

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

☐ Yes ☒ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Khan LeNoel Petuha

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Logiplan C/- Nina Pivac

Email:

Phone number:

Postal address:

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

Home

Postcode

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

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

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

Name/s:

Sonny Heemi Le Noel

**Property Address/
Location:**

Postcode

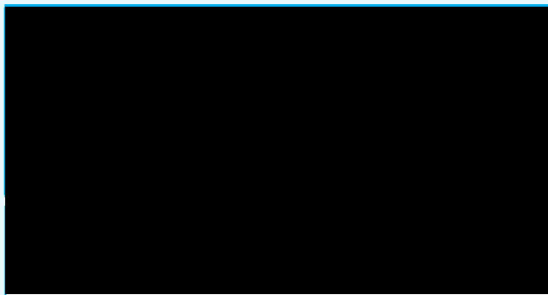
8. Application Site Details

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

Name/s:

Khan Petuha

**Site Address/
Location:**



postcode

Legal Description:

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.

Please contact applicant to arrange site visit.

9. Description of the Proposal:

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

Subdivision to create one additional allotment in the Rural Production Zone as a RDA.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

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

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

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

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

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

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☐ **Yes**

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)

Khan LeNoel Petuha

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)

Khan LeNoel Petuha

Signature:

(signature of bill payer)

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

Nina Pivac

Signature:

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

Checklist (please tick if information is provided)

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

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



SUBDIVISION RESOURCE CONSENT APPLICATION

84 ARAROA ROAD, AHIPARA
 PUKEPOTO 8B 7B BLOCK

ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:
 KHAN PETUHA

27 August 2025
 REV A

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Appendix A – Scheme Plan

Appendix B – Certificates of Title

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1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Far North District Council
Site address:	84 Araroa Road, Ahipara
Applicant's name:	Khan Petuha
Address for service:	Logiplan Limited Attn: Nina Pivac 50-64 Commerce Street Kaitaia 0410
Legal description:	Pukepoto 8B 7B Block
Site area:	28.96ha
Site owner/s:	Sonny Heemi Le Noel (applicant's brother)
Operative District Plan:	Far North District Plan
Operative zoning:	Rural Production Zone
Overlays/resource areas:	Partial flood susceptibility Treaty Settlement Area of Interest
Proposed District Plan:	Rural Production Zone
Proposed overlays/resource areas:	Partial flood susceptibility Treaty Settlement Area of Interest
Brief description of proposal:	To create one additional allotment in the Rural Production Zone, resulting in the following allotment areas: Lot 1 – 6233m ² (contains existing dwelling) Lot 2 – 28.3320ha (contains two dwellings and associated sleepouts)
Summary of reasons for consent:	Overall, resource consent is required as a Restricted Discretionary Activity .

We attach an assessment of environmental effects that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

AUTHOR



Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

2.0 PROPOSAL

The applicant, Khan Petuha, proposes to undertake a subdivision in the Rural Production Zone to create one additional allotment.

The proposal will result in the following allotment areas:

- Lot 1 – 6233m² (contains existing dwelling)
- Lot 2 – 28.3320ha (contains two dwellings and associated sleepouts)

A Site Suitability Report has been prepared in support of the application and all necessary easements will be created as per the attached scheme plan.

Overall, the proposal is a Restricted Discretionary Activity under the Operative District Plan.

The following Assessment of Environmental Effects (AEE) has been prepared in accordance with the requirements of Section 88 of and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual or potential effects the proposal may have on the environment.

3.0 SITE CONTEXT

The subject site consists of one title and is located at 84 Araroa Road, Ahipara. The subject site is legally described as Pukepoto 8B 7B Block.

A copy of the relevant Certificate of Title (CT) is attached as **Appendix B**.



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

The subject site is zoned Rural Production under both the ODP and PDP, and has been mapped by NRC as being partially susceptible to flooding. However, all existing built development is located outside of the flood extent.

Proposed Lot 1 contains an existing dwelling as per previous Council approvals, specifically BP-1993-875-0. Proposed Lot 2 is the balance lot and is currently in productive use, while also containing two existing dwellings and associated sleepouts as per BC-2011-110-0.

The use of the site will remain unchanged.

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

Access to the site is currently gained via an accessway that extends off Araroa Road. All necessary ROW easements will be created to formalise existing access arrangements, namely ROW B which will traverse through Lot 2 to provide access to Lot 1. As per the Site Suitability Report, this accessway has been formed to an adequate standard and no upgrades are anticipated.

