

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

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

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

☒ Yes ☐ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

Far North Holdings as the Airport Authority

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:

Kathryn Thomson

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:

Lynley Newport

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

Kathryn Elizabeth Thomson

Property Address/
Location:

8. Application Site Details

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

Name/s:	As per item 7	
Site Address/ Location:	<div></div> <div></div> <div></div> <div>Postcode</div>	
Legal Description:	<div></div>	Val Number: <div></div>
Certificate of title:	<div></div>	

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 the agent prior to any site visit, although none appears necessary in this instance.

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.

Construction of a residential unit on land within the 1.2km radius of the centreline of the BOI Airport runway, therefore breaching Rule 15.2.5.1.2.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☒ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard consent

☐ Other (please specify)

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

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

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

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

☐ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)

Denis Thomson

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)

Denis Thomson

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)

Lynley Newport

Signature:

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.

Our Reference: 9198A.1 (FNDC)

2 September 2025

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

**RE: Proposed Residential Unit within 1.2km of the runway of an airport – 151E
Valencia Lane – K Thomson**

I am pleased to submit application on behalf of Kathryn Thomson, for a proposed residential unit on land at 151E Valencia Lane, Kerikeri, zoned Rural Production. Consent is required for a breach of Rule 15.2.5.1.2 Noise (Airport). The application is a discretionary activity.

The application fee of \$2,625 has been paid separately via direct credit.

Regards



Lynley Newport
Senior Planner
THOMSON SURVEY LTD

Kathryn Thomson

**Application for Residential Unit
Within Kerikeri Airport Buffer**

151E Valencia Lane, Kerikeri

**PLANNING REPORT &
ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Thomson Survey Ltd
Kerikeri

1.0 PROPOSAL

The applicant seeks to construct a residential unit on land at 151E Valencia Lane where that land is within a 1.2km radius of the centreline of the runway of the Kerikeri Airport. The site is zoned Rural Production. The rule in question is 15.2.5.1.2 Noise, found in Chapter 15.2 (Airports) of the District Plan, which reads:

15.2.5.1.2 NOISE

Subject to other rules in the Plan defining permitted activities, any new land use is permitted provided it is not a noise sensitive activity within 1.2km radius of the centreline of the runways at each of the Kaitaia, Kerikeri and Kaikohe Airports. For the purpose of this rule each end of the runway is defined as the point where the runway clear strip ends and the approach slope starts. Land within the 1.2km radius is identified on the Kaitaia, Kerikeri and Kaikohe Airport Buffer Area Maps located in Appendix 4.

The proposed residential unit will be the only residential unit on the property. Building Consent is being applied for. A copy of the plans to be submitted with the building consent application is attached in Appendix 1.

No other breach of Operative or Proposed District Plan rules has been identified.

Location Map is attached in Appendix 2 and Title information is attached in Appendix 3. Consultation has been carried out with the Airport Authority, and email 'approval' is attached in Appendix 4.

2.0 SCOPE OF THIS REPORT

This assessment and report accompanies the Resource Consent application and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent to construct a residential unit 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. The name and address of the applicant and owner of the property are contained in the Form 9 application form 9.

3.0 PROPERTY DETAILS

Location:	151E Valencia Lane, Kerikeri
Zoning:	Rural Production
Legal Description:	Lot 2 DP 584367
Record of Title:	1098818

4.0 SITE DESCRIPTION

4.1 Physical characteristics

The site is zoned Rural Production in the Operative District Plan (ODP) and proposed to be zoned Horticulture in the Proposed District Plan (PDP). The site is 1.1852ha in area and is accessed via Valencia Lane, and then existing appurtenant right of way. The site does not have access to any reticulated Council services and the new residential unit will function with on-site water supply; stormwater management and wastewater treatment and disposal.

The site is reasonably level to moderately sloping and is predominantly in grass, with existing built development consisting of gravel driveway and two buildings that will be ancillary to the residential unit being proposed.

Adjacent properties are rural lifestyle, with most now built on. There are at least 10 dwellings in reasonably close proximity to the site.

4.2 Mapped characteristics

As mentioned earlier, the property is zoned Rural Production in the ODP and has a proposed Horticulture zoning in the PDP. No resource overlays apply in either plan. Far North Maps Historic Sites layer shows no historic sites on the application site. The site is not identified as a HAIL site on Far North Maps and is not identified as being subject to any flood or coastal hazard. Far North Maps shows the site as being within a 'kiwi present' area. Soils across the site are mapped as LUC 3.

In terms of the Northland Regional Council's on line maps, the site is not mapped as subject to any hazard, is not shown as a Selected Land Use (contaminated site) and is not mapped

as containing any outstanding natural character or landscape areas. The site does not contain any biodiversity wetlands as mapped by the NRC.

4.3 Legal Interests

The title is subject to, and has appurtenant rights, as specified in numerous instruments registered against it. Those that the property is subject to, are summarised below in tabular form:

Instrument	Purpose
D450974.1	Consent Notice, registered in 1999 in regard to filtration of water supply
10693531.3	Consent Notice, registered in 2017. Clauses relevant to the application site include those relating to power and telecommunications not being a condition of subdivision consent; a requirement for adequate potable and fire fighting water supply; a repeat of the requirement to filter water; requirement for noise attenuation for any dwelling due to the proximity of the Kerikeri Airport ^{*1} ; indigenous bush protection; building location restrictions; cats and dogs.
13228599.3	Variation to the above reference consent notice, deleting clauses in regard to power and telecommunications.
10693531.6	Esplanade Strip instrument, registered in 2017.
13228599.5	Consent Notice registered in 2025 restricting the lot to only one residential unit; requiring on-site wastewater design at time of BC; reverse sensitivity clause in regard to any orchard activity nearby, and in regard to airport noise ^{*2} ; requirement for foundation design at time of BC; requirement for stormwater management design at time of BC.

^{*1} & ^{*2}: Whilst no specific land use consent was issued at the time of the original subdivisions in regard to residential development on the site and airport noise buffer area (Rule 15.2.5.1.2), it is obvious that in creating the site, knowing it would be utilised for future residential use, the Council has assessed and provided for mitigation, requiring attenuation and imposing a reverse sensitivity consent notice clause.

4.4 Consent History

The property was one of two consented by RC 2200390 and subsequent minor variation 2200390-RMAVAR/A, granted in March 2020 and October 2024 respectively. The s223 for the original subdivision was issued in July 2024. The minor variation affected the s224c only.

There are various building consents on file relating to the two sheds on site. These will not be utilised for residential living once the new residential unit is established.

5.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Although a discretionary activity, consent is only required for the one breach of the ODP – that relating to a noise sensitive activity establishing within 1.2km of the airport's runway. The site is not within the noise contour area, where more stringent requirements may apply. The applicant has obtained approval from the airport authority. In the circumstances a full

assessment of information required by Schedule 4 is not considered necessary, suffice to say the application is prepared in compliance with that Schedule.

The information required by Clauses 2 & 3 of Schedule 4 is provided in sections 1, 3, 6 & 7. The information required to be contained in an AEE (clauses 6 & 7, Schedule 4) is outlined in Sections 7, 8 & 9.

6.0 COMPLIANCE ASSESSMENT

6.1 Operative District Plan (ODP)

The property is zoned Rural Production in the Operative District Plan (ODP). No resource features apply. Only a single rule breach – 15.2.5.1.2 – has been identified.

