " " \$3000 " " " " \$3500		\$14 - 00
" " " " \$3500 " " " " \$4000		\$16 - 00
" " " " \$4000 " " " " \$5000		\$20 - 00
" " " " \$5000 " " " " \$6000		\$24 - 00

Thereafter an additional fee of \$4-00 for each \$2000 or part thereof in value up to a maximum of \$200-00.

BUILDING: 36 - 00P. & D. : 10 - 00B.R.A. : 6 - 50TOTAL : 52 - 50

WILLSONS STANDARD SPECS

TAIPA RIVER

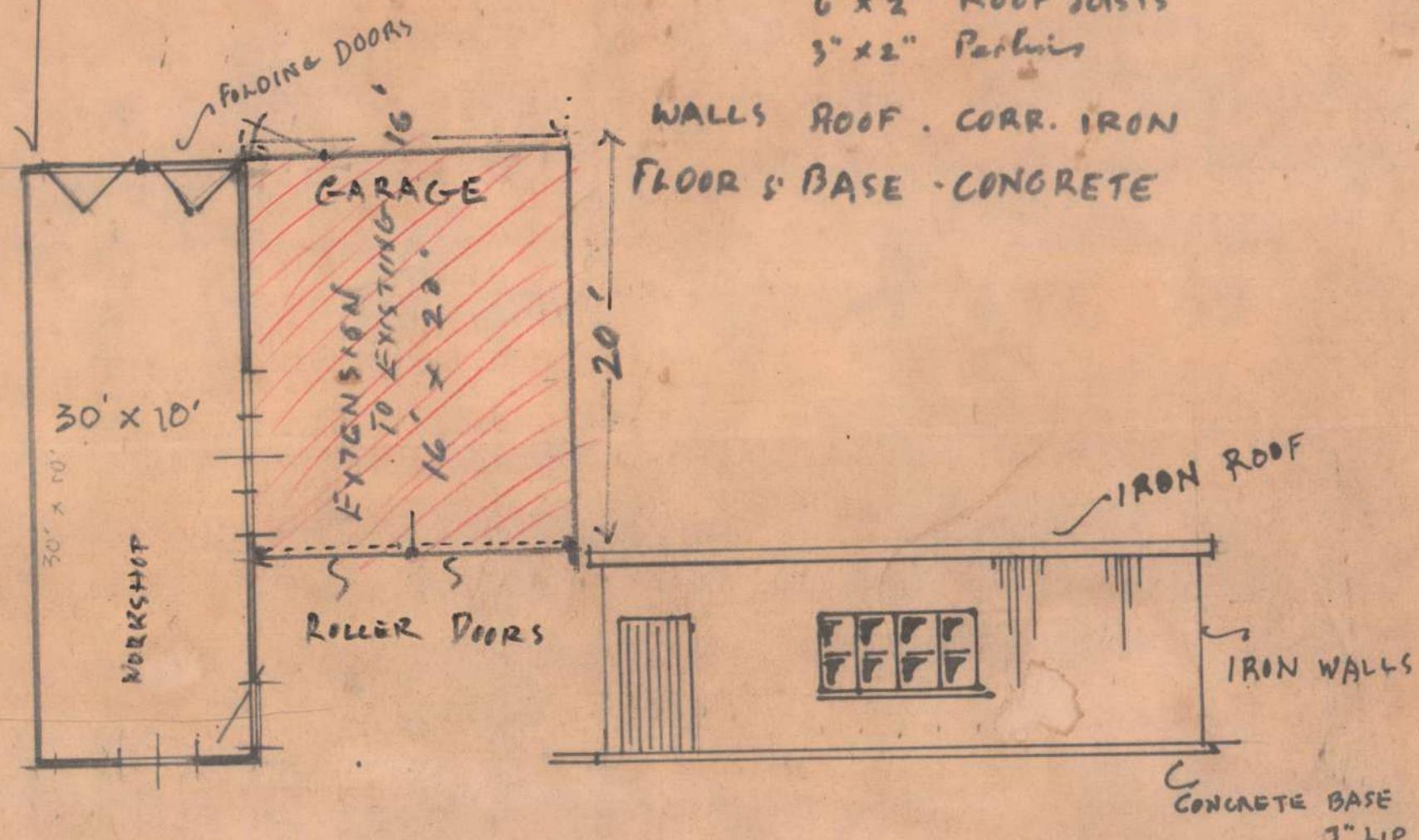
BOUNDARY

APPROVED

BUILDING
P. C. D.

TOUCH

17/5/76
J. G. S. (Signature)



6" x 2" 30' STS

3" x 2" Purlins



\$10.00
17/5/76.



BCAPP

MANGONUI COUNTY COUNCIL

Con. No. _____

Rec. No. 8212

APPLICATION FOR PLUMBING & DRAINAGE PERMIT

Date Issued _____

To The Mangonui County Council

I the undersigned, hereby give notice that I intend to carry out the following work subject to the provisions of the By-laws of the Mangonui County Council, the Counties and Health Acts, 1956, amendments thereof or any other provisions whatsoever applicable thereto, and request that a permit be issued for the execution of some.

Riding EAST COAST Nearest Township MANGONUI

Section on which work is to be placed TAIPA POINT ROAD

Owner P.R. WILKINSON Address Box 123 KAITAIA

Drainlayer/Plumber NORTHLAND PLUMBING Registration No. _____

Class of Work with Description in detail _____

RELOCATION OF PLUMBING - & PROVISION
OF EXTRA TOILET TO EXISTING DWELLING
BEING EXTENDED

Description of Water Supply TANK

Proposed Commencement Date _____ Date of Completion _____

Estimated Cost: \$ 600 - 00 Fee Payable \$ 10 - 00

(The decision of the Inspector shall be final as to estimated cost).

Receipt No. _____

Signature _____ Owner _____
Applicant _____ Drainlayer _____
Plumber _____
Address _____
Date _____

P. Wilkinson

The fee payable as per Schedule hereunder must accompany this application.

SCHEDULE OF FEES

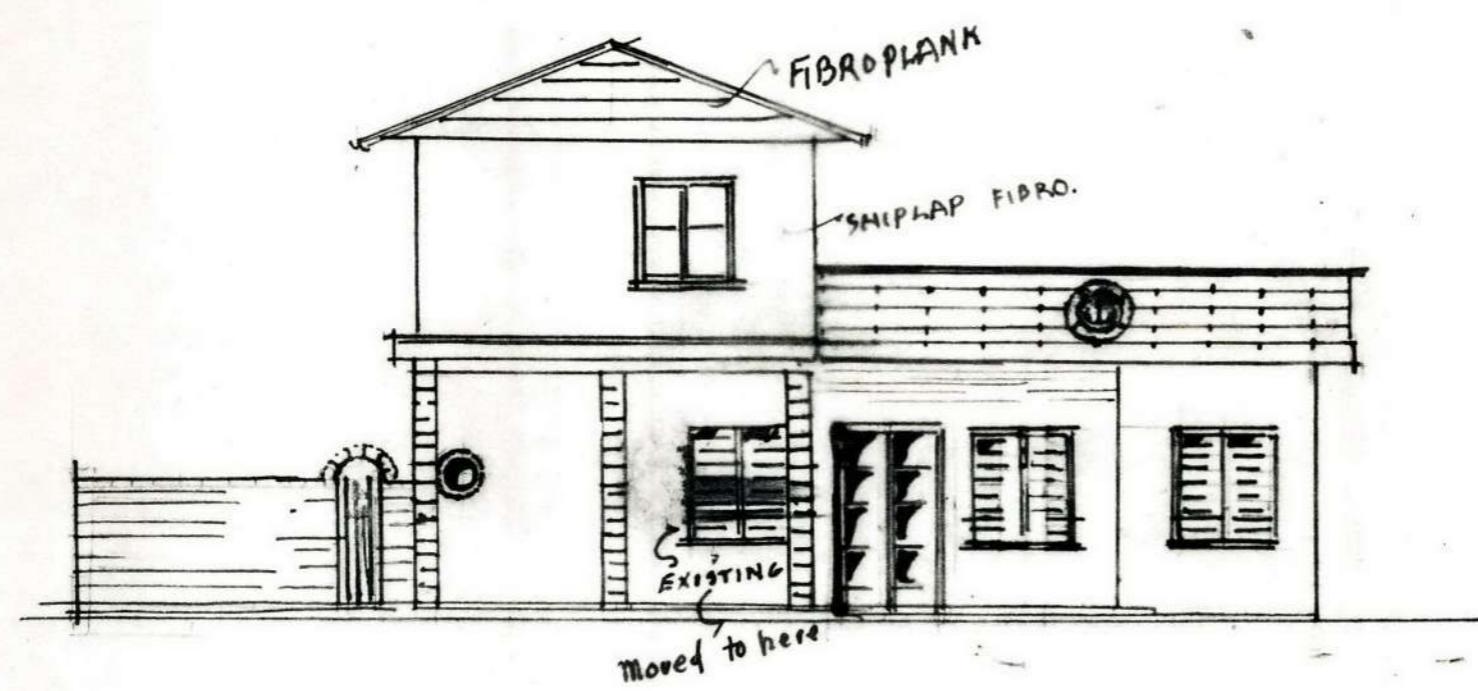
If the value of the proposed work is:

	Fee
Not exceeding \$100	\$ 1-00
Exceeding \$ 100 but not exceeding \$ 200	\$ 3-00
" \$ 200 " " " \$ 400	\$ 8-00
" \$ 400 " " " \$ 600	\$ 10-00
" \$ 600 " " " \$ 800	\$ 12-00
" \$ 800 " " " \$ 1000	\$ 14-00
" \$ 1000 " " " \$ 1200	\$ 16-00
" \$ 1200 " " " \$ 1400	\$ 18-00
" \$ 1400 " " " \$ 1600	\$ 20-00
" \$ 1600 " " " \$ 1800	\$ 22-00
" \$ 1800 " " " \$ 2000	\$ 24-00

\$2000 and over - \$1-00 for every \$200 or part thereof in excess of \$2000.

APPLICATION APPROVED

W.H.P. W.H.P.
19-5-76

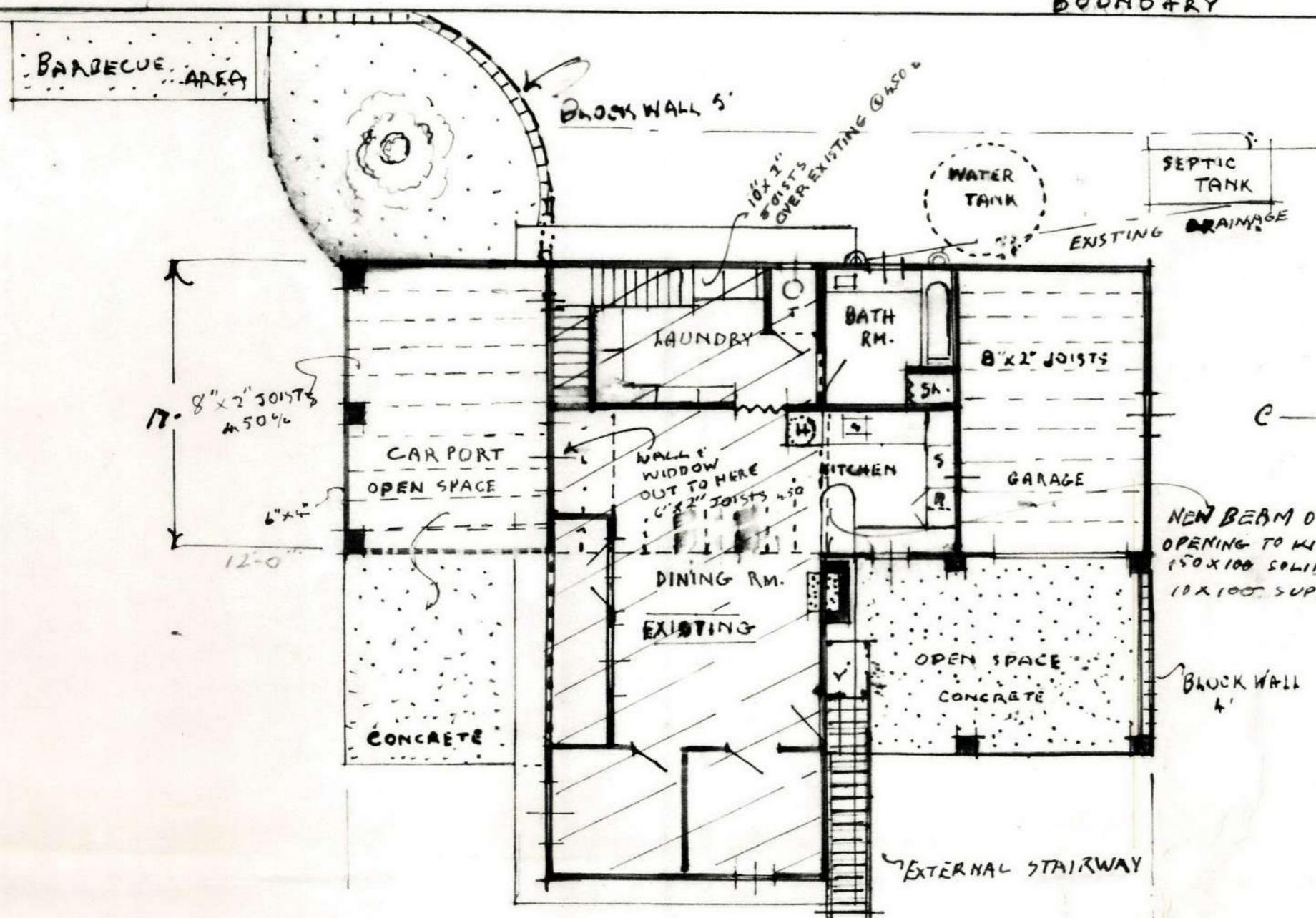


~ EAST ELEVATION ~

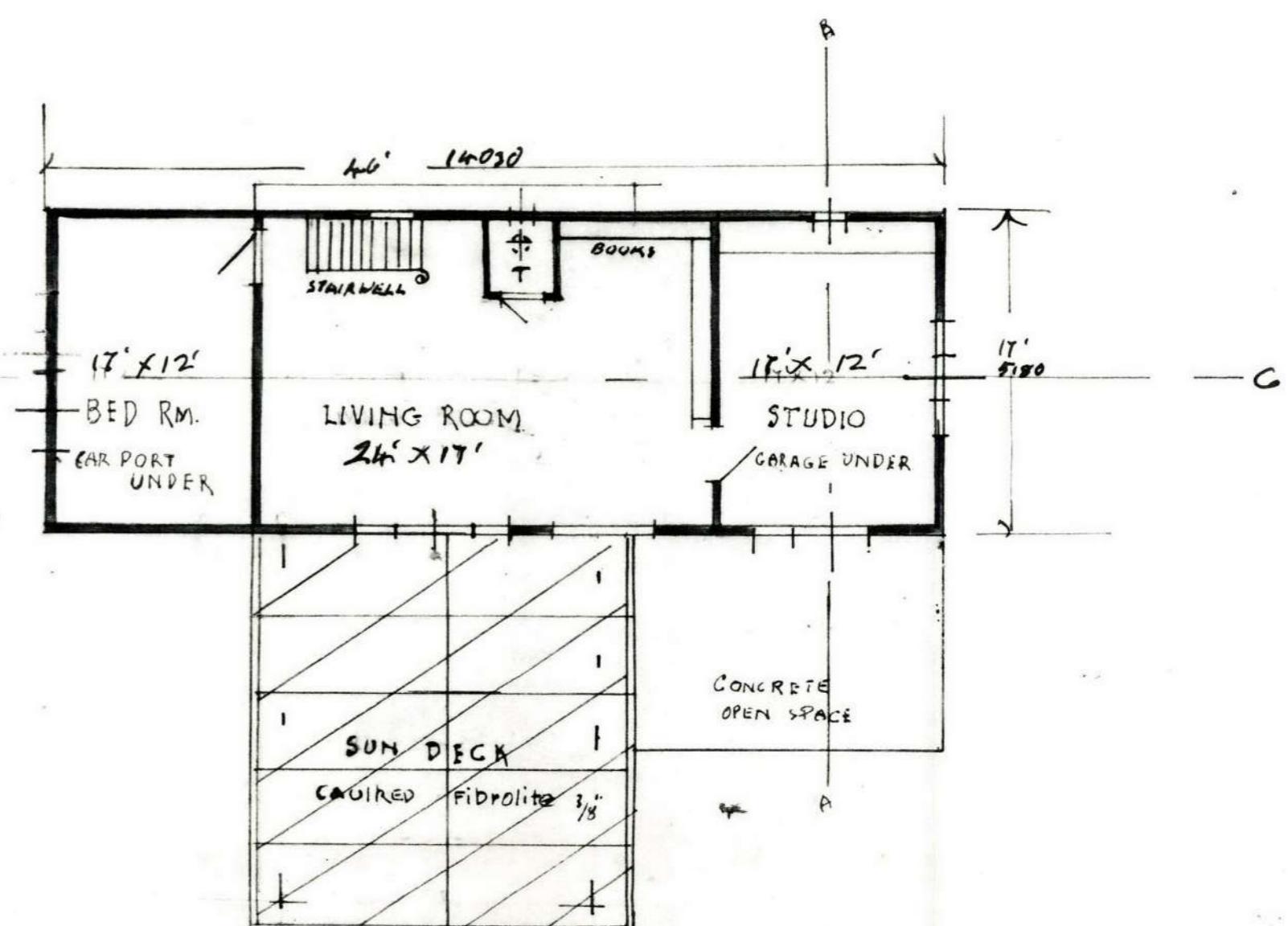
BLOCK WALL 3'

J. ARCHIBALD

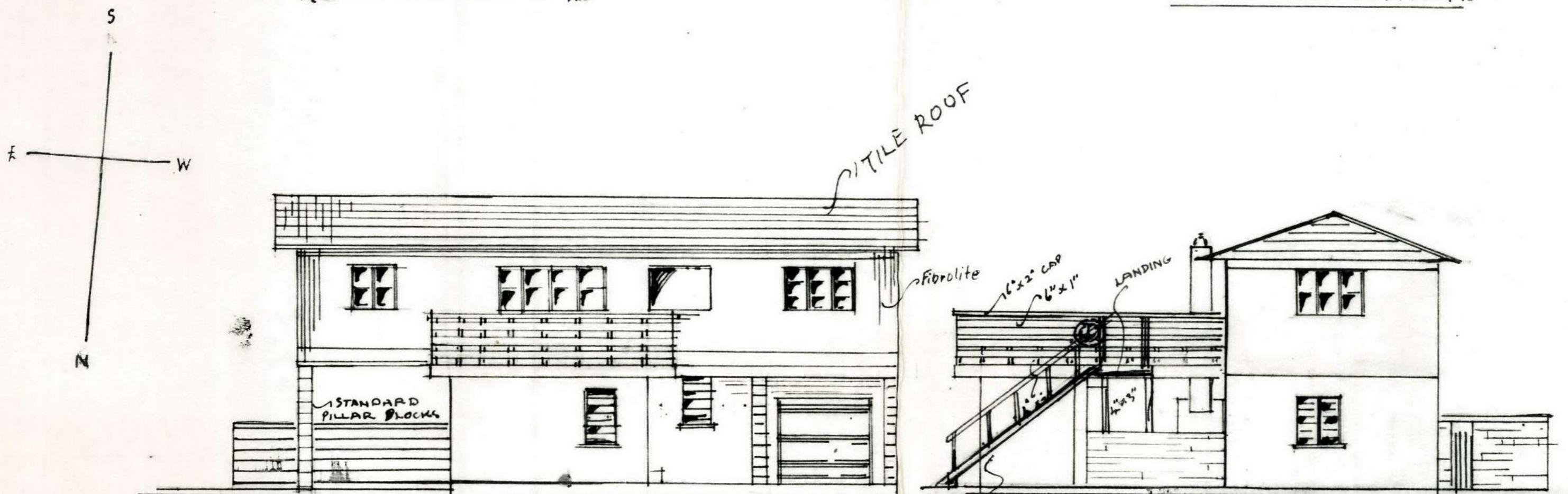
BOUNDARY



~ GROUND PLAN ~

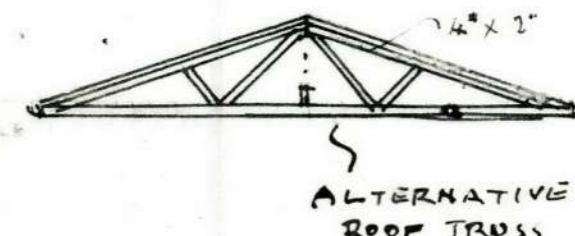
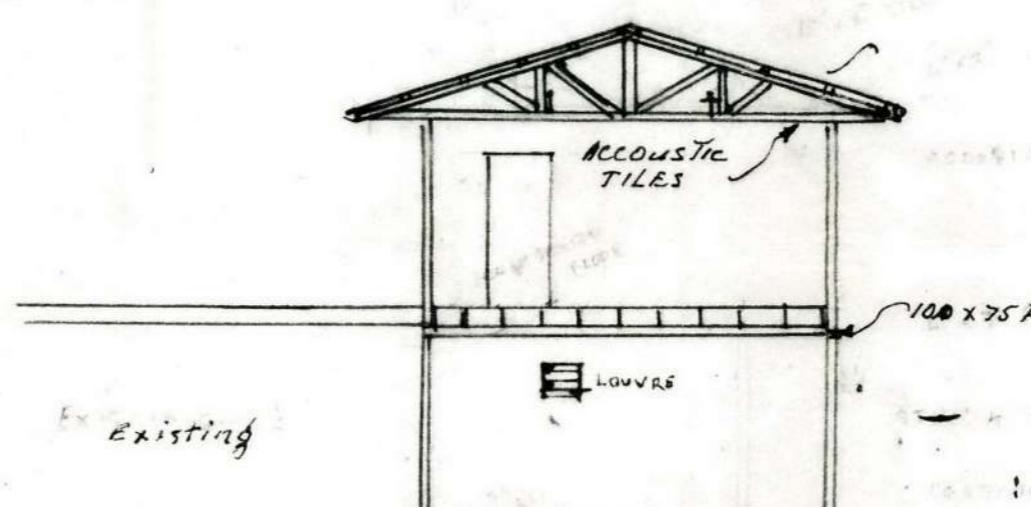
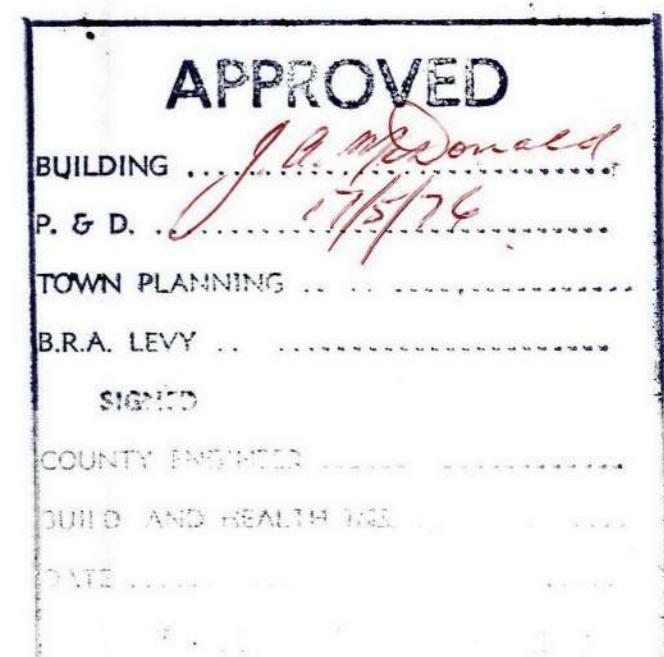


~ PLAN 1st. FLOOR ADDITIONS ~



~ N. ELEVATION ~

EXTERNAL ~ W. ELEVATION ~
STAIRWAY
C 2" as per Spec.



