



Office Use Only

Application Number:

Private Bag 752, Memorial Ave

Kaikohe 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

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))

(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? Yes / No

2. Type of Consent being applied for (more than one circle can be ticked):

- ☐ Land Use ☐ Fast Track Land Use* ☒ Subdivision ☐ Discharge
☐ Extension of time (s.125) ☐ Change of conditions (s.127) ☐ Change of Consent Notice (s.221(3))
☐ Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
☐ Other (please specify) _____

**The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.*

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

Yes / No

4. Applicant Details:

Name/s: JUDITH POOLE

Electronic Address for Service (E-mail): _____

Phone Numbers: Work: _____ Home: _____

Postal Address: _____
(or alternative method of service under section 352 of the Act)

Post Code: _____

5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: Rick Poole

Electronic Address for Service (E-mail): _____

Phone Numbers: Work: _____ Home: _____

Postal Address: _____
(or alternative method of service under section 352 of the Act)

Post Code: _____

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

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

Name/s: JUDITH POOLE

Property Address/
Location



7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location:

71 D KERI DOWNS ROAD

Legal Description:



Val Number: _____

Certificate of Title:

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

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff?

Yes / No

Is there a dog on the property?

Yes / No

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

NO RESTRICTIONS - THERE ARE HORSES
ON THE PROPERTY.

8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

CREATE 1 ADDITIONAL LOT IN
ACCORDANCE WITH THE RURAL PRODUCTION
PROVISIONS

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or 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) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification

Yes/No

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

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

11. 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 (further information in regard to this NES is available on the Council's planning web pages):

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? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).

☒ yes ☐ no ☐ don't know

- ☒ Subdividing land ☐ Changing the use of a piece of land
- ☐ Disturbing, removing or sampling soil ☐ Removing or replacing a fuel storage system

12. 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.

Please attach your AEE to this application.

13. Billing Details:

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

Name/s: (please write all names in full)

JUDITH POOLE

Email:

Postal Address:

Post Code:

Phone Numbers:

Work:

Home:

Fax:

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: WJ RICK POOLE (please print)

Signature: [Redacted Signature] (signature of bill payer – **mandatory**)

Date: [Redacted Date]

14. Important Information:

Note to applicant

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

You 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.

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

Name: Rick Poore (please print)

Signature: _____ (signature)

Date: _____

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

Checklist (please tick if information is provided)

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

Please refer to Chapter 4 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.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE



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



R.W. Muir
Registrar-General
of Land

Identifier **NA138C/302**
Land Registration District **North Auckland**
Date Issued 30 May 2002

Prior References
NA78D/778

Estate Fee Simple
Area 6.9520 hectares more or less
Legal Description Lot 3 Deposited Plan 210939
Registered Owners
Judith Hazel Poole

Interests

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)

Subject to Section 3 Petroleum Act 1937

Subject to Section 261 Coal Mines Act 1979

Subject to Section 8 Atomic Energy Act 1945

Subject to Part IV A Conservation Act 1987

Subject to Section 3 Geothermal Energy Act 1953

Subject to Sections 6 and 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

Subject to a water supply right (in gross) over part marked F on DP 210939 in favour of the Kerikeri Irrigation Company Limited created by Transfer C264408.1 - 13.5.1991 at 2.18 pm

Appurtenant hereto is a right of way created by Transfer C270216.1 - 30.5.1991 at 1.47 pm

Subject to a right of way and to a water right over part marked A on DP 210939 created by Transfer C270216.1 - 30.5.1991 at 1.47 pm

Appurtenant hereto is a right of way and a water pipeline right created by Transfer C332377.1 - 12.12.1991 at 1.38 pm

Subject to a right of way over part marked A on DP 210939 created by Transfer C332377.1 - 12.12.1991 at 1.38 pm

C646028.2 Mortgage to (now) Westpac New Zealand Limited - 25.8.1994 at 11.39 am

C942559.1 Variation of Mortgage C646028.2 - 15.1.1996 at 3.11 pm

D514351.1 Variation of Mortgage C646028.2 - 14.6.2000 at 9.00 am

5237554.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.5.2002 at 2:27 pm

Subject to a right of way, rights to transmit electricity and telecommunication easements over parts marked A & B on DP 210939, right to convey water easement over part marked B & D on DP 210939 specified in Easement Certificate