Far North Operative District Plan

RURAL PRODUCTION ZONE RULES:		
Permitted Standards	Comment	Compliance Assessment
8.6.5.1.1 RESIDENTIAL INTENSITY Residential development shall be limited to one unit per 12ha of land.	The site will support one principal residential unit compliant with 8.6.5.1.1.	Permitted.
8.6.5.1.2 SUNLIGHT No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary ...	The single storey dwelling is well away from any boundary.	Permitted.
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%.	Total impermeable surface coverage is estimated to be 316m ² buildings and 750m ² gravel driveway and turning area, total 1066m ² , or 9%.	Permitted.
8.6.5.1.4 SETBACK FROM BOUNDARIES (a) no building shall be erected within 10m of any site boundary;...	Proposed residential unit will be more than 10m from boundaries.	Permitted.
8.6.5.1.6 KEEPING OF ANIMALS	N/A	N/A
8.6.5.1.7 NOISE	Residential development within a	Permitted.

0700 to 2200 hours 65 dBA L10 2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax	Rural Production Zone would not be likely to breach the permitted activity noise thresholds as residential activity is an anticipated and accepted activity in this zone.	
8.6.5.1.8 BUILDING HEIGHT The maximum height of any building shall be 12m.	Building is less than 12m in height.	Permitted.
8.6.5.1.9 HELICOPTER LANDING AREA	N/A	N/A
8.6.5.1.10 BUILDING COVERAGE Any new building or alteration/additions to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area.	Total building coverage is estimated to be 316m ² , or 2.7% .	Permitted.
8.6.5.1.11 SCALE OF ACTIVITIES	N/A.	N/A
8.6.5.1.12 TEMPORARY EVENTS	N/A	N/A
District Wide Rules		
12.1 LANDSCAPE AND NATURAL FEATURES	No Landscape or Natural Feature notation applies	N/A
12.2 INDIGENOUS FLORA & FAUNA	No clearance of indigenous vegetation proposed or required.	N/A
12.3 SOILS AND MINERALS 12.3.6.1.1 EXCAVATION AND/OR FILLING	Very little required.	Permitted.
12.4 NATURAL HAZARDS	No hazard notation applying to the site and residential unit will be more than 20m from the dripline of any area of trees.	N/A
12.5 HERITAGE (including 12.5A and 5B)	N/A	N/A

12.7 LAKES, RIVERS, WETLANDS and the COASTLINE	N/A – no nearby waterbody	N/A
12.8 HAZARDOUS SUBSTANCES	N/A	N/A
12.9 RENEWABLE ENERGY & ENERGY EFFICIENCY	N/A	N/A
15.1 TRAFFIC, PARKING and ACCESS	N/A – all access existing	N/A
Table 15.1.6A.1 and Rule 15.1.6A.2.1 The Traffic Intensity Factor for a site in this zone is 60 daily one way movements.... Residential units require 2 car park spaces apiece.	The traffic intensity rule provides for 60 daily one way traffic movements, with the traffic movements of one residential unit exempt. Abundant room for required car parks.	Permitted. Permitted.
15.2 AIRPORTS 15.2.5.1.2 NOISE Subject to other rules in the Plan defining permitted activities, any new land use is permitted provided it is not a noise sensitive activity within 1.2km radius of the centreline of the runways at each of the Kaitaia, Kerikeri and Kaikohe Airports. For the purpose of this rule each end of the runway is defined as the point where the runway clear strip ends and the approach slope starts. Land within the 1.2km radius is identified on the Kaitaia, Kerikeri and Kaikohe Airport Buffer Area Maps located in Appendix 4.	Residential use is a noise sensitive activity and the site is within 1.2km of the runway.	Consent required.

The only identified consent requirement ODP is pursuant to 15.2.5.1.2, as a **discretionary activity**.

6.2 Proposed District Plan

The FNDC publicly notified its PDP on 27th July 2022. Whilst the majority of rules in the PDP will not have legal effect until such time as the FNDC publicly notifies its decisions on submissions, there are certain rules that have been identified in the PDP as having immediate legal effect

and that may therefore need to be addressed in this application and may affect the category of activity under the Act. None of these impact on the proposed residential unit with the possible exception of those pertaining to excavation / filling:

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks and artefacts are discovered. EW-R13 and associated ES-S5 relate to Erosion and Sediment Control. Very little, if any, earthworks will be required, and these earthworks can be subject to conditions to comply with the above referenced rules.

In summary there are no zone rules in the PDP with immediate legal effect that affect the proposal's activity status.

6.3 Compliance with Consent Notices

All clauses within the three consent notices can be / will be complied with on an ongoing basis. The BC application being lodged with the Council has taken them into account.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

In considering an application for a discretionary activity the Council can assess the application on any relevant matter or effect. However, Assessment Criterion **15.2.6.2 Noise** is quite specific as to the matters that are relevant where there is a breach of Rule 15.2.6.1.2:

- (a) *Whether the proposed land use is a noise sensitive activity which could limit airport operations.*
- (b) *Whether acoustic insulation should be required as a condition of consent.*

The building plans were sent to the Airport Authority, Far North Holdings Ltd, and email 'approval' has been received stating:

"We confirm that Far North Holdings Limited as the airport authority for BOI Airport, Kerikeri has no concerns with this proposal for 151D [sic – should read 151E] noting that whilst inside the noise buffer zone is outside the noise boundary. "

It is clear from this email that the proposed land use will not limit airport operations. No additional acoustic insulation was suggested as necessary by Far North Holdings.

The email to Far North Holdings Ltd, requesting approval; plus their reply email, are attached in Appendix 4. To be clear, the property for which the approval has been sought and granted is 151E Valencia Lane, owned by the applicant, and not 151D.

There is some distance between the proposed dwelling and the runway, both linear and elevation. The primary reason for the buffer distance is to address reverse sensitivity issues where noise sensitive activities seek to establish near the airport. One such activity is

residential use. The 2016 subdivision creating the land from which the site was created, addressed proximity to the airport at the time, resulting in a Consent Notice being imposed on the title (refer section 4.3). The subdivision consent did not, however, go so far as to also grant land use consent for any future dwelling pursuant to 15.2.6.1.2, leaving that as a consenting requirement for future landowners, despite the application for subdivision including an application for land use consent in advance.

When assessing the application, the processing planner noted the following:

The applicant also applied for landuse consent under rule 15.2.5.1.2 Noise. However, in assessing a breach of this rule Council would need to take into account mitigation measures for the future landuses. As the buildings are yet to be designed and locations established we are unable to grant future landuse consent. As such this aspect of the consent has been removed.

The consent notice requires that any noise sensitive activity have appropriate noise attenuation, but does not specify what "appropriate" might be. The airport authority has reviewed the application and not requested any additional noise attenuation over and above what is already included.

The more recent subdivision consent, issued in 2020, included yet another clause in regard to airport noise, this time in the form a reverse sensitivity (no complaints) clause. This acknowledges the proximity of the airport, and prevents the lot owner from complaining about any noise emanating from the lawful operation of the airport. This serves as further evidence that, whilst stopping short of being a land use consent, the Council is satisfied that residential development can occur on this site.

Other matters

On-site Services

Refer to building consent application. Access is existing and does not require upgrading or extending.

Rural Character and Amenity

There is no need for any plantings in terms of mitigation against noise effects of aircraft.

The application site is within an enclave of rural lifestyle properties established over the past 7-10 years. There are a number of dwellings within reasonable proximity to the application site and the addition of another residence will not impact hugely on rural character and amenity values.

There is an open space character prevailing and this is not adversely affected by the proposal. There are areas of mature indigenous vegetation that will remain as well as an

existing esplanade strip. These aspects will assist in maintaining rural character and amenity; with plenty of open pasture providing and maintaining rural character.

Indigenous flora and fauna

The existing consent notice on the title identifies and protects several areas of indigenous trees and bush. In addition the title is subject to an esplanade strip and associated instrument – further protecting riparian vegetation. There is an existing consent notice in regard to the control of dogs and cats.

Heritage Values

The site does not contain any mapped or scheduled archaeological sites, historic sites or buildings, notable trees, or sites of significance to Maori.