PROPOSED ADDITIONS TO BEACH HOUSE TAIPA for P.R.WILKINSON

SCALE 1/8" = 1'
SHEET 2 OF 2.



34-00
Rec. 7495
17-6-15
80314 3/7/75
(For Office Use Only)

APPLICATION FOR BUILDING PERMIT

To the BUILDING INSPECTOR

I, the undersigned do hereby apply for a permit to build in accordance with the undermentioned particulars in the EAST COAST Riding.

1. Nature of Building	<u>Boat shed</u>		
2. OWNERS NAME (In Full)	<u>Mr. Peter Wilkinson</u>		
ADDRESS	<u>10 Bank Street Kaitaia</u>		
3. VALUATION ROLL NO.	<u>41464</u>		
4. LEGAL DESCRIPTION OF PROPERTY:	Lot	D.P.	Pt Section <u>5</u>
Block	<u>I</u>	<u>Taiapa Village</u>	Survey District <u>Taiapa</u> Road or Street
"	<u>IV</u>	<u>Mangonui SD</u>	
5. NEAREST TOWNSHIP	<u>Mangonui TAIAPA</u>		
6. BRIEF SPECIFICATIONS			
7. ESTIMATED VALUE	(a) Length <u>45'</u> (b) Width <u>16'</u> (Including Materials & Labour) (c) Height of Walls <u>12' + 10'</u> (d) Materials to be used		
8. FEES HEREWITH	<u>\$4.00</u>		
9. NAME & ADDRESS OF BUILDER	<u>John Newell</u> <u>Box 389 Kaitaia</u>		
10. SIGNATURE OF APPLICANT	<u>P. Wilkinson</u>		
	Floor <u>N/A</u> Wall Framing <u>6x2 4x2"</u> Outer Sheathing <u>Roofing Iron</u> Inner Lining <u>N/A</u> Roofing <u>Roofing Iron</u> Roof Style <u>Flat Roof</u> Ceiling <u>N/A</u>		

SCALE OF FEES

If the value of the building is not more than \$200	:50
If the value is over \$200 but not more than \$400	2.00
" " " " \$400 " " " " \$1200	4.00
" " " " \$1200 " " " " \$1600	6.00
" " " " \$1600 " " " " \$2000	8.00
" " " " \$2000 " " " " \$2500	10.00
" " " " \$2500 " " " " \$3000	12.00
" " " " \$3000 " " " " \$3500	14.00
" " " " \$3500 " " " " \$4000	16.00
" " " " \$4000 " " " " \$5000	18.00
" " " " \$5000 " " " " \$6000	24.00

Thereafter an additional fee of \$4.00 for each \$2000 or part thereof in value up to a maximum of \$200.00.

Mr. Wilkinson will Drop in with \$4.00
done for Permit

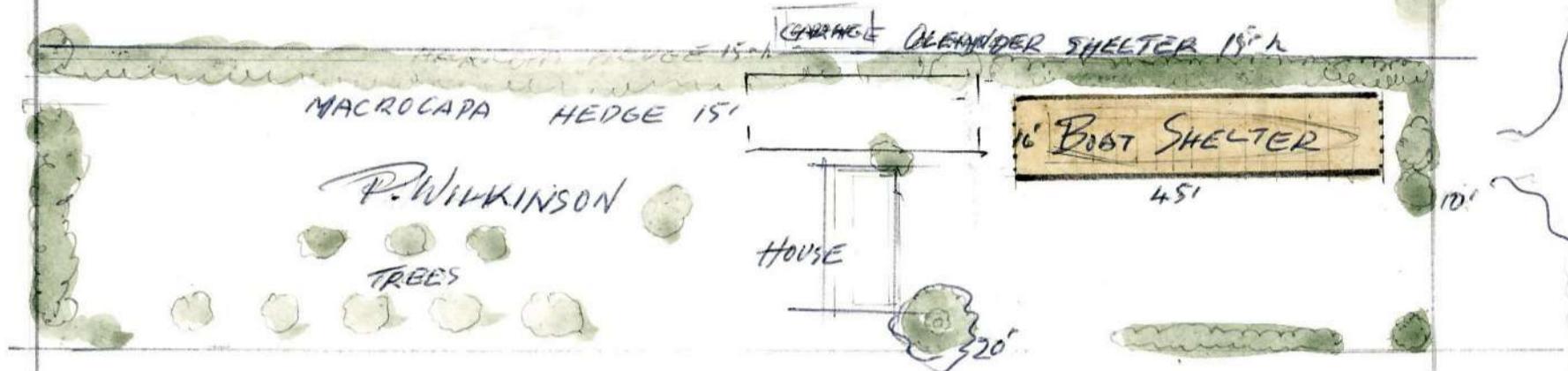
TUMBLE

PRESERVE

Schofieldot



occupied by R. PAUL BROTHIER MANGONOI



J. ARCHIBALD

CLEANDER HEDGE 12'

BLUE PACIFIC MOTEL

CARAVAN PARK

CARAVAN PARK

SKETCH PLAN SITE LOCATION

PROPOSED TEMPORARY BOAT SHELTER WHILE BUILDING

IN FIBREGLASS
ON WILKINSON SECTION TAIPA

P. WILKINSON HAITAIA 10 BANK ST.



MANGONUI COUNTY COUNCIL

APPLICATION FOR DRAINAGE PLUMBING PERMIT

Con. No.

Rec. No.

Date Issued

42052
4/6/59

TO THE MANGONUI COUNTY COUNCIL.

I, the undersigned, hereby give notice that I intend to carry out the following work subject to the provisions of the By-laws of the Mangonui County Council, the Counties and Health Acts, 1920, amendments thereof or any other provisions whatsoever applicable thereto, and request that a permit be issued for the execution of same.

Riding Mangonui Nearest Township Sapua

Section on which work is to be placed Sapua

Owner Mr. Peter Wulffsen Address Kaitaia

Occupier Summer Res Mr. Wulffsen

Drainlayer/Plumber Woldfield Knibbs & Hobson Ltd M.C.C. Lic. No.

Class of Work with Description Connecting Pipe & San Fitting

to septic tank effluent in sealed E.W

to sand 400 gallon tank filled with

metres

Description of Water Supply From Valley

Proposed Commencement Date 21st August Date of Completion 24th August

Estimated Cost: £ 120-0-0 Fee Payable: £ 1-10-

The decision of the Inspector shall be final as to estimated cost.

Plans and Drawings on back hereof. Receipt No.

Signature of Applicant: Woldfield Knibbs & Hobson Ltd
Owner
Drainlayer
Plumber

Address P.O. Box 70 Kaitaia

Date 24th August 1959

The Fee payable as per Schedule hereunder must accompany this Application.

SCHEDULE OF FEES

If the value of the proposed work is:	£	s.	d.
Not exceeding £25	5	0	0
Exceeding £25 but not above £50	10	0	0
" £50	1	0	0
" £100	1	10	0
" £150	2	0	0

APPLICATION APPROVED

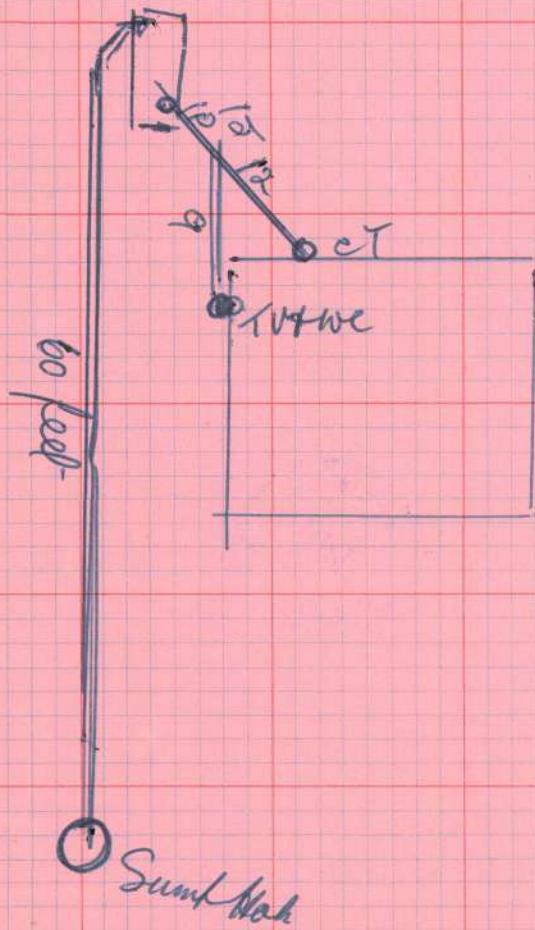
Date Inspector

WORK INSPECTED AND PASSED—PLAN SIGNED

Date Inspector

NOTE:— For drainage work a scale plan in pencil showing section boundaries, buildings in line, lines of drains, inspection pipes, etc. must be supplied.

11 Pump House



Scale : $\frac{1}{8}$ inch = $\frac{1}{2}$ foot

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

All landowners need to be aware of the introduction from 1 January 2012 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health) Regulations 2011.

These regulations provide a national environmental standard for activities on pieces of land where the soil may be contaminated in such a way as to be a risk to human health.

The identified activities are:

- removing or replacing a fuel storage system;
- sampling the soil, disturbing the soil;
- subdividing land; and
- changing the use of the piece of land.

Depending on the level of soil contamination and the proposed remedial action to be taken any of the above activities will be either a permitted activity, a controlled activity, a restricted discretionary activity, or a discretionary activity and may require an application for resource consent.

The land covered by the regulations is land which is being used, or has been used, or more likely than not is being used or has been used for any of the activities or industries, as identified in the current edition of the *Hazardous Activities and Industries List* (HAIL) Ministry for the Environment under the following categories:

Chemical manufacture, application and bulk storage

Electrical and electronic works, power generation and transmission

Explosives and ordinances production, storage and use

Metal extraction, refining and reprocessing, storage and use

Vehicle refuelling, service and repair

Cemeteries and waste recycling, treatment and disposal

Council records cannot confirm whether the subject land is, has been or may be a HAIL site and it is recommended that landowners or potential owners make their own enquiries.

(The full Hazardous Activities and Industries List has been attached for your information)

Attachment 1

THIS LIST IS CURRENT TO DATE OF PUBLICATION OF RESOURCE MANAGEMENT (NATIONAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011 - refer MfE website for the most up to date edition.

Hazardous Activities and Industries List (HAIL) October 2011

A Chemical manufacture, application and bulk storage

1. Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application
2. Chemical manufacture, formulation or bulk storage
3. Commercial analytical laboratory sites
4. Corrosives including formulation or bulk storage
5. Dry-cleaning plants including dry-cleaning premises or the bulk storage of dry-cleaning solvents
6. Fertiliser manufacture or bulk storage
7. Gasworks including the manufacture of gas from coal or oil feedstocks
8. Livestock dip or spray race operations
9. Paint manufacture or formulation (excluding retail paint stores)
10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds
11. Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application
12. Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides
13. Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground
14. Pharmaceutical manufacture including the commercial manufacture, blending, mixing or formulation of pharmaceuticals, including animal remedies or the manufacturing of illicit drugs with the potential for environmental discharges
15. Printing including commercial printing using metal type, inks, dyes, or solvents (excluding photocopy shops)
16. Skin or wool processing including a tannery or fellmongery, or any other commercial facility for hide curing, drying, scouring or finishing or storing wool or leather products
17. Storage tanks or drums for fuel, chemicals or liquid waste
18. Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside

B Electrical and electronic works, power generation and transmission

1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)
2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
4. Power stations, substations or switchyards

C Explosives and ordinances production, storage and use

1. Explosive or ordinance production, maintenance, dismantling, disposal, bulk storage or re-packaging

2. Gun clubs or rifle ranges, including clay targets clubs that use lead munitions outdoors
3. Training areas set aside exclusively or primarily for the detonation of explosive ammunition

D Metal extraction, refining and reprocessing, storage and use

1. Abrasive blasting including abrasive blast cleaning (excluding cleaning carried out in fully enclosed booths) or the disposal of abrasive blasting material
2. Foundry operations including the commercial production of metal products by injecting or pouring molten metal into moulds
3. Metal treatment or coating including polishing, anodising, galvanising, pickling, electroplating, or heat treatment or finishing using cyanide compounds
4. Metalliferous ore processing including the chemical or physical extraction of metals, including smelting, refining, fusing or refining metals
5. Engineering workshops with metal fabrication

E Mineral extraction, refining and reprocessing, storage and use

1. Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition
2. Asphalt or bitumen manufacture or bulk storage (excluding single-use sites used by a mobile asphalt plant)
3. Cement or lime manufacture using a kiln including the storage of wastes from the manufacturing process
4. Commercial concrete manufacture or commercial cement storage
5. Coal or coke yards
6. Hydrocarbon exploration or production including well sites or flare pits
7. Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings

F Vehicle refuelling, service and repair

1. Airports including fuel storage, workshops, wash-down areas, or fire practice areas
2. Brake lining manufacturers, repairers or recyclers
3. Engine reconditioning workshops
4. Motor vehicle workshops
5. Port activities including dry docks or marine vessel maintenance facilities
6. Railway yards including goods-handling yards, workshops, refuelling facilities or maintenance areas
7. Service stations including retail or commercial refuelling facilities
8. Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances

G Cemeteries and waste recycling, treatment and disposal

1. Cemeteries
2. Drum or tank reconditioning or recycling
3. Landfill sites
4. Scrap yards including automotive dismantling, wrecking or scrap metal yards
5. Waste disposal to land (excluding where bio-solids have been used as soil conditioners)
6. Waste recycling or waste or wastewater treatment

H Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment

I Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment



INFORMATION REGARDING BUILDINGS WHERE COUNCIL HOLDS NO RECORDS OF CONSENTS

WHAT IF A LIM SHOWS THAT NO RECORDS ARE HELD BY THE COUNCIL BUT THERE ARE BUILDINGS OR STRUCTURES ON THE PROPERTY?

Land Information Memoranda (LIM's) identify the information held by the Council concerning any Building Consent or Permit for existing buildings or structures. In some instances however, if there is a building in existence, the Council records may be incomplete. The absence of records for Building Consents or Permits may mean one of the following:

- The building was erected without a Building Consent or Permit
- The original building may have been erected by a Government Department, e.g. Education, Railways, Electricity, and such Permits were kept in their records.
- The Council record was unable to be located.
- Hokianga County Council records prior to November 1987 were lost in a fire which destroyed the Hokianga County Council building.
- Prior to the Building Act 1991, Council was only required to keep documents for not less than ten years (See NSZ1990 Chapter 2). Documents may have discarded after the expiry of that period.

WHAT IF I BUY A PROPERTY WHICH HAS AN EXISTING BUILDING WITHOUT ANY BUILDING CONSENT OR PERMIT?

If building work was carried out without a Building Permit prior to the introduction of the Building Act 1991, then there was no authority under that Act, and there is no authority under the Building Act 2004, for Council to retrospectively issue a Building Consent for that work. If this is the situation, Council is generally unlikely to take any action against the current owners of that building unless the building is deemed Dangerous and/or Insanitary pursuant to the Building Act 2004 or the Health Act 1956. This assumes that the buildings comply in all other respects with other statutory requirements.

For post-Building Act 1991 building work, for which Council holds no records, it is likely that the building work was carried out without consent. If so, the property owner and the person that carried out the work may have contravened the Building Act 1991 or the Building Act 2004 and enforcement action may be taken at the Council's discretion.

Council may upon a successful application decide to issue a Certificate of Acceptance (COA) where work has been carried out without consent.

Certificates of Acceptance for unconsented building work can only be made if the work was carried out after 1 July 1992 (Introduction of the Building Act 1991).

The value of the COA to the owner or potential purchaser will ultimately depend on the extent to which the building work is able to be inspected.

Council may refuse to issue a Certificate of Acceptance if it is unable to determine compliance with the Building Code.

CAN I AS AN OWNER, PLACE ANY INFORMATION ON THE FILE TO ACKNOWLEDGE BUILDINGS CONSTRUCTED PRIOR TO 1ST JULY 1992?

For building work carried out before 1st July 1992, a Condition Assessment Report (CAR) may be submitted to the council for inclusion on the relevant property file.

This service is only available for buildings constructed under the former Building Permit system (pre-1992) where final certificates were not issued.

The report should be completed by a Suitably Qualified Professional with appropriate insurance cover such as a Licensed Building Practitioner (LBP), engineer, designer or architect.

The report will need to establish that:

- The work is considered safe (verified by an appropriate trade professional)
- The structure is sanitary (not offensive or likely to be a health risk)
- The structure is not subject to dampness
- The structure has adequate drinking water or sanitary facilities (where applicable).

Councils Disclaimer:

The report records the views of the report writer only. The council has not inspected the building. Placing the report on the property file does not constitute a building consent under the Building Act 2004 or alter the legal status of the building work. The council will not be liable for any damage or loss resulting from reliance on the report by the current or any future owner(s).



Domestic Smoke Alarms Guidance Notes 15 April 2003

Building Act

Section 44(1)(c) of the Building Act has been amended by adding, after the word “dangers”, the words “(other than a warning system for fire that is entirely within a household unit and serves only that unit)”.

Building Regulations

Building Code Clause F7 has been amended as follows:

Clause 7.2 of the First Schedule of the principal regulations is amended by adding the words “in an emergency”.

The First Schedule of the principal regulations is amended by revoking clause F7.3, and substituting:

Limits on application: Performance F7.3 does not apply to *Outbuildings* or *Ancillary buildings*, and

Performance

F7.3.1 A means of detection and warning must alert people to the emergency in *adequate* time for them to reach a *safe place*.

F7.3.2 Appropriate means of detection and warning for fire must be provided within each *household unit*.

F7.3.3 Appropriate means of warning for fire and other emergencies must be provided in *buildings* as necessary to satisfy the other performance requirements of this code.

The above amendments to the Building Regulations come into force on 24 April 2003.

Approved Document F7 Warning Systems

The above amendments to the Building Act and Building Code enable the Approved Document F7 to require the installation of an automatic smoke detection and alarm system where one is not already required by Table 4.1 of C/AS1. Further it is to obviate the requirement for a compliance schedule where domestic smoke alarms are required under Approved Document F7.

Smoke alarms may be battery powered and are not required to be interconnected. In addition they shall be provided with a hush facility having a minimum duration of 60 seconds.

Smoke alarms shall have a test facility located on the smoke alarm (readily accessible to building occupants).

Smoke alarms shall be listed or approved by a recognized authority as complying with at least one of: UL 217, ULC S531, AS 3786, BS 5446 Part 1.

Smoke alarms shall be located on the escape routes on all levels within the *household unit*. On levels containing the sleeping spaces, the smoke alarms shall be located either:

- a) In every sleeping space, or
- b) Within 3.0 m of every sleeping space door. In this case the smoke alarms must be audible to sleeping occupants on the other side of the closed doors.

Smoke alarms shall be installed on or near the ceiling in accordance with AS 1670.6 and the manufacturer's instructions.

Recommended maintenance procedures are:

- a) In-situ annual cleaning with a vacuum cleaner (no disassembly of smoke alarm).
- b) Monthly testing by use of the smoke alarm's test facility.

Note that under the Approved Documents there is no intention that increases in travel distances should be allowed because domestic smoke alarms are installed. Further, alterations under section 38 and change of use under section 46 will trigger the requirement to install domestic smoke alarms.

Approved Document F7 will be available in limited supply on Thursday 17 April 2003. Otherwise it will be generally available from Wednesday 23 April 2003 from:

Victoria University Book Centre
PO Box 12 337
Wellington

Phone: 0800 370 370
Fax: 04 463 5510
Email: enquiries@bookcentre.co.nz
Web: www.bookcentre.co.nz

Far North Proposed District Plan 2022

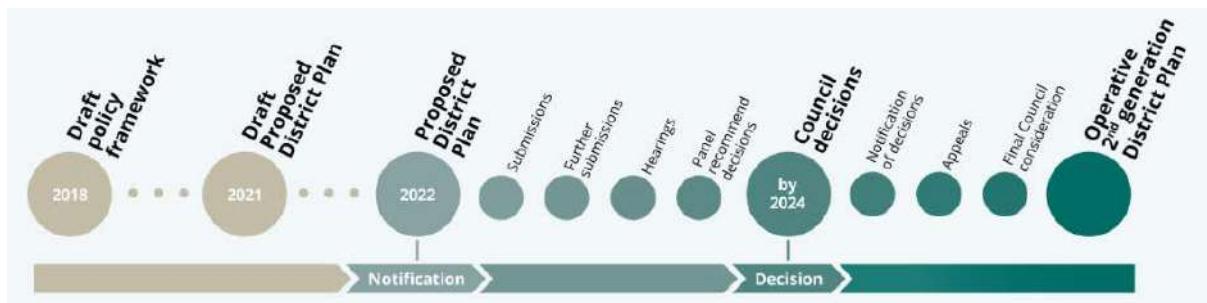
General Information

Far North Proposed District Plan 2022 - overview

The Far North Proposed District Plan (PDP) will bring about changes to the current operative plan that you should be aware of. [Developing the Proposed District Plan - FAQs Far North District Council \(fndc.govt.nz\)](#)

Upon public notification on 27th July 2022 some rules in the Proposed District Plan will have immediate legal effect (these are attached but can also be identified on the link below) and must be complied with under the Resource Management Act 1991. The majority of the PDP however will not immediately apply until Council decisions on the whole plan are made (refer to the diagram below). This may also mean that rules with immediate effect may also be subject to change in the final plan.