4.0 DISTRICT PLAN RULES ASSESSMENT

OPERATIVE DISTRICT PLAN

SUBDIVISION:

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

Rural Production Zone	Relevant Standards	Compliance
Rule 13.8.1 Subdivision within the Rural Production Zone	(b) A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m ² and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000	The proposed subdivision is able to meet this criteria. Resource consent is required for a Restricted Discretionary Activity
Rule 13.7.2.2 Allotment Dimensions	A minimum square building envelope of 30m x 30m is required and should not encroach into the permitted activity boundary setbacks for the relevant zones.	All existing development will remain compliant with setback requirements. Controlled Activity

LANDUSE

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

Rural Production Zone	Permitted Standards	Compliance
Rule 8.6.5.1.1 Residential Intensity	One unit per 12ha of land is permitted, or one unit per site.	<p>Lot 1 will contain one dwelling as per previous Council approvals.</p> <p>Proposed Lot 2 will contain two dwellings as per previous Council approvals. With a lot area of 28.33ha, the proposal is able to meet the permitted threshold for residential intensity.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.2 Sunlight	2m + 45-degree recession plane	<p>All existing built development will remain compliant with the HIRB rules.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.3 Stormwater Management	The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.	<p>Total impermeable surfaces within Lot 1 equate to approximately 595.8m² (9.66%) which falls well within the permitted threshold.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.4 Setback from Boundaries	10m from any site boundary	<p>All existing built development will not encroach the 10m setback from any new boundaries.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.5 Transportation	Refer to Chapter 15 – Transportation for Traffic, Parking and Access	<p>As concluded in the site suitability report, the existing vehicle crossing and internal accessway has been formed to an adequate standard.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.8 Building Height	The maximum height of any building shall be 12m.	<p>All existing buildings are less than 12m in height.</p> <p>Permitted Activity</p>
Rule 8.6.5.1.10 Building Coverage	Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a	<p>Total building coverage within Lot 1 equates to 2% which falls well within the permitted threshold.</p> <p>Permitted Activity</p>

Rural Production Zone	Permitted Standards	Compliance
	site does not exceed 12.5% of the gross site area.	

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

PROPOSED DISTRICT PLAN

The Proposed Far North District Plan (PDP) was notified on Wednesday 27 July 2022. Rules in a Proposed Plan have legal effect once the council makes a decision on submissions relating to that rule and publicly notified this decision, unless the rule has immediate legal effect in accordance with section 86(3) of the Resource Management Act 1991 (the Act).

As of Monday 4 September 2023, the further submission period on the PDP has closed. However, Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, only rules in the PDP with immediate legal effect are relevant. These rules are identified with a 'hammer' in the plan. Rules that do not have immediate legal effect do not trigger the need for a resource consent under the PDP.

An assessment of the proposal against the rules with immediate legal effect has been undertaken. In this case there are none that are relevant to the proposal. Therefore, no consideration needs to be given to any of the rules under the PDP.

5.0 NATIONAL ENVIRONMENTAL STANDARDS FOR CONTAMINATED SOILS (NES CONTAMINATED SOILS)

All applications that involve subdivision, or an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the NES Contaminated Soils. The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed land use.

Based on a search of Council records, historic aerial images and archives, and the documentation provided in support of this application, there is no evidence to suggest that a HAIL activity is, has been, or is more than likely to not have been undertaken on any part of the site. Therefore, the NES Contaminated Soils is not applicable in this instance.

6.0 NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER (NES FRESHWATER)

A review of aerial images, including NRC's wetland maps, reveal no evidence to suggest that there are any wet areas that may be subject to the NES Freshwater provisions. The use of the site will remain unchanged and no land disturbance is required as part of this proposal. Therefore, no further assessment is required under the NES Freshwater.

7.0 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPSHPL)

The subject site contains LUC 2 soils which are deemed as 'highly productive' under the NPSHPL. Therefore, the NPSHPL is applicable to the site. However, as a restricted discretionary activity, Council's discretion in this case is limited to reverse sensitivity effects. These have been discussed in further detail below.

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

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

9.0 PUBLIC NOTIFICATION ASSESSMENT (SECTIONS 95A, 95C TO 95D)

Step 1: Mandatory public notification is required in certain circumstances

Under Section 95A(3) an application must be publicly notified if:

- a) the applicant has requested that the application be publicly notified;*
- b) public notification is required under Section 95C.*

The applicant is not requesting public notification under clause (a). Clause (b) provisions relate to where an applicant does not provide further information formally requested under Section 92, which is not applicable in this case.

Public notification is not required and therefore Step 2 must be considered.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

Under Section 95A (4) an application must not be publicly notified if:

- a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- b) the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - i. a controlled activity;*
 - ii. a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;*

None of the above apply, therefore public notification is not precluded.

Step 3 must be considered.

Step 3: Public notification required in certain circumstances

Public notification is precluded if:

- a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*
- b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

The proposal requires consideration under s95D of the Act. An assessment of environmental effects is provided in Section 8.0 below which concludes that any adverse effect will be less than minor.

Step 4: Public notification in special circumstances

Section 95A(9) sets out that the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary; or
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

If the answer is yes, then those persons are required to be notified.