Use of rural land for productive purposes & land use incompatibility

The ODP does not contain any rules in regard to promoting the use of rural land for productive purposes or discouraging other uses. It does, however, contain provisions relating to reverse sensitivity issues that might arise when developing non productive land use activities in a production zone. In addition the NPS for Highly Productive Land is now enacted, aimed at protecting highly productive land from sterilization and fragmentation and avoiding, remedying or mitigating reverse sensitivity effects. The PDP proposes a Horticulture Zone and also contains objectives and policies aimed at protecting highly productive land and avoiding, remedying or mitigating reverse sensitivity effects.

The effects of the proposal in regard to highly productive land and reverse sensitivity issues are assessed in regard to the above overarching policy direction.

The proposed residential use is the only one on the site. I am quite positive that the NPS HPL was not intended to prevent the owner of an existing site from building a residential home on that site – that is a universally accepted property right. You are entitled to live on the land you own. Whilst the site contains LUC Class 3 soils, the site (and immediate environs) has never successfully supported any horticultural crop. This suggests limitations in soil and climatic conditions. In addition, the site is less than 2ha in area, supporting existing buildings and access. The addition of one more building is hardly likely to make any material difference to what in effect is very limited productive capacity. The site provides grazing for two horses, and will continue to do so.

In regard to reverse sensitivity due to the proximity of any still functioning horticultural operations (one to the north), there are already a large number of dwellings in the vicinity. There is existing well established shelter plantings on the boundary of the adjacent site in production. I do not consider another modest residential unit in this vicinity will present any significant change to reverse sensitivity effects.

The NPS HPL is under review in regard to the inclusion of LUC Class 3 soils as universally 'highly productive'. The building of a residential unit on the site does not affect the overall productive capacity of the site or surroundings and does not unduly increase the risk of reverse sensitivity effects.

8.0 STATUTORY ASSESSMENT

8.1 Operative District Plan Objectives and Policies

Objectives and policies relevant to this proposal are predominantly those listed in Chapter 8.6 Rural Production Zone and Chapter 15.2 Airports. Objectives in 8.6.3 (Rural Production) focus on promoting sustainable management of natural and physical resources, and enabling the efficient use and development of the Zone. I believe the proposal achieves both these objectives.

Amenity values and rural character are not adversely affected for the reasons outlined in section 7 above. The proposed dwelling meets bulk and location requirements of the District Plan. There is no land incompatibility risk resulting from the proposed activity other than that already addressed in regard to airport noise.

Policies 8.6.4.1 – 8.6.4.5 support the above objectives and largely reflect the requirements of Part 2 of the Act. I believe the proposal to be consistent with those policies.

Policies 8.6.4.7-8.6.4.9 are about reverse sensitivity and land use incompatibility. As stated above, the proposal does not create any additional risk or adverse effect in this regard.

There is a single objective and two policies in the ODP regarding the airport:

Objective 15.2.2.1 To maintain the safe and efficient operation of airports in the District

Policy 15.2.3.1 That restrictions be imposed on use and development which could limit the operation of the airports.

Policy 15.2.3.2 That provision be made for the continued use and any future requirements for expansion of the existing airports

In providing approval the Airport Authority is clearly of the view that the proposal will not impact on the safe and efficient operation of the airport; and will not limit the operation of the airport. Policy 15.2.3.2 is not relevant to the proposal.

8.2 Proposed District Plan Objectives and Policies

An assessment against the relevant objectives and policies in the Proposed District Plan (PDP) follows. The property is zoned Horticulture, and contains no resource features.

Objectives

HZ-O1

The Horticulture zone is managed to ensure its long-term availability for horticultural activities and its long-term protection for the benefit of current and future generations.

HZ-O2

The Horticulture zone enables horticultural and ancillary activities, while managing adverse environmental effects on site.

HZ-O3

Land use and subdivision in the Horticulture zone:

- a. avoids land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity;
- b. avoids land fragmentation that comprises the use of land for horticultural activities;
- c. avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities;
- d. does not exacerbate any natural hazards;
- e. maintains the rural character and amenity of the zone;
- f. is able to be serviced by on-site infrastructure.

The site is only 1.18ha in area, hardly an area able to sustain ongoing economically viable productive use. It is within an enclave of rural lifestyle development, already subdivided down to lot sizes, similarly unlikely to ever sustain productive use. It is puzzling, therefore, to understand why the Council has seen fit to zone it Horticulture. It is a classic case of the "horse having bolted", and there is little point in now shutting the stable door.

The Council has taken an unjustifiably simplistic approach of applying the Horticulture zone based on LUC soil classification, without looking at existing land use; existing lot size; or productivity constraints. It is no surprise, therefore, that the zone has attracted a large number of submissions and further submissions.

In regard to this proposed activity, the use of a small portion/area of an already small site, for a 115m² dwelling does not result in 'sterilisation that reduces the potential for highly productive land to be used for a horticulture activity'; does not fragment the land (not a subdivision); does not create reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities; does not exacerbate natural hazards; maintains rural character and amenity; and is able to be serviced by on-site infrastructure. In summary, the proposal is consistent with the above objectives. More importantly a property owner has the right to reside on their property.

Policies

HZ-P1

Identify a Horticulture Zone in the Kerikeri / Waipapa area using the following criteria:

- a. presence of highly productive land suitable for horticultural use;
- b. access to a water source, such as an irrigation scheme or dam able to support horticultural use; and
- c. infrastructure available to support horticultural use.

This policy is directed at the Council, not individual landowners. The Council has failed in its endeavours in any event in that it has identified land to be included in the Horticulture Zone

that is clearly not suitable for horticultural use, and worse still, has zoned land Horticulture right in the midst of residential living – creating the reverse sensitivity issues the Plan purports to seek to avoid.

HZ-P2

Avoid land use that:

- a. is incompatible with the purpose, function and character of the Horticulture Zone;
- b. will result in the loss of productive capacity of highly productive land;
- c. compromises the use of highly productive land for horticultural activities in the Horticulture Zone; and
- d. does not have a functional need to be located in the Horticultural Zone and is more appropriately located in another zone.

Building a residential unit on an existing site is not incompatible with a Horticulture Zone, even if the site were large enough to support horticulture and within an area with the necessary infrastructure to support horticultural use – which this site is not. People who own orchards often reside on the same site as the orchard. People who work on orchards, are often accommodated within the site.

The proposal will not result in the loss of productive capacity given that this is already significantly limited; and does not compromise the use of highly productive land for horticultural activities elsewhere in the zone.

HZ-P3

Enable horticulture and associated ancillary activities that support the function of the Horticulture zone, where:

- a. adverse effects are contained on site to the extent practicable; and
- b. they are able to be serviced by onsite infrastructure

The application is not for a horticulture activity.

HZ-P4

Ensure residential activities are designed and located to avoid, or otherwise mitigate, reverse sensitivity effects on horticulture activities, including adverse effects associated with dust, noise, spray drift and potable water collection.

The proposed residential unit is to be situated close to existing buildings and access, well internalised within property boundaries. The proposal will not create reverse sensitivity effects. There are already consent notices in place regarding potable water collection; and a no complaints condition.

HZ-P5

Manage the subdivision of land in the Horticulture zone to:

....

N/A – not a subdivision.

HZ-P6

Encourage the amalgamation or boundary adjustments of Horticulture zoned land where this will help to make horticultural activities more viable on the land.

N/A – not a subdivision/amalgamation/boundary adjustment.