[Far North Proposed District Plan \(isoplan.co.nz\)](#)



What's new to your LIM report

- A map will be printed from the PDP showing zoning and overlays applicable to the property. Zoning does not have immediate legal effect, but some overlays do such as notable trees or heritage items.
- LIM reports will contain rules with immediate legal effect from 27 July 2022. These are attached as a whole, so refer to the relevant chapters of the PDP to determine if any rules with immediate legal effect apply to the property or an activity you may be wanting to undertake. To help with this refer to the attached map.
- It is important to remember that rules with immediate legal effect and all other parts of the PDP (e.g zoning, other rules that do not have immediate legal effect) may change through submissions, hearings and appeals. Therefore it is important to check what rules are applicable at the time of undertaking any development, while we work with two district plans.

Please note: For all properties on State Highways - State Highway Designation rules may impact your property. Please check the Proposed District Plan and associated State Highway Designation rules.

We advise you seek further advice from the District Planning team if you require further information on the PDP. They can be contacted at pdp@fndc.govt.nz or 0800 920 029. If you would like to discuss whether you would require a resource consent under the current operative district plan and any rule that has immediate legal effect under the PDP please contact Councils Duty Planner at duty.planner@fndc.govt.nz or 0800 920 029.

The current operative Far North District Plan 2007 is still included in your LIM and still applies to the property and any activity you may want to undertake. [District Plan Far North District Council \(fndc.govt.nz\)](#)

Overview

Subdivision is the process of dividing an allotment or building into one or more additional lots or units or changing an existing boundary location. The way an allotment is subdivided, including its size and shape is important as it not only determines the quality and character of development, but it also impacts on surrounding sites and the future use of the land. Subdivision affects the natural and physical environment and introduces long-term development patterns that are unlikely to be reversed.

Subdivisions should be designed in an integrated way that contributes to a sense of place, supports connectivity and provides well-designed, accessible and safe spaces. It should not result in reverse sensitivity effects that cause land to be sterilised and result in the inability to undertake the activities enabled in the relevant zone. The subdivision process also provides the opportunity to create esplanade reserves or strips adjacent to the coast and rivers to enable public access and recreation, or to manage conservation values.

Te Ture Whenua Māori Act 1993 exempts hapū partitions and combined partitions from the subdivision provisions of the Act and these are administrated by the Māori Land Court. However, full partitions are subject to the subdivision provisions.

Subdivision of land that contains an identified feature or resource overlay may be subject to additional provisions. Regard should be given to the relevant chapter managing that feature/ resource, including its objectives and policies. Zone rules may also have a bearing on subdivision applications. For example, a subdivision may result in an existing land use activity failing to comply with rules in the Plan due to the change in allotment size. Other sections of the Plan will be relevant for land use activities, which may be associated with and/or required to implement the subdivision e.g. earthworks or the formation of roads.

Consent for subdivision or land use may also be required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS), unless it can be demonstrated that the NESCS does not apply to the application site.

Council has a responsibility under the RMA and the Northland Regional Policy Statement to ensure that there is sufficient land available to meet the future demands of the district, that development is in the right location, and manage the rural land resource to provide for the economic, social and cultural well-being of people and communities while managing adverse effects on natural and physical, historic heritage and cultural values, natural features and landscapes or indigenous biodiversity.

Objectives	
SUB-O1	Subdivision results in the efficient use of land, which: <ol style="list-style-type: none"> achieves the objectives of each relevant zone, overlays and district wide provisions; contributes to the local character and sense of place; avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate; avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located; does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and manages adverse effects on the environment.
SUB-O2	Subdivision provides for the: <ol style="list-style-type: none"> Protection of highly productive land; and Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.
SUB-O3	Infrastructure is planned to service the proposed subdivision and development where: <ol style="list-style-type: none"> there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.
SUB-O4	Subdivision is accessible, connected, and integrated with the surrounding environment and provides for: <ol style="list-style-type: none"> public open spaces; esplanade where land adjoins the coastal marine area; and esplanade where land adjoins other qualifying waterbodies.

Policies

SUB-P1	Enable boundary adjustments that: <ul style="list-style-type: none"> a. do not alter: <ul style="list-style-type: none"> i. the degree of non compliance with District Plan rules and standards; ii. the number and location of any access; and iii. the number of certificates of title; and b. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.
SUB-P2	Enable subdivision for the purpose of public works, infrastructure, reserves or access.
SUB-P3	Provide for subdivision where it results in allotments that: <ul style="list-style-type: none"> a. are consistent with the purpose, characteristics and qualities of the zone; b. comply with the minimum allotment sizes for each zone; c. have an adequate size and appropriate shape to contain a building platform; and d. have legal and physical access.
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
SUB-P5	Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by: <ul style="list-style-type: none"> a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network; b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections; c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces; d. contributing to a well connected transport network that safeguards future roading connections; and e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.
SUB-P6	Require infrastructure to be provided in an integrated and comprehensive manner by: <ul style="list-style-type: none"> a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.
SUB- P7	Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.
SUB-P8	Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision: <ul style="list-style-type: none"> a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and b. will not result in the loss of versatile soils for primary production activities.
SUB-P9	Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.
SUB-P10	To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.
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: <ul style="list-style-type: none"> a. consistency with the scale, density, design and character of the environment and purpose of the zone; b. the location, scale and design of buildings and structures; 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; d. managing natural hazards; e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Rules

Notes:

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more

stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.

2. Subdivision of land within the Treaty Settlement Overlay is subject to the subdivision rules and standards for the underlying zone
3. Where a site has a split zoning the more restrictive rules relating to minimum allotment sizes will apply.
4. Any application for a resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion including an assessment of whether the site includes an area of land susceptible to instability.

SUB-R1	Boundary adjustments
All zones (except Open Space zones, Motorua Island zone, and Airport zone)	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1</p> <ol style="list-style-type: none"> 1. The boundary adjustment complies with standards: <ul style="list-style-type: none"> SUB-1 Minimum allotment sizes for controlled activities, except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased; SUB-S2 Requirements for building platforms for each allotment; SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; and SUB-S7 Easements for any purpose; <p>CON-2</p> <ol style="list-style-type: none"> 1. the boundary adjustment does not alter: <ol style="list-style-type: none"> i. the ability of existing activities to continue to be permitted under the rules and standards in this District Plan; ii. the degree of non compliance with zone or district wide standards; iii. the number and location of any access; and iv. the number of certificates of title. <p>CON-3</p> <ol style="list-style-type: none"> 1. The boundary adjustment complies with standard: <ul style="list-style-type: none"> SUB -S8 Esplanades <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. the provision of easements or registration of an instrument for the purpose of public access and reserves; c. the effects of development phase works on the surrounding area; d. extent of potential effects on sites and areas of significance to Māori, ancestral lands, water, site, wāhi tapu and other taonga; e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists; f. natural hazards or geotechnical constraints; g. where relevant compliance with Far North District Council Engineering Standards 2022; and <p>Activity status where compliance not achieved with CON-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. matters of any infringed standard; and b. any relevant matters of control. <p>Activity status where compliance not achieved with CON-2 and CON-3: Discretionary</p>

	<p>h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray.</p> <p>NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.</p>	
Natural Open Space zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Open Space zone		
Sport and Active Recreation zone		
Motorua Island zone		
Airport zone		
SUB-R2	Subdivision of land solely to create an allotment that is for the purpose of public works, infrastructure, reserves or access	
All zones	<p>Activity status: Controlled</p> <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> a. the size, design and layout of lots for the purpose of public works, infrastructure, reserves or access; b. the provision of easements or registration of an instrument for the purpose of public access and reserves; c. the effects of development phase works on the surrounding area; d. the effects on cultural values; e. preservation of the natural character of the coastal environment and the margins of lakes, rivers and wetlands; f. protection of natural features/landforms, waterbodies, indigenous vegetation, indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists, historic heritage, sites of significance to tangata whenua, archaeological site or identified feature; g. natural hazards or geotechnical constraints; h. where relevant compliance with Council's engineering standards; i. effects on notable trees within or adjoining the site; and j. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray. <p>NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are</p>	

	considered to be minor or more than minor.	
SUB-R3	Subdivision of land to create a new allotment	
Rural Production	Activity status: Controlled Where: CON-1 1. The subdivision complies with standards: SUB-S2 Requirements for building platforms for each allotment; SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; SUB-S7 Easements for any purpose;	Activity status where compliance not achieved with CON- 1: Restricted Discretionary Matters of discretion are restricted to: a. matters of any infringed standard; and b. any relevant matters of control.
Rural Lifestyle		Activity status where compliance not achieved with CON-2: Discretionary
Rural Residential		Where:
General Residential zone		DIS-1 1. compliance with SUB-S1 Minimum allotment sizes - controlled activity is not achieved, but discretionary activity achieved
Kororāeka Russell Township zone	CON-2 1. The subdivision complies with standards: SUB-S1 Minimum allotment sizes SUB-S8 Esplanades	Activity status where compliance not achieved with DIS-1:Non-complying
Settlement zone	Matters of control are limited to:	
Mixed Use zone	a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. the provision of easements or registration of an instrument for the purpose of public access and reserves; c. the effects of development phase works on the surrounding area; d. extent of potential effects on sites and areas of significance to Māori, ancestral lands, water, site, wāhi tapu and other taonga; e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists; f. natural hazards or geotechnical constraints; g. where relevant compliance with Far North District Council Engineering Standards 2022;and h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray.	
Light Industrial zone		
Heavy Industrial zone		
Horticulture zone		
Horticulture Processing zone		
Hospital zone		
	NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.	
Orongo Bay zone	Activity status: Controlled Where: CON-1: 1. The subdivision complies with standards: SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal;	Activity status where compliance not achieved with CON-1: Restricted Discretionary Matters of discretion are restricted to: a. matters of any infringed standard; and b. any relevant matters of control in SUB-R3.

	<p>SUB-S6 Telecommunications and power supply; SUB-S7 Easements for any purpose.</p> <p>CON-2</p> <ol style="list-style-type: none"> 1. The subdivision complies with standard: SUB-S8 Esplanades <p>CON-3</p> <ol style="list-style-type: none"> 1. The subdivision complies with the following table: <table border="1"> <tr> <td data-bbox="295 406 612 810">Orongo Bay zone</td><td data-bbox="612 406 893 810"> <ol style="list-style-type: none"> 1. the minimum lot sizes are: <ul style="list-style-type: none"> • 3,000m₂ (onsite sewerage disposal); • 1,000m₂ (reticulated sewerage disposal); 2. the subdivision is part of an approved Comprehensive Development Plan; 3. Maximum number of separate titles created shall not exceed seven. </td></tr> </table> <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> a. Matters on control in SUB-R3. 	Orongo Bay zone	<ol style="list-style-type: none"> 1. the minimum lot sizes are: <ul style="list-style-type: none"> • 3,000m₂ (onsite sewerage disposal); • 1,000m₂ (reticulated sewerage disposal); 2. the subdivision is part of an approved Comprehensive Development Plan; 3. Maximum number of separate titles created shall not exceed seven. 	<p>Activity status where compliance not achieved with CON-2: Discretionary</p> <p>Activity status where compliance not achieved with CON-3: Non-complying</p>
Orongo Bay zone	<ol style="list-style-type: none"> 1. the minimum lot sizes are: <ul style="list-style-type: none"> • 3,000m₂ (onsite sewerage disposal); • 1,000m₂ (reticulated sewerage disposal); 2. the subdivision is part of an approved Comprehensive Development Plan; 3. Maximum number of separate titles created shall not exceed seven. 			
Carrington Estate zone	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1:</p> <ol style="list-style-type: none"> 1. The subdivision complies with standards: SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; and SUB-S7 Easements for any purpose. <p>CON-2</p> <ol style="list-style-type: none"> 1. The subdivision complies with standard: SUB-S8 Esplanades <p>CON-3:</p> <ol style="list-style-type: none"> 1. The subdivision is a Unit title subdivision of the accommodation units and lodge/golf club complex, as identified in the Carrington Estate Development Plan. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> a. Matters on control in SUB-R3 	<p>Activity status where compliance not achieved with CON-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. matters of any infringed standard; and b. any relevant matters of control in SUB-R3. <p>Activity status where compliance not achieved with CON-2: Discretionary</p> <p>Activity status where compliance not achieved with CON-3: Non-complying</p>		
Kauri Cliffs zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1:</p> <ol style="list-style-type: none"> 1. The subdivision complies with standards: SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; SUB-S7 Easements for any purpose; and SUB-S8 Esplanades. <p>RDIS-2:</p> <ol style="list-style-type: none"> 1. Subdivision of up to 60 new lots for residential (golf 	<p>Activity status where compliance not achieved with RDIS-1: Discretionary</p> <p>Activity status where compliance not achieved with RDIS-2: Discretionary</p>		

	<p>living) purposes, provided that:</p> <ol style="list-style-type: none"> no lot is less than 4,000m² in area; on-site treatment and disposal of wastewater is provided for; and the building footprints are specified on an approved plan of subdivision. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> matters of control in SUB-R3; the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone; the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and the effect on adjoining activities. <p>NOTE: Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained.</p>	
Māori Purpose zone Ngawha Innovation and Enterprise Park	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Open space zones Motorua Island zone Quail Ridge zone Airport zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
SUB-R4	Subdivision that creates a private accessway	
All zones	Activity status: Controlled Where: CON -1 1. A private accessway serves a maximum of 8 sites. CON-2 1. Where a subdivision serves 9 or more sites, access shall be by public road.	Activity status where compliance not achieved with CON-1 and CON-2: Discretionary
SUB-R5	Subdivision around an approved multi-unit development	
General Residential zone	Activity status: Controlled Where: CON-1 1. Subdivision complies with standards: SUB-S2 Requirements for building platforms for	Activity status where compliance not achieved with CON-1: Restricted Discretionary Matters of discretion are restricted to:

<p>each allotment; SUB-S3 Water supply; {Link, 6375,SUB-S4 Stormwater management; {Link, 6377,SUB-S5 Wastewater disposal; {Link, 6379,SUB-S6 Telecommunications and power supply; and SUB-S7 Easements for any purpose.</p> <p>CON-2</p> <ol style="list-style-type: none"> 1. Subdivision complies with standards SUB-S1 Minimum allotment sizes - Controlled activity SUB-S8 Esplanades <p>CON-3</p> <ol style="list-style-type: none"> 1. The multi-unit development has already been constructed or the subdivision is proposed around a multi-unit development that has been approved by way of resource consent. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. the provision of easements or registration of an instrument for the purpose of public access and reserves; c. the effects of development phase works on the surrounding area; d. extent of potential effects on sites and areas of significance to Māori, ancestral lands, water, site, wāhi tapu and other taonga; e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists; f. natural hazards or geotechnical constraints; g. where relevant compliance with Far North District Council Engineering Standards 2022; and h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray. <p>NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.</p>	<p>a. matters of any infringed standard; and b. any relevant matters of control in SUB-R4.</p> <p>Activity status where compliance not achieved with CON-2: Discretionary</p> <p>Activity status where compliance not achieved with CON-3: Non-complying</p>
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SUB-R6	Environmental benefit subdivision	
Rural Production zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS -1</p> <ol style="list-style-type: none"> 1. Subdivision complies with standards: SUB-S2 Requirements for building platforms for each allotment; SUB-S3 Water supply; {Link, 6375,SUB-S4 Stormwater management; {Link, 6377,SUB-S5 Wastewater disposal; {Link, 6379,SUB-S6 Telecommunications and power supply; 	<p>Activity status where compliance not achieved with RDIS -1, RDIS-2, RDIS-3, RDIS-4 and RDIS-5 is not achieved: Discretionary</p> <p>Activity status where compliance not achieved with RDIS-6, RDIS-7 and RDIS-8 is not achieved: Non-complying</p>

SUB-S7 Easements for any purpose; and
SUB-S8 Esplanades.

RDIS -2

The Environmental benefit subdivision complies with either Table 1 or Table 2 as follows:

Table 1.

Total area of significant indigenous vegetation or significant indigenous habitat to be legally protected on an individual Record of Title	Maximum Number of additional lots that can be created on an individual Record of Title
Greater than 4ha – less than 10ha	1
Greater than 10ha – less than 20ha	2
Greater than 20ha	3

Table 2.

Total area of natural wetland to be legally protected on an individual Record of Title	Maximum Number of additional lots that can be created on an individual Record of Title
Greater than 0.5ha (5,000m ²) – less than 1ha	1
Greater than 1ha – less than 2ha	2
Greater than 2ha	3

RDIS-2

Each separate area of significant indigenous vegetation, significant indigenous habitat or natural wetland included in the proposal must be assessed by a suitably qualified and experienced ecologist as satisfying at least one criteria in Appendix 5 of the Northland RPS (Criteria for determining significance of indigenous biodiversity).

RDIS-3

The significant indigenous vegetation, significant indigenous habitat or natural wetland must be added to the list of scheduled Significant Natural Areas in the District Plan, which will be incorporated into the District Plan as part of the next plan update plan change.

RDIS-4

The subdivision proposes to protect all areas of indigenous vegetation, indigenous habitat or natural wetland by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977.

RDIS-5

An ecological management plan is prepared to address the ongoing management of the covenanted area to ensure that the values are maintained and the plan includes:

1. Fencing requirements for the covenant area
2. Ongoing pest plant and animal control
3. Any enhancement or edge planting required within the covenant area

RDIS-6

<p>All proposed new environmental allotments are to be a minimum size of 2ha in area and the balance lot must be greater than 40ha.</p> <p>RDIS-7 This rule has not been used previously to gain an additional subdivision entitlement.</p> <p>RDIS-8 Where the land to be subdivided contains versatile soil (as determined by a property scale site specific Land Use Capability Classification prepared by a suitably qualified person), the proposed new allotments created by the new environmental benefit lot subdivision, exclusive of the balance area, must not individually contain more than 15% versatile soils within the allotment.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> subdivision design and layout and proximity to the significant indigenous vegetation, significant indigenous habitat or natural wetland being protected; the ecological benefits that will result from the subdivision and level of protection and enhancement proposed; matters contained in the ecological management plan for the covenant area; effects of the subdivision on rural character and amenity values; the extent of earthworks including earthworks for the location of building platforms and access ways; effects on rural productivity and the availability and productivity capacity of versatile soils; potential for reverse sensitivity effects; how the subdivision layout and design may impact on the operation, maintenance, upgrading and development of existing infrastructure assets; and any relevant matters of control in SUB -R3. <p>NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.</p>	
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SUB-R7	Management plan subdivision	
<p>Rural Production zone</p> <p>Rural Lifestyle zone</p>	<p>Activity status: Discretionary</p> <p>Where:</p> <p>DIS-1</p> <ol style="list-style-type: none"> the average size of all lots in the management plan subdivision, excluding lots used solely for access, utilities, roads and reserves is no less than 2ha in the Rural Production zone and 5,000m² in the Rural Lifestyle zone; This is the only management plan subdivision for the specified portion of a site; The portion of a site that is not subject to the management plan shall be no less than 8ha in the Rural Production and 2ha Rural Lifestyle zone and ; and The application contains the information listed in APP3- Subdivision management plan criteria. 	<p>Activity status where compliance not achieved with DIS-1: Non-complying</p>

Note:

Rules SUB-R8 – SUB-R20 are specific rules relating to subdivision of land in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan and apply in addition to SUB-R1 – SUB-R7.