5237554.5 - 30.5.2002 at 2:27 pm

The easements specified in Easement Certificate 5237554.5 are subject to Section 243 (a) Resource Management Act 1991

Search Copy Dated 07/06/23 10:10 am, Page 3 of 3
Register Only

Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS LANDCORP FARMING LIMITED at Wellington (hereinafter called "Landcorp")
is

being registered as proprietor

of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten
or endorsed hereon in all those pieces of land situated in the Land District of North Auckland
containing 20.1010 hectares

more or less being

NEW ZEALAND STAMP DUTY AK2
08/05/9100012001 HOLIABLE *.00

FIRST Section 34 Block VII Kerikeri Survey District and being all the land
comprised and described in Certificate of Title Volume 78D folio 777 (North
Auckland Registry) (hereinafter called "Section 34")

SECONDLY Section 35 Block VII Kerikeri Survey District and being all the land
comprised and described in Certificate of Title Volume 78D folio 778 (North
Auckland Registry) (hereinafter called "Section 35")

BOTH SUBJECT TO

1. Section 27B of the State-Owned Enterprises Act 1986
2. Section 3 of the Petroleum Act 1937
3. Section 8 of the Atomic Energy Act 1945
4. Section 3 of the Geothermal Energy Act 1953
5. Sections 6 and 8 of the Mining Act 1971
6. Sections 5 and 261 of the Coal Mines Act 1979
7. Part IVA of the Conservation Act 1987

AND WHEREAS Landcorp intends to create easements in gross over those parts of
Section 34 and Section 35 marked A B F and G on SO Plan 58446 (hereinafter
together called "the servient tenement") in favour of KERIKERI IRRIGATION COMPANY
LIMITED at Kerikeri (hereinafter called "the Grantee")

S 34 B, A, F → ② H₂O supply
S 35 G → ① H₂O Pipeline
 ↓
 H₂O supply

NOW THEREFORE this Memorandum of Transfer witnesseth that in consideration of the premises Landcorp DOES HEREBY TRANSFER AND GRANT unto the Grantee as an easement in gross the following:

1. The full free uninterrupted right liberty and privilege from time to time and at all times hereafter to take convey and lead water in any quantity through in and under the servient tenement and for such purposes and from time to time to construct lay maintain alter repair renew and cleanse or to have constructed laid extended maintained altered repaired renewed and cleansed a line or lines of pipes and conduits with or without man holes with such internal and external dimensions and with such valves and surface boxes as the Grantee shall think fit through over or under the servient tenement either upon or at such a depth beneath the surface of the soil as the Grantee shall think fit.
2. For the purposes hereinafter set forth or any of them the full free and uninterrupted and unrestricted right liberty and privilege for the Grantee its surveyors engineers employers contractors workmen agents servants and all persons authorised by it with or without vehicles and machinery implements tools pipes materials and equipment of any kind from time to time and at all times to enter and remain upon the servient tenement for the purposes aforesaid or any of them including opening up the soil for inspecting cleaning repairing maintaining and renewing the said pipes conduits machinery valves surface boxes and equipment and generally to do and perform such acts and things in and upon the servient tenement as may be necessary or proper for and in relation to any of the purposes as aforesaid.

AND Landcorp and the Grantee HEREBY COVENANT AND AGREE the one with the other of them as follows:

- (a) That all works authorised to be carried out herein shall be carried out expeditiously and with as little disturbance to the surface as possible and immediately upon the completion of any such work the surface of the land shall be restored as nearly as possible to its original condition.
- (b) That the Grantee will from time to time repair and make good all damage to fences gates drains paths or driveways upon Section 34 and Section 35 other than upon the servient tenement where caused by the carrying out by the Grantee of any of the works hereinbefore mentioned.
- (c) That Landcorp will not place any buildings erections fences or trees on the servient tenement or any part thereof and will not at any time hereafter do or permit or suffer any act whereby the rights powers licences and liabilities hereby granted to the Grantee may be interfered with or affected or whereby the

C E R T I F I C A T E O F N O N - R E V O C A T I O N O F
P O W E R O F A T T O R N E Y

I, BARRY ROLAND DAWSON of Whangarei, Regional Manager

HEREBY CERTIFY -

- 1 THAT by Deed dated the 27th day of April 1989 copies of which are deposited in the Land Registry Offices at -