HZ-P7

Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. *whether the proposal will increase production potential in the zone;*
- b. *whether the activity relies on the productive nature of the soil;*
- c. *consistency with the scale and character of the rural environment;*
- d. *location, scale and design of buildings or structures;*
- e. *for subdivision or non-primary production activities:*
 - i. *scale and compatibility with rural activities;*
 - ii. *potential reverse sensitivity effects on primary production activities and existing infrastructure;*
 - iii. *the potential for loss of highly productive land, land sterilisation or fragmentation*
- f. *at zone interfaces:*
 - i. *any setbacks, fencing, screening or landscaping required to address potential conflicts;*
 - ii. *the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- g. *the capacity of the site to cater for onsite infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;*
- h. *the adequacy of roading infrastructure to service the proposed activity;*
- i. *Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
- j. *Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

No consent is required under the PDP so the above policy has limited relevance. There is no zone interface. Any relevant parts of HZ-P7 (limited) have been considered.

It is important to note that the property is well outside any area of influence, or subject to rules, in the PDP in regard to airport noise buffer. The PDP includes an Outer and Inner control and air noise boundary, neither of which are anywhere near the application site – see map included in Appendix 5. As such there are no relevant objectives and policies in the PDP regarding airport noise.

In summary I believe the proposal to not be contrary to the above objectives and policies in the Proposed District Plan.

8.3 Part 2 Matters

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

-
- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal provides for peoples' social and economic well being, and for their health and safety, while sustaining the potential of natural and physical resources, safeguarding the life-supporting capacity of air, water, soil and the ecosystems; and avoiding, remedying or mitigating adverse effects on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development;*
- (g) *the protection of protected customary rights;*
- (h) *the management of significant risks from natural hazards.*

The application site does not contain or display any of the features, resources or values outlined in parts (a) and (b) of Section 6. The site contains a limited amount of indigenous vegetation, the significance of which has not to my knowledge been assessed, but which is already protected in any event. Part (d) is not applicable, nor parts (e) through (h).

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship;*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy;*
- (c) *the maintenance and enhancement of amenity values;*
- (d) *intrinsic values of ecosystems;*
- (e) *[Repealed]*

-
- (f) maintenance and enhancement of the quality of the environment:
 - (g) any finite characteristics of natural and physical resources:
 - (h) the protection of the habitat of trout and salmon:
 - (i) the effects of climate change:
 - (j) the benefits to be derived from the use and development of renewable energy.

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters". These include 7(b), (c), (d) and (f). It is considered that the proposal represents efficient use and development of a site. Proposed layout, along with the waste water management proposed, will ensure the maintenance of amenity values and the quality of the environment. The proposal has had regard to the values of ecosystems.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The principles of the Treaty of Waitangi have been considered and it is believed that this proposed subdivision does not offend any of those principles.

In summary, it is considered that all matters under s5-8 inclusive have been adequately taken into account.

8.4 National Policy Statements & Environmental Standards

The National Policy Statement for Highly Productive Land has been considered – refer to earlier commentary.

The National Policy Statement for Indigenous Biodiversity has also been considered. There is only limited indigenous vegetation within the site and this is already subject to protective covenant.

The National Environmental Standard for Freshwater has been considered and no consent is required pursuant to those standards.

The site is not mapped as a HAIL site on either the FNDC's Far North Maps or the NRC's Selected Land Use on-line maps. When the original subdivision was applied for, and consent granted (RC 2160448), the information provided at that time was accepted by the Council as showing that the NES-CS did not apply. In issuing the more recent subdivision, creating the application site, the council confirmed acceptance of this finding.

8.5 Regional Policy Statement for Northland (RPS)

The RPS does not show the site as containing any natural character or landscape values. The residential unit site will be within an area already supporting existing development and use. I

consider the residential unit to be consistent with any relevant objectives and policies in the RPS, specifically **Objective 3.5 Enabling economic wellbeing;** and **3.11 Regional form.** The proposed activity does not sterilise or fragment highly versatile soils and does not result in any adverse reverse sensitivity effects. The activity does not prevent the ongoing use and development of the airport (regionally significant infrastructure).

8.6 Regional Plan

The proposal does not require any consent under any regional plan.

9.0 s95A-E ASSESSMENT & CONSULTATION

9.1 S95A Public Notification Assessment

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Public notification is neither mandatory nor precluded. The activity will not have, nor is it likely to have, adverse effects on the environment that are more than minor and there are no special circumstances. Public notification is not required.

9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. There are no affected groups or affected persons that must be notified. Limited notification of this application is not required.

9.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be less than minor.

9.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity. The only rule breached is in regard to airport noise and the airport authority has provided written approval – refer to Appendix 4. With no zone or other district wide rules breached, there are no adverse effects on adjacent properties and no affected persons have been identified.

10.0 CONCLUSION

I believe that the proposed development can be carried out on the site with little or no long term adverse effects. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans, and relevant national and regional policy statements. The proposal is consistent with Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal 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 on a non notified basis.



Lynley Newport
Senior Planner,
Thomson Survey Ltd

Date

2nd September 2025

11.0 APPENDICES

Appendix 1	Plans
Appendix 2	Location Map
Appendix 3	Record of Title & Relevant Instruments
Appendix 4	Email approval from Airport Authority
Appendix 5	Excerpt from PDP maps

Appendix 1

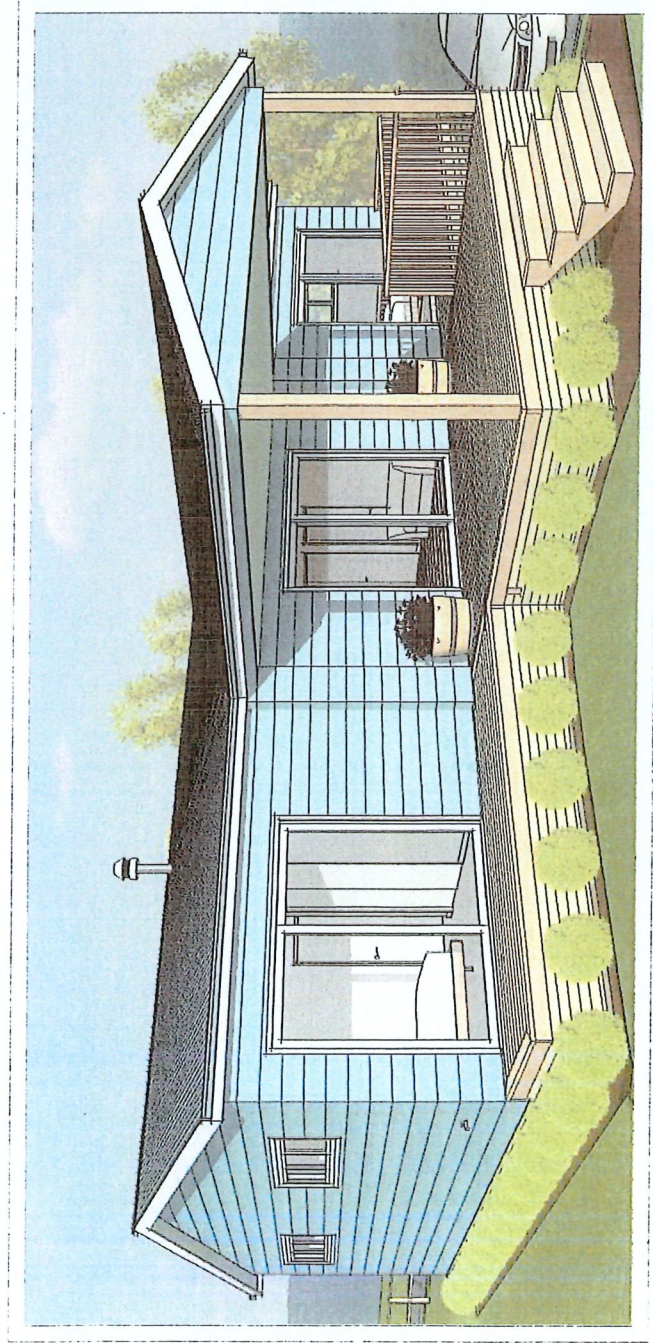
Plans

Proposed New Dwelling

151E Valencia Lane, Kerikeri
For: Kathryn & Denis Thomson



A smarter move



Concept Plans

Concept 1

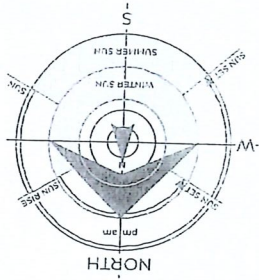
June 2025

REVISION: C01
PROJECT NO: 1284
DRAWN BY: JBD
JIC: CMP

CONTENTS

P01	SITE LOCATION PLAN
P01A	SITE PLAN
P02	FLOOR PLAN
P03	ELEVATIONS
P04	ELECTRICAL PLAN
P05	FITTING PLAN
P06	KITCHEN PLAN