SUB-R8 Subdivision of a site containing land susceptible to land instability		
All zones	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1</p> <p>The proposed development area, including the building platform and any area that is required for access and services, is located wholly outside of any area on the site that is identified as being land susceptible to land instability.</p> <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> a. the location of lots, building platforms, access and services; b. the management of the land instability hazard to enable the intended use of the land and protect other property; and c. the feasibility and integrity of any physical mitigation measures required so that land instability hazard risk to the subject site or other property is not increased. 	Activity status where compliance not achieved with CON-1: Discretionary
SUB-R9 Subdivision of a site within the National Grid Corridor		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS- 1</p> <p>Proposed building platforms are identified for each allotment and located wholly outside of the National Grid Yard (except where the allotments are for roads, esplanades, accessways and infrastructure).</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability for continued reasonable access for inspections, maintenance and upgrading; b. the location of any future building platform as it relates to the National Grid Yard; c. the extent to which the subdivision design allows for any future sensitive activity and associated buildings to be setback from the National Grid; d. the nature and location of any vegetation to be planted in the vicinity of the National Grid; e. the ability of future development to comply with NZECP 34: 2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; f. the risk of electrical hazards affecting public or individual safety, and the risk of public and private property damage; and g. the outcome of any consultation with the owner and operator of the National Grid. 	Activity status where compliance not achieved with RDIS-1: Non-complying
SUB-R10 Subdivision of site within 32m of the centre line of a Critical Electricity Line		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p>	Activity status where compliance not achieved: Not applicable

	<ul style="list-style-type: none"> a. the safe and efficient operation and maintenance of the electricity supply network; b. the location of any future building platform and access as it relates to the critical electricity line; c. effects on access to critical electricity lines and associated infrastructure for inspections, maintenance and upgrading purposes; d. the extent to which the subdivision design allows for any future sensitive activity and associated buildings to be setback from the critical electricity line; e. the mature size, growth rate, location, and fall zone of any associated tree planting; f. including landscape planting and shelterbelts; g. compliance with NZECP 34: 2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; h. effects on public health and safety; and i. the outcome of any consultation with the owner and operator of the potentially affected infrastructure. 	
SUB-R11	Subdivision of a site within flood hazard areas	
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS -1</p> <ol style="list-style-type: none"> 1. Building platforms are located wholly outside the spatial extent of the 1 in 100 year floodplain; 2. Newly created allotments must be located and designed to not divert flood flow onto other properties or otherwise result in any increase in flood hazard beyond the site; 3. Any private roads, right of ways or accessways must be located where the depth of flood waters in a 1 in 100 year flood event does not exceed 200mm above ground level. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. location of suitable and stable building platforms, access and servicing, including on-site wastewater/stormwater disposal where applicable; b. the effects of the hazard on the intended use of the site or sites created by the subdivision, the range of uses permitted under the relevant zone, and the vulnerability of the uses to flood hazard events; c. the degree to which there may be material damage, through inundation or erosion, in a 1 in 100 year flood event; d. the provision of safe access and egress to and within the created lots during a flood event, including consideration of depth and velocity of flood water over private roads and accessways; e. effects on the functions of floodplains and overland flow paths; f. the effects of potential changes in flood depth, velocity and frequency on other properties, including upstream and downstream from the site; and g. the proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard. 	Activity status where compliance not achieved with RDIS-1: Non-complying
SUB-R12	Subdivision of a site within coastal hazard areas	
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where:</p>	Activity status where compliance not achieved with RDIS-1: Non-complying

<p>RDIS-1</p> <p>All building platforms and associated access for each allotment are located wholly outside the spatial extent of the Coastal Hazard Area.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> location and structural integrity of the building platforms, access and services where they may be affected by inundation or erosion from coastal hazards; the effects of the hazard on the intended use of the site or sites created by the subdivision, the range of uses permitted under the relevant zone and the vulnerability of these uses to coastal storm inundation and erosion events; the effects of any proposed hazard mitigation works including any earthworks on public access, landscape and other environmental values; and the proposed use of, necessity for and design of hard protection structures to mitigate hazards. 	
<p>SUB-R13</p> <p>Subdivision of a site within a heritage area overlay</p>	<p>All zones Activity status: Restricted Discretionary Activity status where compliance not achieved: Not applicable</p> <p>All Heritage Area overlays</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the heritage values of the Heritage Area Overlay; whether the allotments are of a size that will ensure sufficient land is provided around any scheduled Heritage Resource to provide a suitable heritage setting and protect associated heritage values; whether there are measures to minimise obstruction of views of any scheduled Heritage Resource from adjoining public spaces that may result from any future land use or development; any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua; and provision of legal and physical access to any scheduled Heritage Resource within the subdivision if appropriate to maintain, protect, or enhance it.
<p>SUB-R14</p> <p>Subdivision of a site that contains a scheduled heritage resource</p>	<p>All zones Activity status: Restricted Discretionary Activity status where compliance not achieved: Not applicable</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the particular heritage values associated with the scheduled Heritage Resource; whether sufficient land is provided around the scheduled Heritage Resource to protect its heritage values; whether the allotments are of a size that will continue to provide the scheduled Heritage Resource with a suitable setting to maintain, protect or enhance the associated heritage values; whether there are measures to minimise obstruction of views of the scheduled Heritage Resource from adjoining public spaces that may result from any future land use or development; any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua; and provision of legal and physical access to any scheduled Heritage Resource within the subdivision

	if appropriate to maintain, protect, or enhance it.	
SUB- R15	Subdivision of a site containing a scheduled site and area of significance to Māori	
All zones	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the particular cultural, spiritual and/or historical values, interests or associations of importance to tangata whenua that are associated with the site which may be affected; whether sufficient land is provided around the Site and area of significance to Māori to protect associated cultural, spiritual and/or historical values, interests or associations; consultation with and/or cultural advice provided by tangata whenua, in particular with respect to mitigation measures and/or the incorporation of mātauranga Māori principles into the design, development and/or operation of activities that may affect the site; opportunities for the relationship of tangata whenua with the site or area to be maintained or strengthened on an ongoing or long term basis, including practical mechanisms to access, use and maintain the identified site; and whether the allotments are of a size that will continue to provide the Site or Area of Significance to Māori with a suitable cultural setting to maintain, protect or enhance the associated cultural values. 	Activity status where compliance not achieved: Not applicable
SUB-R16	Subdivision of a site containing a mineral extraction overlay	
All zones	Activity status: Discretionary Where: DIS-1 A building platform for each allotment can be setback 100m or more from the Mineral extraction overlay.	Activity status where compliance not achieved with DIS-1: Non-complying
SUB-R17	Subdivision of a site containing a scheduled SNA	
All zones	Activity status: Discretionary Where: DIS-1 The site is located outside the coastal environment; DIS-2 The subdivision does not divide an SNA.	Activity status where compliance not achieved with DIS-1 and DIS-2: Non-complying
SUB-R18	Subdivision of a site within an Outstanding Natural Landscape and Outstanding Natural Feature	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
SUB-R19	Subdivision of a site within wetland, lake and river margins	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
SUB-R20	Subdivision of a site within the Coastal Environment (excluding Outstanding Natural Character Areas)	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
SUB-R21	Subdivision of a site within Outstanding Natural Character Areas in the Coastal Environment	

All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
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Standards		
SUB-S1	Minimum allotment sizes	
Zone	Controlled Activity	Discretionary Activity
Rural Production	40ha	8ha
Rural Residential	4,000m ²	2,000m ²
Rural Lifestyle	4ha	2ha
General Residential	600m ²	300m ²
Mixed Use	2,000m ² onsite wastewater disposal 250m ² reticulated wastewater disposal	no minimum lot size
Light Industrial	2,000m ² onsite wastewater disposal 500m ² reticulated wastewater disposal	no minimum lot size
Heavy Industrial	2ha	5,000m ²
Horticulture Processing Facility	2ha	5,000m ²
Horticulture	10ha	4ha
Settlement	3,000m ²	1,500m ²
Kororāreka Russell Township	1,000m ²	800m ²
All other zones	N/A	N/A
All allotments created for public works, network utilities, reserves or access	No minimum lot size	no minimum lot size

SUB-S2	Requirements for building platforms for each allotment	
General Residential zone	Allotments created must be able to accommodate a square building envelope of the minimum dimensions specified below, which does not encroach into the permitted activity boundary setbacks for the relevant zone or into an area that does not allow a building to be located.	Matters of discretion are restricted to:
Kororāreka Russell Township zone		<ol style="list-style-type: none"> allotment area and dimensions for intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses; allotment sizes and dimensions are sufficient for operational and maintenance requirements; compatibility with the pattern of the surrounding subdivision, land use activities, and access arrangements; any physical constraints; and whether a suitable alternative building platform can be provided.
Settlement zone	Zone	Minimum dimensions
	General Residential, Kororāreka Russell Township, Settlement	14m x 14m
Rural Production zone	Rural Production, Horticulture, Rural Lifestyle, Rural Residential	30m x 30m
Horticulture zone		
Rural Lifestyle zone		
Rural Residential zone		
SUB-S3	Water supply	

All zones	<ol style="list-style-type: none"> 1. All new allotments shall have the ability to connect to a safe potable water supply with a capacity that is adequate for the anticipated potential land uses; 2. Where a connection to Council's reticulated water supply systems is available, all allotments must connect; 3. Where a connection to Council's reticulated water systems is not available all allotments must provide a water supply system; 4. All new allotments must have access to sufficient water supplies for fire fighting consistent with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. <p>Note: This standard does not apply where the allotment is for a road, or for access purposes, or for a purpose or activity for which water supply is not necessary.</p>	Matters of discretion are restricted to: <ol style="list-style-type: none"> a. adequacy of the supply of water to every allotment, and its suitability for the likely land use; b. adequacy of water supplies, and access for fire fighting purposes; and c. the standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision.
SUB-S4	Stormwater management	
All zones	<ol style="list-style-type: none"> 1. All allotments shall be provided, within their site area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impermeable surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties. This shall be done for a rainfall event with a 10% Annual Exceedance Probability (AEP); and 2. All stormwater management shall be in accordance with Far North Council Engineering Standards 2022. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> a. control of water-borne contaminants, litter and sediments; b. the capacity of existing and proposed stormwater disposal systems (refer also to the Council's various urban stormwater management plans and any relevant Northland Regional Council stormwater discharge consents); c. the effectiveness and environmental impacts of any measures proposed for avoiding or mitigating the effects of stormwater runoff, including low impact design principles; d. the location, scale and construction of stormwater infrastructure; and e. measures that are necessary in order to give effect to any drainage or catchment management plan that has been prepared for the area.
SUB-S5	Wastewater disposal	
All zones	<ol style="list-style-type: none"> 1. Where a connection to Council owned reticulated wastewater scheme is available, all allotments must connect; 2. Where connection is not available, all allotments shall be provided with a means of disposing of wastewater within the site area of the allotment; and 3. All wastewater disposal shall be in accordance with Far North Council Engineering Standards April 2022. <p>Note: This standard does not apply where the allotment is for a road, or for access purposes, or for a purpose or activity for which wastewater disposal is not necessary.</p>	Matters of discretion are restricted to: <ol style="list-style-type: none"> a. the method and adequacy of wastewater disposal where a Council owned reticulated system is not available; b. the capacity of, and impacts on, the existing reticulated wastewater disposal system; and c. the location, capacity and environmental effects of the proposed wastewater disposal system.
SUB-S6	Telecommunications and power supply	
General Residential zone Kororākea Russell Township zone Mixed Use zone	<p>Connections shall be provided at the boundary of the site area of the allotment for:</p> <ol style="list-style-type: none"> 1. telecommunications <ul style="list-style-type: none"> i. Fibre where it is available or; ii. Copper where fibre is not available 2. Electricity supply through the local electricity distribution network. <p>Note: This standard does not apply to allotments for a utility, road, reserve or for access purposes.</p>	Matters of discretion are restricted to : <ol style="list-style-type: none"> a. alternative provision of telecommunication and electricity supply.

Light Industrial zone		
Heavy Industrial zone		
Settlement zone		
Rural Residential zone		
Horticulture Processing Facility zone		
SUB-S7	Easements for any purpose	
All zones	<p>Easements shall be provided where necessary for:</p> <ol style="list-style-type: none"> 1. public works and utility services; 2. easements in gross where a service or access is required by the Council; 3. easements in favour of nominated allotments or adjoining Certificates of Title; 4. Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement of services. Centre line easements shall apply when the line is privately owned; and 5. The need for easements for any of the following purposes: <ol style="list-style-type: none"> i. accessways, whether shared or not; ii. stormwater, wastewater disposal, water supply, utilities; iii. party walls and floor/ceilings; iv. other utilities. 	<p>Matters of discretion are restricted to:</p> <p>a. whether the easement is located appropriately for its purpose and users.</p>
SUB-S8	Esplanades	
All zones	<p>Any subdivision involving the creation of one or more allotments less than 4ha which adjoins:</p> <ol style="list-style-type: none"> 1. The line of MHWS; 2. The bank of a river whose bed has an average width of 3m or more; and 3. A lake that is larger than 8 ha in size. <p>An esplanade reserve must be provided with a minimum width of 20m, in accordance with section 230 of the RMA.</p>	<p>Activity status when compliance is not achieved: Discretionary</p>

Overview

Earthworks involve the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth. Earthworks are an integral part and necessary component of the use and development of rural and urban land for living, business and recreation purposes. In addition, earthworks are a key component of the development, operation, maintenance and upgrading of infrastructure.

However, earthworks can be significant and result in long term adverse effects. Earthworks, have the potential to detrimentally alter and affect landforms, landscapes, natural features, historic and cultural heritage and the natural character of the coastal environment. Earthworks associated with subdivision and land use can result in adverse effects including increased land instability and accelerated erosion and alteration or loss of overland flow paths leading to increased risks from natural hazards and sedimentation entering waterbodies and the coastal marine area. Often the effects of earthworks are to such an extent that the identified amenity values and character of an area can be changed permanently and unidentified historic and cultural sites are destroyed or damaged.

Council has responsibilities under the RMA and the RPS to manage any effects from land use and subdivision, which includes the management of earthworks. The purpose of this chapter is to ensure that the adverse effects associated with earthworks are appropriately managed and minimised. The NRC also has responsibilities to manage earthworks for the purposes of soil conservation and water quality and quantity for waterbodies and the coastal marine area.

Objectives	
EW-O1	Earthworks are enabled where they are required to facilitate the efficient subdivision and development of land, while managing adverse effects on waterbodies, coastal marine area, public safety, surrounding land and infrastructure.
EW-O2	Earthworks are appropriately designed, located and managed to protect historical and cultural values, natural environmental values, preserve amenity and safeguard the life-supporting capacity of soils.
EW-O3	Earthworks are undertaken in a manner which does not compromise the stability of land, infrastructure and public safety.

Policies	
EW-P1	Enable earthworks necessary to provide for the District's social, economic and cultural well-being, and their health and safety where they provide for: <ol style="list-style-type: none"> urban land uses and development within urban zones; rural land uses and development including, farm tracks, land drainage, and other farming activities within the Rural zones; conservation and recreation activities; land drainage and flood control works; and installation, upgrade and maintenance of infrastructure.
EW-P2	Ensure earthworks are managed, when it has the potential to: <ol style="list-style-type: none"> create new or exacerbate existing natural hazards, including but not limited to flooding, instability, and coastal hazards; result in adverse effects on the amenity, characteristics and qualities of outstanding natural landscapes, outstanding natural features, historic heritage, cultural values, indigenous biodiversity and significant natural areas and features; and adversely affect waterbodies and the coastal marine area due to inadequate setbacks.
EW-P3	Ensure earthworks are located and designed appropriately to manage the effects of the activity by: <ol style="list-style-type: none"> controlling maximum depth and height and maximum area or volume of earthworks; requiring appropriate setbacks are maintained from adjoining property boundaries, waterbodies and the coastal environment; managing the location and design of infrastructure; managing impacts on natural drainage patterns and overland flow paths; and controlling the movement of dust and sediment beyond the area of development to avoid: <ol style="list-style-type: none"> nuisance effects and/or amenity effects on surrounding sites, or silt and sediment entering stormwater systems or waterbodies and the coastal marine area.
EW-P4	Require earthworks to be of a type, scale and form that is appropriate for the location having regards to the effects of the activity, and: <ol style="list-style-type: none"> existing site constraints, opportunities and specific engineering requirements; the impact on existing natural landforms, features, historic heritage and indigenous biodiversity; compatibility with the visual amenity and character values of the area; changes in the natural landform that will lead to instability, erosion and scarring; impacts on natural drainage patterns and overland flow paths;

	<p>f. using materials for retaining structures that are compatible with the visual amenity and the characteristics and qualities of the surrounding area;</p> <p>g. minimising adverse visual effects associated with any exposed cut faces or retaining structures, including with the use of screening, landscaping and/or planting; and</p> <p>h. loss of flood storage within flood hazard areas.</p>
EW-P5	Manage effects on historic heritage and cultural values that may be discovered when undertaking earthworks by: <ul style="list-style-type: none"> a. requiring a protocol for the accidental discovery of archaeology, kōiwi and artefacts of Māori origin; and b. undertaking appropriate actions in accordance with mātauranga and tikanga Māori when managing effects on cultural values.
EW-P6	Require that all earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings or structures.
EW-P7	Ensure all earthworks associated with land development are designed and assessed in a coordinated and integrated manner at the time of subdivision, by: <ul style="list-style-type: none"> a. controlling earthworks associated with subdivision, including for the purpose of site preparation, creating roads or access to/within the subdivision, and for the provision of infrastructure; and b. considering the appropriateness of earthworks in conjunction with site design and layout of future subdivision and/or development of land, particularly for future infill or greenfield subdivision.
EW-P8	Manage earthworks 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: <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and drainage patterns; i. impacts on natural coastal processes; j. the stability of land, buildings and infrastructure; k. visual amenity, natural character and landscape values; l. historic heritage values, and whether any assessment or advice from a suitably qualified and experienced heritage expert is required; m. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; n. the life-supporting capacity of soils; o. the extent of indigenous biodiversity clearance and its effect on biodiversity values; p. outstanding natural character, outstanding natural landscapes and outstanding natural features; q. riparian margins; r. the location, operational and functional needs and use of infrastructure; s. temporary or permanent nature of any adverse effect; and t. traffic and noise effects.

Rules

Notes:

1. More stringent earthworks rules apply in the following other District -wide matters: Natural Character, Natural Features and Landscapes, Coastal Environment, Heritage Area Overlays, Historic Heritage, Notable Trees, and Sites and Areas of Significance to Māori. Those earthworks rules apply in addition to the earthworks rules and standards in this chapter. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules in this District Plan.
2. The Ecosystems and Indigenous biodiversity chapter manages land disturbance associate with indigenous vegetation clearance.
3. EW-R11 and 12 apply in addition to the rule(s) that relates to the activity being undertaken. They must be read in conjunction with each other to determine whether a resource consent is required.
4. Earthworks associated with plantation forestry are regulated under the National Environmental Standards for Plantation Forestry 2017 (NES-PF) and are not managed through the District Plan except where district plan rules may be more stringent under Regulation 6 of the NES-PF. If the activity relates to earthworks associated with plantation forestry, refer to the NES-PF. However, if plantation forestry earthworks are located in the Coastal Environment or Natural Features and Landscapes overlays, the more stringent earthworks rules in this District Plan prevails over the NES-PF.
5. The Northland Regional Plan currently in force and the National Environment Standards for Freshwater

2020 include rules and regulations relating to earthworks to manage effects on freshwater and soil. Consent may be required for earthworks in terms of the regional rules and regulations in those documents in addition to this District Plan.

6. Where soil sampling and land disturbance is proposed on land where a hazardous activity or industry has been, is more likely than not have been or is currently operating, then the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 apply.

EW-R1	Earthworks for buildings or structures, and extensions to existing buildings or structures	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R2	Earthworks for creating fence lines, poles, piles and service connections	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R3	Earthworks for rural industry activity	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R4	Earthworks for a farming activity where sites are 8 hectares or greater	
Rural Production zone	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1: Restricted discretionary

Māori Purpose zone - Rural	PER-1 The earthworks complies with standards: EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards.	Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
Horticulture zone		
Ngawha Innovation and Technology Park zone		
EW-R5	Earthworks for farming a activity on sites less than 8ha and for sites in zones not listed in Rule EW-R4	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R6	Earthworks for the formation of unformed roads and the formation or upgrade of private roads and private accessways	
All zones	Activity status: Permitted Where: PER-1 The earthworks for formation of an unformed road is located within the legal road corridor. PER-2 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones NOTE: Approval from Council is required to undertake work on legal road, where they are the landowner irrespective of complying with rules in a district plan.	Activity status where compliance not achieved with PER-2: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard. Activity status where compliance not achieved with PER-1: Discretionary
EW-R7	Earthworks for new infrastructure or repair and upgrades	
All zones	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to:

	<p>The earthworks complies with standards:</p> <p>EW-S1 Maximum earthworks thresholds;</p> <p>EW-S2 Maximum depth and slope;</p> <p>EW-S4 Site reinstatement;</p> <p>EW-S6 Setbacks;</p> <p>EW-S7 Land stability;</p> <p>EW-S8 Nature of filling material; and</p> <p>EW-S9 Flood and coastal hazards.</p> <p>EW-S1 does not apply to Motoura Island or Orongo Bay zones</p>	<p>a. the matters of discretion of any infringed standard.</p>
EW-R8	<p>Earthworks for new infrastructure or repair and upgrades of existing infrastructure owned by network utility providers or requiring authority</p>	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity is undertaken by the network utility operator or requiring authority.</p> <p>PER-2 The earthworks complies with standards:</p> <p>EW-S1 Maximum earthworks thresholds;</p> <p>EW-S2 Maximum depth and slope;</p> <p>EW-S4 Site reinstatement;</p> <p>EW-S6 Setbacks;</p> <p>EW-S7 Land stability;</p> <p>EW-S8 Nature of filling material; and</p> <p>EW-S9 Flood and coastal hazards.</p> <p>EW-S1 does not apply to Motoura Island or Orongo Bay zones</p>	<p>Activity status where compliance not achieved with PER-2: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>
EW-R9	<p>Earthworks for sport and recreation activity</p>	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks complies with standards:</p> <p>EW-S1 Maximum earthworks thresholds;</p> <p>EW-S2 Maximum depth and slope;</p> <p>EW-S4 Site reinstatement;</p> <p>EW-S6 Setbacks;</p> <p>EW-S7 Land stability;</p> <p>EW-S8 Nature of filling material; and</p> <p>EW-S9 Flood and coastal hazards.</p> <p>EW-S1 does not apply to Motoura Island or Orongo Bay zones</p>	<p>Activity status where compliance not achieved with PER-1: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p>
EW-R10	<p>Earthworks for the construction, or upgrade of walkways, cycle tracks and leisure activity</p>	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks complies with standards:</p> <p>EW-S1 Maximum earthworks thresholds;</p> <p>EW-S2 Maximum depth and slope;</p> <p>EW-S4 Site reinstatement;</p> <p>EW-S6 Setbacks;</p> <p>EW-S7 Land stability;</p> <p>EW-S8 Nature of filling material; and</p>	<p>Activity status where compliance not achieved with PER-1: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p>

	EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	
EW-R11	Earthworks for conservation activity	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R12	Earthworks and the discovery of suspected sensitive material	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standard EW-S3 - Accidental Discovery Protocol.	Activity status where compliance not achieved: Discretionary
EW-R13	Earthworks and erosion and sediment control	
All zones	Activity status: Permitted Where: PER-1 The earthworks complies with standard EW-S5 Erosion and sediment control.	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.
EW-R14	Activities not otherwise listed in this chapter	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
EW-R15	110kV Transmission lines and National Grid Yard	
All zones	Activity status: Non-complying Where: PER-1 Earthworks around Top Energy or Transpower 110kV or greater electricity transmission line poles must: <ol style="list-style-type: none"> be no deeper than 300mm within 2.2m of a transmission pole support structure or stay wire; be no deeper than 750mm within 2.2. to 5m of a transmission pole support structure or stay wire; except that vertical holes not exceeding 500mm diameter beyond 1.5m from the outer edge of a pole support structure or stay wire are exempt from Standards EW-REQ10(a) and EW-REQ10(b) above. PER-2 Earthworks around Top Energy or Transpower 110kV or greater electricity transmission line towers must:	Activity status where compliance not achieved: Not applicable