AUCKLAND (North Auckland Registry) and there numbered C013129.1
BLENHEIM (Marlborough Registry) and there numbered 147225.1
CHRISTCHURCH (Canterbury Registry) and there numbered 808972/1
DUNEDIN (Otago Registry) and there numbered 732243/1
GISBORNE (Poverty Bay Registry) and there numbered 175103.1
HAMILTON (South Auckland Registry) and there numbered H885822
HOKITIKA (Westland Registry) and there numbered 082731
INVERCARGILL (Southland Registry) and there numbered 164752.1
NAPIER (Hawkes Bay Registry) and there numbered 513661.1
NELSON (Nelson Registry) and there numbered 289293.1
NEW PLYMOUTH (Taranaki Registry) and there numbered 361828.1
WELLINGTON (Wellington Registry) and there numbered B012725.1

LANDCORP FARMING LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed

- 2 THAT at the date hereof I was a Regional Manager of LAND CORPORATION LIMITED at Wellington _____
- 3 THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LANDCORP FARMING LIMITED or otherwise

SIGNED at Whangarei
this 20 day of March
1991

)

)

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passage of water may be in any way interrupted or restricted, and if the Grantee shall find it necessary to remove any trees presently situated on the servient tenement it shall not be obliged to reinstate such trees on the servient tenement.

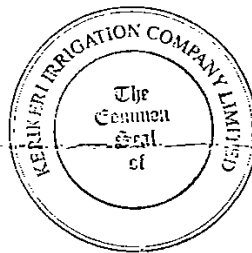
- (d) That nothing herein contained or implied shall be deemed to compel the Grantee to conduct water through the said water mains water pipes or conduits and the Grantee may discontinue such water supply and recommence such water supply at will.
- (e) That nothing herein contained shall be deemed to abrogate limit restrict or abridge any of the rights powers and remedies vested in the Grantee by any statute and in particular by the Local Government Act 1974, the Public Works Act 1981 or any of them or any amendment thereof or any Act or Acts passed in substitution therefor.
- (f) That the Grantee will pay all costs pertaining to the maintenance, upkeep and, if necessary, replacement of the pipes, conduits, manholes, valves, surface boxes and any other equipment forming part of the easement.

IN WITNESS WHEREOF these presents have been executed this **20th** day of **MARCH** 1991

THE COMMON SEAL of KERIKERI)
IRRIGATION COMPANY LIMITED)
was hereto affixed in the)
presence of:)

Des Campbell Director

Andrew Director



No.

TRANSFER OF CREATING
EASEMENTS IN GROSS

Correct for the purposes of the Land Transfer Act

D. M. Roughan

SOLICITOR FOR THE TRANSFEE

LANDCORP FARMING LIMITED Transferor

I hereby certify that this transaction does not contravene the provisions of Part 11A of the Land Settlement Promotion and Land Acquisition Act 1952.

D. M. Roughan

SOLICITOR FOR THE TRANSFEE

KERIKERI IRRIGATION CO. LTD Transferee

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

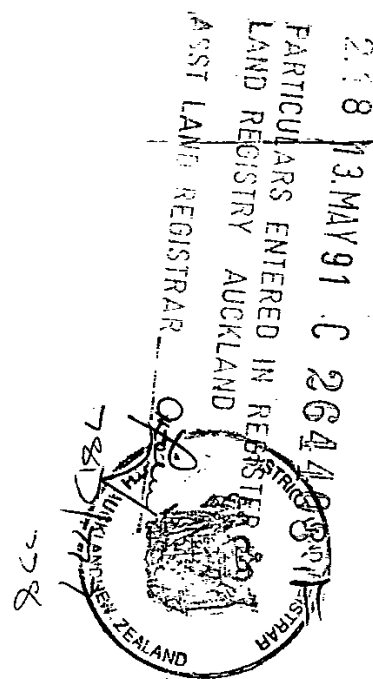
SOLICITOR FOR THE TRANSFEE

Assistant / District Land Registrar

of the District of

D M ROUGHAN
SOLICITOR
KAMO

Solicitors for the Transferee



C270216.1TE.

Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS LANDCORP FARMING LIMITED at Wellington (hereinafter called "Landcorp")
is

being registered as proprietor
of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten
or endorsed hereon in all those pieces of land situated in the Land District of North Auckland
containing 38.7210 hectares

NEW ZEALAND STAMP DUTY AK2
14/05/9100293001 MOLIALE *.00

more or less being FIRST Section 35 Block VII Kerikeri Survey District and being all
the land comprised and described in Certificate of Title Volume 78D folio 778
(North Auckland Registry) TOGETHER WITH the right of way and water pipeline easements
created by Transfer AND SUBJECT TO (a) the rights of way created by Transfer
(b) water supply and water pipeline easements in gross created by Transfer
(hereinafter called "Section 35")

SECONDLY Lot 1 on Deposited Plan 141820 being Section 36 and part Section 37 Block
VII Kerikeri Survey District and being all the land comprised and described in
Certificate of Title Volume 84A folio 301 (North Auckland Registry) TOGETHER WITH
the rights of way and water pipeline easements created by Transfer
AND SUBJECT TO rights of way created by Transfer (hereinafter called
"Section 36")

THIRDLY Lot 2 on Deposited Plan 141820 being part Section 37 Block VII Kerikeri
Survey District and being all the land comprised and described in Certificate of
Title Volume 84A folio 515 (North Auckland Registry) TOGETHER WITH water pipeline
easements created by Transfer (hereinafter called "Section 37")

ALL THE ABOVE TITLES BEING SUBJECT ALSO TO

1. Section 27B of the State-Owned Enterprises Act 1986
2. Section 3 of the Petroleum Act 1937
3. Section 8 of the Atomic Energy Act 1945
4. Section 3 of the Geothermal Energy Act 1953
5. Sections 6 and 8 of the Mining Act 1971
6. Sections 5 and 261 of the Coal Mines Act 1979
7. Part IVA of the Conservation Act 1987

**TRANSFER, MORTGAGE, LEASE,
ASSIGNMENT and AGREEMENT**
stamped with duty of
\$220 on 28/2/91
\$ on / /

Dist. Commissioner of Inland
Revenue

✱

AND WHEREAS by an agreement for sale and purchase dated the 10th day of September 1990 Landcorp agreed to sell Section 35 to ALLAN JOHN POOLE and JUDITH HAZEL POOLE of Tinian Managers (hereinafter together called "the Grantee") and to grant a right of way over that part of Section 36 marked A on Deposited Plan 141820 (hereinafter called "the subject land") for the benefit of Section 35 and to reserve a right of way and water pipeline easement over that part of Section 35 marked C on SO Plan 58446 (hereinafter called "the servient tenement") for the benefit of Section 36 and Section 37

NOW THEREFORE IN CONSIDERATION of the premises and of the sum of SIXTY FIVE THOUSAND DOLLARS (\$65,000.00) paid to Landcorp by the Grantee (the receipt of which sum is hereby acknowledged by Landcorp) Landcorp DOTH HEREBY TRANSFER to the Grantee all its estate and interest in Section 35 RESERVING to itself the following easements

① (A) water pipeline easement for the benefit of Section 36 and Section 37

1. The full free uninterrupted right liberty and privilege from time to time and at all times hereafter to construct lay maintain alter repair renew and cleanse or to have constructed laid extended maintained altered repaired renewed and cleansed a line or lines of pipes and conduits with or without man holes with such internal and external dimensions and with such valves and surface boxes as Landcorp shall think fit through over or under the servient tenement either upon or at such a depth beneath the surface of the soil as Landcorp shall think fit.
2. For the purposes hereinafter set forth or any of them the full free and uninterrupted and unrestricted right liberty and privilege for Landcorp its surveyors engineers employees contractors workmen agents servants and all persons authorised by Landcorp with or without vehicles and machinery implements tools pipes materials and equipment of any kind from time to time and at all times to enter and remain upon the servient tenement for the purposes aforesaid or any of them including opening up the soil for inspecting cleaning repairing maintaining and renewing the said pipes conduits machinery valves surface boxes and equipment and generally to do and perform such acts and things in and upon the servient tenement as may be necessary or proper for and in relation to any of the purposes as aforesaid.

