

# Application for change or cancellation of resource consent condition (S.127)

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

## 1. Pre-Lodgement Meeting

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

☒ Yes ☐ No

If yes, who have you spoken with? \_\_\_\_\_

## 2. Type of Consent being applied for

☒ Change of conditions (s.127)

## 3. Consultation:

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

If yes, which groups have you consulted with?

Who else have you consulted with?

Neighbours - Skip and Sharon Warmington, Lot 1 DP 197826, Okoro Road

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)*

## 4. Applicant Details:

Name/s:

Wilson Conservation and Farming Ltd c/o Louise Wilson

Email:

Phone number:

Postal address:

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

Office Use Only  
Application Number:

## 5. Address for Correspondence

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

**Name/s:**

Wilson Conservation and Farming Ltd c/o Louise Wilson

**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.

## 6. 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:**

DJ and L Wilson Family Trust

**Property Address/  
Location:**

## 7. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

**Legal Description:**

Pt Allotment 38 PSH OF Okaihau

**Val Number:**

00521-08301

**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

## 7. Application Site Details (continued)

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.*

## 8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

## 9. Would you like to request Public Notification?

☐ Yes ☐ No

## 10. 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

## 11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application ☐ Yes

## 12. Draft Conditions:

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

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

## 13. 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) Wilson Conservation and Farming Ltd c/o Louise Wilson

**Email:**

**Phone number:**

**Postal address:**  
(or alternative method of  
service under section 352  
of the act)

### Fees Information:

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

### Declaration concerning Payment of Fees:

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

**Name:** (please write in full) Louise Elizabeth Wilson

**Signature:** (signature of bill payer)

**Date** 28-Jul-2025

**MANDATORY**

## 14. Important Information:

### Note to applicant

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

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

### 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](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

### Declaration

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

Name: (please write in full)

Signature:

Date

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

### Checklist (please tick if information is provided)

- ☐ Payment (cheques payable to Far North District Council)
- ☐ Details of your consultation with Iwi and hapū
- ☐ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

## DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

### Decision

Pursuant to section 34(1) and sections 104, 104B, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision resource consent for a Discretionary activity, subject to the conditions listed below, to:

**Applicant:** Wilson Conservation And Farming Limited  
**Council Reference:** 2250052-RMASUB  
**Property Address:** 71 Okoro Road, Okaihau  
**Legal Description:** ALLOTS PT38 38A OKAIHAU PSH BLK V OMAPERE SD

#### The activity to which this consent relates is:

Subdivision to create 4 additional allotments in the Rural Production zone as a Discretionary Activity with 10 years lapse time.

### Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Ltd, referenced Proposed subdivision of Pt Allotments 38 & Part Allotment 38A Psh of Okaihau, dated 03.04.24, and attached to this consent with the Council's "Approved Stamp" affixed to it.

#### Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
  - a. All easements in the memorandum to be duly granted or reserved.
  - b. Pursuant to section 220 (1)(b)(ii) of the RMA 1991 that Lot 5 hereon and PT Allotment 38A Parish of Okaihau are to be held in the same Certificate of Title. *LINZ request number (1918458)*

#### Section 224(c) compliance conditions

3. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
  - a. The applicant is to provide certification from a Suitably Qualified and Experienced Person to confirm that the new vehicle crossing and passing bay accessway upgrades have been constructed as per below,

- i. The applicant is to provide a passing bay between the intersection with the SH and 22 Okoro Road. The passing bay should be 15m long and 5.5m wide.
  - ii. The accessways are to be formed in accordance with section 10.3 of the Subdivision Site Suitability Engineering Report provided by Geologix.
- 4. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
  - a. Each of the proposed allotments is underlain by recent soils (Tauranga Group Alluvium) which may be subject to subsidence risk. When applying for building consent on these lots, the applicant must provide a Geotechnical Assessment prepared by a Chartered Professional Geotechnical Engineer. The assessment should outline any specific geotechnical requirements for the building foundations, any necessary ground improvements, structural design considerations, and a program for supervision of the foundation construction. In regard to Lot 2, containing existing built development, this clause only relates to new buildings, not existing.
 

Lots 1-5
  - b. In conjunction with the construction of any habitable building requiring a building consent, and in the case of Lot 2 any additional habitable building, sufficient water supply for firefighting purposes is to be provided and be accessible by firefighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ.
 

Lots 1-5
  - c. For any building requiring a building consent on these lots, the lot owner must provide a specific stormwater management design prepared by a suitably qualified and experienced person. This design must address the stormwater management measures proposed in the subdivision application. In the case of Lot 2 this only applies to new buildings not to any existing buildings.
 

Lots 1, 3, 4 & 5
  - d. Electricity and Telecommunications supply is not a condition of this consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
 

Lots 1, 3, 4 & 5

## Advice Notes

### Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 10 years after the date of commencement of consent unless, before the consent lapses;
  - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or

- b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

### **Right of Objection**

2. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

### **Archaeological Sites**

3. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

## **Reasons for the Decision**

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 13.7.2.1: Minimum Lot Sizes and 15.1.6C.1.8 Frontage to existing road are of particular relevance.
3. In regard to s124 Consent Duration, Council accepts a 10-year lapse period for this consent for the following reasons:
  - a) The objective and policy direction of the zone of the proposed district plan is consistent with the operative district plan.
  - b) A longer consent duration provides for more certainty for management of the family property.
  - c) The site is at the end of a no exit road and there is unlikely to be any notable changes to the existing receiving environment within the foreseeable future.
  - d) The site is located in an area of the district that is not subject to patterns of subdivision and development growth.

4. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
- a) It is considered that the proposed subdivision will not exacerbate any natural or other hazards on site as there are no identified HAIL sites located in the local area or surrounding properties.
  - b) The proposed lots do not contain any areas of cultural significance to Māori or other heritage resources, outstanding landscapes, outstanding natural features or landscape features.
  - c) There will be no reverse sensitivity effects as the activity is consistent with the current use of the existing activities in the wider environment.
  - d) The proposal will also result in positive effects enabling the lots to be independently disposed for residential use, and enabling the property owner to retain productive capacity of their farm.
5. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
6. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
- a. Northland Regional Policy Statement 2016
  - b. Operative Far North District Plan 2009,
  - c. Proposed Far North District Plan 2022

*Northland Regional Policy Statement 2016*

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

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

The proposal is not contrary to the relevant objectives and policies under Northland Regional Policy Statement 2016 because:

- Servicing with the necessary infrastructure is viable, with onsite storage of potable water and onsite wastewater disposal being feasible.
- The site is not near any significant mineral resources.
- The new building sites are not close to any incompatible land use activities and avoids reverse sensitivity.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- The site does not contain significant vegetation, adverse effects on kiwi habitat can be avoided.

- Adverse effects associated with natural hazards and flooding are avoided. Existing and future impermeable surface coverage is likely to be low.
- The site does not contain highly versatile soils.

#### Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because the proposal is consistent with the purpose of the Rural Production zone, to enable the continuation of the wide range of existing and future activities compatible with normal farming and forestry activities, and with rural lifestyle and residential uses while ensuring that the natural and physical resources of the rural area are managed sustainably. The surrounding environment is generally utilised for rural lifestyle purposes. The proposed allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

The subdivision will create 5 additional allotment under the restricted discretionary criteria within the Rural Production zone. The subdivision is consistent with the purpose of the zone and promotes the sustainable management of the productive intent of the zone. All lots will have available space for on-site servicing and each lot can provide sufficient water supply for potable and firefighting purposes. The adjusted boundary allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

In respect to Chapter 15 of the ODP, the combination of sightline improvement by vegetation removal, proposed concealed entrance signage, speed reduction from road environment factors described in the report and the low volumes of traffic are considered to sufficiently mitigate risks arising from the application. As such, it is considered that adverse traffic effects are minimised, and an appropriate level of traffic safety is provided.

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan.

#### Proposed Far North District Plan

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The purpose of this zone is to provide for primary production activities including farming, plantation forestry, and horticulture. In assessing the proposal against the objectives and policies of the Proposed District Plan, particular regard has been given to those provisions that are directive on their face and do not rely on rules or methods still subject to submissions and appeals for their interpretation and application.

There is greater uncertainty applying PDP provisions that rely on rules and methods still subject to change through the submission and hearing process. Objectives and policies related to natural hazards, servicing, amenity, and other effects have been given regard but with caution, as the final planning framework to implement those provisions is not yet settled.

Overall, while some PDP provisions may support or be neutral toward the proposal, it is considered contrary to key directive objectives and policies which seek to avoid rural lifestyle subdivision in the Rural Production Zone.

However, it is acknowledged the PDP was only recently notified in July 2022 and hearings have only recently commenced. There is substantial scope for provisions to evolve through the submission and appeal process. Therefore, at this early stage of the PDP process, limited weighting has been placed on these PDP provisions relative to the Operative Plan. The Operative Plan remains the primary planning instrument for determining this application.

7. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
8. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
9. Based on the assessment above the activity will be consistent with Part 2 of the Act.  
  
The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
10. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

## Approval

This resource consent has been prepared by Swetha Maharaj, Senior Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Nick Williamson

Date: 14/10/2024

Team Leader- Resource Consent

Section 127 application to vary condition 3. a. ii. of  
2250052 – RMASUB

Wilson Conservation and Farming Ltd 71 Okoro Road

July 2025



*Aerial Map showing location of Okoro Road and ROW A*

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# 1. Introduction

## 1.1 Background

Resource consent 2250052 – RMASUB was originally issued on 14 October 2024 to create four additional titles. A copy of the decision is attached in Appendices. The 223 certificate was issued on 11 April 2025. See approved survey plan in Figure 1.1 below.

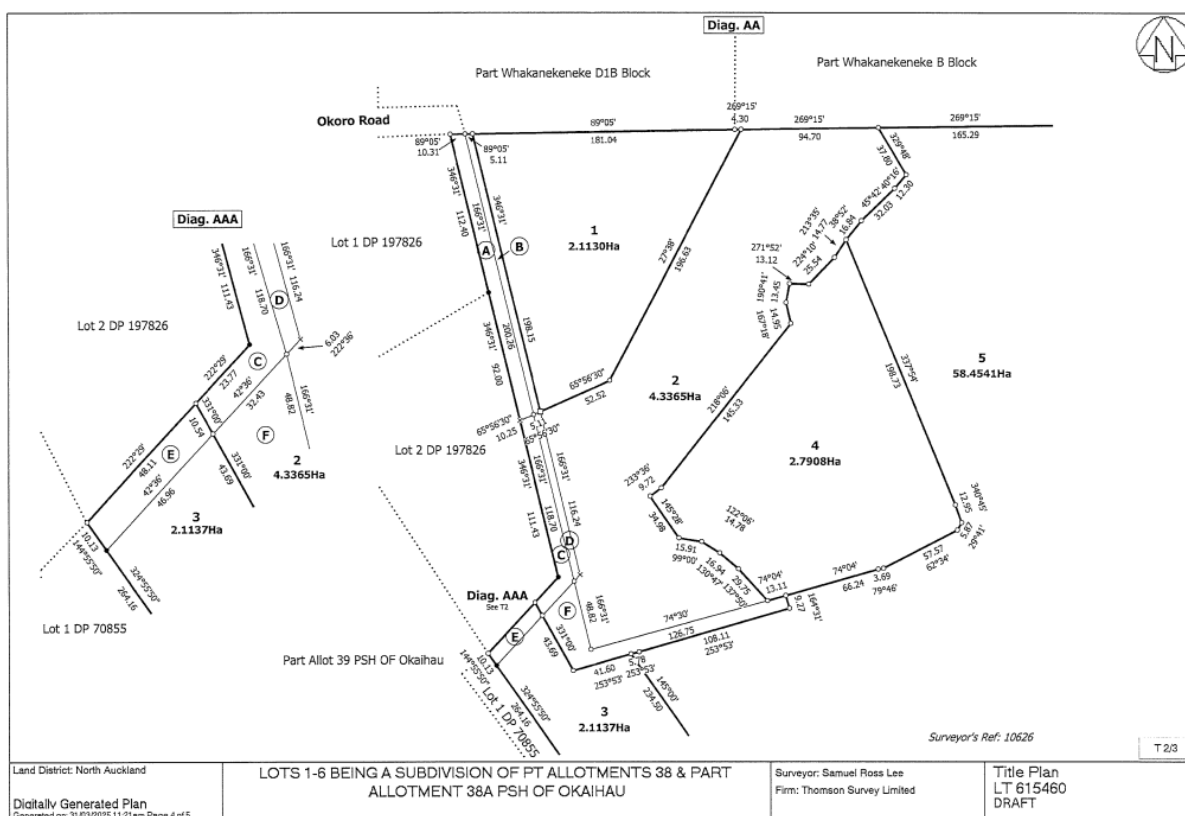


Figure 1.1 Approved survey plan showing ROW - A

Construction of ROWs A, B and C and the passing bay on Okoro Road were completed in June 2025. The 224-certificate application was lodged on 30 June 2025.