	<ul style="list-style-type: none"> ii. be no deeper than 300mm within 6m of the outer visible edge of a transmission tower support structure; iii. be no deeper than 3m between 6-12m from the outer visible edge of a transmission tower support structure. <p>PER-3</p> <p>Earthworks within 12m of a Top Energy or Transpower 110kV or greater electricity transmission line pole or tower must not:</p> <ul style="list-style-type: none"> ii. create an unstable batter that will affect a transmission support structure; iii. result in a reduction in the ground to conductor clearance distances as required by New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP34:2001. <p>This rule does not apply to the network utility operator.</p>	
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Standards																	
EW-S1	Maximum earthworks thresholds																
All zones, except Moturoa Island, Orongo Bay	<p>The following maximum volumes and area thresholds for all earthworks undertaken on a site within a single calendar year:</p> <table border="1" data-bbox="293 887 912 1538"> <thead> <tr> <th data-bbox="293 887 595 954">Zone</th><th data-bbox="595 887 753 954">Volume (m³)</th><th data-bbox="753 887 912 954">Area (m²)</th></tr> </thead> <tbody> <tr> <td data-bbox="293 954 595 1201">General Residential, Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose - Urban</td><td data-bbox="595 954 753 1201">200</td><td data-bbox="753 954 912 1201">2,500</td></tr> <tr> <td data-bbox="293 1201 595 1358">Conservation, Open Space, Sport and Recreation, Rural Residential, Settlement, Quail Ridge, Airport</td><td data-bbox="595 1201 753 1358">300</td><td data-bbox="753 1201 912 1358">2,500</td></tr> <tr> <td data-bbox="293 1358 595 1426">Rural Lifestyle</td><td data-bbox="595 1358 753 1426">1000</td><td data-bbox="753 1358 912 1426">2,500</td></tr> <tr> <td data-bbox="293 1426 595 1538">Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose - Rural</td><td data-bbox="595 1426 753 1538">5000</td><td data-bbox="753 1426 912 1538">2,500</td></tr> </tbody> </table>	Zone	Volume (m ³)	Area (m ²)	General Residential, Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose - Urban	200	2,500	Conservation, Open Space, Sport and Recreation, Rural Residential, Settlement, Quail Ridge, Airport	300	2,500	Rural Lifestyle	1000	2,500	Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose - Rural	5000	2,500	Where the standard is not met, matters of discretion are restricted to: <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and drainage patterns; i. impacts on natural coastal processes; j. the stability of land, buildings and infrastructure; k. natural character, landscape, historic heritage, spiritual and cultural values; l. the life-supporting capacity of soils; m. the extent of indigenous vegetation clearance and its effect on biodiversity; n. impact on any outstanding natural character, outstanding natural landscapes and outstanding natural features; o. riparian margins; p. the location and use of infrastructure; q. temporary or permanent nature of any adverse effect; r. traffic and noise effects; s. time of year earthworks will be carried out and duration of the activity; and t. impact on visual and amenity values.
Zone	Volume (m ³)	Area (m ²)															
General Residential, Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose - Urban	200	2,500															
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Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose - Rural	5000	2,500															
EW-S2	Maximum depth and slope																
All zones	The maximum depth of any cut or height of any fill shall	Where the standard is not met, matters of															

	<p>not exceed:</p> <ol style="list-style-type: none"> 1.5m, i.e. maximum permitted cut and fill height may be 3m; or 3m subject to it being retained by a engineered retaining wall, which has had a building consent issued. 	<p>discretion are restricted to:</p> <ol style="list-style-type: none"> the location, scale and volume; depth and height of cut and fill; the extent of exposed surfaces or stockpiling of fill; the risks of natural hazards, particularly flood events; stormwater controls; flood storage, overland flow paths and drainage patterns; impacts on natural coastal processes; the stability of land, buildings and infrastructure; natural character, landscape, historic heritage, spiritual and cultural values; the life-supporting capacity of soils; the extent of indigenous vegetation clearance and its effect on biodiversity; impact on any outstanding natural character, outstanding natural landscapes and outstanding natural features; riparian margins; the location and use of infrastructure; temporary or permanent nature of any adverse effect; traffic and noise effects; time of year earthworks will be carried out and duration of the activity; and impact on visual and amenity values.
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EW-S3	Accidental discovery protocol	
All zones	<p>On discovery of any suspected sensitive material, the person must take the following steps:</p> <ol style="list-style-type: none"> 1. Cease all works within 20m of any part of the discovery immediately and secure the area, including: <ul style="list-style-type: none"> shutting down all earth disturbing machinery and stopping all earth moving activities; and establish a sufficient buffer area to ensure that all material remains undisturbed. 2. Within 24 hours of the discovery the owner of the site, tenant or the contractor must: <ul style="list-style-type: none"> inform the following parties of the discovery: <ul style="list-style-type: none"> The New Zealand Police if the discovery is of human remains or kōiwi; The Council in all cases; Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi; Tangata Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi. 3. No works shall recommence until the discovery area is inspected by the relevant authority or agency, this shall include: <ul style="list-style-type: none"> If the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or If the discovery is of archaeological material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by 	<p>Where the standard is not met, matters of discretion are restricted to: Not applicable</p>

	<p>the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Tangata Whenua representatives.</p> <p>4. Recommencement of work:</p> <ul style="list-style-type: none"> ◦ Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required; ◦ Any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage; ◦ Resource consent has been granted to any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials that is not otherwise permitted under the plan or allowed by any existing resource consent. 	
EW-S4	Site reinstatement	
All zones	<p>As soon as practicable, but no later than six months from the commencement of works:</p> <ol style="list-style-type: none"> i. the earthworks area shall be established, filled and/or recontoured in a manner consistent with the surrounding land. ii. replanted with vegetation which is the same as, or of similar species, to that which existed on the site prior to the earthworks taking place (if any), except that where the site was vegetation with any plant pest, the site may be replanted with indigenous vegetation, from locally sourced genetic stocks or iii. sealed, paved, metaled or built over. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and drainage patterns; i. impacts on natural coastal processes; j. the stability of land, buildings and infrastructure; k. natural character, landscape, historic heritage, spiritual and cultural values; l. the life-supporting capacity of soils; m. the extent of indigenous vegetation clearance and its effect on biodiversity; n. outstanding natural character, outstanding natural landscapes and outstanding natural features; o. riparian margins; p. the location and use of infrastructure; q. temporary or permanent nature of any adverse effect; r. traffic and noise effects; s. time of year earthworks will be carried out and duration of the activity; and t. impact on visual and amenity values
EW-S5	Erosion and sediment control	
All zones	<p>Earthworks</p> <ol style="list-style-type: none"> i. must for their duration be controlled in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005); ii. shall be implemented to prevent silt or sediment from entering water bodies, coastal marine area, any stormwater system, overland flow paths, or roads. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and

		<ul style="list-style-type: none"> drainage patterns; i. impacts on natural coastal processes; j. the stability of land, buildings and infrastructure; k. natural character, landscape, historic heritage, spiritual and cultural values; l. the life-supporting capacity of soils; m. the extent of indigenous vegetation clearance and its effect on biodiversity; n. outstanding natural character, outstanding natural landscapes and outstanding natural features; o. riparian margins; p. the location and use of infrastructure; q. temporary or permanent nature of any adverse effect; r. traffic and noise effects; s. time of year earthworks will be carried out and duration of the activity; and t. impact on visual and amenity values.
EW-S6	Setback	<p>All zones Earthworks must be setback by the following minimum distances:</p> <ul style="list-style-type: none"> i. earthworks supported by engineered retaining walls - 1.5m from a site boundary; ii. earthworks not supported by engineered retaining walls - 3m from a site boundary; iii. earthworks must be setback by a minimum distance of 10m from coastal marine area. <p>Note: setbacks from waterbodies is managed by the Natural Character chapter.</p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. stormwater controls; g. the stability of land, buildings and infrastructure; h. the life-supporting capacity of soils; i. temporary or permanent nature of any adverse effect; j. traffic and noise effects k. time of year earthworks will be carried out and duration of the activity; l. natural character, landscape, historic heritage, spiritual and cultural values; and m. impact on visual and amenity values.
EW-S7	Land stability	<p>All zones Earthworks must not result in any instability of land at or beyond the boundary of the property where the earthworks occurs.</p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and drainage patterns; i. impacts on natural coastal processes; j. where the land instability adversely affects any buildings, structures or infrastructure; k. the life-supporting capacity of soils; l. the extent of vegetation clearance; m. proximity to any waterbody or coastal

		<p>marine area;</p> <p>n. the location and use of infrastructure;</p> <p>o. temporary or permanent nature of any adverse effect;</p> <p>p. traffic and noise effects; and</p> <p>q. time of year earthworks will be carried out and duration of the activity.</p>
EW-S8	Nature of filling material	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>a. the location, scale and volume;</p> <p>b. depth and height of cut and fill;</p> <p>c. the nature of filling material and whether it is compacted;</p> <p>d. the extent of exposed surfaces or stockpiling of fill;</p> <p>e. erosion, dust and sediment controls;</p> <p>f. the risks of natural hazards, particularly flood events;</p> <p>g. stormwater controls;</p> <p>h. flood storage, overland flow paths and drainage patterns;</p> <p>i. impacts on natural coastal processes;</p> <p>j. the stability of land, buildings and infrastructure;</p> <p>k. natural character, landscape, historic heritage, spiritual and cultural values;</p> <p>l. the life-supporting capacity of soils;</p> <p>m. outstanding natural character, outstanding natural landscapes and outstanding natural features;</p> <p>n. riparian margins;</p> <p>o. the location and use of infrastructure;</p> <p>p. temporary or permanent nature of any adverse effect; and</p> <p>q. traffic and noise effects;</p> <p>r. time of year earthworks will be carried out and duration of the activity; and</p> <p>s. impact on visual and amenity values.</p>
EW-S9	Flood and coastal hazards	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>a. the location, scale and volume;</p> <p>b. depth and height of cut and fill;</p> <p>c. the nature of filling material and whether it is compacted;</p> <p>d. the extent of exposed surfaces or stockpiling of fill;</p> <p>e. erosion, dust and sediment controls;</p> <p>f. the risks of natural hazards, particularly flood events;</p> <p>g. stormwater controls;</p> <p>h. flood storage, overland flow paths and drainage patterns;</p> <p>i. impacts on natural coastal processes;</p> <p>j. the stability of land, buildings and infrastructure;</p> <p>k. the life-supporting capacity of soils;</p> <p>l. temporary or permanent nature of any adverse effect; and</p> <p>m. time of year earthworks will be carried out and duration of the activity.</p>

Overview

There are activities within the Far North District that use hazardous substances, these may pose a potential threat to the health and safety of communities and the natural environment. Hazardous substances are defined in the Hazardous Substances and New Organisms Act 1996 (HSNO Act) and include substances with radioactive properties or high biological oxygen demand. Substances fall within the definition if they have certain hazardous properties such as explosiveness, flammability or corrosiveness (among other factors) and must be managed, stored, used, transported and disposed of in a safe and secure manner. The HSNO Act regulates the introduction and use of hazardous substances and determines what controls should be in place to mitigate risks to people and the environment. However, the controls under the HSNO Act are substance specific and do not take into account the sensitivity of the receiving environment.

The RMA enables District Plans to manage the adverse effects of the storage, use, disposal and transport of hazardous substances, provided these do not duplicate controls in the HSNO Act or other legislation. Land use controls for hazardous substances in District Plans may be necessary to manage the risks associated with significant hazardous facilities and their potential impacts on other sensitive activities, incompatible land uses and the natural environment.

Council has responsibilities under the RMA to manage the adverse effects of the use and development of land. This includes the adverse effects that may arise from significant hazardous facilities on sensitive activities and sensitive environments, the risks of natural hazards, cumulative effects (agglomeration of significant hazardous facilities) and reverse sensitivity issues.

Objectives	
HS-O1	The risks associated with the storage, use or disposal of hazardous substances to people, property and the environment are minimised to acceptable levels while recognising the benefits of activities that store, use and dispose of hazardous substances.
HS-O2	Significant hazardous facilities and sensitive activities are managed through separation distances and other methods to avoid to the extent practicable, or otherwise mitigate, reverse sensitivity effects.

Policies	
HS-P1	Manage the effects of hazardous substances by: <ol style="list-style-type: none"> locating, designing, constructing and managing significant hazardous facilities to avoid or mitigate adverse effects and risks to people, property and the environment, particularly sensitive environments and sensitive activities; identifying, assessing and managing risks and adverse effects, including cumulative effects, of significant hazardous facilities so they do not create unacceptable residual risks to people, property and the environment; and locating land use activities so that the adverse effects and risks of transporting hazardous substances on roading infrastructure and other land use activities are minimised.
HS-P2	Require appropriate separation distances between significant hazardous facilities and sensitive activities to avoid where practicable, or otherwise mitigate, reverse sensitivity effects and the risks to people and property.
HS-P3	Manage new or expanded significant hazardous facilities and sensitive activities 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: <ol style="list-style-type: none"> separation distances and other methods to avoid and mitigate risks and adverse effects of significant hazardous facilities on sensitive activities and sensitive environments; separation distances and other methods to avoid or mitigate reverse sensitivity effects between significant hazardous facilities and sensitive activities; the extent to which adverse effects and risks are adequately managed through other legislation and organisations; the type, scale, intensity, duration and frequency of the risks and effects on people, property and the environment; site design and layout of the activity and the ability to internalise effects within the site; any historical, spiritual or cultural association held by tangata whenua, with regards to the matters set out in Policy TW-P6; avoidance or management of risks associated with natural hazards; and any potential adverse cumulative effects.

Rules

Note:

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.

HS-R1	Maintenance and repair of a significant hazardous facility	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The volume of hazardous substances used by the significant hazardous facility does not increase;</p> <p>PER-2 The location of hazardous substances on the site will not be located closer to any sensitive activities.</p> <p>PER-3 The type of hazardous substances on the site remains the same;</p> <p>PER-4 Alterations to the significant hazardous facility do not increase any residual risks.</p>	<p>Activity status where compliance not achieved with PER-1, PER- 2, PER- 3, or PER-4: Discretionary</p>
HS-R2	Establishment of a new significant hazardous facility	
Heavy Industrial zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The new significant hazardous facility is not located within a sensitive environment;</p> <p>PER-2 The new significant hazardous facility is setback at least 250m from a sensitive activity.</p> <p>Note:</p> <ul style="list-style-type: none"> • <i>This rule only has immediate legal effect for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource.</i> 	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
Light Industrial zone	<p>Activity status: Discretionary</p> <p>Where:</p> <p>DIS-1 The new significant hazardous facility is not located within a sensitive environment;</p>	<p>Activity status where compliance not achieved with DIS-1, DIS-2, or DIS-3: Non-complying</p>
Rural Production zone	<p>DIS-2 The new significant hazardous facility is setback at least 250m from a sensitive activity;</p>	
Ngawha Innovation and Enterprise Park zone	<p>DIS-3 A new significant hazardous facility does not create any residual risk.</p> <p>Note:</p>	

	<ul style="list-style-type: none"> <i>This rule only has immediate legal effect for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource.</i> 	
All other zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R3	Significant hazardous facility within the coastal environment	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R4	Significant hazardous facility within an outstanding natural feature or landscape	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R5	Significant hazardous facility within a scheduled site and area of significance to Māori	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R6	Significant hazardous facility within a significant natural area	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R7	Significant hazardous facility within a flood hazard area	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R8	Significant hazardous facility within a coastal hazard area	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R9	Significant hazardous facility within a scheduled heritage resource	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R10	Significant hazardous facility within 100 metres of the edge of a surface water body	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
HS-R11	New sensitive activity	
All zones	Activity status: Non-complying Where: NC-1 The new sensitive activity is located within 250m of a Significant Hazardous Facility.	Activity status where compliance not achieved: Not applicable

Overview

The District is home to a wide range of indigenous species, habitats and ecosystems and a high number of regionally endemic species, including a number that are of cultural significance to tangata whenua. The protection, maintenance and enhancement of indigenous biodiversity contributes to the District's unique scenery, its natural character, its amenity values, and its economic opportunities, such as tourism and recreation.

A large portion of the District is covered in indigenous vegetation and habitat. Based on the criteria in Appendix 5 of the Northland Regional Policy Statement 2016 (RPS), approximately 42% of the District has indigenous vegetation and habitat with potentially significant ecological values. Around 58% of this indigenous vegetation and habitat is on private land, including Māori land, which can create tensions between the aspirations of landowners to develop their land while protecting those areas and habitats. Vegetation clearance, fragmentation, and the introduction of pest plants and species can all diminish the quality and extent of indigenous ecosystems.

Council has responsibilities under the RMA, the NZCPS and the RPS to identify and protect areas of significant indigenous biodiversity (Significant Natural Areas) and maintain indigenous biodiversity. Where Significant Natural Areas are identified in the District Plan or through ecological assessments in accordance with the significance criteria in Appendix 5 of the RPS or any more recent National Policy Statement on indigenous biodiversity there will be greater control over land use and subdivision to ensure that the ecological significance of these areas are protected. There may be tension between the public and ecological benefits in protecting, maintaining or enhancing indigenous biodiversity and the associated costs or restrictions to private and public (including Māori) landowners

Objectives	
IB-O1	Areas of significant indigenous vegetation and significant habitats of indigenous fauna (Significant Natural Areas) are identified and protected for current and future generations.
IB-O2	Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities.
IB-O3	The relationship between tangata whenua and indigenous biodiversity, including taonga species and habitats, is recognised and provided for.
IB-O4	The role of tangata whenua as kaitiaki and landowners as stewards in protecting and restoring significant natural areas and indigenous biodiversity is provided for.
IB-O5	Restoration and enhancement of indigenous biodiversity is promoted and enabled.

Policies	
IB-P1	<p>Identify Significant Natural Areas by:</p> <ol style="list-style-type: none"> using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy Statement on indigenous biodiversity; including areas that meet the ecological significance criteria as Significant Natural Areas in Schedule 4 of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspection where practicable; encouraging landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development; providing assistance to landowners to add Significant Natural Areas to Schedule 4 of the District Plan; and requiring an assessment of the ecological significance for indigenous vegetation clearance to establish permitted activity thresholds in Rule IB R2-R4.
IB-P2	<p>Within the coastal environment:</p> <ol style="list-style-type: none"> avoid adverse effects of land use and subdivision on Significant Natural Areas; and avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems.
IB-P3	<p>Outside the coastal environment:</p> <ol style="list-style-type: none"> avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas to ensure adverse effects are no more than minor; and avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects.
IB-P4	If adverse effects on indigenous species, habitats and ecosystems located outside of the coastal environment cannot be avoided, remedied or mitigated in accordance with IB-P3, consider whether it is appropriate to apply the following steps as an effects management hierarchy:

	<ul style="list-style-type: none"> a. biodiversity offsetting to address more than minor residual adverse effects to achieve a no net loss and preferably net gain in indigenous biodiversity; and b. environmental biodiversity compensation to address more than minor residual adverse effects where it is not practicable to achieve biodiversity offsetting.
IB-P5	Ensure that the management of land use and subdivision to protect Significant Natural Areas and maintain indigenous biodiversity is done in a way that: <ul style="list-style-type: none"> a. does not impose unreasonable restrictions on existing primary production activities, particularly on highly versatile soils; b. recognises the operational need and functional need of some activities, including regionally significant infrastructure, to be located within Significant Natural Areas in some circumstances; c. allows for maintenance, use and operation of existing structures, including infrastructure; and d. enables Māori land to be used and developed to support the social, economic and cultural well-being of tangata whenua, including the provision of papakāinga, marae and associated residential units and infrastructure.
IB-P6	Encourage the protection, maintenance and restoration of indigenous biodiversity, with priority given to Significant Natural Areas, through non-regulatory methods including consideration of: <ul style="list-style-type: none"> a. assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a Significant Natural Area; b. reducing or waiving resource consent application fees; c. providing, or assisting in obtaining funding from other agencies and trusts; d. sharing and helping to improve information on indigenous biodiversity; and e. working directly with iwi and hapū, landowners and community groups on ecological protection and enhancement projects.
IB-P7	Encourage and support active management of pest plants and pest animals.
IB-P8	Promote the protection of species that are endemic to Northland by eco-sourcing plants from within the ecological district.
IB-P9	Require landowners to manage pets and pest species, including dogs, cats, possums, rats and mustelids, to avoid risks to threatened indigenous species, including avoiding the introduction of pets and pest species into kiwi present or high-density kiwi areas.
IB-P10	Manage land use and subdivision to address the effects of the activity requiring resource consent for indigenous vegetation clearance and associated land disturbance, including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> a. the temporary or permanent nature of any adverse effects; b. cumulative effects of activities that may result in loss or degradation of habitats, species populations and ecosystems; c. the extent of any vegetation removal and associated land disturbance; d. the effects of fragmentation; e. linkages between indigenous ecosystems and habitats of indigenous species; f. the potential for increased threats from pest plants and animals; g. any downstream adverse effects on waterbodies and the coastal marine area; h. where the area has been mapped or assessed as a Significant Natural Areas: <ul style="list-style-type: none"> i. the extent to which the proposal will adversely affect the ecological significance, values and function of that area; ii. whether it is appropriate or practicable to use biodiversity offsets or environmental biodiversity compensation to address more than minor residual adverse effects; i. the location, scale and design of any proposed development; j. the extent of indigenous vegetation cover on the site and whether it is practicable to avoid or reduce the extent of indigenous vegetation clearance; k. the functional or operational needs of regionally significant infrastructure; l. any positive contribution any proposed biodiversity offsets or environmental biodiversity compensation will have on indigenous biodiversity; and m. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Rules

Notes:

1. Rules IB-R2 to IB-R4 apply to indigenous vegetation clearance not permitted under Rule IB-R1.
2. There are rules for indigenous vegetation clearance in the following District-Wide Matters chapters: Natural Character, Natural Features and Landscapes, and Coastal Environment. These other rules for vegetation clearance may be more stringent and apply in addition to the indigenous vegetation clearance rules in this chapter. Refer to the How the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.