In this case, the proposal is for a subdivision activity which is provided for as restricted discretionary activity. As such, it is considered that this level of development is anticipated by the Far North District Plan and that there is nothing out of the ordinary that could give rise to special circumstances.

Public Notification Conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as effect will be less than minor; and
- Under step 4, there are no special circumstances.

Therefore, this application can be processed without public notification.

10.0 LIMITED NOTIFICATION ASSESSMENT (SECTIONS 95B, 95E TO 95G)

Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups, or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this land.

Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and NES preclude limited notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity under section 360H(1)(a)(ii).

The above does not apply to the proposal, and therefore limited notification is not precluded.

Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of a prescribed activity under s360H(1)(b), a prescribed person; and
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary or prescribed activity as defined in the Act or a prescribed activity under s360H(1)(b), and therefore an assessment in accordance with S95E is required, of which is set out below.

Overall, it is considered that any adverse effects in relation to adjacent properties will be less than minor, and accordingly that no persons are adversely affected.

Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment above, special circumstances are not considered to apply to this proposal.

SECTION 95E STATUTORY MATTERS

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

The sections below set out an assessment in accordance with section 95E, and an assessment of potential adverse effects.

Written Approval

No written approvals have been sought as it is considered that any adverse effects as a result of this proposal will be less than minor or negligible.

Assessment of Effects on the 'Localised Environment'

The matters to which Council shall restrict its discretion, as outlined in Sections 13.8.1 and 13.7.3 of the Far North District Plan, are addressed below:

AMENITY, CHARACTER AND LANDSCAPE EFFECTS

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

INDIGENOUS FLORA AND FAUNA

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

NATURAL AND OTHER HAZARDS

As per Figure 2 below, a portion of the site has been mapped as subject to the River Floor Hazard Zone (10 Year Extent). However, all existing built development is located outside of this extent.



Figure 2: Map showing extent of 10-Year ARI

PROPERTY ACCESS

Access to the site is currently gained via an accessway that extends off Araroa Road. All necessary ROW easements will be created to formalise existing access arrangements, namely ROW B which will traverse through Lot 2 to provide access to Lot 1. As concluded in the site suitability report, this accessway has been formed to an adequate standard and no upgrades are anticipated.

SERVICING EFFECTS

Proposed Lots 1 and 2 are fully serviced in terms of access, stormwater and wastewater disposal, electricity and telecommunications. Current service arrangements will remain unchanged and wholly contained within the new boundaries. All necessary easements will be created.

EASEMENTS FOR ANY PURPOSE

All necessary ROW easements will be created as per attached scheme plan.

PRESERVATION OF HERITAGE RESOURCES

The site is not known to contain any heritage resources.

ACCESS TO RESERVES AND WATERWAYS

There is a small stream which runs alongside the western boundary of the subject site. However, access to this waterway will not be affected given it can easily be accessed via Tangonge Road.

LAND USE COMPATIBILITY

It is noted that the subject site contains LUC 2 soils which are classified as highly productive under the National Policy Statement for Highly Productive Land (NPSHPL). As a restricted discretionary activity, Council's discretion in this case is limited to reverse sensitivity effects.

Both proposed Lots 1 and 2 are in residential use, with Lot 2 also large enough to sustain rural production activities. These activities have existed on site without any known reverse sensitivity issues. Given the use of the site will remain unchanged, and that no physical works are anticipated, it is considered that any adverse effects in relation to reverse sensitivity are negligible.

PROXIMITY TO AIRPORTS

The subject site is located at least 16km from the nearest airport. As such, this matter is not relevant to the proposal.

CONCLUSION

Taking the above into account, it is considered that there will be no adverse effects on the wider and localised environment. As such, no parties are considered to be adversely affected.

LIMITED NOTIFICATION CONCLUSION

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;

- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

11.0 CONSIDERATION OF APPLICATIONS (SECTION 104)

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- any other matter a council considers relevant and reasonably necessary to determine the application.

As a Restricted Discretionary activity, section 104C of the Act states that:

- 1) *When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which-*
 - a) *A discretion is restricted in national environmental standards or other regulations;*
 - b) *It has restricted the exercise of its discretion in its plan or proposed plan.*
- 2) *The consent authority may grant or refuse the application.*
- 3) *However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which-*
 - a) *A discretion is restricted in national environmental standards or other regulations;*
 - b) *It has restricted the exercises of its discretion in its plan or proposed plan.*

12.0 EFFECTS ON THE ENVIRONMENT (SECTION 104(1)(A))

An assessment of effects on adjacent properties has been provided and it was concluded that any adverse effects will be less than minor.

Further, it is considered that the proposal will result in positive effects including the efficient use of rural land while maintaining character and amenity values intrinsic to rural communities.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are appropriate.

13.0 DISTRICT PLAN AND STATUTORY DOCUMENTS (SECTION 104(1)(B))

The following planning documents prepared under the RMA are considered relevant to this application.