THESE WORKING DRAWINGS TAKE PRECEDENCE OVER ALL PREVIOUS PLANS, ALL TYPES OF PLANNING, PLANNING, LIGHTING & PAVING IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY



Site Information

151D Valencia Lane, Kerikeri

Lot 2

DP 584367

High Wind Zone

Corrosion Zone C

Earthquake Zone 1

Zone: Rural Production

Site area: 11852m²

Driveway area: 59.2m²

Existing Driveway area: 960m²

New buildings area:

Floor Area(excl. slatted Deck): 115.2m²

Roof Area: 150.65m²

Existing buildings are:

Existing Shed: 96.82m²

Existing Carport: TBCm²

Total impermeable surfaces: TBCm² = TBC%

Earthworks:

Total House Cut Area = 34.73m²

Total House Cut Volume = 4.34m³

Total House Fill Area = 11.14m²

Total House Fill Volume = 1.95m³

10m Setback

Existing Carport

Existing Water Tank

Existing Shed

Proposed New Dwelling

F.F.L: 122.65m

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Easement "H"

Easement "D"



Project Name	151D Valencia Lane, Kerikeri
Project Address	151D Valencia Lane, Kerikeri
Project Contact	151D Valencia Lane, Kerikeri
Project Phone	151D Valencia Lane, Kerikeri
Project Email	151D Valencia Lane, Kerikeri
Project Website	151D Valencia Lane, Kerikeri
Project Social Media	151D Valencia Lane, Kerikeri
Project Other	151D Valencia Lane, Kerikeri

Rev	3ED	Jun 12 2025
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Drawn	KAT	Apr 08 2025
Rev	KAT	Apr 10 2025
Rev	KAT	11/01/2025
Rev	JED	11/15/2025
Rev	JED	11/26/2025
Rev	JED	Jun 3 2025
Rev	JED	Jun 5 2025
Rev	JED	Jun 12 2025

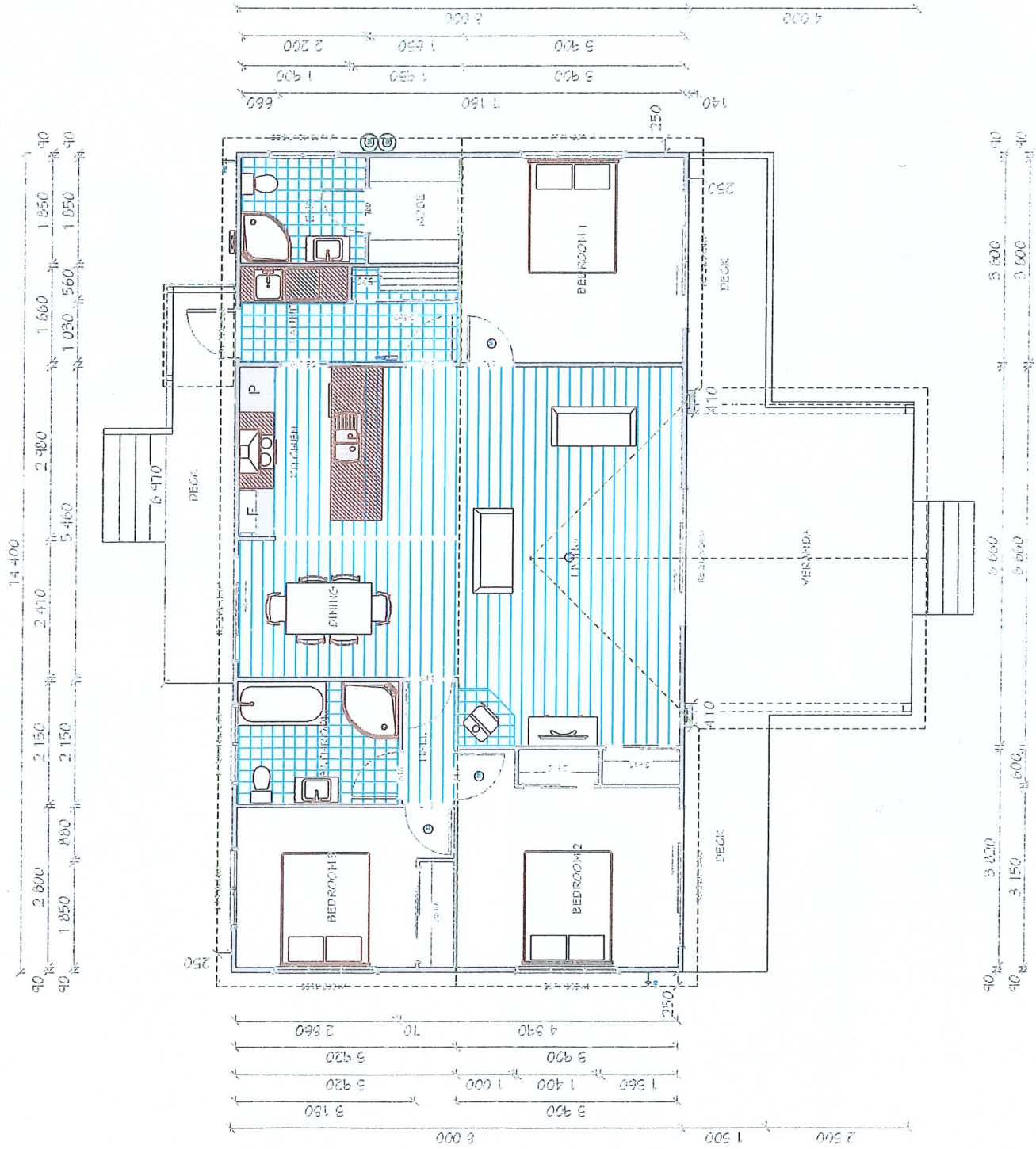
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A smarter move

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1981 02 11

LUNG AREA
INDEX

Architectural drawing of Elevation 1 of a building. The drawing shows a side elevation with a blue textured wall, a dark brown corrugated metal roof, and a yellow textured wall. The building has a gabled roof on the right side. The drawing includes a north arrow pointing up, a scale bar indicating 0 to 10 feet, and a section cut line labeled '1-1'.

Elevation 4

4'150

4'450

Architectural drawing of Elevation 3, showing a side view of a building. The drawing includes dimensions: 4'40" for the total width, 6'90" for the base width, and 1'000" for the door height. The text "Elevation 3" is written vertically on the right side.