3. This chapter manages land disturbance associated with indigenous vegetation clearance. Earthworks that permanently alter the profile of the land are managed through the earthworks chapter. The Earthworks chapter rules apply 'in addition' to the earthworks rules in this overlay chapter, not instead of. In the event of a conflict between the earthworks chapter and this chapter's earthworks rules, the most stringent rule will apply.
4. This chapter does not apply to indigenous vegetation clearance in urban environment allotments. Refer to the Notable Trees chapter for rules relating to scheduled notable trees and groups of trees.
5. Plantation forestry is regulated under the National Environmental Standards for Plantation Forestry 2017 (NES-PF). The NES-PF allows district plan rules to be more stringent than the NES-PF when the rule relates to the protection of Significant Natural Areas and IB-R5 in this chapter is a more stringent rule for plantation forestry activities in Significant Natural Areas. This chapter does not apply to indigenous vegetation clearance associated with plantation forestry activities outside Significant Natural Areas which is regulated under Regulation 93 and 94 of the NES-PF.

IB-R1	Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It is for any of the following:</p> <ol style="list-style-type: none"> 1. To address an immediate risk to the health and safety of the public or damage to property; 2. To remove dead trees, provided that no more indigenous vegetation is cleared or trimmed than is necessary for safe removal; 3. The formation of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300mm in girth; 4. Clearance for biosecurity reasons; 5. The sustainable non-commercial harvest of plant material for rongoā Māori (customary medicine); 6. To create or maintain a 20m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area; 7. To allow for the construction of a single residential unit on a title and essential associated on-site infrastructure and access and it does not exceed 1,000m²; 8. It is within an area subject to an Open Space Covenant under the Queen Elizabeth II National Trust Act 1977, a Ngā Whenua Rahui Kawenata, a Conservation Covenant under the Reserves Act 1977 or the Conservation Act 1987, or a Heritage covenant under the Heritage New Zealand Pouhere Taonga Act 2014 and the vegetation clearance is provided for in that covenant or order; 9. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance does not exceed 3.5m in width either side of the fence line; 10. The removal or clearance from land which was previously cleared and the indigenous vegetation to be cleared is less than 10 years old; 11. Creation and maintenance of firebreaks to manage fire risk; 12. The harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries; 13. It is for the operation, repair and maintenance of the 	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>

	<p>following activities where they have been lawfully established:</p> <ol style="list-style-type: none"> fences infrastructure buildings driveways and access walking tracks cycling tracks farming tracks. 	
IB-R2	Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area for papakāinga	
Māori Purpose zone, Treaty Settlement Land overlay, Rural Production zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It does not exceed:</p> <ol style="list-style-type: none"> 1,500m² for a marae complex, including associated infrastructure and access; and 500m² per residential unit. <p>Note: Rules MPZ-R5 and RPROZ-R20 include specific land use rules that also apply to papakainga in the Māori Purpose zone, Treaty Settlement Land overlay and Rural Production zones.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
IB-R3	Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It does not exceed 100m² per site in any calendar year.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>
IB-R4	Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <ol style="list-style-type: none"> A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken; and It does not exceed the following amounts per site over a 5-year period: <ol style="list-style-type: none"> Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000m² if not in a remnant forest, otherwise 500m² in a remnant forest; All other zones – 500m². <p>PER-2</p> <ol style="list-style-type: none"> A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and It does not exceed 100m² per site in any calendar year. 	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>

	<p>Note: This rule only has immediate legal effect for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a Significant Natural Area has not been obtained).</p>	
IB-R5	Plantation forestry and plantation forestry activities within a Significant Natural Area	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

Overview

The District has many rivers and lakes which are valued for their important ecological, recreation, natural character, amenity and cultural values. A wide range of activities occur on the surface of rivers and lakes. This includes activities that have a functional need to locate on water surfaces such as jetties and piers, recreation activities such as fishing and boating, and customary activities undertaken by tangata whenua.

The Council has an obligation to manage any actual or potential effects of activities in relation to the surface of water in rivers and lakes. This does not include the mouth of rivers where they are within the CMA. The activities managed by this chapter include the use of motorised and non-motorised craft on rivers and lakes for various purposes, and the construction of structures.

Activities occurring on the surface of water can have potential adverse effects on the ecological values of the freshwater waterbody particularly during fish spawning and bird breeding seasons, recreation values and natural character, and on the associated cultural values.

The Council has responsibilities under the RMA, NZCPS and the RPS to manage activities occurring on and adjacent to waterbodies. Given their overlapping functions, Council needs to work collaboratively with NRC that is responsible for managing water quality and quantity, ecosystems within the Region's freshwater bodies, and activities on the beds of rivers and lakes.

Objective	
ASW-O1	Activities on the surface of water are managed in a way that protects and enhances the ecological, recreation, natural character, amenity and cultural values of the District's rivers and lakes for current and future generations.

Policies	
ASW-P1	Enable the non-commercial recreational use of rivers and lakes where it will not result in adverse effect on ecological, recreation, natural character, amenity or cultural values.
ASW-P2	Provide for activities on the surface of water where: <ul style="list-style-type: none"> a. there is a functional need to locate on the surface of the waterbody; b. the land use is consistent with the characteristics and qualities of the waterbody and adjacent zone or overlay; c. it will not result in adverse effects on the habitat of breeding birds or fish spawning areas; d. it will not result in adverse effects on any other indigenous flora and fauna within the riparian margins of the waterbody; e. it will not result in adverse effects on cultural and spiritual values associated with the waterbody; f. public access is not adversely affected or it is provided or enhanced; g. it will not result in adverse effects on other recreational activities; and h. it will not result in cumulative adverse effects with other structures or activities on the surface of the waterbody.
ASW-P3	Recognise tangata whenua's relationship with and cultural practices associated with freshwater when managing activities on the surface of water in rivers and lakes, including the ability to undertake customary activities.
ASW-P4	Manage activities on the surface of water to address the effects of the activity, including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> a. whether there is a functional need for the activity or structure to be located on the waterbody; b. any adverse effects on indigenous biodiversity and riparian margins; c. any adverse effects on associated wetlands; d. any adverse effects on cultural and spiritual values; e. any adverse effects on recreation activity; f. any adverse effects on public access; g. any enhancement or provision of public access, including any consideration for launching, retrieval and damage to margins; h. whether the activity is within a water catchment that serves a public water supply; i. any cumulative adverse effects; j. the scale and location of any structure on the waterbody and adjacent land; k. whether the activity may exacerbate or be adversely affected by a natural hazard, including bank/channel erosion due to activity; l. servicing requirements, i.e. sewerage, refuse, access to the waterbody and parking; m. any adverse effect on the characteristics and qualities of the waterbody; and n. any public benefit.

Rules

Notes:

1. There may be rules in other Part 2 - District-Wide Matters and the underlying zones in Part 3 - Area-Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. This includes Part 2 rules relating to natural hazards, public access, light, noise and temporary activities. Activities are also required to comply with Part 3 zone rules applying to the waterbody. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. The Proposed Regional Plan for Northland, the Operative Regional Water and Soil Plan for Northland, and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 also guide resource consent decision-making in relation to freshwater resources. Plan users are advised to refer to these documents when considering activities on or in proximity to freshwater resources.

ASW-R1	The use of non-motorised craft	
Surface of all rivers and lakes in all zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The use is a non-commercial recreation activity or a customary activity.</p> <p>PER-2 The craft is not used for residential activity.</p> <p>PER-3 The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
ASW-R2	The use of motorised craft	
Surface of all rivers and lakes in all zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The use is a non-commercial recreation activity.</p> <p>PER-2 The craft is not used for residential activity.</p> <p>PER-3 The craft is used for search and rescue, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.</p> <p>PER-4 With the exception of activities provided for in PER-3, the activity does not occur on any of the following water bodies:</p> <ol style="list-style-type: none"> a. Lake Ngatu; b. Lake Owhariti; c. Lake Heather; d. Lake Rotorua; e. Far North Dune Lakes; f. Waitangi River (above Haruru Falls); g. Waingaro Reservoir; 	<p>Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary</p>

	h. Manuwai Reservoir.	
ASW-R3	Structures	
Surface of all rivers and lakes in all zones	Activity status: Permitted Where: PER-1 The structure is associated with a river crossing, scientific investigations, noxious flora and fauna control, maintenance of the habitat of indigenous fauna, or monitoring; or irrigation network maintenance on Waingaro and Manuwai Reservoirs.	Activity status where compliance not achieved with PER-1: Discretionary
ASW-R4	Any activity not provided for as permitted or discretionary in this chapter	
Surface of all rivers and lakes in all zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Far North Proposed District Plan 2022

Property Specific Information

Scale: 1:10,000

0 0.2 0.4 Kilometres



Legend

- ▲ Notable Tree
- ★ Heritage Item
- Designation
- Sites & Areas of Significance to Māori
- Coastal Environment
- Outstanding Natural Feature
- Outstanding Natural Landscape
- Outstanding Natural Character
- High Natural Character

Zone

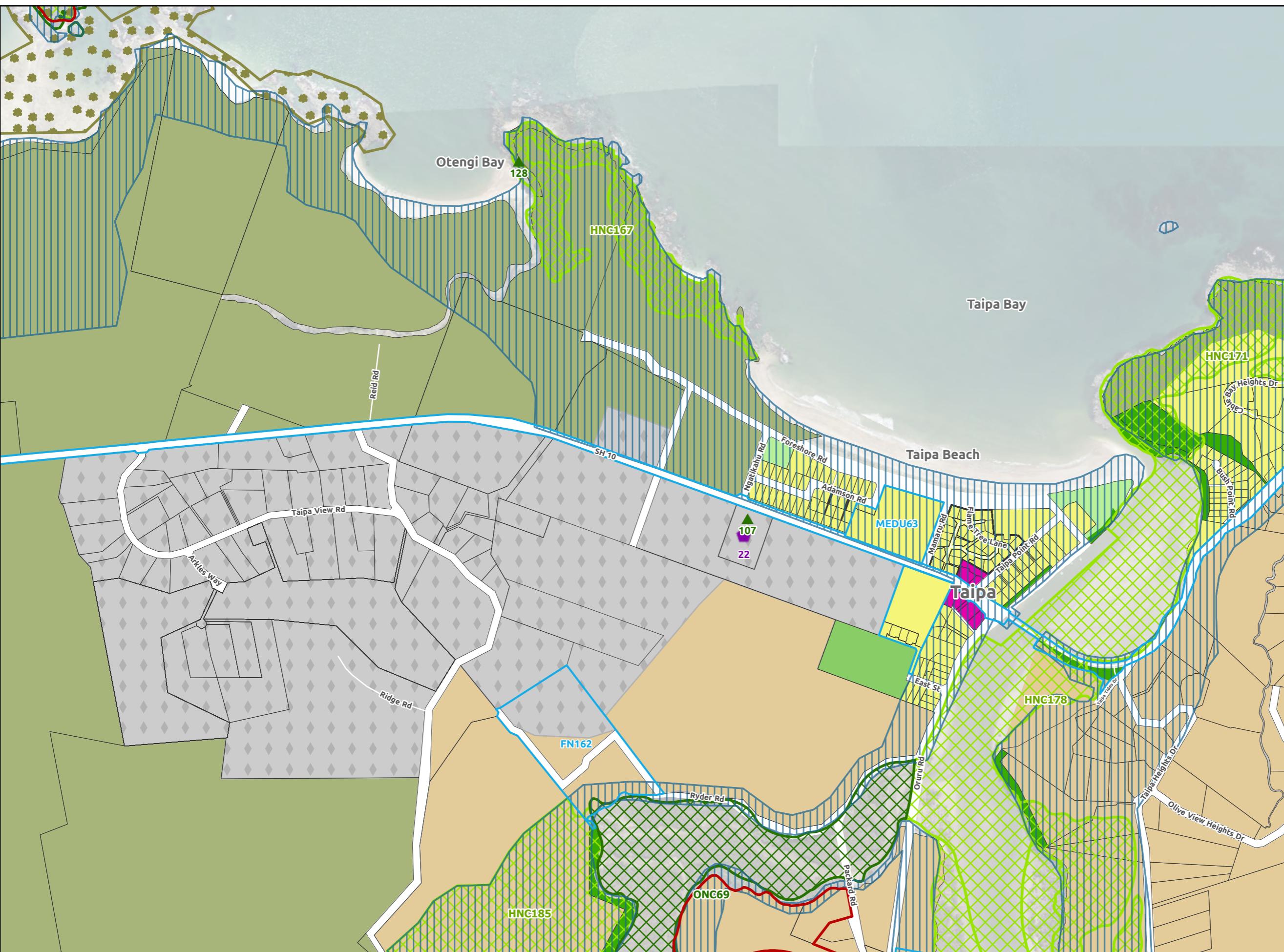
- General Residential
- Mixed Use
- Māori Purpose - Rural
- Natural Open Space
- Open Space
- Rural Lifestyle
- Rural Production
- Rural Residential
- Sport And Active Recreation

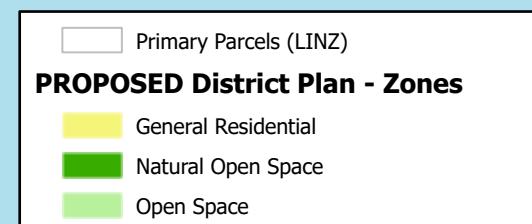
11 12

14 15

19 20

60 61 62 59





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Overview

The Far North District contains a mix of diverse communities and urban centres, a number of which are located within the coastal environment and/or have identified cultural and historic heritage values. The General Residential zone represents those areas where there is an expectation of higher density residential development, compared to the rural environments, and that generally provides adequacy and capacity of available or programmed development infrastructure.

To support urban sustainability and affordable infrastructure the General Residential zone seeks to consolidate growth where it can around urban centres. The aim is to provide for a variety of housing typologies and sizes that contribute to the vibrancy and viability of those centres, as well as ensuring efficient use of the investment Council makes in infrastructure and services.

In providing for growth over the medium term, and looking out to the longer term, the District Plan provides for a combination of increased density within the existing General Residential zone as well as re-zoning for more intensive residential use in areas where there is adequacy and capacity of available development infrastructure or where it is programmed in the Long Term Plan or 30 Year Infrastructure Strategy.

Council has a responsibility under the RMA, and takes direction from the RPS, to ensure that there is sufficient land available for housing to meet the future demands of the district, that development is in the right location and there is adequacy and capacity of available or programmed development infrastructure.

Objectives	
GRZ-O1	The General Residential zone provides a variety of densities, housing types and lot sizes that respond to: <ul style="list-style-type: none"> a. housing needs and demand; b. the adequacy and capacity of available or programmed development infrastructure; c. the amenity and character of the receiving residential environment; and d. historic heritage.
GRZ-O2	The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl.
GRZ-O3	Non-residential activities contribute to the well-being of the community while complementing the scale, character and amenity of the General Residential zone.
GRZ-O4	Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.
GRZ-O5	Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments.
GRZ-O6	Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.

Policies	
GRZ-P1	Enable land use and subdivision in the General Residential zone where: <ul style="list-style-type: none"> a. there is adequacy and capacity of available or programmed development infrastructure to support it; and b. it is consistent with the scale, character and amenity anticipated in the residential environment.
GRZ-P2	Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot: <ul style="list-style-type: none"> a. telecommunications: <ul style="list-style-type: none"> i. fibre where it is available; or ii. copper where fibre is not available; b. local electricity distribution network; and c. wastewater, potable water and stormwater where they are available.
GRZ-P3	Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure.
GRZ-P4	Enable non-residential activities that: <ul style="list-style-type: none"> a. do not detract from the vitality and viability of the Mixed Use zone; b. support the social and economic well-being of the community; c. are of a residential scale; and d. are consistent with the scale, character and amenity of the General Residential zone.

GRZ-P5	Provide for retirement villages where they: a. compliment the character and amenity values of the surrounding area; b. contribute to the diverse needs of the community; c. do not adversely affect road safety or the efficiency of the transport network; and d. can be serviced by adequate development infrastructure.
GRZ-P6	Encourage and support the use of on-site water storage to enable sustainable and efficient use of water resources.
GRZ-P7	Encourage energy efficient design and the use of small-scale renewable electricity generation in the construction of residential development.
GRZ-P8	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: a. consistency with the scale, design, amenity and character of the residential environment; b. the location, scale and design of buildings or structures, potential for shadowing and visual dominance; c. for residential activities: i. provision for outdoor living space; ii. privacy for adjoining sites; iii. access to sunlight; d. for non-residential activities: i. scale and compatibility with residential activities ii. hours of operation e. at zone interfaces, any setbacks, fencing, screening or landscaping required to address potential conflicts; f. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity, including: i. opportunities for low impact design principles ii. ability of the site to address stormwater and soakage; g. managing natural hazards; and h. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Rules

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

GRZ-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
General Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted or controlled activity.</p> <p>PER-2 The new building or structure, or extensions to an existing building or structure complies with standards: GRZ-S1 Maximum height GRZ-S2 Height in relation to boundary GRZ-S3 Setback (excluding from MHWS or wetland, lake and river margins) GRZ-S4 Setback from MHWS GRZ-S5 Façade length GRZ-S6 Outdoor living space</p>	<p>Activity status where compliance not achieved with PER-2: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>

	GRZ-S7 Outdoor storage	
GRZ-R2	Impermeable surface coverage	
General Residential zone	Activity status: Permitted Where: PER-1 The impermeable surface coverage of any site is no more than 50%. Note: Where a development is utilising more than one site, including for multi-unit development or retirement villages, the percentage coverage must be calculated over the gross site area of all affected sites.	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the extent to which landscaping or vegetation may reduce adverse effects of run-off; the effectiveness of the proposed method for controlling stormwater on site; the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites; and whether low impact design methods and use of green spaces can be used; any cumulative effects on total catchment impermeability; natural hazard mitigation and site constraints; and extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies.
GRZ-R3	Residential activity (standalone residential units)	
General Residential zone	Activity status: Permitted Where: PER-1 <ol style="list-style-type: none"> 1. The number of standalone residential units on a site does not exceed one; and 2. The site does not contain a multi-unit development. 	Activity status where compliance not achieved with PER-1: Discretionary
GRZ-R4	Visitor accommodation	
General Residential zone	Activity status: Permitted Where: PER-1 The visitor accommodation is within a residential unit or accessory building. PER-2 The occupancy does not exceed six guests per night. PER-3 The site does not share access with another site.	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary
GRZ-R5	Home business	
General Residential zone	Activity status: Permitted Where: PER-1 The home business is undertaken within: <ol style="list-style-type: none"> 1. a residential unit; or 2. an accessory building that does not exceed GFA of 40m². PER-2	Activity status where compliance not achieved with PER-2, PER-3 and PER-4: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> scale, intensity and character of the business; traffic generation, safety and access; provision of parking; noise, odour and dust;

	<p>There is no more than one full-time equivalent person engaged in the home business who resides off-site.</p> <p>PER-3 All manufacturing, altering, repairing, dismantling or processing of any materials or articles associated with an activity is carried out within a building.</p> <p>PER-4 Hours of operation are between: 1. 7am - 8pm Monday to Friday. 2. 8am - 8pm Weekends and public holidays.</p>	<p>e. disturbance and loss of privacy for surrounding sites; and f. hours of operation.</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>
GRZ-R6	Educational facility	
General Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The educational facility is within a residential unit or accessory building.</p> <p>PER-2 The number of students attending at one time does not exceed four, excluding those who reside onsite.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
GRZ-R7	Supported residential care	
General Residential zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The supported residential care is within a residential unit or accessory building.</p> <p>PER-2 The number of occupants does not exceed six.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>
GRZ-R8	Conservation activity	
General Residential zone	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
GRZ-R9	Residential activity (multi-unit development)	
General Residential zone	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1 1. The site area per multi-unit development is at least 600m²; and 2. The number of residential units in a multi-unit development on a site does not exceed three; and 3. There is no standalone residential unit on the site.</p> <p>CON-2 The minimum net internal floor area, excluding outdoor living space, of a residential unit within a multi-unit development shall be: 1. 1 bedroom = 45m² 2. 2 bedroom = 62m² 3. 3 bedroom = 82m²</p> <p>Matters of discretion are restricted to:</p> <p>a. the effects on the neighbourhood character,</p>	<p>Activity status where compliance not achieved: Discretionary</p>

	<p>residential amenity and the surrounding residential area from all of the following.</p> <ol style="list-style-type: none"> building intensity, scale, location, form and appearance. location and design of parking and access. location of outdoor living space in relation to neighbouring sites. 	
GRZ-R10	Retirement village	
General Residential zone	<p>Activity status: Restricted discretionary</p> <p>Where</p> <p>RD-1</p> <p>The activity will be accommodated within a new building or structure, or extensions to an existing building or structure which comply with standards:</p> <p>GRZ-S1 Maximum height</p> <p>GRZ-S2 Height in relation to boundary</p> <p>GRZ-S3 Setback (excluding from MHWS or wetland, lake and river margins)</p> <p>GRZ-S4 Setback from MHWS</p> <p>GRZ-S5 Façade length</p> <p>GRZ-S6 Outdoor living space</p> <p>GRZ-S7 Outdoor storage</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> safe integration of vehicle and pedestrian access with the adjoining road network. provision of landscaping and bunding, on-site amenity for residents, recreational facilities and stormwater systems. design and layout of pedestrian circulation. residential amenity for surrounding sites in respect of outlook and privacy. visual quality and interest in the form and layout of the retirement village, including buildings, fencing, location and scale of utility areas and external storage areas. the benefits associated with provision of accommodation to meet the needs of the elderly. 	Activity status where compliance not achieved with RD-1: Discretionary
GRZ-R11	Minor residential unit	
General Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R12	Community facility	
General Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R13	Place of assembly	
General Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R14	Emergency services facility	
General Residential zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
GRZ-R15	Activities not otherwise listed in this chapter	
General Residential	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

zone		
GRZ-R16	Industrial activity	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R17	Commercial activity not provided for as a permitted or restricted discretionary activity	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R18	Primary production and rural industry	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R19	Rural industry	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R20	Hospital	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R21	Offensive trade	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R22	Commercial composting	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R23	Community corrections activity	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
GRZ-R24	Cleanfill area or landfill, including managed fill	
General Residential zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
GRZ-S1	Maximum height	
General Residential zone	<p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 8m above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation. Chimney structures not exceeding 1.2m in width and 1m in height above the building envelope on any elevation. Satellite dishes and aerials not exceeding 1m in height above the building envelope and/or diameter 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the character and amenity of the surrounding built environment; dominance in relation to the road and adjoining sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites; landscaping; and natural hazard mitigation and site