## 1.2 Reasons for this variation

Councils Resource Consent Engineer inspected the physical works required by condition 3.a. on 2 July 2025. See wording of condition 3.a below:

3. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
  - a. The applicant is to provide certification from a Suitably Qualified and Experienced Person to confirm that the new vehicle crossing and passing bay accessway upgrades have been constructed as per below,
    - i. The applicant is to provide a passing bay between the intersection with the SH and 22 Okoro Road. The passing bay should be 15m long and 5.5m wide.

- ii. *The accessways are to be formed in accordance with section 10.3 of the Subdivision Site Suitability Engineering Report provided by Geologix.*

It was determined that ROW B and C and the passing bay on Okoro Road complied with condition 3.a.i and ii. However, ROW A was not in accordance with section 10.3 of the Subdivision Site Suitability Engineering Report provided by Geologix. An RFI was issued on 4 July 2025.

The applicant discussed the RFI with the Resource Consents Engineer. The matters of concern were understood to be:

1. The width of ROW A being less than 5m
2. The provision for drainage differing from that stated in the Geologix report.

The applicant commissioned Geologix to inspect the physical works and respond to the RFI. The Geologix inspection report was sent to FNDC on 14 July 2025. The report made the following conclusions.

Regarding the width of ROW A.

*“With respect to the reduced width noted in Point 14 above, it is considered that given the straightness and clear visibility available through RoW A’s length for oncoming vehicles and to/from vehicle crossings, there is more-than-adequate stopping distance available between oncoming vehicles and side-by-side passing may be safely negotiated between oncoming vehicles.”*

Regarding drainage of ROW A

*“It is considered that given the separation of the catchments by the roadway that is formed on the ridgeline, there is no need for such cross-conveyance of runoff through the road. Runoff on the west side of the road is suitably drained along this edge within the swale and into the pasture and effectively contributes to that catchment west of the road. Any increase in peak flow runoff following the formation of the metal road is arguably less than minor given the metal nature of the existing road that was already situated there. This determination of less than minor effect also considers that the ponding that occurs within that swale will currently serve to detain runoff within that catchment area already”*

The applicant discussed Geologix's conclusions with the Resource Consents Engineer and with one of the FNDC Resource Consents Team Leaders. The outcome of this discussion was:

1. FNDC accepts Geologix's conclusion regarding drainage.
2. Because of the reduced width passing bays must be available on ROW – A.
3. A variation application is required to amend condition 3.1.ii.

### 1.3 Scope of this Report

This assessment and report accompanies the application for a change to conditions (s127) and is regarded as a **discretionary** activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought.

## 2. Property Details

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Location:	71 Okoro Road, Okaihau
Legal description:	Pt Allotments 38 & Pt Allotment 38A Psh of Okaihau; Record of Title NA125B/614, 79.0618ha in area. See Appendix.

## 3. Site Description

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The physical site remains as described in the original application but with the widening and improvement of existing accessways.

## 4. Changes Required and Explanation

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This application seeks the following changes to condition 3.a.ii of 2250052 – RMASUB.

3. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
  - a. The applicant is to provide certification from a Suitably Qualified and Experienced Person to confirm that the new vehicle crossing and passing bay accessway upgrades have been constructed as per below,
    - iii. The applicant is to provide a passing bay between the intersection with the SH and 22 Okoro Road. The passing bay should be 15m long and 5.5m wide.
    - iv. The accessways are to be formed in general accordance with section 10.3 of the Subdivision Site Suitability Engineering Report provided by Geologix as modified by Geologix Technical Memorandum dated 11 July 2025.

This variation is sought to enable the 224 certificate to be issued on the basis that the existing physical works, inspected by Geologix, are suitable for the purpose of providing safe access to the seven household equivalents served by ROW-A. See Appendices - Geologix Technical Memo dated 11 July 2025

Constructing ROW-A in strict accordance with section 10.3 of the original Geologix report is impractical in practise. This would necessitate removing an area of lawn and garden enjoyed by the owners of Lot 1 DP 197826. See figure 4.1 below.



*Figure 4.1 – yellow highlighted area of garden enjoyed by owners of Lot 1 DP 197826*

It would also necessitate the removal of mature trees and fence lines which the applicant wishes to retain for rural character and amenity. See Figure 4.2 below



*Figure 4.2 yellow highlighted area of mature trees that applicant wishes to retain.*

## 5. Assessment of Environmental Effects

### 5.1 Assessment of Environmental Effects

#### Scope

When considering the effects under a s127 application, it is only the effects of the changes being sought that need be assessed and considered. As such, this assessment of environmental effects does not re-visit or repeat that provided for the processing of the original consent. This is an important point to make. The starting point is not the effects of the subdivision, but rather the effects of changing the specifications for ROW A.

#### Fit for Purpose Access

The Geologix Technical Memo concluded that.

*“In general, and with particular consideration to the suitability of width and drainage set out above, the constructed state of the RoW A has been determined to be in general accordance with the requirements set out in the Geologix Site Suitability Report with due consideration to the minor departures from the requirements of the Report. It is therefore recommended that the RoW A roadway be accepted as suitable for the purposes of safe access to the 7x proposed lots it will serve”.*

#### Rural Amenity

The ROW-A as currently constructed has improved access to Lot 1 DP 197826 when compared to the standard of access that previously existed. The owners of Lot 1 (Skip and Sharon Warmington) requested that the garden and lawn not be disturbed by ROW upgrades. This part of the ROW is therefore narrower to enable them to retain their garden. See Figure 6.1 below.



Figure 6.1 Narrow area adjacent to Lot 1 DP 197826

### **Provision of passing bays**

Except for the area adjacent to Lot 1 DP 197826, most of ROW A is between 4.8 and 5m wide and two vehicles can pass each other (See Geologix memo). There are also four existing areas along ROW-A that are wide enough for a vehicle to pull over if another vehicle needed to pass. See Figure 6.2 below.



*Figure 6.2 Areas that can be used as passing bays*

Area 1 – This is the driveway into Lot 1 DP 197826. Vehicles are usually travelling slowly at this point due to the 90 degree turn into Okoro Road.

Area 2 – This is an existing metalled farm gateway.

Area 3 – This is difficult to see on aerial photo due to tree cover but is an existing double gateway into paddocks on Lot 2 DP 197826 owned by the applicant.

Area 4 – This is a wide turning area adjacent to the driveway of the residence at Lot 2 DP 197826 with visibility down the full length of ROW A.

There are no blind corners or areas of poor visibility.

### **Effects that can be set aside**

The applicant owns ROW A as the owner and occupier of Pt Allotment 38 PSH OF Okaihau. The applicant also owns and occupies Lot 2 DP 197826. Any effects on the owners of these properties can be set aside.

### **Positive Effects**

The proposed change of conditions will protect rural amenity provided by landscaping, shelter trees and fencing. Constructing ROW A in strict accordance with the original Geologix report would require the removal of these amenities. The ROW as constructed has already improved the width, surface and drainage for Lot 1 DP 197826 and Pt Allotment 39 PSH of Okaihau. All other lots accessed from ROW A are owned by the applicant.

### **Summary of Effects**

The adverse effects of the proposed changes to condition 3.a.ii will be less than minor. A suitably qualified and experienced person (Geologix) has certified that ROW – A as constructed is fit for purpose.

## **5.2 Relevant Provisions of planning instruments**

### 5.2.1 Operative District Plan

This has not changed since the original application was processed.

### 5.2.2 Proposed District Plan (PDP)

The PDP was publicly notified in July 2022 and is currently in hearings phase. There have been no changes to the PDP's objectives and policies since the original consent was issued. The application remains consistent with those objectives and policies.

### 5.2.3 National Policy Statements & Environmental Standards

There are no national policy statements or environmental standards relevant to the changes being sought, which relate solely to requirements for upgrading ROW A.

## **6. Notification Assessment**

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Section 127(4) of the Act states that, *for the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—*

- (a) made a submission on the original application; and*
- (b) may be affected by the change or cancellation.*

Regarding Section 127(4)(a), the original application was not publicly notified. Therefore, there are no submitters that need to be considered.

Regarding Section 127(4)(b) the applicant owns all potentially affected properties except for Pt Allotment 39 Psh of Okaihau and Lot 1 DP 197826.

*Pt Allotment 39 Psh of Okaihau* - ROW A provides farm access to this lot. There are no household equivalents that gain access to Pt Allotment 39 PSH OF OKAIHAU from ROW A. There are alternative access points for this allotment from State Highway 1. The widening and surfacing that has already been carried out is an improvement to this access compared to the previous state. The Geologix Technical memo concluded ROW A was fit for purpose. The adverse effects of the change of conditions on the owners of Pt Allotment 39 Psh of Okaihau will be less than minor.

*Lot 1 DP 197826* is the first property off ROW A from Okoro Road and will not be affected by a reduced width further along ROW A. Lot 1 DP 197826 also has legal access directly from Okoro Road. The lot is owned by the applicants' neighbours Skip and Sharon Warmington. During construction of ROW A the Warmington's' requested that the landscaping in the legal ROW adjacent to Lot 1 DP 197826 be left in situ. They did not want their lawn or garden to be disturbed. The ROW cannot be widened within the legal width without disturbing the landscaping. The applicants wish to remain on good terms with their neighbours and protect their neighbour's amenity. The owners of *Lot 1 DP 197826* will not be affected by the reduced carriageway width as this was their preference.

Overall, the effects of the proposed change of conditions on the owners of adjacent properties will be less than minor.

## 7. Conclusion

---

It is considered the effects of the changes on the wider environment are less than minor.

The proposal remains consistent with the relevant objectives and policies of the Operative and Proposed District Plan and the Regional Policy Statement, and Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to change conditions to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval to the s.127 application on a non-notified basis.