Regional Policy Statement for Northland

The Northland Regional Policy Statement (RPS) covers the management of natural and physical resources across the Northland region. The provisions within the RPS give guidance at a higher

planning level in terms of significant regional issues, therefore providing guidance to consent applications and the development of District Plans on a regional level. Given the nature and scale of the proposed subdivision, being a restricted discretionary activity, it is considered that this level of development is compatible with the intent of the RPS.

Operative Far North District Plan – Objectives and Policies

The relevant objectives and policies of the District Plan can be found in the Rural Environment, Rural Production Zone, and Subdivision Chapters. As a restricted discretionary activity, the proposal is considered to be generally consistent with the relevant objectives and policies. The site is already in rural production/residential use which will remain unchanged as a result of the proposal. The rural character of the site will therefore not be eroded by the proposed subdivision.

Proposed Far North District Plan – Objectives and Policies

As of Monday 4 September 2023, the further submission period on the PDP has closed. However, Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, the application shall only 'have regard to' the relevant objectives and policies in the PDP.

Relevant objectives and policies in the PDP are contained within the Subdivision and Rural Production Chapters. Based on the AEE, it is considered that the proposal is largely consistent with the anticipated outcome of the relevant objectives and policies, particularly the following:

- SUB-01
- SUB-P1
- SUB-P3
- SUB-P8
- SUB-P11
- RPROZ-01 to RPROZ-04
- RPROZ-P1 to RPROZ-P7

Conclusion

For the reasons outlined above, it is considered that the proposal is consistent with the relevant objectives and policies of the RPS, ODP, and PDP.

14.0 PART 2 MATTERS

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

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant objectives and policies of the RPS, and the Operative District Plan provisions. Accordingly, it is considered that the proposal will not offend the general resource management principles set out in Part 2 of the Act.

15.0 OTHER MATTERS (SECTION 104(1)(C))

There are no other matters considered relevant to this proposal.

16.0 CONCLUSION

The proposal involves the subdivision of NA18D/1242 to create one additional title in the Rural Production Zone, as a Restricted Discretionary Activity.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be no more than minor and can be managed in terms of appropriate conditions of consent.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that the application for resource consent can be granted on a non-notified basis.

AUTHOR



Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

Date: 27 August 2025

Appendix A – Scheme Plan





Title:

Topographical Survey Plan

Lot 2

1:500 @ A3

Client:

Sonny Heemi Le Noel

Location:

84 Araroa Road, Ahipara

Project Name:

Proposed Subdivision

Drawn:

Andrew van der Linden

Date:

15/08/2025

Project Number:

FNR003

Sheet:

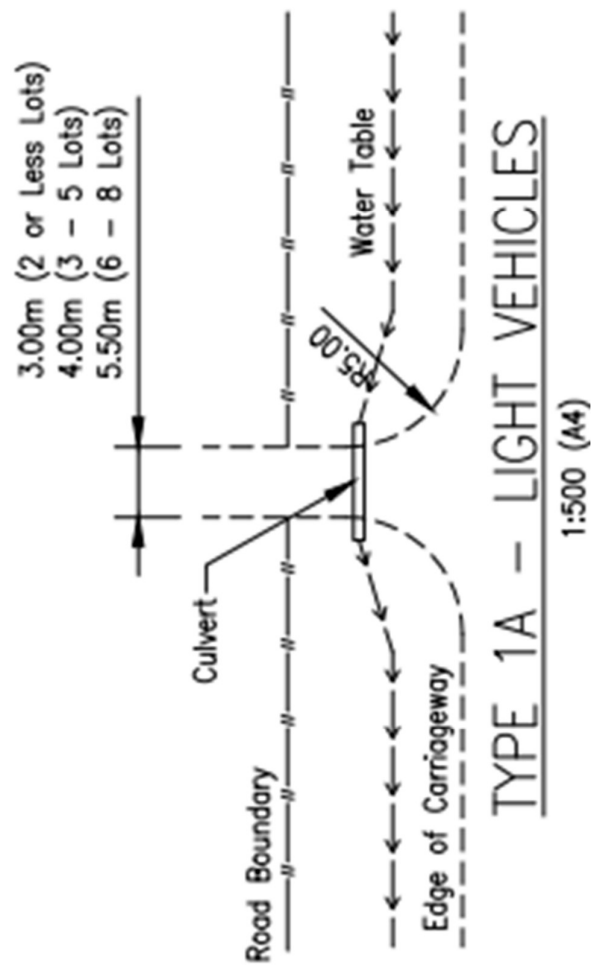
5 of 6

Version:

V2



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



Appendix B – Certificates of Title



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

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

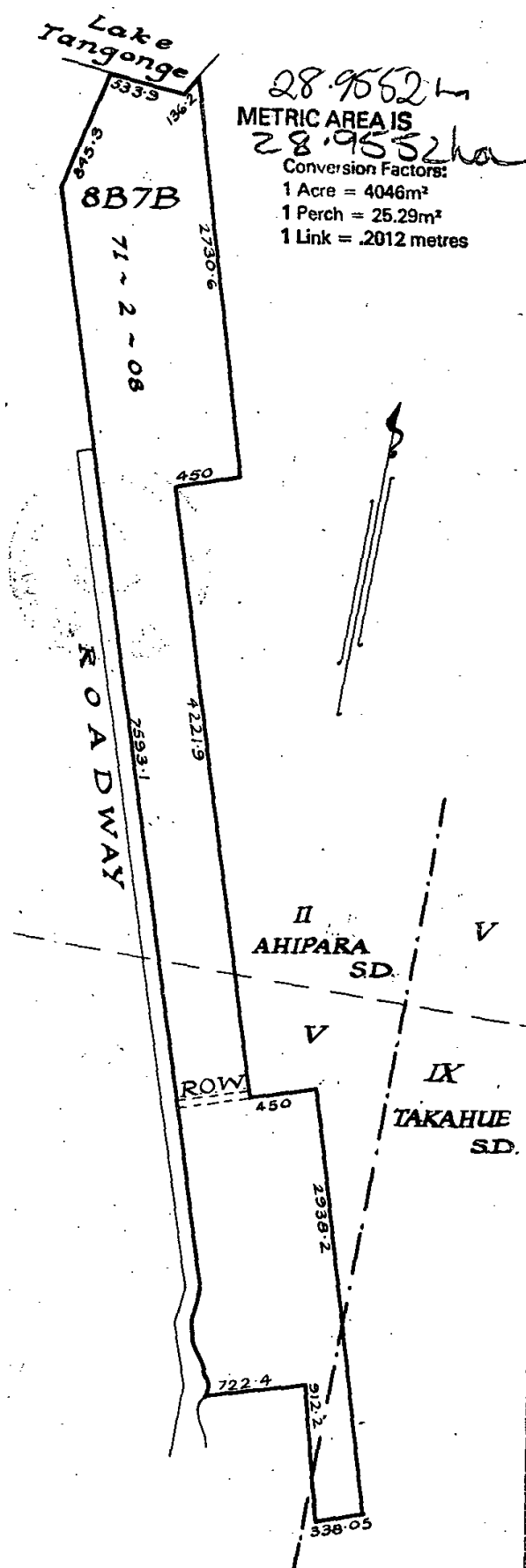
Identifier **NA18D/1242**
Land Registration District **North Auckland**
Date Issued 20 May 1970

Prior References
NAPR18D/924

Estate Fee Simple
Area 28.9553 hectares more or less
Legal Description Pukepoto 8B 7B Block
Registered Owners
Sonny Heemi Le Noel

Interests

Subject to a right of private access shown as roadway over part to enable owners of Pukepoto 8B 7A Block (CT NA17B/52) to reach road running along eastern boundary of Pukepoto No 1 Block
Subject to Section 10 Maori Affairs Amendment Act 1967
A506607 Status Declaration by the Registrar of the Maori Land Court - 27.10.1970 at 9.00 am (ceased to be Maori Land)
10697270.4 Mortgage to ANZ Bank New Zealand Limited - 2.8.2017 at 4:27 pm



Appendix C – Site Suitability Report



84 Araroa Road, Pukepoto, Kaitaia

Subdivision Site Suitability Report

Prepared for Khan Petuha and Sonny Heemi Le Noel



Job No.	FNR002, Rev 1
Report Author	Tess Allen
Report Reviewer	Manu Burkhardt
Date	18/08/2025

Document Approval			
Action	Name	Signed	Date
Author	Tess Allen		18/08/2025
Reviewer	Manu Burkhardt Macrae		22/08/2025

Limitations

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

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Executive Summary

This report has been prepared to support the application of a two-lot subdivision of the property at 84 Araroa Road, Pukepoto, legally described as Pukepoto 8B 7B Block and comprising of approximately 28.96 hectares. The site is currently zoned Rural Production under both the Operative and Proposed Far North District Plans. The subdivision seeks to formalise the existing land use by creating:

- Proposed Lot 1 containing one existing dwelling, and
- Proposed Lot 2 containing two permanent dwellings.

No new construction is proposed as part of this application.

The property is generally flat, rural in character, and currently supports three existing dwellings with associated accessory buildings, driveways, and services. Each dwelling is serviced by established infrastructure, including on-site wastewater disposal systems, individual rainwater collection and storage, electricity, and wireless telecommunications. Access to both lots will be provided via existing metalled driveways connecting to Araroa Road, with a legal easement ensuring compliant and safe access for the rear lot.

Environmental assessments confirm that the subdivision will not generate any new adverse effects. As no further construction is proposed, there is no increased risk of flooding, liquefaction, or environmental related effects, nor will the proposal exacerbate any existing natural hazard risks.