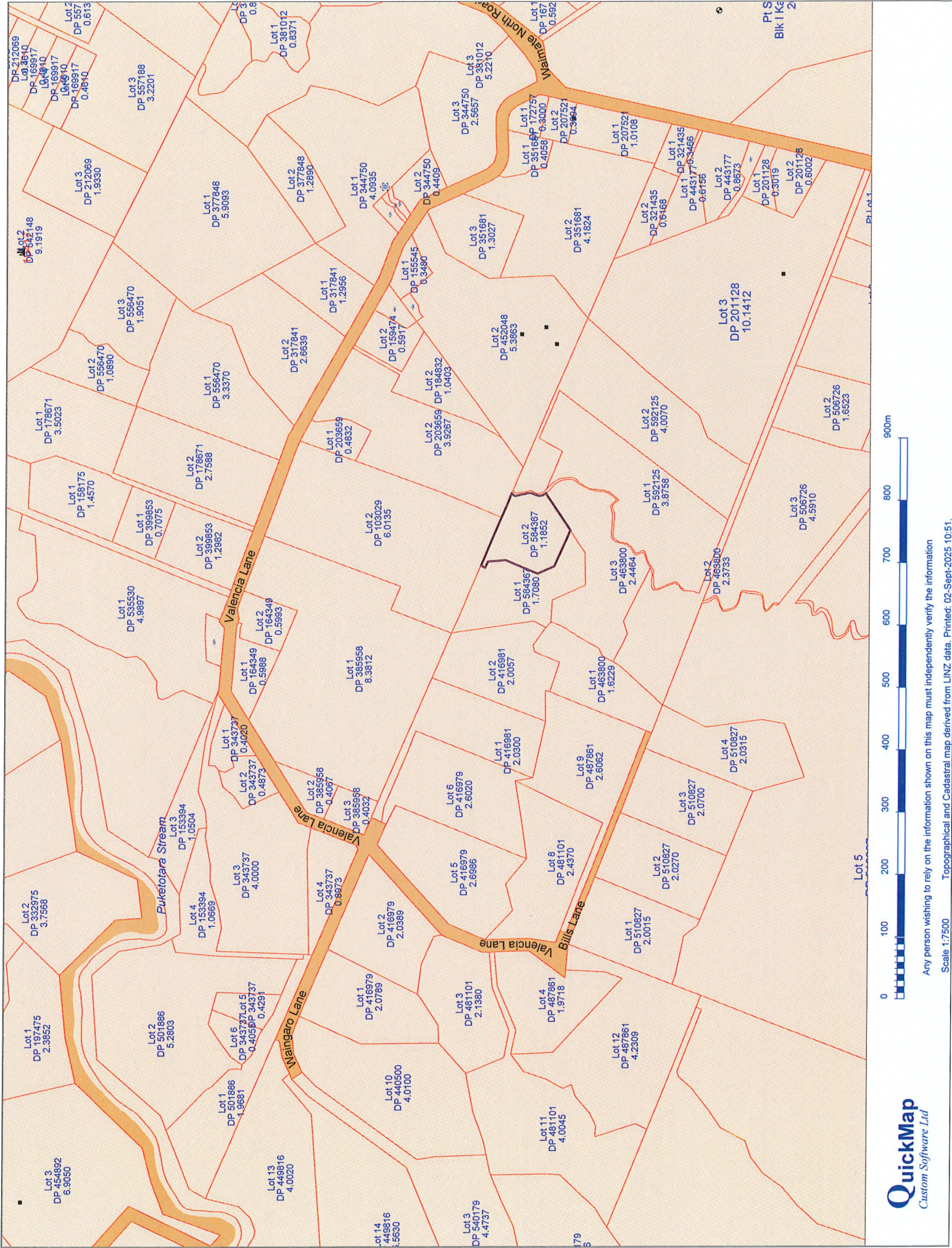
25mm R16 baseboards, 25mm gap

Table 1. *Salmonella* serotypes and phage types isolated from the 1990-1991 salmonellosis outbreak in the Netherlands

Salmonella serotype	Phage type	Number of isolates
Senftenberg	1	1
Senftenberg	2	1
Senftenberg	3	1
Senftenberg	4	1
Senftenberg	5	1
Senftenberg	6	1
Senftenberg	7	1
Senftenberg	8	1
Senftenberg	9	1
Senftenberg	10	1
Senftenberg	11	1
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Senftenberg	92	1
Senftenberg	93	1
Senftenberg	94	1
Senftenberg	95	1
Senftenberg	96	1
Senftenberg	97	1
Senftenberg	98	1
Senftenberg	99	1
Senftenberg	100	1

Appendix 2

Location Map



Appendix 3

Record of Title & Relevant Instruments



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



R.W. Muir
Registrar-General
of Land

Identifier 1098818
Land Registration District North Auckland
Date Issued 02 April 2025

Prior References
761385

Estate	Fee Simple
Area	1.1852 hectares more or less
Legal Description	Lot 2 Deposited Plan 584367

Registered Owners
Kathryn Elizabeth Thomson

Interests

Subject to Section 59 Land Act 1948

Appurtenant hereto is a right of way and a right to transmit electricity and telecommunications specified in Easement Certificate C496178.3 - 7.7.1993 at 2.25 pm

The easements specified in Easement Certificate C496178.3 are subject to Section 309 (1) (a) Local Government Act 1974

D140435.1 Certificate of consent pursuant to Section 115 Public Works Act 1981 - 6.5.1997 at 3.08 pm

D450974.1 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - produced 11.11.1999 at 2.05 pm and entered 15.12.1999 at 9.00 am

Appurtenant hereto is a right of way, a right to transmit electricity, telecommunications and computer media and a right to convey water created by Easement Instrument 8210282.6 - 15.7.2009 at 3:02 pm

Some of the easements created by Easement Instrument 8210282.6 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 8210282.6 - 15.7.2009 at 3:02 pm

8247867.1 Variation of the conditions of the easement created by Easement Instrument 8210282.6 - 7.8.2009 at 3:50 pm

10693531.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.7.2017 at 11:39 am

Land Covenant in Easement Instrument 10693531.4 - 18.7.2017 at 11:39 am

10693531.6 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 18.7.2017 at 11:39 am