## 8. List of Appendices

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<b>Appendix 1</b>	2250052 – RMASUB Decision
<b>Appendix 2</b>	Current Record of Title
<b>Appendix 3</b>	Approved Survey Plan
<b>Appendix 4</b>	Geologix Technical Memo



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



**Identifier** **NA125B/614**  
**Land Registration District** **North Auckland**  
**Date Issued** 13 September 1999

**Prior References**

NA45/192      NA49/70

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<b>Estate</b>	Fee Simple
<b>Area</b>	79.0618 hectares more or less
<b>Legal Description</b>	Part Allotment 38 and Part Allotment 38A Parish of Okaihau

**Registered Owners**

David John Wilson, Louise Elizabeth Wilson and Johnston O'Shea Trustee Limited

---

**Interests**

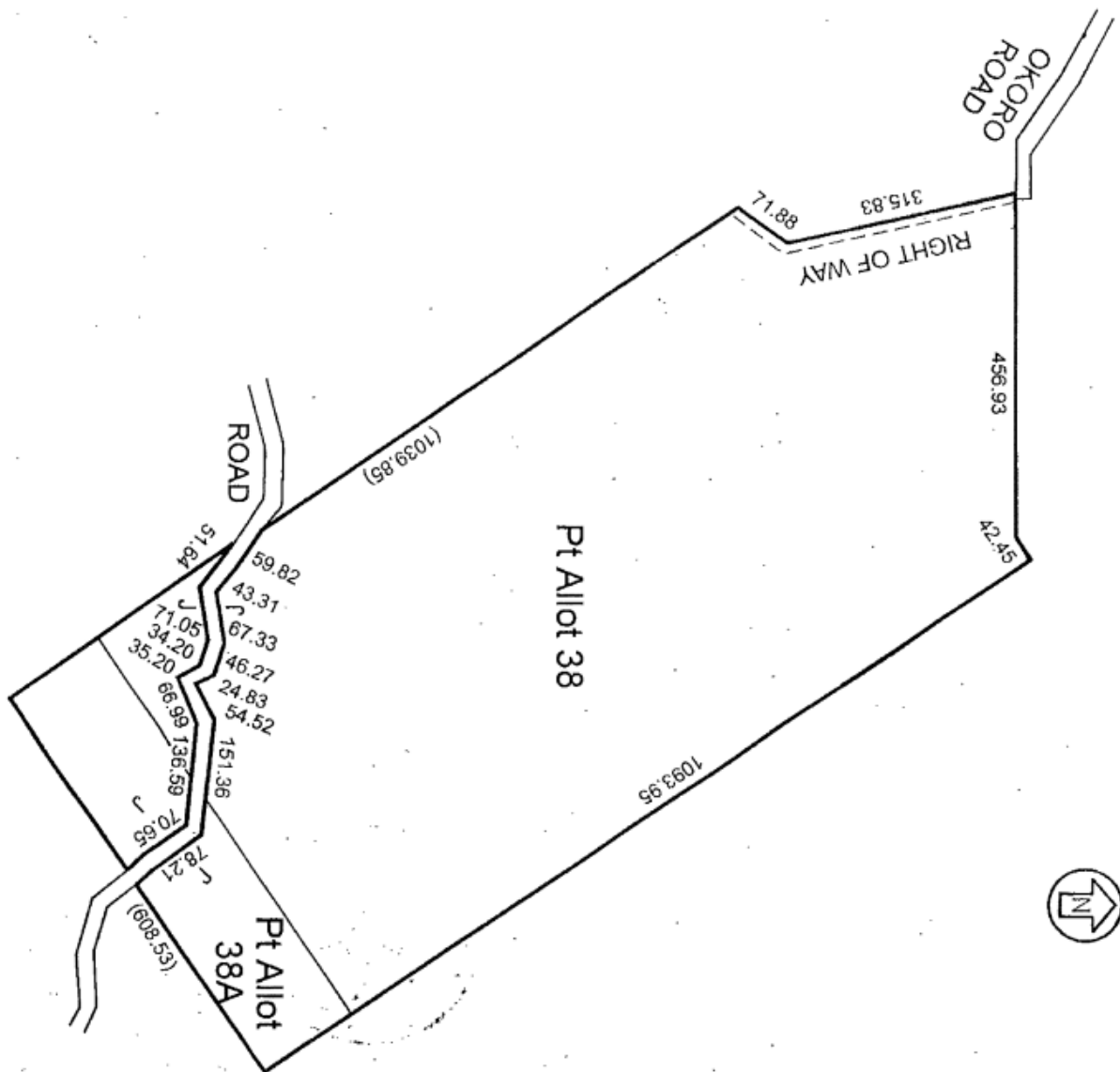
Subject to Section 241(2) Resource Management Act 1991

Subject to a right of way over part marked A on DP 72999 specified in Easement Certificate 532368.1 - 2.2.1977 at 10.37 am

Subject to a right of way and to water, power & telecommunication rights specified in Easement Certificate D442041.3 - 20.10.1999 at 1.55 pm (affects part Allotment 38A Parish of Okaihau)

The easements specified in Easement Certificate D442041.3 are subject to Section 243 (a) Resource Management Act 1991

9343218.1 Mortgage to ANZ Bank New Zealand Limited - 5.4.2013 at 10:30 am



**Jane Harris**

---

**From:** Leanne <kerikeri@tsurvey.co.nz>  
**Sent:** Monday, 31 March 2025 3:45 PM  
**To:** Planning Support  
**Subject:** Application 223 for RC 2250052  
**Attachments:** 20250331160453394.pdf

**CAUTION:** This email originated from outside Far North District Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon Kieran

We wish to apply for 223 certificate for this resource consent application RC 22

Please refer to the attached application form and supporting documents.

We have made electronic payment of \$1430 being the 224 & 221 -application fee.  
All correspondence relating to this application please email me at [kerikeri@tsurvey.co.nz](mailto:kerikeri@tsurvey.co.nz)

Thankyou

Regards  
Leanne



315 Kerikeri Road, Kerikeri 0230  
PO Box 372 Kerikeri 0245  
phone: 09 4077360 | email: [kerikeri@tsurvey.co.nz](mailto:kerikeri@tsurvey.co.nz)



31 March 2025

Our Reference: 10626, 223

Development Consents Department  
Far North District Council  
**KERIKERI**

Email: [Planning.Support@fndc.govt.nz](mailto:Planning.Support@fndc.govt.nz)

**ATTENTION: FNDC PLANNING SUPPORT**

To whom it may concern,

**RE: Willon Conservation and Farming Limited  
71 Okoro Rd Okaihau  
FNDC Ref: RC2250052**

**The new plan DP number issued by LINZ is: 615460**

We have lodged an electronic 223 application with Council through land online and also attach pdf copies for your easy reference.

Could you please arrange to have the certifications completed under delegated authority and returned to our office.

Regards



Leanne Read

# Application for section 223 and / or section 224 Certification of Subdivision

Pursuant to the Resource Management Act 1991

- |   |  |  |
|---|--|--|
| <input checked="" type="radio"/> <b>s223 Certificate</b><br>Approval of survey plan   | <input type="radio"/> <b>s224 Certificate</b><br>No engineering conditions | <input type="radio"/> <b>s224 Certificate</b><br>With engineering conditions |
| <input type="radio"/> <b>s221 Certificate</b><br>Consent notice   | <input type="radio"/> <b>s222 Certificate</b><br>Completion certificate    | <input type="radio"/> <b>s243 Certificate</b><br>Cancellation of easement    |
| <input type="radio"/> <b>*OTHER Certificate</b><br>Any other certificate, authority, requirements, or actions requested of Council under the provisions of the Resource Management Act, the Local Government Act, or any other related legislation. |  |  |

*PLEASE NOTE: Fees are calculated in installment and are payable at the time of lodgement. Actual processing costs will be calculated and invoiced after the decision is issued. Interim invoicing may apply.*

## Applicant details

Name	Wilson Conservation & Farming Ltd		
Postal address	41 Okoro Rd Okaihau 0475		
Phone work/home		Mobile	021 148 2072
Email	wilsoncan@farmside.co.nz		

## Agent details

Name	Thomson Survey		
Postal address	PO Box 372 Kerikeri 0245		
Phone work/home	4077360	Mobile	
Email			

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

## Application details

Site location

71 Okoro Road  
Okaihau.

Related application

RC- 2250052

LINZ Plan Reference  
(LT Plan to be supplied)

LT- 615460

Conditions completed

*Please list*

*(Detailed evidence relating to each relevant condition completed is required to be supplied and attached to this application form).*

Refer to attached letter.

## 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, caretakers details).

*(This is important to avoid restricted entry to the site and having to re-arrange a second visit. Please provide details of the person to contact to arrange a site visit including a contact phone number)*

n/a.

## Billing details

Name

Thomson Survey

Postal address

PO Box 372  
Kerikeri 0245.

Phone work/home

4077360

Mobile

Email

## Fees Information

An installment 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 installment 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.

Billing details continued overleaf

## 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. I understand that pursuant to s36AAB the Council can request any outstanding fees for the underlying subdivision consent prior to the issue of the s224 certificate. 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 of bill payer  
(please print)

Signature of bill payer  
(mandatory)

Thomson Survey	Date 31-3-25
[Signature]	

## 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 two or more certificates that are needed for the same activity on the same form.
- You must pay the charge payable to the consent authority for the certificate application under the Resource Management Act 1991.

### 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. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

## Declaration

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

(please print)

Name of bill payer  
(please print)

Signature of bill payer  
(mandatory)

Thomson Survey	Date 31-3-25
[Signature]	

## Checklist

- ☐ Applicant / Agent / Bill Payer details provided.
- ☐ Evidence of completion of each condition (if required).
- ☐ Copy of draft LT Plan from Land Information New Zealand (LINZ).
- ☐ Copies of relevant consents associated with this application.
- ☐ Copies of relevant plans associated with this application.

LT 615460 Schedule/Memorandum

Land registration district  
North Auckland

Territorial authority  
Far North District

Memorandum of Easements

Parcels shown with a prefix of *HL*- Include height-limited boundaries

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right of way Right to convey electricity, telecommunications, water	A, B	Lot 2	Lot 1, Lot 3, Lot 4, Lot 5
" "	C, D	Lot 2	Lot 3, Lot 4, Lot 5
" "	F	Lot 2	Lot 4, Lot 5

Schedule of Existing Easements

PURPOSE	SHOWN	BURDENED LAND	CREATING DOCUMENT
Right of way	A, C	Lot 2	532368.1
" "	E	Lot 3	532368.1
Right of way Right to convey electricity, telecommunications, water	E	Lot 3	D442041.3



# Title Plan - LT 615460

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Survey Number	LT 615460
Surveyor Reference	10626 Wilson
Surveyor	Samuel Ross Lee
Survey Firm	Thomson Survey Limited
Surveyor Declaration	

---

## Survey Details

Dataset Description	LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART ALLOTMENT 38A PSH OF OKAIHAU		
Status	Initiated		
Land District	North Auckland	Survey Class	Class B
Submitted Date		Survey Approval Date	
		Deposit Date	