Stormwater will continue to be managed effectively on-site through rainwater collection, swale drains, and infiltration via unsealed and vegetated surfaces.

Wastewater systems have been inspected and confirmed to be operating effectively within regulatory standards.

In relation to water supply, each dwelling is serviced by existing rainwater tanks. To ensure compliance with Far North District Council rural potable water standards and the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008), one additional 25,000 L water tank or alternative supply source is recommended for Proposed Lot 2. This will provide the required firefighting storage capacity (FW2 classification) and ensure supply resilience.

The subdivision is consistent with the servicing, access, and environmental performance requirements of the Far North District Council and demonstrates that the site can accommodate the proposed allotments without significant infrastructure upgrades or environmental effects. Overall, the proposal represents a low-impact subdivision that formalises the existing land use while maintaining the rural character of the area.

Site Description

The subject lot is currently owned by Sonny Heemi Le Noel as the legal description Pukepoto 8B 7B Block. The subject lot falls under the Rural production zone.

The subject site is located at 84 Araroa Road in Pukepoto, Northland, and comprises of an area of approximately 28.96 ha. The property currently contains three existing dwellings: one dwelling is located on the eastern portion of the site, the remaining dwellings and sleepouts are located on the western portion with only two being permanent dwellings. The most northern dwelling is separated and would be in the Proposed Lot 1 while the remaining two dwellings and sleepouts would be in Lot 2. The terrain is generally flat, and the site is accessed via Araroa Road with formed driveways providing access to each dwelling. The surrounding area is predominantly rural in character. The site is zoned Rural production under the Operative Far North District Plan and would remain in the rural production zoning under the Proposed District Plan. All dwellings are supported by existing infrastructure including individual water supply and wastewater systems, as well as electricity connections and wireless telecommunication. The subdivision seeks to formalise the existing use of the property by creating two allotments: one containing a single dwelling and the other containing two permanent dwellings, with no new development proposed.

Environmental constraints

Natural hazards

As no further construction is proposed beyond the current existing dwellings, the site's impermeable surface area, earthworks, and ground loading will remain unchanged. Accordingly, there is no increased risk of flooding, liquefaction, or environmental risks associated with this subdivision.

Soils and stability

As there is no new or proposed dwelling to be included in this subdivision, soil stability requirement for construction are not included within this report. If additional building is proposed for the future the client is required to complete further investigation to ensure compliance. The existing roads, dwellings and services on the site are assumed to have been constructed to factor soil strength and land stability.

Access and Vehicle Movement

Each proposed lot will have legal and physical access to Araroa Road. The dwellings located on the front lot will have access provided directly via existing metalled driveways and the rear lot gaining access via an existing metalled driveway as a

proposed legal easement over the front property. Both lots will be provided access by an established vehicle crossings that link to the existing gravel road which provides adequate sight distances when exiting the property. There is limited traffic movement on the gravel paper road when exiting 84 Araroa road which has a width of approximately 4 meters and has approximately 10 average vehicle movements per day. The first 200 meters of Araroa Road has approximately 76 average vehicle movements per day with 10% of them heavy vehicles. This ADT (Average daily traffic) data is collated from Mobile Roads based on information from June 2024.



Figure 1 - Paper road from 84 Araroa Road accessway

The access arrangements comply with the Far North District Council Engineering Standards, which adopt NZS 4404:2010 and require that accessways be constructed to ensure safety, durability, and that the properties are serviceable for residential use. Please refer to Appendix B for the rural vehicle crossing diagram with the requirement of a 3-meter accessway width when servicing 2 or less lots.

The metalled driveway formation which would be a proposed easement as part of the subdivision meets minimum width requirements, as it has a varying width of 3.5–4.5 metres. This easement will provide access to Lot 2 and the remaining land area still in Lot 1



Figure 2- Proposed Easement to provide access to Lot 1

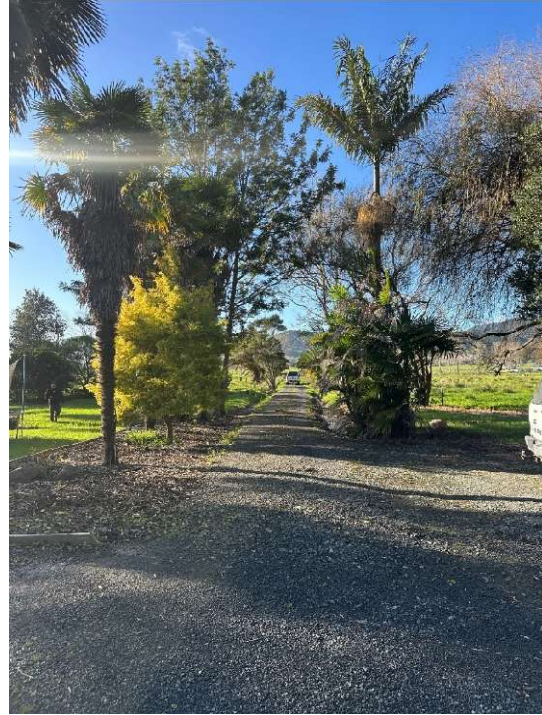


Figure 3 -Driveway to Lot 1 located within the property boundaries

The gravelled surface has some crossfall and the mix of a gravel and grass surface provides some permeability to help aid the stormwater runoff. The access way is flat, with minimal longitudinal gradients meeting the FNDC standards of not exceeding 20% which is the maximum for residential access. Existing speed humps have also been installed along the shared accessway to reduce vehicle speeds and enhance safety.