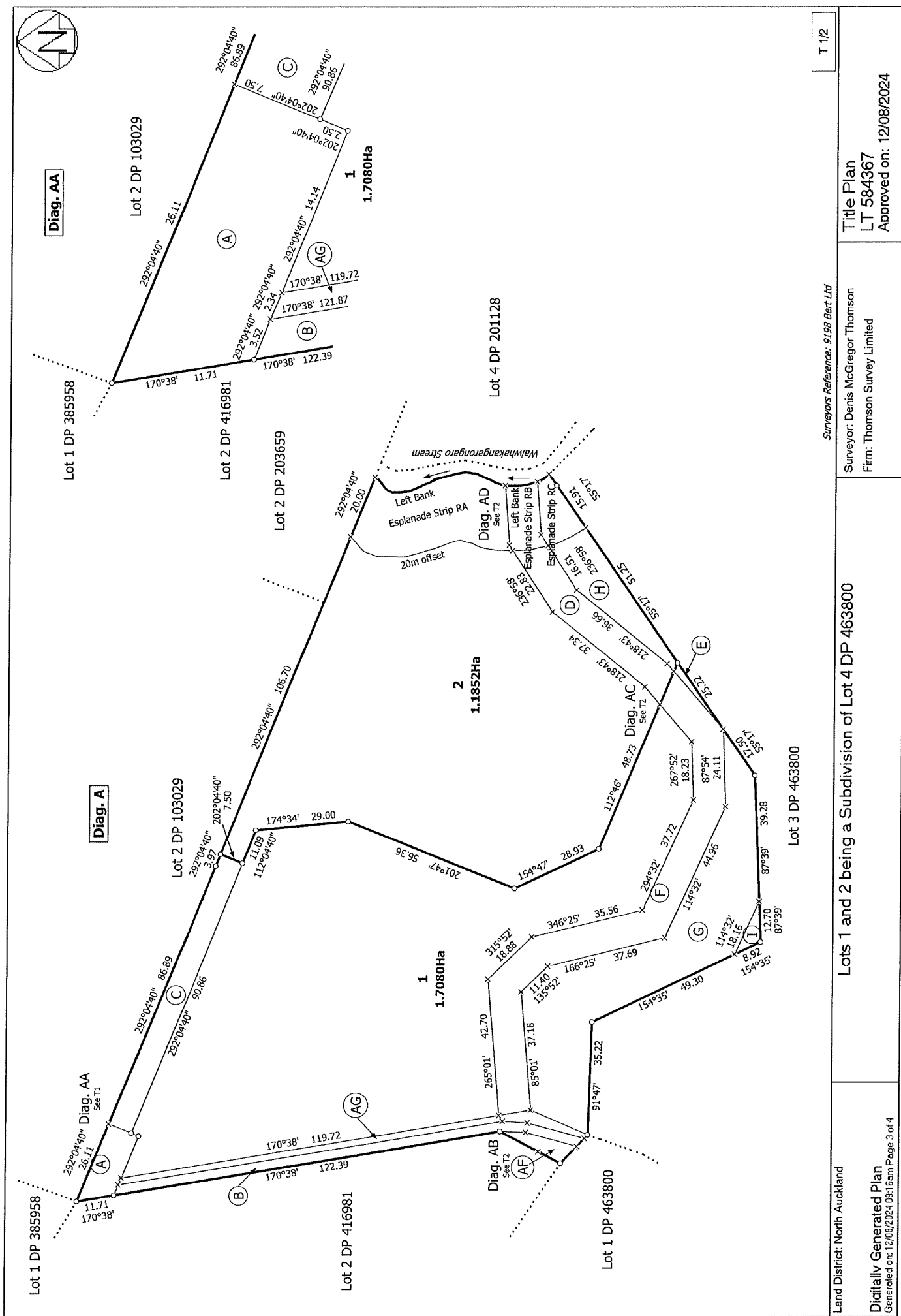
13228599.3 Variation of Consent Notice 10693531.3 pursuant to Section 221(5) Resource Management Act 1991 - 2.4.2025 at 1:23 pm

13228599.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.4.2025 at 1:23 pm

Appurtenant hereto is a right of way, a right to convey electricity, telecommunications and water created by Easement Instrument 13228599.6 - 2.4.2025 at 1:23 pm

The easements created by Easement Instrument 13228599.6 are subject to Section 243 (a) Resource Management Act 1991

13325311.2 Mortgage to ASB Bank Limited - 18.6.2025 at 11:00 am



D450974.1
COND

THE RESOURCE MANAGEMENT ACT 1991
SECTION 221 CONSENT NOTICE

(DP.198106)

Regarding RC 1991066

The subdivision of Lot 2
Deposited Plan 155777, Pt Lot
2 Deposited Plan 151056,
Sections 4, 12, 17, and Pt Sec 7
Blk 1 Kawakawa SD, and Pt
Sec 43 Blk IV Omapere SD
North Auckland Land Registry

Pursuant to Section 221 and for the purpose of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by **THE FAR NORTH DISTRICT COUNCIL** to the effect that the condition described in the Schedule below is to be complied with on a continuing basis by the subdividing owner and subsequent owners after the deposit of the survey plan, and is to be registered on the Title for lots 6, 7, and 8 Deposited Plan 198106.

SCHEDULE

The operation of agricultural and horticultural equipment including sprays and chemicals (subject to compliance with any relevant legislation) may be a permitted activity. Accordingly, where rainwater is collected from exposed surfaces for human consumption in connection with any residential development on the site, the occupiers of any such dwelling shall install an approved water filtration system.

Signed for **THE FAR NORTH DISTRICT COUNCIL** under delegated authority

Date

8/10/99



Authorized

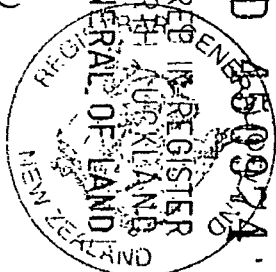
Officer



PRODUCED 2.05 11.NOV99 D

4519974.1

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH ISLAND
for REGISTRAR-GENERAL OF LAND



22

9



View Instrument Details

Instrument No.	10693531.3
Status	Registered
Date & Time Lodged	18 Jul 2017 11:39
Lodged By	Thompson, Emma Jane
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
614749	North Auckland
614750	North Auckland
614751	North Auckland
761385	North Auckland

Annexure Schedule: Contains 3 Pages.

Signature

Signed by Richard Adrian Ayton as Territorial Authority Representative on 18/07/2017 11:35 AM

*** End of Report ***



Private Bag 752, Ahimaitai Ave
Kaitiaki 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Te Kaunihera o Tai Tokerau Ki Te Raki

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2160448

Being the Subdivision of Lot 3 DP 416981
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

Lots 1 – 3 DP 463800

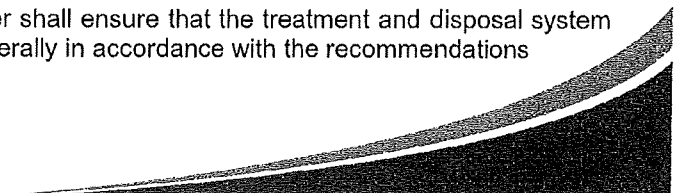
- (i) The Council assumes no responsibility toward the formation and any future maintenance of the to be named legal road which provides access to proposed Lots 1 -3; and until such time as the Council of its own volition decides to assume responsibility, the owner or occupier of the land will not request the Council to undertake such formation or maintenance.

Lots 1 – 4 DP 463800

- (ii) Telecommunication services are not a requirement of this subdivision consent. The responsibility for providing telecommunication services will remain the responsibility of the property owner.
- (iii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lot. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.

Lots 1 – 3 DP 463800

- (iv) The consent holder shall ensure that the treatment and disposal system is constructed generally in accordance with the recommendations



contained within the design report prepared by Haigh Workman Ltd dated August 2013.

Where a treatment and/or disposal method and/or area is chosen which differs from that described in the above mentioned TP 58 Report / Site and Soil Evaluation Report, a new Site & Soil Evaluation Report will be required to be submitted for approval prior to the installation of the alternative system.

Lots 1 – 3 DP 463800

- (v) The estimated cost of the installed system is \$13,000.00 + GST. The costing is valid for a period of 6 months from the date of issue of the 224(c) certificate.

Lots 1 – 4 DP 463800

- (vi) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (vii) Due to horticultural activities taking place in the vicinity, any dwelling to be constructed on Lots 1 - 4 which will utilise rainwater as a potable water supply will require suitable water filtration system to be installed.
- (viii) Any noise sensitive activity (e.g. residential dwelling) proposed on site shall have appropriate noise attenuation due to the proximity to the Kerikeri Airport.

Lots 1, 3 & 4 DP 463800

- (ix) The owner shall preserve the indigenous trees and bush now on the allotment located within covenant areas G, H, I, J, L and M, and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush or suffer or permit the cutting down damaging or destruction of any such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

Lots 1 – 4 DP 463800

- (x) The owner shall not build any construction within the areas F, G, H, I, J, K, L, M, N, O, P, Q, T, U, V, W, X, Y & Z as detailed on the approved survey plan and required by Condition 2(d) of RC2160448.

Lots 2 & 4 DP 463800

- (xi) The owner shall not build any construction within the 20m wide restrictive land covenant areas R & S, as detailed on the approved survey plan and required by Condition 2(e) of RC2160448.

Lots 1 & 2 DP 463800

- (xii) Land shown as areas Q, W, V, U, T, X, Y, Z, on the approved survey plan may be taken by the Council for roading purposes at anytime without fee. The Council would not require the current land owner or its successors in title to contribute to the cost of construction of any road constructed on these areas unless the owner of the land was carrying out a development of the land.