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## Territorial Authorities

Far North District

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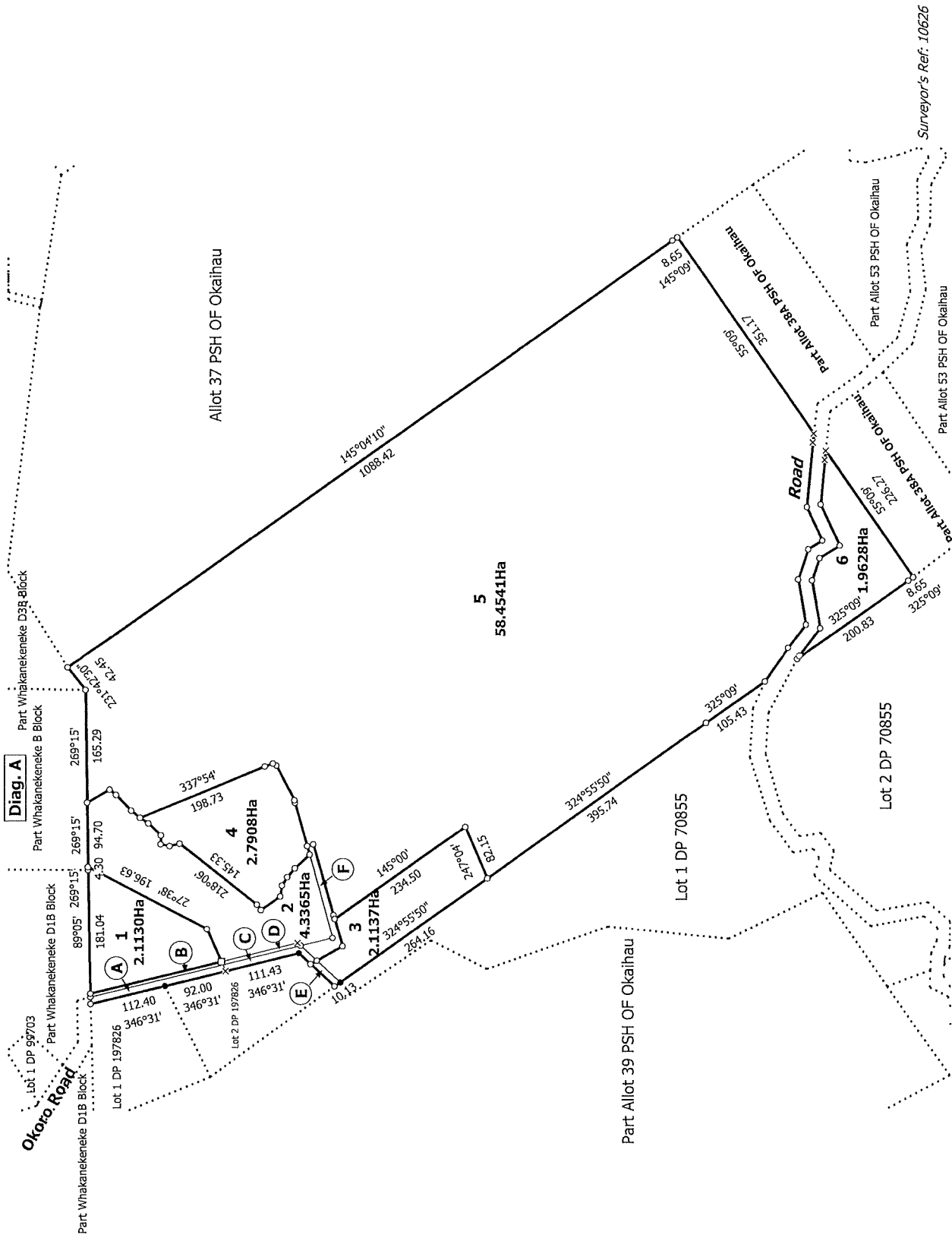
## Comprised In

RT NA125B/614

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## Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Lot 1 Deposited Plan 615460	Fee Simple Title	2.1130 Ha	
Lot 3 Deposited Plan 615460	Fee Simple Title	2.1137 Ha	
Lot 4 Deposited Plan 615460	Fee Simple Title	2.7908 Ha	
Area A Deposited Plan 615460	Easement		
Area B Deposited Plan 615460	Easement		
Area C Deposited Plan 615460	Easement		
Area D Deposited Plan 615460	Easement		
Area E Deposited Plan 615460	Easement		
Area F Deposited Plan 615460	Easement		
Lot 2 Deposited Plan 615460	Fee Simple Title	4.3365 Ha	
Lot 6 Deposited Plan 615460	Fee Simple Title	1.9628 Ha	
Lot 5 Deposited Plan 615460	Fee Simple Title	58.4541 Ha	
<b>Total Area</b>		<b>71.7709 Ha</b>	



T 1/3

Land District: North Auckland

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LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART

ALLOTMENT 38A PSH OF OKAIHAU

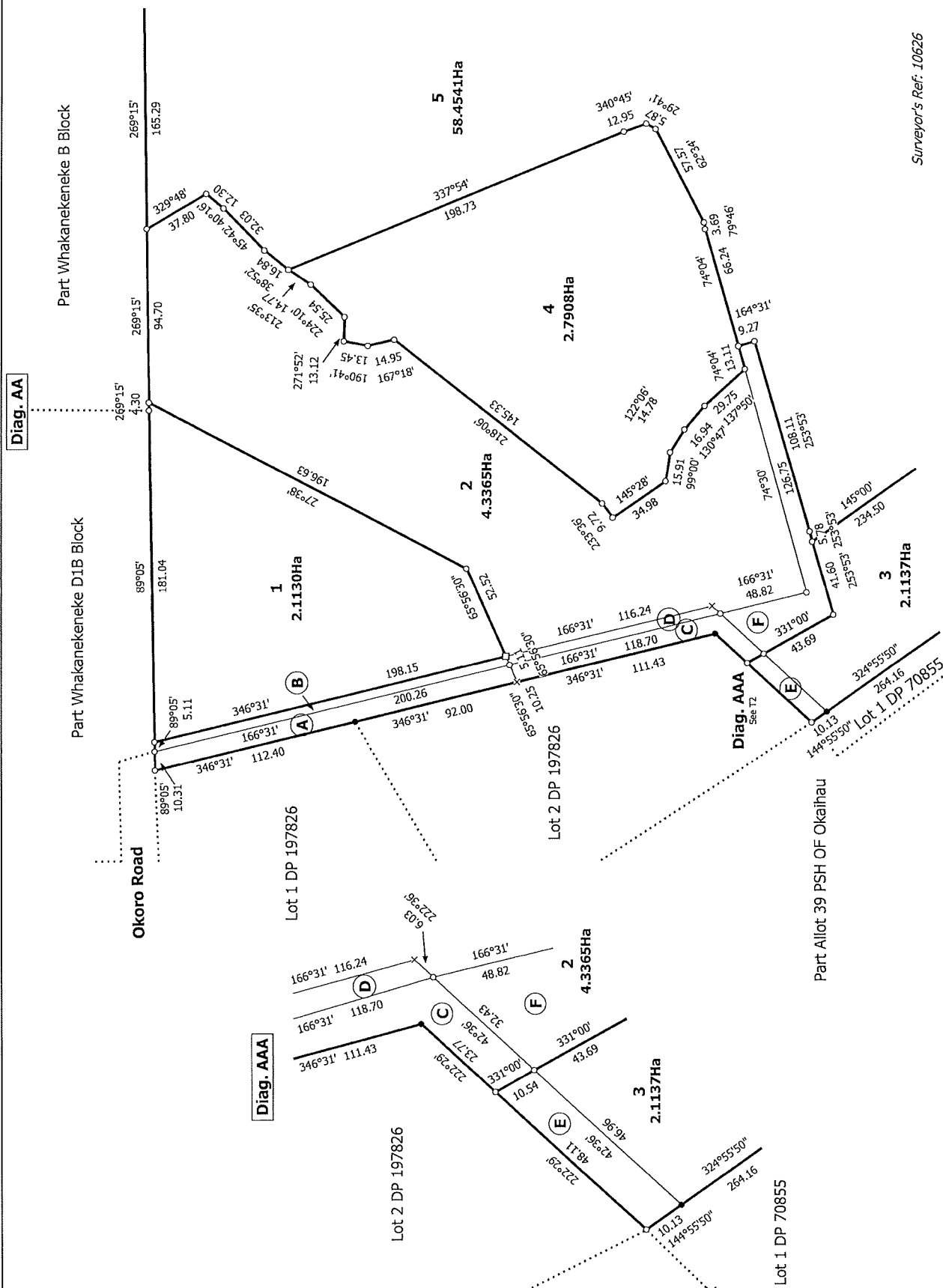
Surveyor: Samuel Ross Lee

Firm: Thomson Survey Limited

Title Plan

LT 615460

DRAFT



Surveyor's Ref: 10626

T 2/3

Title Plan  
LT 615460  
DRAFT

Surveyor: Samuel Ross Lee  
Firm: Thomson Survey Limited

LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART  
ALLOTMENT 38A PSH OF OKAIHAU

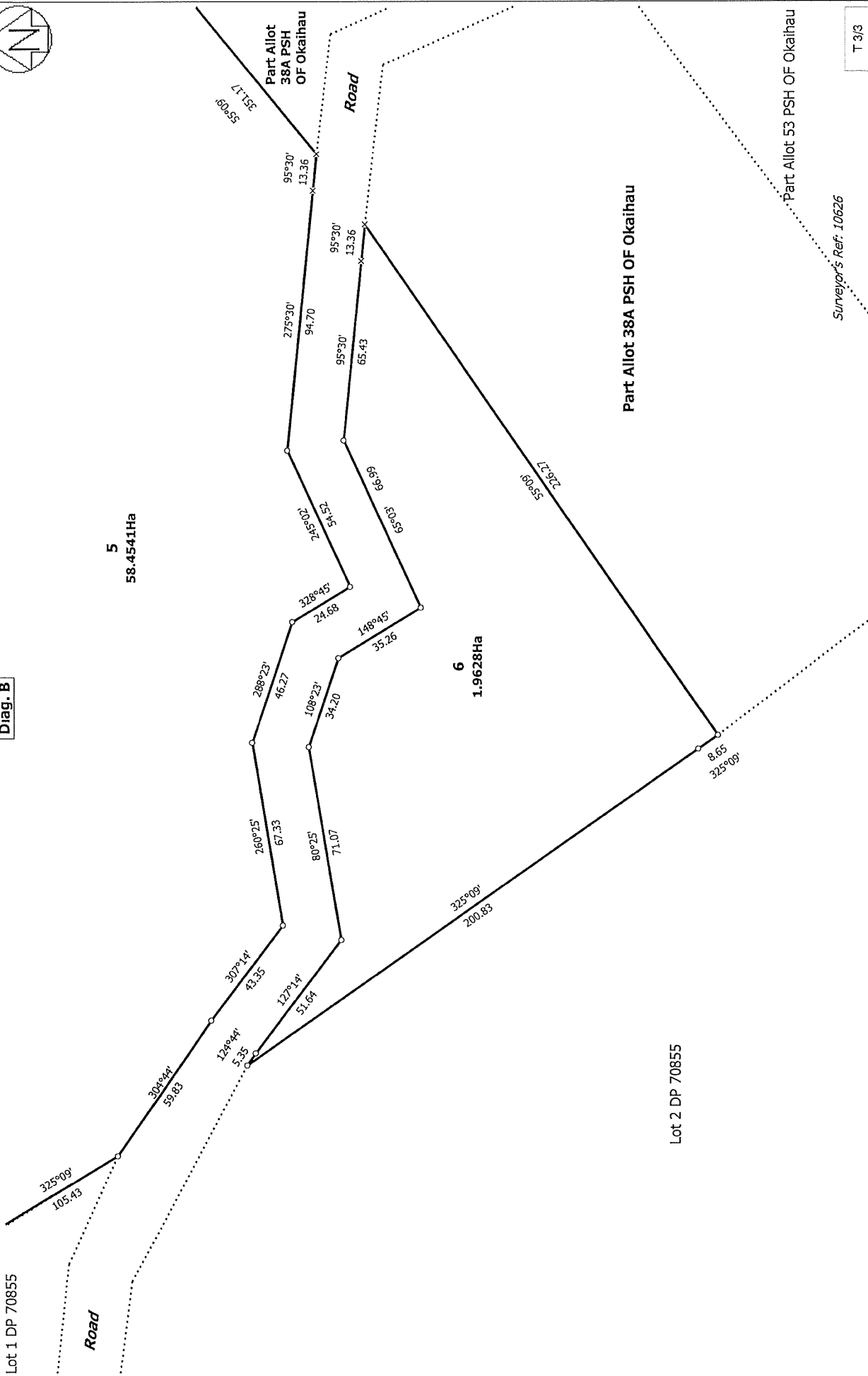
Land District: North Auckland

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Diag. B



Land District: North Auckland	LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART ALLOTMENT 38A PSH OF OKAIHAU	Surveyor: Samuel Ross Lee Firm: Thomson Survey Limited	Title Plan LT 615460 DRAFT
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# Title Plan - LT 615460