In accordance with the standards, there is space for on-site vehicle turning to be provided at each dwelling. This allows vehicles to enter and exit each lot and dwelling on the site in a forward direction.

No upgrade is proposed to the existing vehicle crossing, driveways and the proposed easement as on inspection it will provide ongoing, safe and compliant access to both lots within the proposed subdivision.

Stormwater Management

Stormwater that is generated from roof areas and other impervious surfaces on the sites is effectively managed using on-site rainwater collection tanks and overland dispersal across grassed and vegetated areas. During the site inspection there was no evidence of stormwater not effectively soaking to ground or surface ponding. The swale drains along the property boundary seem well maintained helping with effective drainage on the proposed site.



Figure 4- Accessway swale

There is no reticulated stormwater system available in the area. Accordingly, the proposed development will continue to rely on the same site stormwater management. As there is no new proposed dwellings or construction there will be no increase in impermeable surfaces with the completion of the subdivision.

The gravel driveway surfaces throughout the property appear to be free draining and not sealed. This allows water to infiltrate through the gravel to ground. It can be seen from the following image that the driveway is not completely gravel, and it is vegetated in the centre. This indicated that the driveway surface is semi permeable.

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

Proposed Lot 1 dwellings compliance.

Impermeable Surface Calculation Lot 1	
Dwelling	92.7m ²
Shed	17.8m ²
Cabin	24.2m ²
Concrete	42.5m ²
Container	15.6m ²
Tank	9.8m ²
Metal Driveway	$(837.2\text{m}^2 / 0.5) = 418.6\text{m}^2$
Total Impermeable Surface	621.2 m²
Total Lot Area	6232.8m²

From the above results at the completion of the subdivision the current dwellings and accessory buildings located on Lot 1 will only have a 9.97% impermeable surface which is under the requirements for properties within the Rural production zone under the Operative district plan.

Proposed Lot 2 dwelling compliance

Impermeable Surface Calculation Lot 2	
Dwellings	473.2m ²
Sheds	64.3m ²
Concrete	177.8m ²
Containers	47.512m ²
Tanks	46.4m ²
Metalled Driveway	$(2349.4\text{m}^2 / 0.5) = 1174.7\text{m}^2$
Total Impermeable Surface	1983.912 m²
Total Lot Area	283320m²

When completing the same Impermeable calculation for the proposed Lot 2 the percentage is less than 1% impermeable surface vs impermeable and therefore easily meets the requirement under the district plan.

Water Supply

The existing water supply on each site is provided by one or two 25,000-litre rainwater tanks depending on the dwelling. The rainwater tanks are solely supported by roof runoff collection and filtration systems to ensure they are maintained to a potable water quality. The water supply for each individual dwelling is located within the lot boundaries. On proposed Lot 2 only one 25,000 L water tank is provided. It is recommended to provide an additional 25,000 L water tank on this section to ensure the systems are compliant with Far North District Council standards for rural potable water supply. The additional capacity would be required to meet the Firefighting water supply requirements for the proposed area. The two 25,000 L tanks have proven capacity to meet the ongoing demands of typical rural residential use.



Figure 5- 2x 25000 L water tanks. Proposed Lot 2, Dwelling 1



Figure 6- 2x 25000 L water tanks. Proposed Lot 2, Dwelling 2



Figure 7- 1 x 25000L water tank. Proposed Lot 1, Dwelling 1

Firefighting Water Supply

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

A adequate static storage supply will be supplied to each building located within the two proposed lots. With the addition of an extra water tank or additional supply source provided on the proposed Lot 2.

Vehicle access to the firefighting water supply will also be provided as per the Code of practice requirements.

Wastewater Disposal

Each dwelling is serviced by an individual on-site wastewater system comprising of a septic tank and effluent disposal field.

As the wastewater system for each respective dwelling is historical and buried, we cannot confirm what is currently installed on each site. The sizing of each wastewater system is typically based on the following:

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

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

The soil type on the proposed property is a makeup of the following:

Kaitia clay Loam	46.53%
Kohumaru mottled clay	6.46%
Otonga loamy peat	47%

Further investigation would be required to determine the exact design loading rate of the soil types on proposed Lot 1 and 2. This would be required if further construction was being proposed to determine how much land is needed per litre of wastewater. However, as no new construction is being proposed as part of the subdivision, we believe this is not required.