	<p>on any elevation.</p> <p>iv. Architectural features (e.g. finials, spires) not exceeding 1m in height above the building envelope on any elevation.</p>	constraints.
GRZ-S2	Height in relation to boundary	
General Residential zone	<p>The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ol style="list-style-type: none"> 1. 55 degrees at 2m above ground level at the northern boundary of the site; 2. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; 3. 35 degrees at 2m above ground level at the southern boundary of the site. <p>Except where the site boundary adjoins a lawfully established accessway or access lot serving a rear site, the measurement shall be taken from the furthest boundary of the accessway or access lot.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. Solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation. ii. Chimney structures not exceeding 1.2m in width and 1m in height above the building envelope on any elevation. iii. Satellite dishes and aerials not exceeding 1m in height above the building envelope and/or diameter on any elevation. iv. Architectural features (e.g. finials, spires) not exceeding 1m in height above the building envelope on any elevation. v. A building or structure exceeding this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided that the maximum height of any building or structure where it exceeds the standard is 2.7m. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and c. natural hazard mitigation and site constraints.
GRZ-S3	Setback (excluding from MHWS or wetland, lake and river margins)	
General Residential zone	<p>The building or structure, or extension or alteration to an existing building or structure must be set back at least 1.2m from all site boundaries, except that the setback must be at least 3m measured from a road boundary.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. Fences or walls no more than 2m in height above ground level. ii. uncovered decks no more than 0.5m above ground level 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; f. the safety and efficiency of the current or future roading network; and g. the impacts on existing and planned public walkways, reserves and esplanades.
GRZ-S4	Setback from MHWS	
General Residential zone	The building or structure, or extension or alteration to an existing building or structure must be set back at least 26m from MHWS.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the natural character of the coastal environment;

		<ul style="list-style-type: none"> b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.
GRZ-S5	Façade length	
General Residential zone	<p>The building or structure, or extension or alteration to an existing building or structure must include a recess where the façade exceeds 20m along any road or public land.</p> <p>The recess must:</p> <ol style="list-style-type: none"> 1. be at least 1m in depth for a length of at least 2m; 2. be for the full height of the wall; 3. include a break in the eave line and roofline of the façade. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. Fences or walls no more than 2m in height. ii. Uncovered decks 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; and c. the design and siting of the building or structure;
GRZ-S6	Outdoor living space	
General Residential zone	<ol style="list-style-type: none"> 1. Each residential unit must have an exclusive outdoor living space: <ol style="list-style-type: none"> i. of at least 50m² at ground level with a minimum dimension of 5m; or ii. at least 8m² (with a minimum dimension of 2m) where the residential unit is not on the ground floor. 2. The outdoor living space must: <ol style="list-style-type: none"> i. be directly accessible from a habitable room in the residential unit; ii. be free of buildings, storage, parking spaces and manoeuvring areas; iii. be oriented to the north, east or west side (or a combination) of the residential unit. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the provision of sufficient outdoor living space; b. the residential amenity for the occupants of the residential unit; c. accessibility and convenience for residents; d. alternative provision of outdoor living space, such as proximity to accessible public open space; e. the provision of adequate access to sunlight on the outdoor living space throughout the year; and f. topographical or other site constraints making compliance with the standard impractical.
GRZ-S7	Outdoor storage	
General Residential zone	<p>Any outdoor area used for storage or stockpiling must be fully screened by a solid fence or wall of a minimum height of 1.8m so that it is not visible from adjoining sites and public land.</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the streetscape and amenity of the surrounding area; b. the amenity of adjoining properties; c. screening, planting and landscaping; and d. topographical or other site constraints making compliance with the standard impractical.





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Overview

The Far North District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The District Plan has mapped the coastal environment and identifies areas within it that contain high or outstanding natural character. These areas were originally identified through the regional mapping project undertaken by the Regional Council for the RPS. The methodology for identifying them can be found in APP1- Mapping methods and criteria and the schedules of high and outstanding natural character can be found in SCHED7 and SCHED8 of the District Plan. The mapped coastal environment accounts for approximately 12% of the District's total land area.

Much of the District's coastline is relatively undeveloped in the sense that there is limited built development and supporting infrastructure. The past few of decades have seen an increasing pressure for development in coastal areas, particularly along the east coast where there is a continued pattern of settlement which has placed additional pressure on coastal resources and character. Consideration needs to be given to both the preservation of the natural character of the coastal environment and the level of intervention to manage land use and subdivision, while ensuring the communities health, safety and wellbeing.

The coastal hazard rules are located in this chapter in accordance with the Planning Standards, while other natural hazards such as flooding are controlled in the Natural Hazards chapter. The Natural Hazards chapter consolidates all of the objectives and policies related to natural hazards including rules that must be considered when assessing proposals within a Coastal Hazard Area.

Council has a responsibility under the RMA, the NZCPS and the RPS to preserve and protect the natural character of the coastal environment from inappropriate land use and subdivision.

Objectives	
CE-O1	The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.
CE-O2	Land use and subdivision in the coastal environment: <ul style="list-style-type: none"> a. preserves the characteristics and qualities of the natural character of the coastal environment; b. is consistent with the surrounding land use; c. does not result in urban sprawl occurring outside of urban zones; d. promotes restoration and enhancement of the natural character of the coastal environment; and e. recognises tangata whenua needs for ancestral use of whenua Māori.
CE-O3	Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

Policies	
CE-P1	Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.
CE-P2	Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: <ul style="list-style-type: none"> a. outstanding natural character; b. ONL; c. ONF.
CE-P3	Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: <ul style="list-style-type: none"> a. outstanding natural character; b. ONL; c. ONF.
CE-P4	Preserve the visual qualities, character and integrity of the coastal environment by: <ul style="list-style-type: none"> a. consolidating land use and subdivision around existing urban centres and rural settlements; and b. avoiding sprawl or sporadic patterns of development.
CE-P5	Enable land use and subdivision in urban zones within the coastal environment where: <ul style="list-style-type: none"> a. there is adequacy and capacity of available or programmed development infrastructure; and b. the use is consistent with, and does not compromise the characteristics and qualities.
CE-P6	Enable farming activities within the coastal environment where: <ul style="list-style-type: none"> a. the use forms part of the values that established natural character of the coastal environment; or b. the use is consistent with, and does not compromise the characteristics and qualities.

CE-P7	Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where: <ol style="list-style-type: none"> the use is consistent with the ancestral use of that land; and the use does not compromise any identified characteristics and qualities.
CE-P8	Encourage the restoration and enhancement of the natural character of the coastal environment.
CE-P9	Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.
CE-P10	Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and 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: <ol style="list-style-type: none"> the presence or absence of buildings, structures or infrastructure; the temporary or permanent nature of any adverse effects; the location, scale and design of any proposed development; any means of integrating the building, structure or activity; the ability of the environment to absorb change; the need for and location of earthworks or vegetation clearance; the operational or functional need of any regionally significant infrastructure to be sited in the particular location; any viable alternative locations for the activity or development; any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; the likelihood of the activity exacerbating natural hazards; the opportunity to enhance public access and recreation; the ability to improve the overall quality of coastal waters; and any positive contribution the development has on the characteristics and qualities.

Rules

Notes:

- There may be rules in other District-Wide Matters and the underlying zone in Part 3- Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- The National Environmental Standards for Plantation Forestry 2017 (NES-PF) regulates plantation forestry and Regulation 6 of the NES-PF allows plan rules to be more stringent to give effect to Policy 13 of the NZCPS. Rule CE-R6 Plantation forestry and plantation forestry activities in this chapter contains more stringent rules for plantation forestry activities to protect natural character of coastal environment and prevails over the NES-PF regulations.
- The Earthworks chapter rules apply 'in addition' to the earthworks rules in this overlay chapter, not instead of. In the event of a conflict between the earthworks chapter and this chapters earthworks rules, the most stringent rule will apply.

CE-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Coastal environment	Activity status: Permitted <p>Where:</p> <p>PER-1 If a new building or structure is located in an urban zone it is:</p> <ol style="list-style-type: none"> no greater than 300m². located outside high or outstanding natural character areas. <p>PER-2 If a new building or structure is not located within an urban zone it is:</p> <ol style="list-style-type: none"> ancillary to farming activities (excluding a residential unit). no greater than 25m². located outside outstanding natural character areas. <p>PER-3</p>	Activity status where compliance not achieved with PER-1: Discretionary (inside a high natural character area) Non-complying (inside an outstanding natural character area)

Activity status where compliance not achieved with PER-2:
 Discretionary (outside an outstanding natural character area)
 Non-complying (inside an outstanding natural character area)

Activity status where compliance not achieved with PER-3 or PER-4:
 Discretionary

	<p>Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.</p> <p>PER-4</p> <p>The building or structure, or extension or addition to an existing building or structure, complies with standards: CE-S1 Maximum height. CE-S2 Colours and materials.</p>	
CE-R2	Repair or maintenance	
Coastal environment	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:</p> <ol style="list-style-type: none"> 1. roads. 2. fences. 3. network utilities. 4. driveways and access. 5. walking tracks. 6. cycling tracks. 7. farming tracks. 	<p>Activity status where compliance is not achieved with PER-1: Discretionary</p>
CE-R3	Earthworks or indigenous vegetation clearance	
Coastal environment	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The earthworks or indigenous vegetation clearance is:</p> <ol style="list-style-type: none"> 1. required for repair or maintenance permitted under CE-R2 Repair or Maintenance. 2. required to provide for safe and reasonable clearance for existing overhead power lines. 3. necessary to ensure the health and safety of the public. 4. for biosecurity reasons. 5. for the sustainable non-commercial harvest of plant material for rongoā Māori. <p>PER-2</p> <p>The earthworks or indigenous vegetation clearance is not provided for within CE-R3 PER-1 but it complies with standard CE-S3 Earthworks or indigenous vegetation clearance.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>
CE-R4	Farming	
Coastal environment	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The farming activity is located outside high or outstanding natural character areas.</p>	<p>Activity status where compliance is not achieved with PER-1: Discretionary (outside an outstanding natural character area)</p> <p>Non-complying (inside an outstanding natural character area)</p>
CE-R5	Demolition of buildings or structures	
Coastal environment	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
CE-R6	Plantation forestry and plantation forestry activity	
Coastal environment	Activity status: Discretionary	Activity status where compliance not achieved with DIS-1: Non-complying

	Where: DIS-1 The plantation forestry or plantation forestry activity is located outside outstanding natural character areas.	
CE-R7	Extension to existing mineral extraction activity	
Coastal environment	Activity status: Discretionary Where: DIS-1 The extension is to an existing lawfully established mineral extraction activity and is located outside outstanding natural character areas.	Activity status where compliance not achieved with DIS-1: Non-complying
CE-R8	New mineral extraction activity	
Coastal environment	Activity status: Prohibited	Activity status where compliance not achieved: Not applicable
CE-R9	Land fill, managed fill or clean fill	
Coastal environment	Activity status: Prohibited	Activity status where compliance not achieved: Not applicable

Standards		
CE-S1	Maximum height	
Coastal environment	<ol style="list-style-type: none"> 1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula. 2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. The Orongo Bay zone 	Where the standard is not met, matters of discretion are restricted to: Not applicable
CE-S2	Colours and materials	
Coastal environment	<p>The exterior surfaces of buildings or structures shall:</p> <ol style="list-style-type: none"> 1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%. 2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette. 	
CE-S3	Earthworks or indigenous vegetation clearance	
Coastal environment	<p>Any earthworks or indigenous vegetation clearance must (where relevant):</p> <ol style="list-style-type: none"> 1. not occur in outstanding natural character areas. 2. not exceed a total area of 50m² for 10 years from the notification of the District Plan in an area of high natural character. 3. not exceed a total area of 400m² for 10 years from the notification of the District Plan in an area outside high or outstanding natural character areas. 4. not exceed a cut height or fill depth of 1m. 5. screen any exposed faces. <p>Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</p>	Where the standard is not met, matters of discretion are restricted to: Not applicable

Rules in coastal hazard areas

A land use activity or subdivision may be subject to more than one hazard. Where this occurs, the most stringent activity status applies. Rules relating to other natural hazards, are located in the Natural Hazards chapter.

Any application for a resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer or technical expert that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.

A land use activity or subdivision undertaken within a coastal hazard area may also be subject to other rules in the Coastal Environment chapter. When this occurs, the most stringent activity status applies and a site specific assessment of matters relating to the coastal environment and coastal hazard areas are required.

CE-R10	External alterations to existing buildings	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase in the GFA of the building.</p> <p>PER-2 The external alteration, including any associated earthworks, does not direct coastal inundation onto other properties.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2 - Restricted Discretionary refer to Rule CE-R17</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17.</p>
CE-R11	Maintenance, repair or upgrading of infrastructure, including structural mitigation assets	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase to the footprint of any above ground infrastructure.</p> <p>PER-2 Any works to maintain, repair or upgrade infrastructure does not direct coastal inundation onto other properties</p> <p>PER-3 The ground is reinstated to the equivalent state that existed prior to the works.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary where it meets CE-R19.</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R19.</p>
CE-R12	New buildings or structures	
Coastal hazard area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is one of the following: i. above ground buildings and structures with a footprint of 10m² or less and are not used for a vulnerable activity. ii. decks less than 30m² and less than 1m in height.</p> <p>PER 2 The building or structure including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>PER 3 All standards of the relevant zone applying to the activity are met.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary refer to Rule CE-R17 (buildings) or CE-R19 (structures)</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17 or CE-R19</p>
CE-R13	Building or structures ancillary to farming activities	
Coastal hazard area	Activity status: Permitted	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4

	<p>Where:</p> <p>PER-1 The accessory building or structure has a footprint that is less than 100m².</p> <p>PER-2 The accessory building or structure is not located within a High Risk Coastal Hazard area.</p> <p>PER-3 The accessory building or structure does not contain a vulnerable activity.</p> <p>PER 4 The accessory building or structure, including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>PER 5 All standards of the relevant rural zone applying to the activity are met.</p>	<p>or PER-5: Restricted Discretionary refer to Rule CE-R17 (buildings) CE-R19 (structures)</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters outlined in Rule CE-R17 or CE-R19</p>
CE-R14	New buildings, and extension or alterations that increase the GFA of existing buildings	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 New buildings or extension or alterations of existing buildings, including any associated earthworks, does not direct coastal inundation onto other properties.</p> <p>RDIS-2 The new building (other than for a vulnerable activity) or extension or alteration to an existing building is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-3 A new building for a vulnerable activity is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-4 The activity complies with standards: CE-S4 Minimum floor levels CE-S5 Information requirements</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> i. the nature and likelihood of the natural hazard event and effects on integrity of the building and associated structures or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; ii. the vulnerability and resilience of the building and associated structures or infrastructure to natural hazard events; iii. provision of safe access and egress during a hazard event; iv. the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; v. whether the building and associated structures or infrastructure is likely to accelerate, worsen or result in material damage or increased inundation to that land, other land or any 	<p>Activity status where compliance with RDIS-1, RDIS-2 or RDIS-4 not achieved: Discretionary</p> <p>Activity status where compliance with RDIS-3 not achieved: non-complying</p>

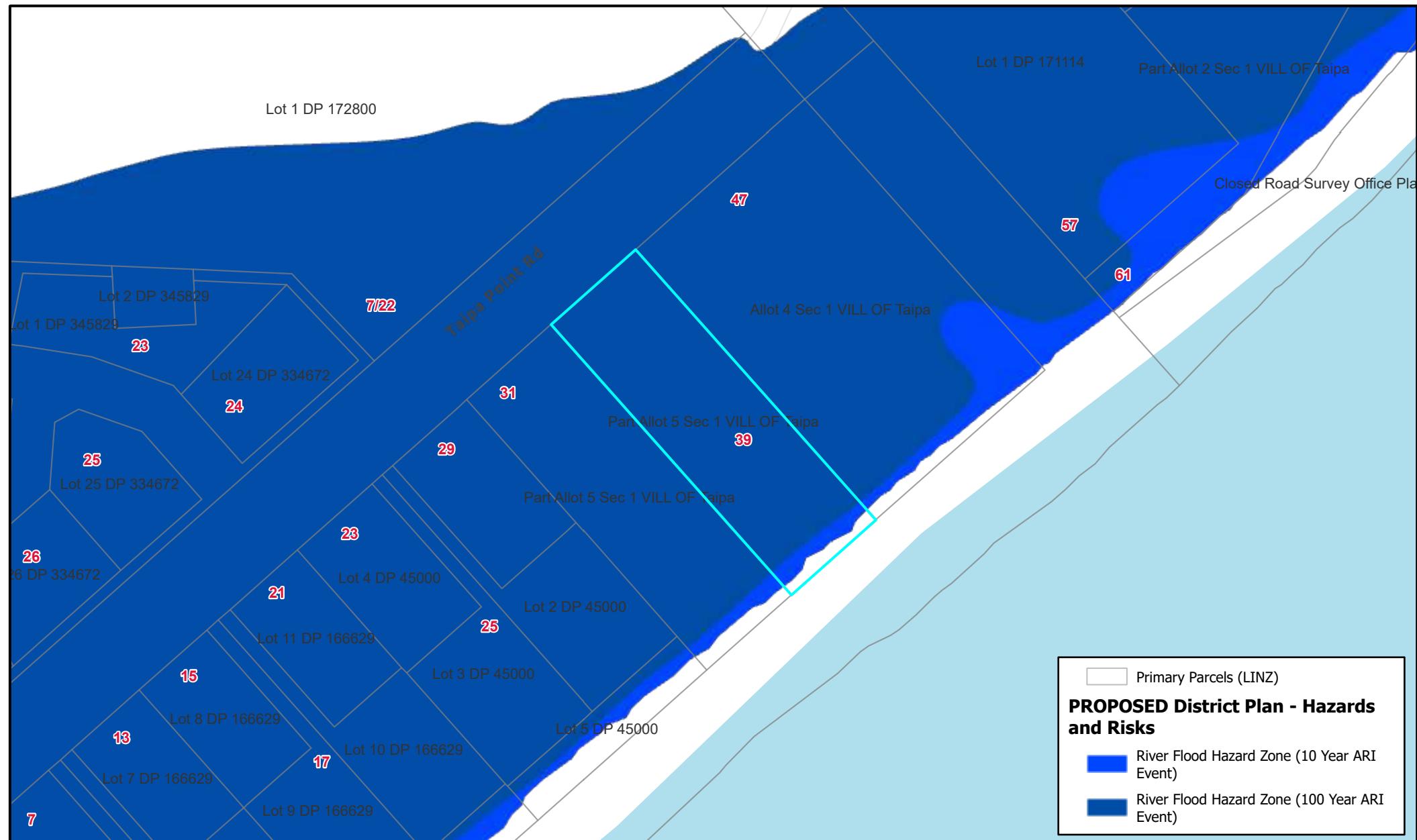
	<ul style="list-style-type: none"> other building, structure or infrastructure; vi. the proposed duration of the activity within a hazard area; vii. any proposed hazard mitigation works and associated effects including on public access, landscape and other values; and viii. the effects of any vegetation planting or removal. 	
CE-R15	Change in use to accommodate vulnerable activities within existing buildings	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The activity is accommodated within a building that complies with standards: CE-S4 Minimum floor levels CE-S5 Information requirements</p> <p>RDIS-2 The activity is not in a High Risk Coastal Hazard Area.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> i. the nature and likelihood of the natural hazard event and effects on integrity of the building to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; ii. the vulnerability and resilience of the activity, including people and property, to natural hazard events; iii. provision of safe access and egress to the building during a hazard event; iv. the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; v. the proposed duration of the activity within a hazard area; vi. any proposed hazard mitigation works and associated effects including on public access, landscape and other values. 	<p>Activity status where compliance not achieved: Discretionary</p>
CE-R16	New structures (excluding buildings) and infrastructure, and extensions or alterations to existing structures (excluding buildings and infrastructure)	
Coastal hazard area	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The structure or infrastructure is not a structural mitigation asset.</p> <p>RDIS-2 The new structure, infrastructure, extension or alteration, including any associated earthworks, does not increase coastal inundation on other properties.</p> <p>RDIS-3 The new structure, infrastructure, extension or alteration is not located in a High Risk Coastal Hazard Area.</p> <p>RDIS-4 The activity complies with standard: CE-S5 Information requirements</p> <p>Matters of discretion are restricted to:</p>	<p>Activity status where compliance not achieved: Discretionary</p>

	<ul style="list-style-type: none"> i. the nature and likelihood of the natural hazard event and effects on integrity of the structure or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; ii. the vulnerability and resilience of the structure or infrastructure to natural hazard events; iii. provision of safe access and egress where necessary during a hazard event; iv. the ability to relocate or adapt to the coastal hazard over time or in response to direct effects of the hazard; v. whether the structure of infrastructure is likely to accelerate, worsen or result in material damage or increased inundation to that land, other land or any building, structure or infrastructure; vi. the proposed duration of the activity within a hazard area; vii. any proposed hazard mitigation works and associated effects including on public access, landscape and other values; viii. the effects of any vegetation planting or removal; and ix. for infrastructure, whether there is a functional or operational need to be located within the hazard area. 	
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CE-R17	Hazardous facility	
Coastal hazard area	Activity status: Discretionary Where: DIS-1 The facility is not located in a High Risk Coastal Hazard Area.	Activity status where compliance not achieved: Non complying
CE-R18	Hazardous facility	
Coastal hazard area	Activity status: Discretionary Where: DIS-1 The facility is not located in a High Risk Coastal Hazard area.	Activity status where compliance not achieved: Non-complying activity
CE-R19	Activities not otherwise listed in the coastal hazard area provisions	
Coastal hazard area	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

Standards in coastal hazard areas		
CE-S4	Minimum floor levels	
Coastal hazard area	All activities occurring within buildings are designed so they will not be subject to inundation and/or material damage (including erosion) over a 100-year timeframe, and either: <ul style="list-style-type: none"> i. the finished floor level of any building accommodating a vulnerable activity must be at least 500mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise; or ii. the finished floor level of any other building must be at least 300mm above the maximum water level in a 	Where the standard is not met, matters of discretion are restricted to: Not applicable

	1 percent AEP flood event plus 1m sea level rise.	
CE-S5	Information requirements	
Coastal hazard area	Any application for a resource consent in relation to a site that is potentially affected by a coastal hazard must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Where the standard is not met, matters of discretion are restricted to: Not applicable



Overview

The District is affected by natural hazards. These are natural processes that become a hazard when they affect people, property, infrastructure or the wider environment.