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Survey Number	LT 615460
Surveyor Reference	10626 Wilson
Surveyor	Samuel Ross Lee
Survey Firm	Thomson Survey Limited
Surveyor Declaration	

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Status	Initiated		
Land District	North Auckland	Survey Class	Class B
Submitted Date		Survey Approval Date	
		Deposit Date	

---

## Territorial Authorities

Far North District

---

## Comprised In

RT NA125B/614

---

## Created Parcels

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Lot 3 Deposited Plan 615460	Fee Simple Title	2.1137 Ha	
Lot 4 Deposited Plan 615460	Fee Simple Title	2.7908 Ha	
Area A Deposited Plan 615460	Easement		
Area B Deposited Plan 615460	Easement		
Area C Deposited Plan 615460	Easement		
Area D Deposited Plan 615460	Easement		
Area E Deposited Plan 615460	Easement		
Area F Deposited Plan 615460	Easement		
Lot 2 Deposited Plan 615460	Fee Simple Title	4.3365 Ha	
Lot 6 Deposited Plan 615460	Fee Simple Title	1.9628 Ha	
Lot 5 Deposited Plan 615460	Fee Simple Title	58.4541 Ha	
<b>Total Area</b>		<b>71.7709 Ha</b>	

## LT 615460 Schedule/Memorandum

Land registration district  
North Auckland

Territorial authority  
Far North District

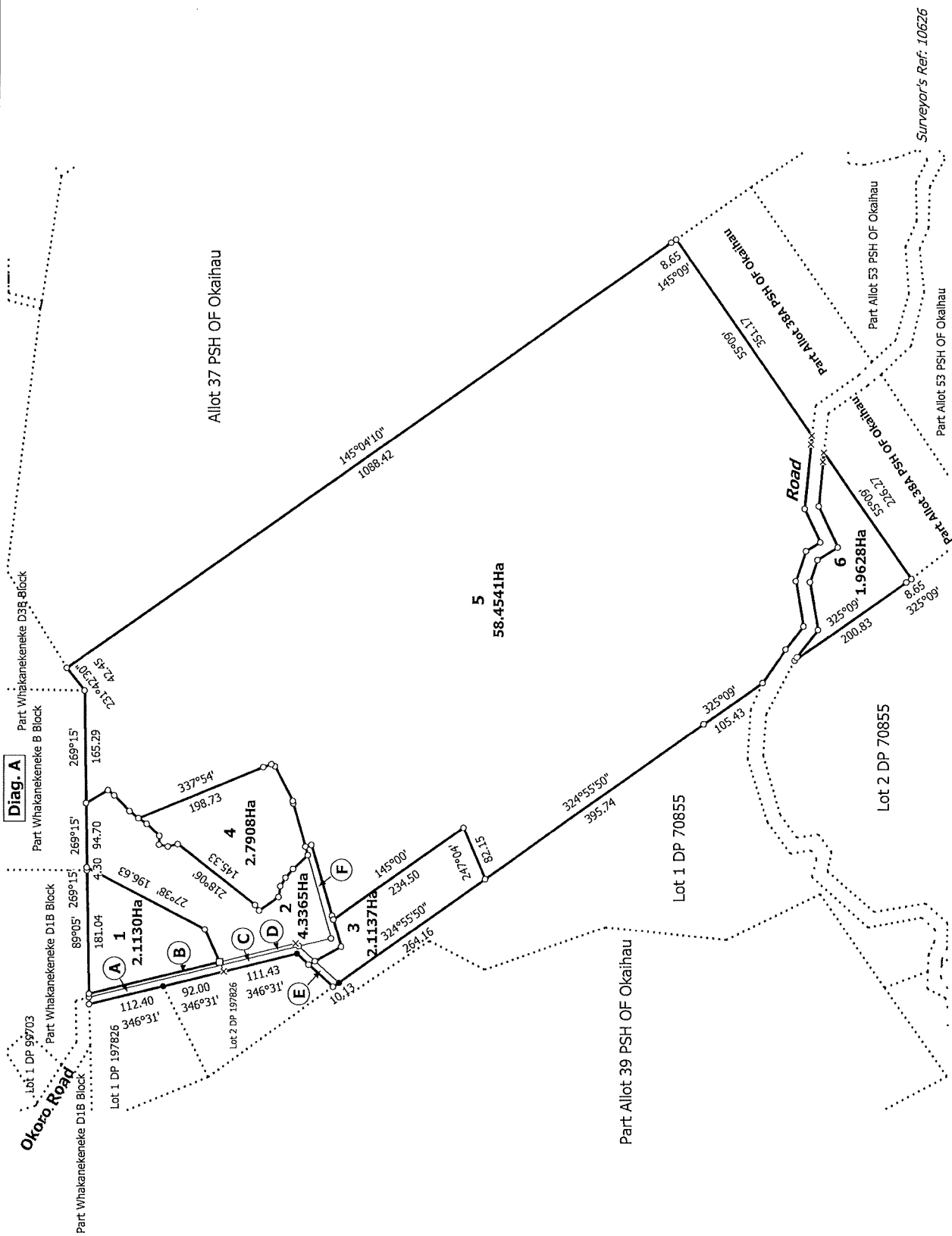
## Memorandum of Easements

Parcels shown with a prefix of *HL*- include height-limited boundaries

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right of way Right to convey electricity, telecommunications, water	A, B	Lot 2	Lot 1, Lot 3, Lot 4, Lot 5
" "	C, D	Lot 2	Lot 3, Lot 4, Lot 5
" "	F	Lot 2	Lot 4, Lot 5

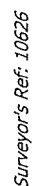
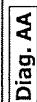
## Schedule of Existing Easements

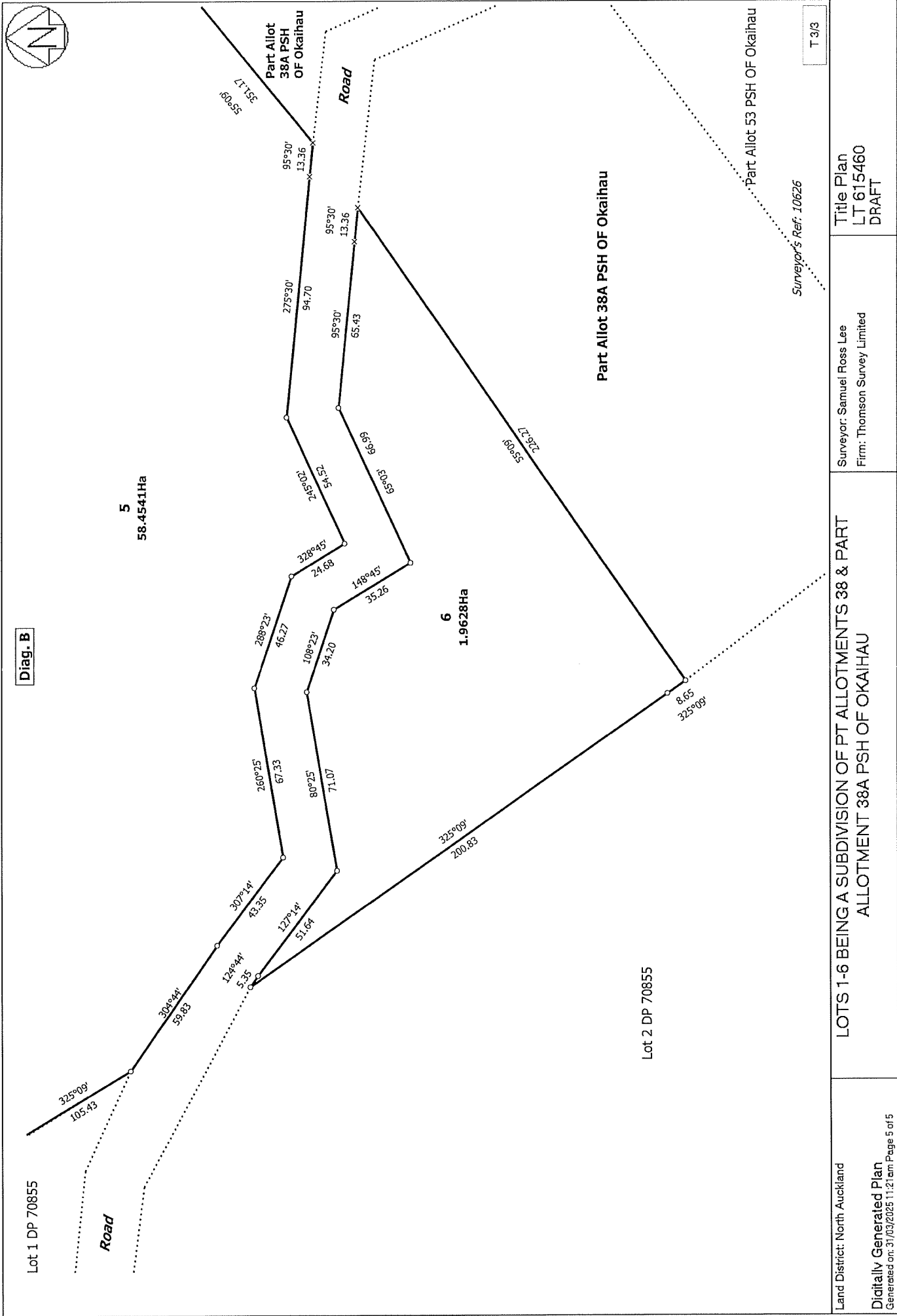
PURPOSE	SHOWN	BURDENED LAND	CREATING DOCUMENT
Right of way	A, C	Lot 2	532368.1
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Right of way Right to convey electricity, telecommunications, water	E	Lot 3	D442041.3



T 1/3

Land District: North Auckland	LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART ALLOTMENT 38A PSH OF OKAIHAU	Surveyor: Samuel Ross Lee Firm: Thomson Survey Limited	Title Plan LT 615460 DRAFT
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Land District: North Auckland

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LOTS 1-6 BEING A SUBDIVISION OF PT ALLOTMENTS 38 & PART  
ALLOTMENT 38A PSH OF OKAIHAU

Surveyor: Samuel Ross Lee  
Firm: Thomson Survey Limited

Title Plan  
LT 615460  
DRAFT

## DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

### Decision

Pursuant to section 34(1) and sections 104, 104B, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision resource consent for a Discretionary activity, subject to the conditions listed below, to:

**Applicant:** Wilson Conservation And Farming Limited  
**Council Reference:** 2250052-RMASUB  
**Property Address:** 71 Okoro Road, Okaihau  
**Legal Description:** ALLOTS PT38 38A OKAIHAU PSH BLK V OMAPERE SD

#### The activity to which this consent relates is:

Subdivision to create 4 additional allotments in the Rural Production zone as a Discretionary Activity with 10 years lapse time.

### Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Ltd, referenced Proposed subdivision of Pt Allotments 38 & Part Allotment 38A Psh of Okaihau, dated 03.04.24, and attached to this consent with the Council's "Approved Stamp" affixed to it.

#### Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
  - a. All easements in the memorandum to be duly granted or reserved.
  - b. Pursuant to section 220 (1)(b)(ii) of the RMA 1991 that Lot 5 hereon and PT Allotment 38A Parish of Okaihau are to be held in the same Certificate of Title.  
*LINZ request number (1918458)*

#### Section 224(c) compliance conditions

3. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
  - a. The applicant is to provide certification from a Suitably Qualified and Experienced Person to confirm that the new vehicle crossing and passing bay accessway upgrades have been constructed as per below,

- i. The applicant is to provide a passing bay between the intersection with the SH and 22 Okoro Road. The passing bay should be 15m long and 5.5m wide.
  - ii. The accessways are to be formed in accordance with section 10.3 of the Subdivision Site Suitability Engineering Report provided by Geologix.
- 4. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
  - a. Each of the proposed allotments is underlain by recent soils (Tauranga Group Alluvium) which may be subject to subsidence risk. When applying for building consent on these lots, the applicant must provide a Geotechnical Assessment prepared by a Chartered Professional Geotechnical Engineer. The assessment should outline any specific geotechnical requirements for the building foundations, any necessary ground improvements, structural design considerations, and a program for supervision of the foundation construction. In regard to Lot 2, containing existing built development, this clause only relates to new buildings, not existing.
 

Lots 1-5
  - b. In conjunction with the construction of any habitable building requiring a building consent, and in the case of Lot 2 any additional habitable building, sufficient water supply for firefighting purposes is to be provided and be accessible by firefighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ.
 

Lots 1-5
  - c. For any building requiring a building consent on these lots, the lot owner must provide a specific stormwater management design prepared by a suitably qualified and experienced person. This design must address the stormwater management measures proposed in the subdivision application. In the case of Lot 2 this only applies to new buildings not to any existing buildings.
 

Lots 1, 3, 4 & 5
  - d. Electricity and Telecommunications supply is not a condition of this consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
 

Lots 1, 3, 4 & 5

## Advice Notes

### Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 10 years after the date of commencement of consent unless, before the consent lapses;
  - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or

- b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

### **Right of Objection**

2. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

### **Archaeological Sites**

3. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

## **Reasons for the Decision**

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 13.7.2.1: Minimum Lot Sizes and 15.1.6C.1.8 Frontage to existing road are of particular relevance.
3. In regard to s124 Consent Duration, Council accepts a 10-year lapse period for this consent for the following reasons:
  - a) The objective and policy direction of the zone of the proposed district plan is consistent with the operative district plan.
  - b) A longer consent duration provides for more certainty for management of the family property.
  - c) The site is at the end of a no exit road and there is unlikely to be any notable changes to the existing receiving environment within the foreseeable future.
  - d) The site is located in an area of the district that is not subject to patterns of subdivision and development growth.

4. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
- a) It is considered that the proposed subdivision will not exacerbate any natural or other hazards on site as there are no identified HAIL sites located in the local area or surrounding properties.
  - b) The proposed lots do not contain any areas of cultural significance to Māori or other heritage resources, outstanding landscapes, outstanding natural features or landscape features.
  - c) There will be no reverse sensitivity effects as the activity is consistent with the current use of the existing activities in the wider environment.
  - d) The proposal will also result in positive effects enabling the lots to be independently disposed for residential use, and enabling the property owner to retain productive capacity of their farm.
5. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
6. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
- a. Northland Regional Policy Statement 2016
  - b. Operative Far North District Plan 2009,
  - c. Proposed Far North District Plan 2022

*Northland Regional Policy Statement 2016*

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

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

The proposal is not contrary to the relevant objectives and policies under Northland Regional Policy Statement 2016 because:

- Servicing with the necessary infrastructure is viable, with onsite storage of potable water and onsite wastewater disposal being feasible.
- The site is not near any significant mineral resources.
- The new building sites are not close to any incompatible land use activities and avoids reverse sensitivity.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- The site does not contain significant vegetation, adverse effects on kiwi habitat can be avoided.

- Adverse effects associated with natural hazards and flooding are avoided. Existing and future impermeable surface coverage is likely to be low.
- The site does not contain highly versatile soils.

#### Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because the proposal is consistent with the purpose of the Rural Production zone, to enable the continuation of the wide range of existing and future activities compatible with normal farming and forestry activities, and with rural lifestyle and residential uses while ensuring that the natural and physical resources of the rural area are managed sustainably. The surrounding environment is generally utilised for rural lifestyle purposes. The proposed allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

The subdivision will create 5 additional allotment under the restricted discretionary criteria within the Rural Production zone. The subdivision is consistent with the purpose of the zone and promotes the sustainable management of the productive intent of the zone. All lots will have available space for on-site servicing and each lot can provide sufficient water supply for potable and firefighting purposes. The adjusted boundary allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

In respect to Chapter 15 of the ODP, the combination of sightline improvement by vegetation removal, proposed concealed entrance signage, speed reduction from road environment factors described in the report and the low volumes of traffic are considered to sufficiently mitigate risks arising from the application. As such, it is considered that adverse traffic effects are minimised, and an appropriate level of traffic safety is provided.

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan.

#### Proposed Far North District Plan

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The purpose of this zone is to provide for primary production activities including farming, plantation forestry, and horticulture. In assessing the proposal against the objectives and policies of the Proposed District Plan, particular regard has been given to those provisions that are directive on their face and do not rely on rules or methods still subject to submissions and appeals for their interpretation and application.

There is greater uncertainty applying PDP provisions that rely on rules and methods still subject to change through the submission and hearing process. Objectives and policies related to natural hazards, servicing, amenity, and other effects have been given regard but with caution, as the final planning framework to implement those provisions is not yet settled.

Overall, while some PDP provisions may support or be neutral toward the proposal, it is considered contrary to key directive objectives and policies which seek to avoid rural lifestyle subdivision in the Rural Production Zone.

However, it is acknowledged the PDP was only recently notified in July 2022 and hearings have only recently commenced. There is substantial scope for provisions to evolve through the submission and appeal process. Therefore, at this early stage of the PDP process, limited weighting has been placed on these PDP provisions relative to the Operative Plan. The Operative Plan remains the primary planning instrument for determining this application.

7. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
8. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
9. Based on the assessment above the activity will be consistent with Part 2 of the Act.  
  
The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
10. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

## Approval

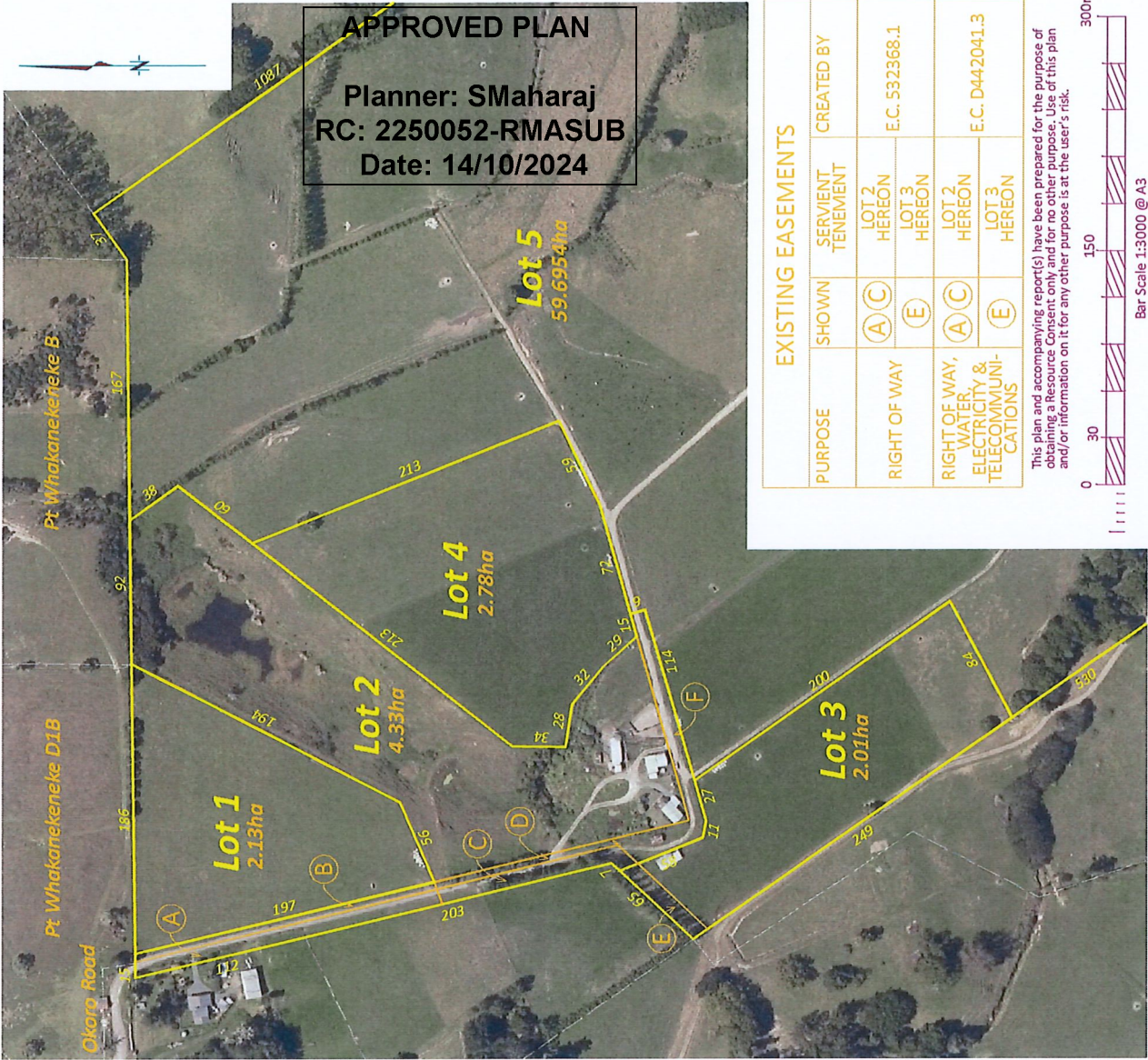
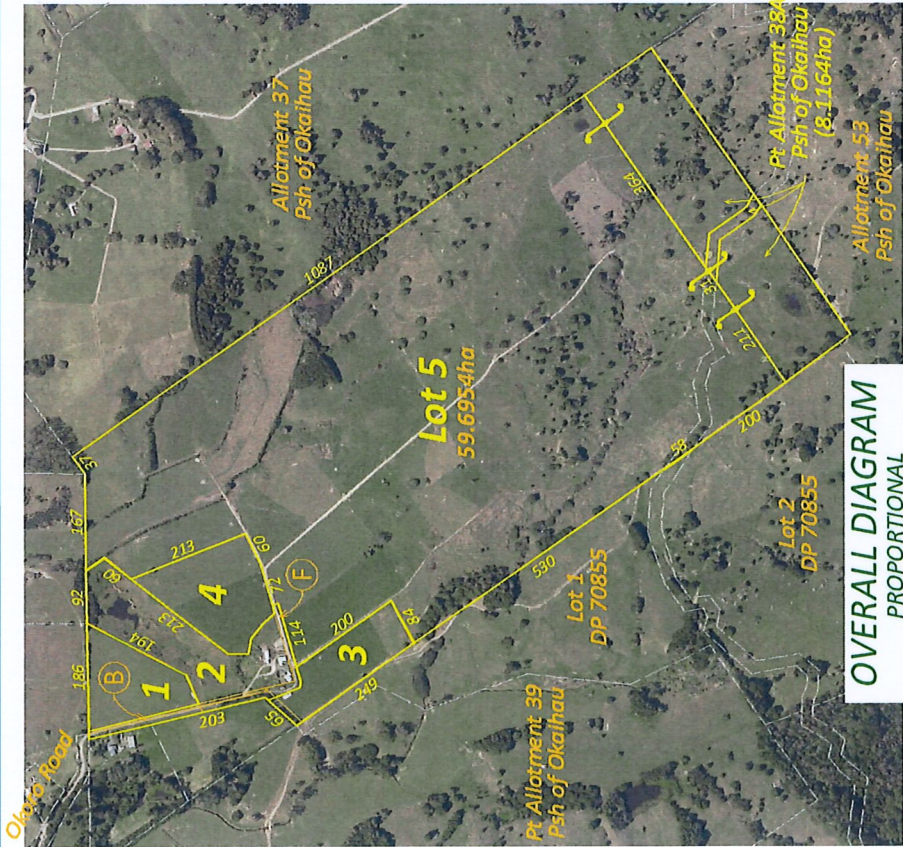
This resource consent has been prepared by Swetha Maharaj, Senior Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Nick Williamson