Field Size Calculation

As the base size for sizing a wastewater effluent system you can use the daily flow value (L/day) and then divide this by the Design loading rate (L/m²/day) based on the soil type.

This calculation provides the base size, according to TP58 additional factors are then factored in such as:

- Reserve area: An unused backup field of equal size for long-term resilience. Although this has not been investigated further is presumed due to the large area of the proposed sites there is enough usable land to act as the effluent field reserve area.
- Slope adjustment which is not required on the proposed lots as they are all located on flat land.
- Separation of the effluent field from groundwater, bores, water bodies
- Application method which is assumed to be a dripline at the three effluent fields located on Proposed Lot 1 and 2.

The disposal area is also required to be a minimum distance from the following:

- **Dwelling:** ≥10 m
- **Boundaries:** ≥1.5–3 m
- **Water bodies or bores:** 20–50 m
- **Groundwater:** ≥600 mm vertical separation (measured during winter)

During the site inspection it appeared from the rough locations of the effluent field it meets the requirements for separation distances above. Additional soakage testing would be required to find the water table height.

On site there is a Primary treatment system used which is a septic tank at each dwelling. When discussed on-site with the client it was also mentioned the use of dripper lines at the different effluent fields which is a Secondary/advanced treatment.

At each site when investigating the effluent field locations, the ground does not appear to be soggy or hold an additional groundwater indicating that the dripper line and ground soakage trenches are working effectively for their respective dwellings. There is also no odour onsite which indicate the wastewater is soaking effectively.



Figure 8-Septic Tank and Disposal Feil. Proposed Lot 1, Dwelling 1



Figure 9-Septic Tank and Disposal Field. Proposed Lot 2, Dwelling 1.



Figure 10-Septic Tank and Disposal Field. Proposed Lot 2, Dwelling 2.

The onsite inspections confirmed the systems are operating effectively and showing no signs of failure, overloading, or surface discharge. It is believed although not proven that all primary, secondary and potential reserve disposal areas are located fully within the boundaries of each proposed lot, meeting minimum setback distances.

Some soakage testing could be completed if requested to confirm the soakage of the site however from Inspection it appears that at the location of all three effluent fields there is no sign of ponding indicating effective soakage.

Electricity and Telecommunications

Power

Each dwelling is serviced by an established mains electricity connection delivered via existing overhead power lines and underground connections. The supply is drawn from the legal road frontage of Tangonge Road.

The available capacity is suitable for the current loads of the existing residential properties, and no changes to the existing supply system is currently required. Both lots have an independent connection point, ensuring service separation in accordance with subdivision servicing requirements.



Figure 11 - Proposed Lot 1, Power Pole



Figure 12- Proposed Lot 2 power pole

Telecommunications

Telecommunications are currently provided to each lot through individual wireless satellite broadband systems, offering high-speed internet access without reliance on traditional copper or fibre lines. This system includes an on-site dish and router installed at each dwelling, enabling reliable wireless connectivity suited to rural environments. The use of satellite broadband avoids the need for trenching or connection to overhead telecommunication lines, reducing installation requirements while still providing service connection for each dwelling.

The existing utility servicing arrangements provide compliant and appropriate infrastructure for all existing dwellings on the proposed subdivision.

Appendix A- Subdivision Scheme Plan

Local Authority: Far North District Council
Zone: Rural Production

Total Area: 28.9553ha more or less (Title)
Comprised in: NA18D/1242

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
This plan and accompanying reports(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.



Title:

Proposed Scheme Plan

Lots 1 - 2 Being a Proposed Subdivision of Pukepoto 8B 7B Block



Memorandum of Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right of Way	(A)	Lot 2 hereon	Pukepoto 8B 7A Block hereon
Right of Way	(B)	Lot 2 hereon	Lot 1 hereon

Client: Sonny Heemi Le Noel			
Location: 84 Araroa Road, Ahipara			
Project Name: Proposed Subdivision			Project Number: FNR003
Drawn: Andrew van der Linden		Date: 15/08/2025	Sheet: 2 of 6
			Version: V0



Title:

Topographical Survey Plan

Site Overview

1:1500 @ A3

Client: Sonny Heemi Le Noel			
Location: 84 Araroa Road, Ahipara			
Project Name: Proposed Subdivision			Project Number: FNR003
Drawn: Andrew van der Linden	Date: 15/08/2025	Sheet: 3 of 6	Version: V2





Title:

Topographical Survey Plan

Lot 2

1:500 @ A3

Client: Sonny Heemi Le Noel			
Location: 84 Araroa Road, Ahipara			
Project Name: Proposed Subdivision			Project Number: FNR003
Drawn: Andrew van der Linden	Date: 15/08/2025	Sheet: 5 of 6	Version: V2



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