Lots 1 – 4 DP 463800

- (xiii) Cats and Dogs are permitted on site provided the following conditions are adhered to at all times:
- Cats must be kept inside at night;
 - Dogs must be either kept inside or tied up at night;
 - Any dog must be micro-chipped and have a current kiwi aversion trained certification.

SIGNED:


By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at **KERIKERI** this 23rd day of June 2017



View Instrument Details

Instrument No	13228599.5
Status	Registered
Date & Time Lodged	02 Apr 2025 13:23
Lodged By	Thompson, Emma Jane
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Records of Title	Land District
1098817	North Auckland
1098818	North Auckland

Annexure Schedule	Contains 2 Pages
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Signature

Signed by Emma Jane Thompson as Territorial Authority Representative on 02/04/2025 10:14 AM

*** End of Report ***



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Supporting our people

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0800 920 029

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THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING CER-2200390-CER224/A

Being the Subdivision of Lot 4 DP 463800

North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

Lot 1 and 2 DP 584367

- i. At the time of building consent for a dwelling the lot owner shall submit for Council approval a detail TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Plan Permitted Activity Standards. The report should take into account the findings and recommendations of the report prepared by Haigh Workman Ltd, dated 20/06/2018, as submitted with the subdivision application.
- ii. Only one dwelling unit is permitted per lot.
- iii. The owners of the lots shall not and nor shall any occupier of, or visitor to the site make, and surrenders the right to make, a complaint to the relevant consent authority or the Environment Court as to reverse sensitivity effects, including any emission of noise, vibration or any effect associated with any activity which is expressly allowed by a rule in a regional or district plan, a resource consent, a designation or regulations made under the Resource Management Act 1991 (RMA) and shall not seek that a declaration or enforcement order be made by the Environment Court under Sections 311 or 316 of the RMA nor seek that an abatement or infringement notice be served by a duly authorised enforcement officer under Sections 322 or 343C of the RMA, or that criminal proceedings be commenced in the District Court by the relevant consent authority under section 338 of the RMA in respect of any orchard activity lawfully undertaken within Lot 2 DP 203660 and Lot 2 DP 103029, or any



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airport activity undertaken with Kerikeri Airport being Lot 1 DP 344927 and Pt Sec 24 Blk 1.

- iv. All habitable buildings will require specific foundations designed by a Chartered Professional Engineer.
- v. In conjunction with the construction of any new building on Lot 1 and 2, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to and including a 1% AEP plus allowance for climate change. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified chartered professional engineer [or other suitably qualified person] and submitted with a building consent for approval by Councils' duly authorised officer.

A handwritten signature in black ink, appearing to read "Nicola Cowley".

SIGNED:

Ms Nicola Cowley - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE CONSENTS

DATED at **KERIKERI** this 4th day of February 2025



View Instrument Details

Instrument No	13228599.3
Status	Registered
Date & Time Lodged	02 Apr 2025 13:23
Lodged By	Thompson, Emma Jane
Instrument Type	Variation of Consent Notice Condition under s221(5) Resource Management Act 1991

Affected Records of Title	Land District
761385	North Auckland

Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 10693531.3
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Annexure Schedule	Contains 1 Pages
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Signature

Signed by Emma Jane Thompson as Territorial Authority Representative on 02/04/2025 10:14 AM

*** End of Report ***



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 (3) CANCELLATION/VARIATION OF CONSENT NOTICE

PURSUANT to Section 221 (3) of the Resource Management Act 1991 the **FAR NORTH DISTRICT COUNCIL** HEREBY CONSENTS to the variation of Consent Notice 10693531.3 as registered on the Identifier to Lot 4 on DP 463800 (Record of Title 761385 North Auckland Registry) as follows:

- The consent notice shall be varied by the deletion of condition (ii) which reads *"Telecommunication services are not a requirement of this subdivision. The responsibility for providing telecommunication services will remain the responsibility of the property owner"*; and
- The consent notice condition shall be varied by the deletion of condition (iii) which reads *"Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lot. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate"*.

SIGNED:

Ms Nicola Cowley - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE CONSENTS

DATED at **KERIKERI** this 25th day of February 2025

Appendix 4

Email approval from Airport Authority

From: lynley@tsurvey.co.nz
Sent: Wednesday, 30 July 2025 3:11 pm
To: Robert@fnhl.co.nz
Subject: Dwelling to be established within Airport Noise Buffer Area
Attachments: Thomson Dwelling - within ODP airport noise buffer.pdf

Hello Robert,
I'm hoping you can assist.

I am assisting my client with their building project for land at 151E Valencia Lane, Kerikeri. The property is within the Operative District Plan's Airport Noise Buffer Area, so consent is required under the Operative District Plan. To support the application, we seek the Written Approval of the Airport Authority. The site, whilst within the ODP's Airport Noise Buffer area, is well outside noise boundaries as mapped in the new Proposed District Plan.

In addition, the applicant has owned and used this site for several years and is therefore well aware of its 'proximity' to the airport runway. It has never bothered them. The house will have double glazed windows. The property is subject to two consent notice clauses, one alerting to the proximity of the runway and recommending appropriate noise attenuation, and the other a 'no complaints' clause in regard to airport noise.

In short, I believe the proposed residential development will have little, if any, impact on the operational aspects of the airport.

Attached are house plans; title info; Operative and District Plan map excerpts.

Thank you in advance.



Lynley Newport
Senior Planner
315 Kerikeri Road, Kerikeri 0230
PO Box 372 Kerikeri 0245
p. 09 4077360 | e. lynley@tsurvey.co.nz

lynley@tsurvey.co.nz

From: Kerikeri Airport Manager <Airports@fnhl.co.nz>
Sent: Monday, 1 September 2025 3:55 pm
To: lynley@tsurvey.co.nz
Subject: Re: Dwelling to be established within Airport Noise Buffer Area - 151B Valencia Lane

Hi Lynley,

We confirm that Far North Holdings Limited as the Airport Authority for BOI Airport, Kerikeri as no concerns with this proposal for 151B Valencia Lane as put forward, noting that whilst inside the noise buffer zone, it is outside the noise boundary.

Please let me know if you require any further clarification.

Kind regards,

Simon Lockie

Kerikeri Airport Manager
Airports Manager

+64 9 407 6133 | (+64) 27 5566 470

218 Wiroa Road, RD2 Kerikeri 0293
New Zealand

www.bayofislandsairport.co.nz



Appendix 5

Excerpt from PDP maps



- parcel
- road
- hydro
- reserve
- Zone: Airport Noise Buffer



Projection NZTM2000. Datum NZGD2000. Scale:1:9,028

DISCLAIMER:
While the Far North District Council strives to keep the data in this service current, it may not be the most recent or most accurate data available. No reliance on the information contained on this map by any person is permitted. FNDC will not be liable for any omissions or errors of information contained on this map. FNDC recommends that persons seek specific advice on individual properties from FNDC and other specialist organisations which may hold more up to date or accurate information.



Far North Maps

OPERATIVE DISTRICT PLAN

Map Layers

 Zone

Zones

 Kauri Cliffs Special Area

Plan Variation 1

Historical and Cultural Values Overlays

Specific Controls

✓ Overlays

☒ Mineral Extraction

☒ Coastal Environment

☒ **Energy Infrastructure and Transport Overlays** ^

- ✱ ☒ Outer Control Boundary (55 dB Ldn)

 ☒ Air Noise Boundary (65 db Ldn)

 National Grid Line

 Critical Electricity Lines

☒ Airport Protection Surfaces

☒ Precincts

☐ Natural Environments Overlays

Designations

Natural Hazards and Risks
Overlays ▾

THESEUS A

Legend

Help