Date: 14/10/2024

Team Leader- Resource Consent



**Planner: SMaharaj**  
**RC: 2250052-RMASUB**  
**Date: 14/10/2024**

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(A) (C)	LOT 2 HEREON	E.C. 532368.1
	(E)	LOT 3 HEREON	
RIGHT OF WAY, WATER, ELECTRICITY & TELECOMMUNICATIONS	(A) (C)	LOT 2 HEREON	E.C. D442041.3
	(E)	LOT 3 HEREON	

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



Surveyors Ref. No: 10626  
Sheet 1 of 1

Survey	Name	Date	ORIGINAL	SHEET
Design	KY	03.04.24	SCALE	SIZE
Drawn	KY	03.04.24	1:3000	A3
Approved	KY	24.07.24		
Rev				

**PROPOSED SUBDIVISION OF**  
**PT ALLOTMENTS 38 & PART ALLOTMENT 38A PSH OF OKAIHAU**  
71 OKORO ROAD, OKAIHAU  
PREPARED FOR: D & L WILSON

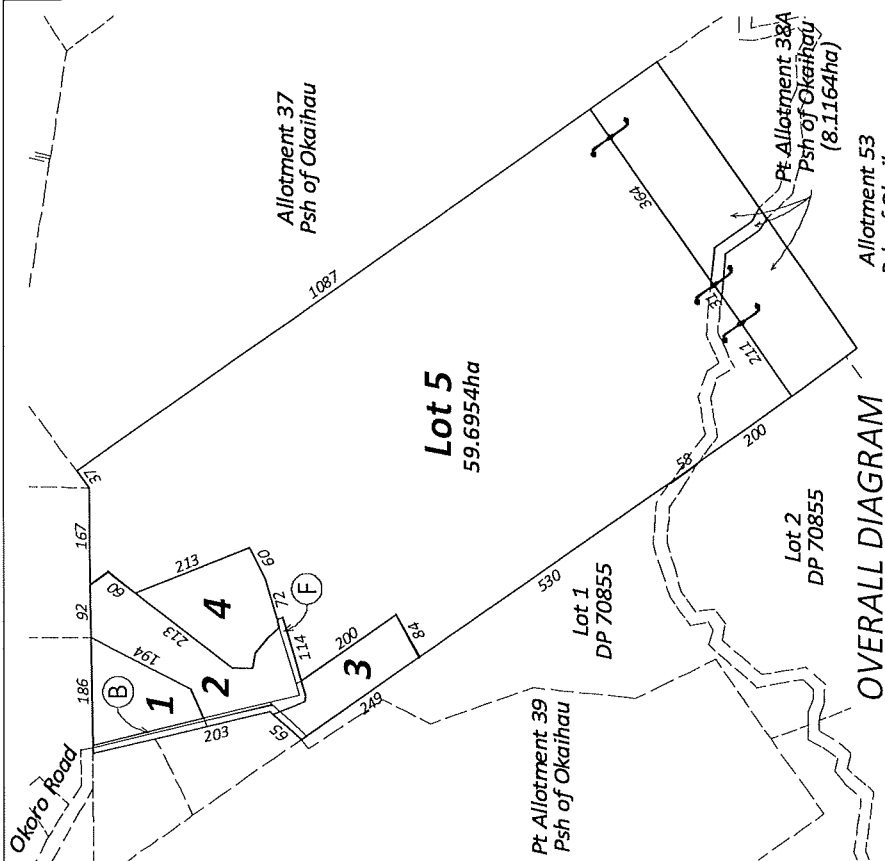
MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY	(A) (B)	LOT 2 HEREON	LOTS 1, 3 - 5 HEREON
	(C) (D)	LOT 2 HEREON	LOTS 3 - 5 HEREON
	(F)	LOT 2 HEREON	LOTS 4 & 5 HEREON

**AMALGAMATION CONDITION:**  
THAT LOT 5 HEREON AND PT ALLOTMENT 38A PARISH OF OKAIHAU ARE TO BE HELD IN THE SAME CERTIFICATE OF TITLE.

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD  
AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY  
TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council  
Comprised in: N41258/614  
Total Area: 79.0618ha  
Zoning: Rural Production  
Resource Features: NIL

**THOMSON SURVEY LIMITED**  
315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@survey.co.nz  
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www.survey.co.nz  
Registered Land Surveyors, Planners & Land Development Consultants



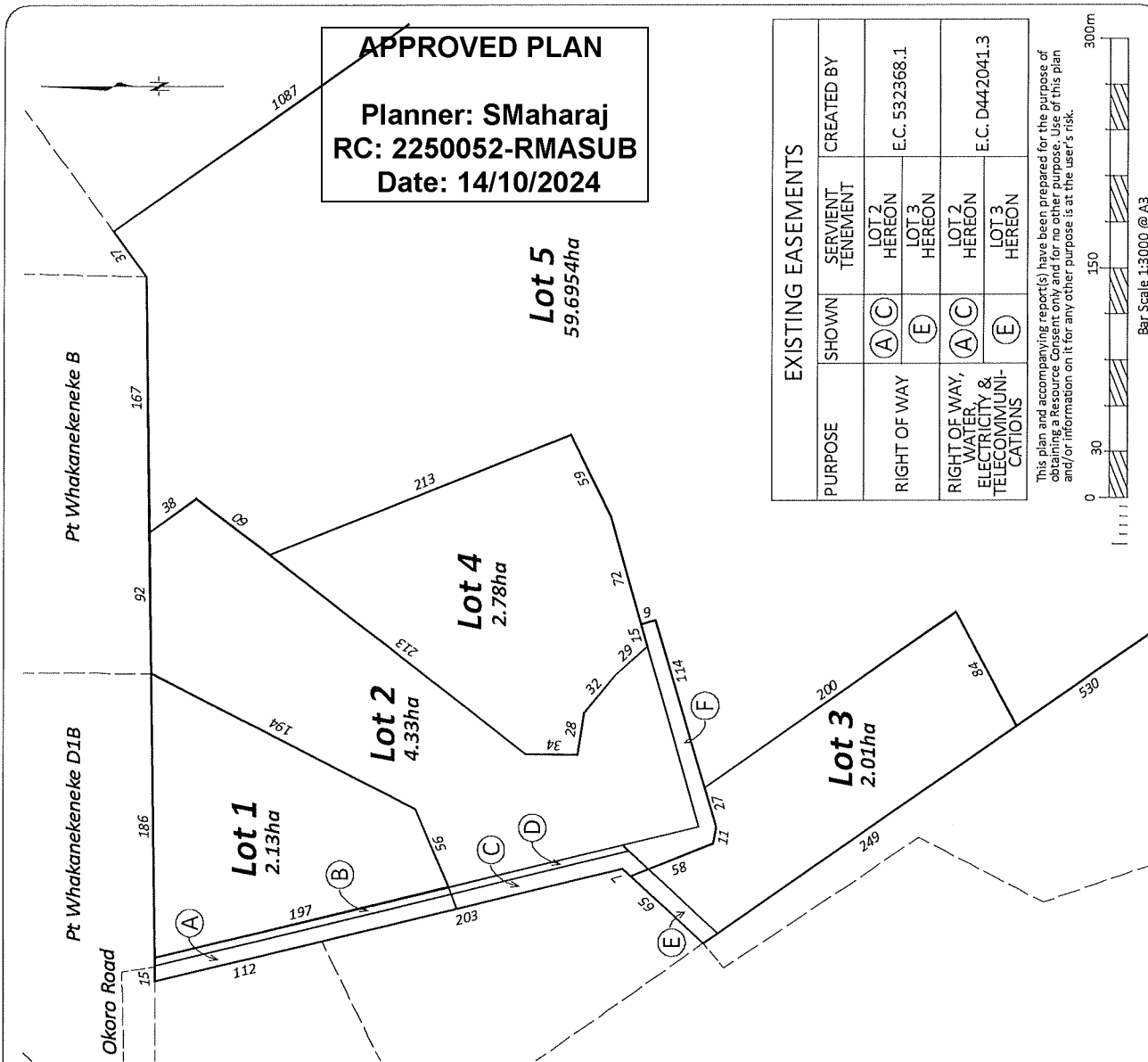
### OVERALL DIAGRAM PROPORTIONAL

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY	(A) (B)	LOT 2 HEREON	LOTS 1, 3 - 5 HEREON
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Local Authority: Far North District Council  
Comprised in: N41258/614  
Total Area: 79.0613ha  
Zoning: Rural Production  
Resource features: NIL

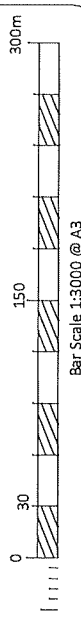
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**APPROVED PLAN**  
**Planner: SMaharaj**  
**RC: 2250052-RMASUB**  
**Date: 14/10/2024**

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
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Approved	KY	24.07.24		
Rev				

Surveyors Ref. No: 10626  
Sheet 1 of 1



## TECHNICAL MEMORANDUM

11 July 2025

**71 Okoro Road, Okaihau**

Wilson Family Trust

Geologix Ref. C0505-S-TM01

By email: teamwilsonmum@gmail.com

### **Application No: CER-2250052-CER224/A – Response to Council RFI**

Pursuant to their letter received from FNDC titled *Re: Request for Further Info, dated 4 July 2025*, Geologix was requested by our client to inspect the subject site to provide an assessment of the suitability of a constructed roadway within Right of Way Easement A (RoW A) of the subject site scheme plan. The assessment considers the constructed roadway in relation to the conditions of consent which call the Right of Ways to be formed in general accordance with the Geologix Site Suitability Report C0505-S-01-R02, the 'Report'.

Geologix visited the site to inspect the constructed RoW A on 7 July 2025. The observations and recommendations based thereon are detailed further in the memo below.

### **Observations:**

1. The roadway within RoW A has been formed along its entire length (approx. 200m) comprising crushed metal aggregate, orange - brown in colour, well compacted, but relatively loose at its edges.
2. The road has a central crown with a reasonable crossfall.
3. The recently laid metal surfacing starts at the northern end of RoW A, at the bend with Okoro Road. From there it extends 200m south to the RoW A boundary, and then further into RoW B.
4. Generally, the eastern edge of the roadway in RoW A is formed to an existing grassed verge edge, set about 0.5m to 1m from an existing fence line.
5. On the western edge, the roadway is formed to the existing grassed verge frontage adjacent to neighbouring lot 46 Okoro Road which has an existing residence. Beyond the residence frontage, the roadway widens to an existing fence line adjacent pasture in Lot 2 DP 197826. Refer enclosed Figure 4.
6. It was noted that the existing fence line (western edge) was offset from the formal boundary line, well within the subject site boundary.