Natural hazards include those that occur frequently such as flooding, coastal erosion and inundation, and land instability; and those natural hazards that occur less frequently including wildfires, tsunami, high winds and droughts. Flooding is the most common natural hazard faced by the District, while many of the District's settlements are also adjacent to the coast which exposes them to coastal hazard risks. Natural hazards are often driven by climatic conditions, for example extreme rainfall events (flooding/land instability) or severe drought (wildfire). Coastal erosion and inundation are also most likely to occur during storm events.

The risk of natural hazards is likely to increase in the future as a result of climate change. Rainfall in Northland is predicted to reduce overall and droughts are likely to increase in intensity and duration. However, tropical cyclones will likely be stronger and cause more damage as a result of heavy rain and strong winds. Sea level rise will increase the risk and extent of coastal erosion and inundation affecting properties, roads and other infrastructure.

The effects of natural hazard events range from general nuisance to creating significant damage to, or loss of, property and infrastructure such as roads, bridges and pipelines. In extreme cases, natural hazards can result in loss of life. The risk that natural hazards pose is made up of a number of factors including:

- the nature, magnitude and extent of the hazard;
- the anticipated frequency or probability of the hazard event occurring; and
- the exposure and vulnerability of people, property and the environment to the hazard.

There is a tension between managing the risk to people and property from natural hazards and enabling reasonable use and development of private land. Plan controls on land use and subdivision are focused on managing the risk of flooding, coastal erosion and inundation (located in the Coastal Environment Chapter), land instability and wildfire as follows:

River Flooding Hazards

Within areas of flooding, coastal erosion and coastal inundation mapped by the Northland Regional Council and included in the District Plan maps as follows:

Flood Hazard Areas

- 1 in 10 Year River Flood Hazard Area – the area potentially susceptible to river flooding in a 10% Annual Exceedance Probability (AER) / 10Yr Average Return Interval (ARI) storm event.
- 1 in 100 Year River Flood Hazard Area – the area potentially susceptible to river flooding in a 1% AEP / 100Yr ARI storm event plus climate change.

Coastal Hazard Areas (including High Risk Coastal Hazard Area comprising of CFZ1 and CEZ1)

- Coastal Flood Zone 1 (CFHZ1) – extent of the 50-year ARI static water level at 2080 including 0.6 m sea level rise (RCP8.5M).
- Coastal Flood Zone 2 (CFHZ2) – extent of the 100-year ARI static water level at 2080 including 1.2 m sea level rise (RCP8.5M).
- Coastal Flood Zone 3 (CFHZ3) – extent of the 100-year ARI static water level at 2080 including 1.5 m sea level rise (RCP8.5H+).
- Coastal Erosion Zone 1 (CEHZ1) – an area potentially susceptible to coastal erosion (66% probability) by 2080 with 0.33 m sea level rise from 2019 – (RCP 8.5M).
- Coastal Erosion Zone 2 (CEHZ2) – an area potentially susceptible to coastal erosion (5% probability) by 2130 with 0.85 m sea level rise from 2019 – (RCP 8.5M).
- Coastal Erosion Zone 3 (CEHZ3) – an area potentially susceptible to coastal erosion (5% probability) by 2130 with 1.17 m sea level rise from 2019 – (RCP 8.5H+).

Land Instability

Land that is susceptible to instability hazards. Land is identified at subdivision through the application of geological information, slope and other criteria as defined in Definitions.

Wildfire

Ensuring adequate water supplies are available for firefighting purposes, appropriate setbacks from vegetation and suitable access for firefighting in new subdivisions.

However, due to the widespread nature of natural hazards in the Far North District, consideration of natural hazard risks may be required outside of these areas. For example, consideration of the risks from natural hazards is a component of all subdivision applications.

A precautionary approach is required to manage natural hazard risks. This reflects the direction provided by national and regional policy statements, the imperfect knowledge available on natural hazards, the potentially significant costs and consequences that result from a major hazard event and that it is often difficult and more expensive to mitigate hazard risk after subdivision and land use development has occurred. Plan controls are also generally more stringent for those activities that are more vulnerable to the effects of natural hazards – primarily residential activities, including care facilities (including day-care centres), retirement villages and marae.

Council must also provide the ability to adapt to our changing environment and knowledge and take opportunities to reduce the risks of hazards on existing buildings, structures and infrastructure where these arise.

Council has responsibilities under the RMA, the NZCPS and the NRPS to manage natural hazard risk to provide for the health and safety of our communities and the infrastructure that serves them. This is achieved through a range of approaches including:

- avoiding or controlling land use and subdivision in areas of identified natural hazard risk;
- incorporating ways to mitigate risks in the design and layout of subdivision and development;
- progressively responding and adapting to long term changes in climate and sea level; and
- building the community's understanding of natural hazards and its preparedness to respond to natural hazard events (often called resilience).

There are also a range of non-statutory methods for managing the effects of natural hazards, including measures put in place by emergency management groups such as Civil Defence. These include education, warning systems and emergency preparedness.

Objectives	
NH-O1	The risks from natural hazards to people, infrastructure and property are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities.
NH-O2	Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so.
NH-O3	New infrastructure is located outside of identified natural hazard areas unless: <ol style="list-style-type: none"> a. it has a functional or operational need to be located in that area; b. it is designed to maintain its integrity and function, as far as practicable during a natural hazard event; and c. adverse effects resulting from that location on other people, property and the environment are mitigated.
NH-O4	Natural defences, such as natural systems and features, and existing structural mitigation assets are protected to maintain their functionality and integrity and used in preference to new structural mitigation assets to manage natural hazard risk.

Policies	
General	
NH-P1	Map or define areas that are known to be subject to the following natural hazards, taking into account accepted estimates of climate change and sea level rise: <ol style="list-style-type: none"> a. flooding; b. coastal erosion; c. coastal inundation; and d. land instability.
NH-P2	Manage land use and subdivision so that natural hazard risk is not increased or is mitigated, giving consideration to the following: <ol style="list-style-type: none"> a. the nature, frequency and scale of the natural hazard; b. not increasing natural hazard risk to other people, property, infrastructure and the environment beyond the site; c. the location of building platforms and vehicle access; d. the use of the site, including by vulnerable activities; e. the location and types of buildings or structures, their design to mitigate the effects and risks of natural hazards, and the ability to adapt to long term changes in natural hazards; f. earthworks, including excavation and fill; g. location and design of infrastructure; h. activities that involve the use and storage of hazardous substances; i. aligning with emergency management approaches and requirements; j. whether mitigation results in transference of natural hazard risk to other locations or exacerbates the natural hazard; and k. reduction of risk relating to existing activities.
NH-P3	Take a precautionary approach to the management of natural hazard risk associated with land use and subdivision.
NH-P4	Manage land use and subdivision so that the functionality and long-term integrity of existing structural mitigation assets are not compromised or degraded.

NH-P5	Require an assessment of risk prior to land use and subdivision in areas that are subject to identified natural hazards, including consideration of the following: <ul style="list-style-type: none"> a. the nature, frequency and scale of the natural hazard; b. the temporary or permanent nature of any adverse effect; c. the type of activity being undertaken and its vulnerability to an event, including the effects of climate change; d. the consequences of a natural hazard event in relation to the activity; e. any potential to increase existing risk or creation of a new risk to people, property, infrastructure and the environment within and beyond the site and how this will be mitigated; f. the design, location and construction of buildings, structures and infrastructure to manage and mitigate the effects and risk of natural hazards including the ability to respond and adapt to changing hazards; g. the subdivision/site layout and management, including ability to access and exit the site during a natural hazard event; and . h. the use of natural features and natural buffers to manage adverse effects.
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River Flood hazard

NH-P6	Manage land use and subdivision in river flood hazard areas to protect the subject site and its development, and other property, by requiring: <ul style="list-style-type: none"> a. subdivision applications to identify building platforms that will not be subject to inundation and material damage (including erosion) in a 1 in 100 year flood event; b. a minimum freeboard for all buildings designed to accommodate vulnerable activities of at least 500mm above the 1 in 100 year flood event and at least 300mm above the 1 in 100 year flood event for other new buildings; c. commercial and industrial buildings to be constructed so they will not be subject to material damage in a 1 in 100 year flood event; d. buildings within a 1 in 10 Year River Flood Hazard Area to be designed to avoid material damage in a 1 in 100 year flood event; e. storage and containment of hazardous substances so that the integrity of the storage method will not be compromised in a 1 in 100 year flood event; f. earthworks (other than earthworks associated with flood control works) do not divert flood flow onto surrounding properties and do not reduce flood plain storage capacity within a 1 in 10 Year River Flood Hazard area; g. the capacity and function of overland flow paths to convey stormwater flows safely and without causing damage to property or the environment is retained, unless sufficient capacity is provided by an alternative method; and h. the provision of safe vehicle access within the site.
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Coastal hazard

NH-P7	Manage new land use and subdivision in coastal hazard areas so that: <ul style="list-style-type: none"> a. new subdivision avoids locating building platforms within High Risk Coastal Hazard areas and building platforms should be located outside other coastal hazard areas where alternative locations are available and it is practicable to do so; b. new buildings containing vulnerable activities are not located within High Risk Coastal Hazard areas unless: <ul style="list-style-type: none"> i. there is no other suitable location available on the existing site; ii. hazard risks can be mitigated without the need for hard protection structures. c. where a building or building platform is located with a coastal hazard area, it should be designed and constructed such that: <ul style="list-style-type: none"> i. the building platform will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe; and either <ul style="list-style-type: none"> ii. the finished floor level of any building accommodating a vulnerable activity must be at least 500mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise; or iii. the finished floor level of any other building must be at least 300mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise. d. hazard risk is not transferred to, or increased on, other properties; e. buildings, building platforms, access and services are located and designed to minimise the need for hard protection structures; f. safe vehicle access within the site is provided; and g. services are located and designed to minimise the risk of natural hazards.
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Land instability

NH-P8	Locate and design subdivision and land use to avoid land susceptible to land instability, or if this is not practicable, mitigate risks and effects to people, buildings, structures, property and the environment.
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Wildfire

NH-P9	Manage land use and subdivision that may be susceptible to wildfire risk by requiring: <ul style="list-style-type: none"> a. setbacks from any contiguous scrub or shrubland, woodlot or forestry;
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	<p>b. access for emergency vehicles; and</p> <p>c. sufficient accessible water supply for firefighting purposes.</p>
Infrastructure	
NH-P10	Provide for the operation, maintenance, and minor upgrading of existing infrastructure in identified natural hazard areas.
NH-P11	<p>Allow the establishment of new infrastructure in identified natural hazard areas where:</p> <p>a. there is a functional or operational need to locate in the hazard area and there is no practicable alternative;</p> <p>b. it has been designed to maintain its resilience, integrity and function during a natural hazard event recognising that some hazard events may be of a scale that results in temporary disruption to the function of that infrastructure;</p> <p>c. risks to other people, property, infrastructure and the environment are mitigated; and</p> <p>d. consideration has been given to the ability to respond and adapt to long term effects such as sea level rise and climate change.</p>
Defences against hazards	
NH-P12	<p>Protect existing natural systems and features that buffer or protect development from the adverse effects of natural hazards by:</p> <p>a. avoiding the modification, alteration or loss of natural systems and features that compromises their function, including as a defence against long term effects such as sea level rise and climate change; and</p> <p>b. promoting restoration and enhancement of such natural systems and features.</p>
NH-P13	<p>Consider new hard protection structures to protect existing development and existing and new infrastructure only where:</p> <p>a. natural systems and features will not provide adequate protection from the natural hazard;</p> <p>b. the design is suitable for the location and does not transfer the risk and effects of natural hazards to other locations;</p> <p>c. any hard protection structures considered necessary to protect private assets are not located on public land unless there is significant public or environmental benefit in doing so;</p> <p>d. alternative responses to the hazard (including soft protection measures, restoration or enhancement of natural defences against coastal hazards and abandonment of assets) are demonstrated to be impractical or have significantly greater adverse effects on the environment; and</p> <p>e. they are the only practical means to protect:</p> <p>i. existing infrastructure or new infrastructure that has a functional or operational need to be in the location; or</p> <p>ii. existing settlements of vulnerable activities.</p>
NH-P14	Enable the upgrading and maintenance of existing Regional and District Council flood management schemes and manage the development of new schemes where they are required to minimise the risks to people, property, infrastructure and the environment from natural hazard events.

Rules

Notes:

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. Any application for a land use resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether the site includes an area of land susceptible to instability.
3. Coastal hazard rules are located in the Coastal Environment Chapter.

NH-R1	Maintenance, repair or upgrading of infrastructure, including structural mitigation assets	
1 in 100 Year River Flood	<p>Activity status: Permitted</p> <p>Where:</p>	<p>Activity status where compliance with PER-1 is not achieved: Restricted Discretionary (refer Rule NH-R9)</p>

hazard areas	<p>PER-1 There is no increase to the footprint of any above ground infrastructure.</p> <p>PER-2 Any works to maintain, repair or upgrade infrastructure do not alter or divert an overland flow path.</p> <p>PER-3 Ground is reinstated to the equivalent state that existed prior to the works.</p>	<p>Activity status where compliance with PER-2 or PER-3 is not achieved: Restricted Discretionary.</p> <p>Matters of discretion are limited to:</p> <ul style="list-style-type: none"> a. the effects of the activity on overland flow paths and flooding on surrounding sites
NH-R2	Extensions and alterations to existing buildings or structures	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no increase to the GFA of the building or footprint of the structure that results in the building or structure exceeding the limits for new buildings or structures in NH-R3- PER 1 and new buildings or structures ancillary to farming activities in NH-R4 PER 1.</p> <p>PER-2 No part of the building or structure is enclosed in a manner that alters or diverts an overland flow path or reduces flood plain storage.</p>	<p>Activity status where compliance with PER-1 or PER-2 not achieved: Restricted Discretionary (refer Rule NH-R7 for buildings and Rule NH-R9 for structures other than buildings)</p>
NH-R3	New buildings or structures	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is one of the following:</p> <ol style="list-style-type: none"> 1. above ground buildings or structures with a footprint of 10m² or less; or 2. deck less than 30m² and less than 1m in height; or 3. boardwalks or stairs that are less than 500mm above ground level and located within a public reserve or legal road. <p>PER-2 The building or structure is not located within or does not alter or divert an overland flow path.</p>	<p>Activity status where compliance with PER-1 or PER-2 is not achieved: Restricted Discretionary (refer Rule NH-R7 for new buildings and Rule NH-R9 for new structures other than buildings)</p>
NH-R4	New buildings or structures (excluding buildings used for a residential activity) ancillary to farming activity	
1 in 100 Year River Flood hazard areas	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure has a footprint that is less than 100m².</p> <p>PER-2 The building or structure is not located within the 1 in 10 Year River Flood Hazard Area.</p> <p>PER-3 The building or structure does not alter or divert an overland flow path.</p>	<p>Activity status where compliance with PER1 or PER-2 or PER-3 is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the effects of flood hazards on the integrity of the building or structure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. the effects of the building or structure on overland flow paths and flooding on surrounding sites; and c. the extent to which the risk to people and property from the flood hazard is avoided

		or managed.
NH-R5	Wild fire - Buildings used for a vulnerable activity (excluding accessory buildings)	
All zones	Activity status: Permitted Where: PER-1 Any building used for a vulnerable activity (excluding accessory buildings) either: <ol style="list-style-type: none"> 1. is located on a site that has access to a fire hydrant; or 2. provides for water supply and access to water supplies for fire fighting purposes in compliance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. PER-2 Any building used for a vulnerable activity (excluding accessory buildings) is set back at least 20m from the dripline of any contiguous scrub or shrubland, woodlot or forestry.	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
NH-R6	Wild fire - extensions and alterations to buildings used for a vulnerable activity (excluding accessory buildings) that increase the GFA	
All zones	Activity status: Permitted Where: PER-1 Extensions or alterations that increase the GFA of a building used for a vulnerable activity (excluding accessory buildings) either: <ol style="list-style-type: none"> 1. are located on a site that has access to a fire hydrant; or 2. provide for water supply and access to water supplies for fire fighting purposes in compliance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. PER-2 Extensions or alterations that increase the GFA of a building used for a vulnerable activity (excluding accessory buildings) are set back at least 20m from the dripline of any contiguous scrub or shrubland, woodlot or forestry.	Activity status where compliance not achieved with PER-1 or PER 2: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> a. The availability of water for fire-fighting; b. The scale of the extension or alteration; c. Alternative options for the location of the extension or alteration; d. The use of building materials to reduce fire risk; and e. The extent and type of vegetation present.
NH-R7	New buildings, and extensions or alterations that increase the GFA of existing buildings	
1 in 100 Year River Flood hazard areas	Activity status: Restricted discretionary Where: RDIS-1 The new building, extension or alteration is not located in the 1 in 10 Year River Flood Hazard Area and is or will be used for a vulnerable activity. RDIS-2 The finished floor level of: <ol style="list-style-type: none"> 1. any new building or extension or alteration to an existing building that will accommodate vulnerable activities must be at least 500mm above the maximum water level in a 1 in 100 year flood event; 2. any extension or alteration that increases the GFA of a building that accommodates vulnerable activities 	Activity status where compliance with RDIS-2, RDIS-3 or RDIS-4 is not achieved: Discretionary Activity status where compliance with RDIS-1 is not achieved: Non-complying (refer Rule NH-R12)

	<p>must be at least 500mm above the maximum water level in a 1 in 100 year flood event; and</p> <p>3. all other new buildings, or extensions or alterations to existing buildings, must be at least 300mm above the maximum water level in a 1 in 100 year flood event.</p> <p>RDIS-3</p> <p>The new, extended or altered building does not divert an overland flow path onto other properties.</p> <p>RIDS-4</p> <p>The building complies with standard: NH-S1 Information requirements</p> <p>Matters of discretion are limited to:</p> <ul style="list-style-type: none"> a. the effects of flood hazards on the integrity of the building to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. whether the works are likely to accelerate, worsen or result in material damage to that land, other land or any building or structure through inundation; c. the effects of the development, including earthworks, on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; d. the ability to relocate the building or structure or adapt to the flood hazard over time or in response to direct effects of the hazard; e. the extent to which the risk to people and property from the flood hazard is avoided or managed; f. the nature of the activity being undertaken and its vulnerability to the potential effects of flooding; g. provision of safe access and egress to the building or structure during a flood event; h. whether there is a functional or operational need for the building, structure or activity to be located within the flood hazard area; i. the proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard; j. the resilience of the buildings or structures to the effects of the hazard; and k. the methods provided to manage activities and uses within the site, including safe egress from buildings or structures or the site and the management of people and property during a flood event.
<p>NH-R8</p> <p>Changes in use to accommodate vulnerable activity within existing buildings</p> <p>1 in 100 Year River flood hazard areas</p>	<p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p>The finished floor level of existing building that will accommodate vulnerable activities is at least 500mm above the maximum water level in a 1 in 100 year flood event.</p> <p>RDIS-2</p> <p>The change of use complies with standard: NH-S1 Information requirements.</p> <p>Matters of discretion are restricted to:</p>

	<ol style="list-style-type: none"> 1. the nature and severity of the flood risk; 2. the potential effects on the vulnerable activity, including on people and property, and mitigation of these effects; 3. the resilience of the buildings to the effects of the hazard; and 4. the methods provided to manage activities and uses within the site, including safe egress from buildings and the site and the management of people and property during a flood event. 	
NH-R9	New structures (excluding buildings) or infrastructure, and extensions or alterations that increase the footprint of an existing structure (excluding buildings) or infrastructure (excluding structural mitigation assets)	
1 in 100 River flood hazard areas	<p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>PER-1 The new structure, infrastructure, extension or alteration and associated works does not divert flood flow onto other properties or result in any increase in flood hazard beyond the site.</p> <p>PER-2 The structure or infrastructure complies with standard: {Link,8652,NH-S1 Information requirements.}</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the effects of flood hazards on the integrity of the structure or infrastructure to the extent that such effects are not appropriately managed by the building consent process under the Building Act 2004; b. whether the works are likely to accelerate, worsen or result in material damage to that land, other land or any building or structure through inundation; c. the effects of the development, including earthworks, on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites; d. the ability to relocate the structure or infrastructure or adapt to the flood hazard over time or in response to direct effects of the hazard; e. the extent to which the risk to people and property from the flood hazard is avoided or managed; f. the nature of the activity being undertaken and its vulnerability to the potential effects of flooding; g. provision of safe access and egress to the structure or infrastructure during a flood event; h. whether there is a functional or operational need for the structure or infrastructure to be located within the flood hazard area; i. the proposed use of, necessity for and design of engineering solutions (soft or hard) to mitigate the hazard; j. the resilience of the structure or infrastructure to the effects of the hazard; and k. the methods provided to manage activities and uses within the site, including safe egress from structures or infrastructure, or the site and the management of people and property during a flood event. 	<p>Activity status where compliance not achieved: Discretionary</p>
NH-R10	New structural mitigation assets or increasing the footprint of existing structural mitigation assets	

1 in 100 River flood hazard areas	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
NH-R11	Activities not otherwise a permitted, restricted discretionary or discretionary activity in a 1 in 100 year river flood hazard area	
1 in 100 River flood hazard areas	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
NH-R12	New buildings, extensions or alterations that increase the GFA of existing buildings where the building is used for a vulnerable activity	
1 in 10 year River flood hazard areas	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
NH-S1	Information requirements	
All natural hazards	Any application for a resource consent in relation to a site that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Activity status where compliance not achieved: Not applicable



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