Natural Hazards



Environmental



Geotechnical



3 Waters



Land Development & Subdivision

#### *Width:*

7. The roadway's formed metal width varies between 4 – 5m along its 200m width, measured with a tape measure at random positions. Refer enclosed Figure 4 and 5.
8. The northern section adjacent Lot 46, approximately 80m long, was limited to 4 – 4.3m in width. It was clear that the grass frontage of the existing residence had been intentionally preserved along this segment.
9. The remainder of RoW A and beyond into RoW B was wider at 4.6 - 5m.

#### *Drainage:*

10. The RoW A roadway is positioned on top of a gentle ridgeline that separates two catchments. By virtue of this, runoff tends to escape from the roadway into the pasture east and west of the roadway and further into those two catchments.
11. There is an existing swale drain adjacent the western edge of the road, formed beyond the fence line within the pasture. The swale is reasonably wide and appears to have suitable capacity to handle the runoff from the RoW A formed surface. This drain was notably ponded near the southern, lower end of the RoW A, where it becomes more gently graded or flat. The observed ponding extended about 20m in length and up to 1.5m width, held within the thick pasture. The ponded water surface was about 1m horizontally and 0.5m vertically from the adjacent roadway edge, so there was no water encroaching onto the roadway. Refer enclosed Figure 2.
12. The eastern edge of the roadway had no clearly defined drain channel, but the edge of road along the verge presents a low-point along which runoff from the eastern side of the road would collect and be conveyed, flowing from the north to south. There was some ponding along this edge near to the southern end of RoW A (mirroring the ponding in the swale on opposite side of the road), although it not was extensively into the roadway. Refer enclosed Figure 3.
13. At the southern end of RoW A where the road is at its lower most elevation, the pasture on each side of the road does tend to fall away from the road allowing a path for any accumulating runoff to drain out safely. Refer enclosed Figure 2.

#### **Departures from Report Requirements (FNDC Standards)**

14. It is noted that the RoW A roadway width is less than the 5m width defined in the FNDC standards for private accessways that are servicing more than 5 lots.
15. It is noted that the drainage culvert proposed within the at southern end of RoW A is not installed. Therefore, runoff from the RoW A will not be conveyed and detained in the existing ponds.

#### **Considerations / Recommendations**

##### ***Suitability of width:***

With respect to the reduced width noted in Point 14 above, it is considered that given the straightness and clear visibility available through RoW A's length for oncoming vehicles and to/from vehicle crossings, there is more-than-adequate stopping distance available between oncoming vehicles and side-by-side passing may be safely negotiated between oncoming vehicles.

##### ***Suitability of drainage:***

With respect to the non-provision of any culvert under RoW A for conveyance of runoff from west to east, as suggested in the Report: It is considered that given the separation of the catchments by the roadway that is formed on the ridgeline, there is no need for such cross-conveyance of runoff through the road. Runoff on the west side of the road is suitably drained along this edge within the swale and into the pasture and effectively contributes to that catchment west of the road. Any increase in peak flow runoff following the formation of the metal road is arguably less than minor given the metal nature of the existing road that was already situated there. This determination of less than minor effect also considers that the ponding that occurs within that swale (Point 11) will currently serve to detain runoff within that catchment area already.

**Summary:**

In general, and with particular consideration to the suitability of width and drainage set out above, the constructed state of the RoW A has been determined to be in general accordance with the requirements set out in the Geologix Site Suitability Report with due consideration to the minor departures from the requirements of the Report.

It is therefore recommended that the RoW A roadway be accepted as suitable for the purposes of safe access to the 7x proposed lots it will serve.

**Limitations:**

We note that this technical memorandum should not be considered as any formal certification of completed works or a producer statement in that respect. The assessment presented within this memorandum is offered is to provide general observation information only with reasonable determination to meet the outcomes of the subdivision conditions of consent. It is noted that the conditions of consent do not require engineering sign off in this regard.

Prepared by

Approved by

Sebastian Hicks  
Principal Civil Engineer, CPEng Reg. 1168062,  
CMEngNZ, IntPE(NZ) /APEC Engineer

Edward Collings  
Managing Director, CEnvP Reg. 0861, CPEng Reg.  
1033153, CMEngNZ

**For GEOLOGIX CONSULTING ENGINEERS LTD**

*Enclosed: Site Photos (RoW A) – 7 July 2025*

## Site Photos (RoW A) – 7 July 2025

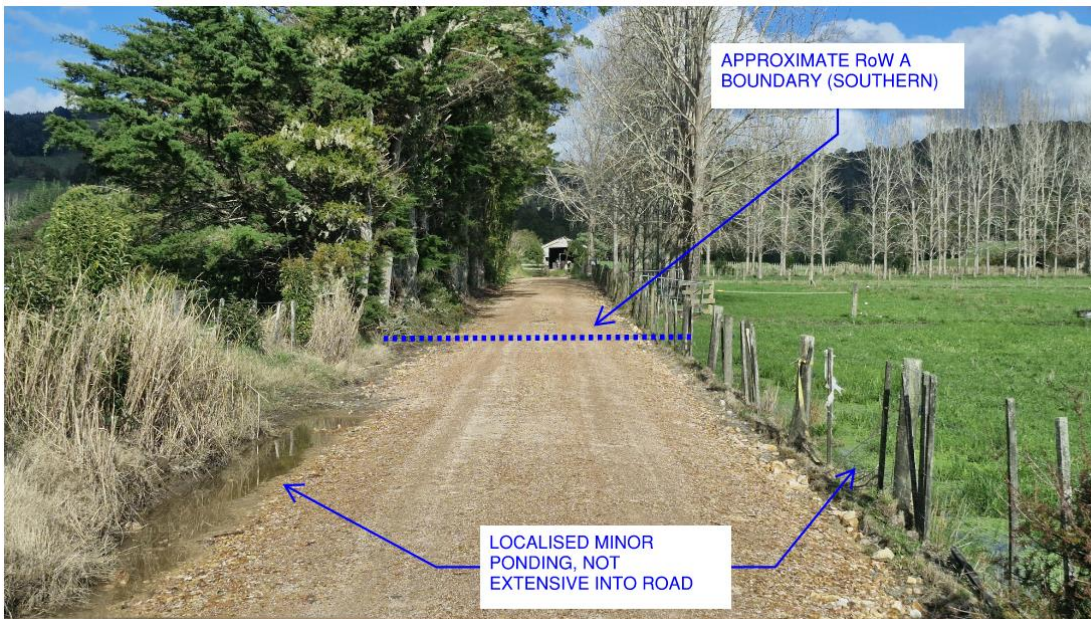


Figure 1: RoW A, near southern end, looking south, localised ponding (Observation Points 11 & 12)

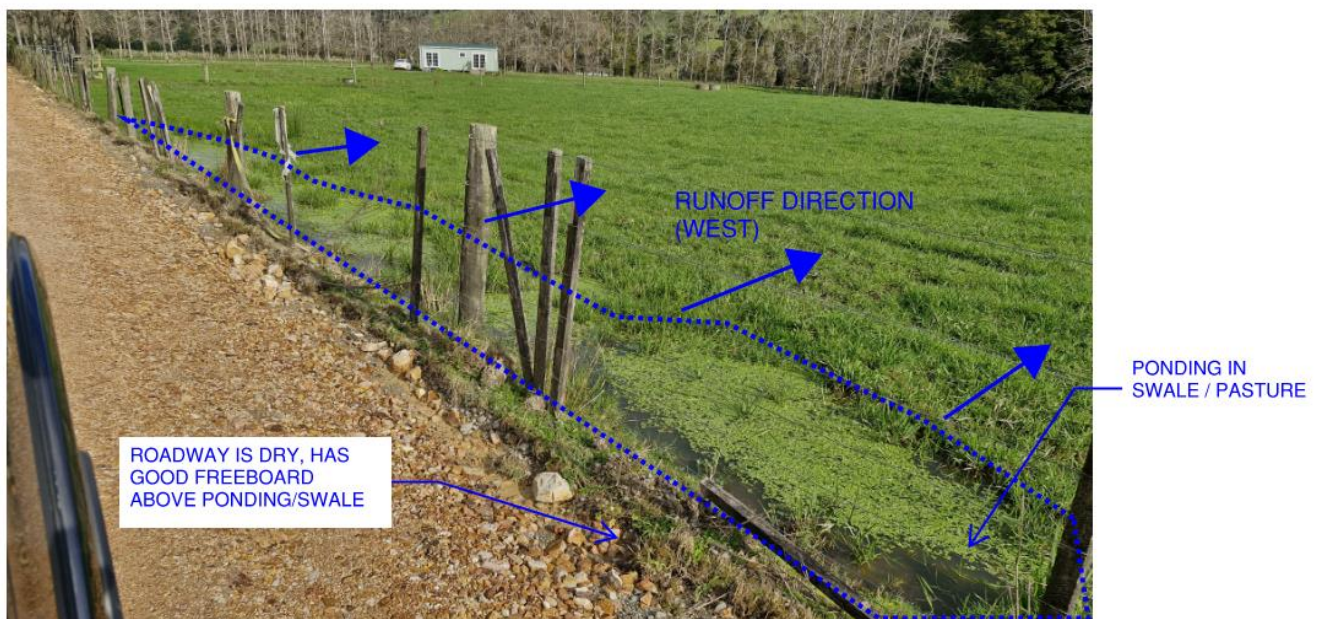


Figure 2: Localised ponding in western swale (Observations – Point 11)

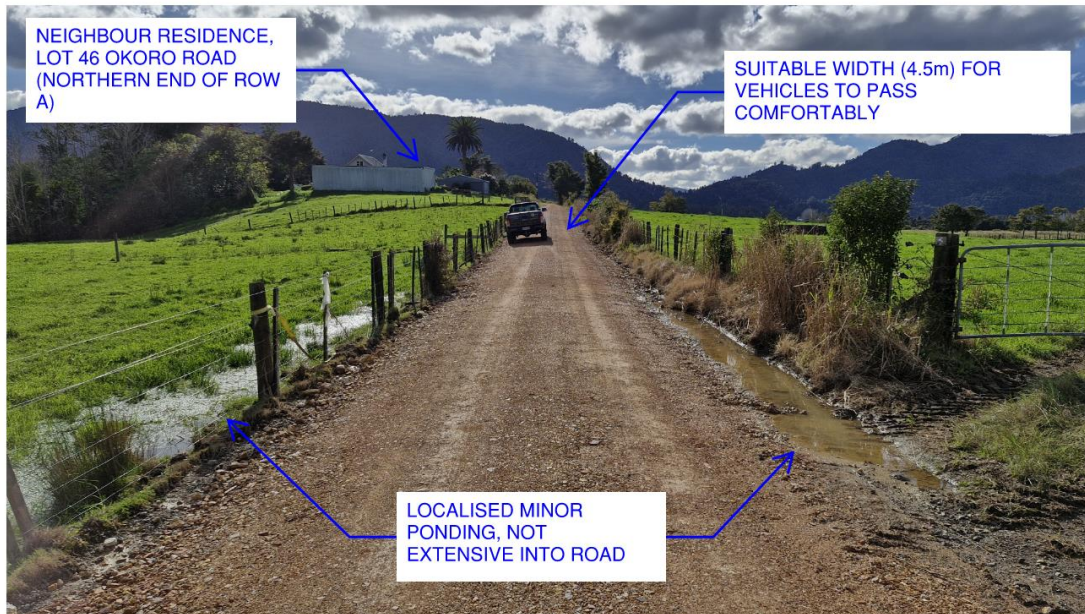


Figure 3: Localised ponding extents (Observations - Points 11 and 12)



Figure 4: RoW A roadway width adjacent neighbour lot (4m wide)



Figure 5: RoW A roadway width (4.6m wide)