AND Landcorp and the Grantee HEREBY COVENANT AND AGREE the one with the other of them as follows:

- (a) That all works authorised to be carried out herein shall be carried out expeditiously and with as little disturbance to the surface as possible and immediately upon the completion of any such work the surface of the land shall be restored as nearly as possible to its original condition.
- (b) That Landcorp will from time to time repair and make good all damage to fences gates drains paths or driveways upon Section 35 other than upon the servient tenement where caused by the carrying out by Landcorp of any of the works hereinbefore mentioned.
- (c) That Landcorp will not place any buildings erections fences or trees on the servient tenement or any part thereof and will not at any time hereafter do or permit or suffer any act whereby the rights powers licences and liabilities hereby granted to Landcorp may be interfered with or affected and if Landcorp shall find it necessary to remove any trees presently situated on the servient tenement it shall not be obliged to reinstate such trees on the servient tenement.

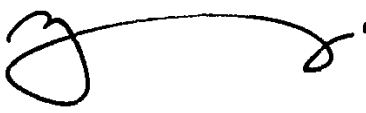
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2.

CERTIFICATE OF NON-REVOCATIONOF POWER OF ATTORNEY

I, the Attorney described in the schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof being the person described in the schedule below, appointed me his Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said appointor or otherwise.
3. THAT, in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at *Kerikeri* on
the date set forth in
the schedule below:

)
)
) 

SCHEDULE

Name of Attorney: Suzanne Joan Wooldridge
Place of residence of Attorney: Kerikeri
Occupation of Attorney: Solicitor
Date of Power of Attorney: 26 May 1986
Name of Appointor: ALAN JOHN POOLE
Place of residence of Appointor: Formerly of Kaikohe, farmer, now of
Tinian, Mariana Islands
Occupation of Appointor: Manager
Land Transfer Number: B 647499.1 full
Date of this Certificate: 1 May 1991.


CERTIFICATE OF NON-REVOCATION

OF POWER OF ATTORNEY

I, the Attorney described in the schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof being the person described in the schedule below, appointed me his Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said appointor or otherwise.
3. THAT, in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at *Kerikeri*
the date set forth in
the schedule below:

)
)
) 

SCHEDULE

Name of Attorney: Suzanne Joan Wooldridge
Place of residence of Attorney: Kerikeri
Occupation of Attorney: Solicitor
Date of Power of Attorney: 26 May 1986
Name of Appointor: Judith Hazel Poole
Place of residence of Appointor: Formerly of Kaikohe, farmer, now of
Tinian, Mariana Islands
Occupation of Appointor: Married Woman
Land Transfer Number: 3 964 964.1
Date of this Certificate: 1 May 1991.

Full

C E R T I F I C A T E O F N O N - R E V O C A T I O N O F
P O W E R O F A T T O R N E Y

I, BARRY ROLAND DAWSON of Whangarei, Regional Manager

HEREBY CERTIFY -

- 1 THAT by Deed dated the 27th day of April 1989 copies of which are deposited in the Land Registry Offices at -

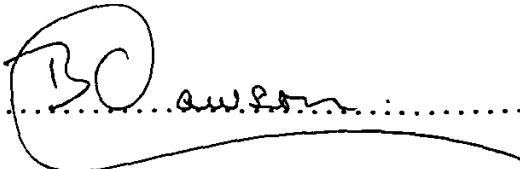
AUCKLAND (North Auckland Registry) and there numbered C013129.1
BLENHEIM (Marlborough Registry) and there numbered 147225.1
CHRISTCHURCH (Canterbury Registry) and there numbered 808972/1
DUNEDIN (Otago Registry) and there numbered 732243/1
GISBORNE (Poverty Bay Registry) and there numbered 175103.1
HAMILTON (South Auckland Registry) and there numbered H885822
HOKITIKA (Westland Registry) and there numbered 082731
INVERCARGILL (Southland Registry) and there numbered 164752.1
NAPIER (Hawkes Bay Registry) and there numbered S13661.1
NELSON (Nelson Registry) and there numbered 289293.1
NEW PLYMOUTH (Taranaki Registry) and there numbered 361828.1
WELLINGTON (Wellington Registry) and there numbered B012725.1

LANDCORP FARMING LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed

- 2 THAT at the date hereof I was a Regional Manager of LAND CORPORATION LIMITED at Wellington

- 3 THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LANDCORP FARMING LIMITED or otherwise

SIGNED at Whangarei
this 1 day of May
1991

) 
) Dawson

(d) That the registered proprietor for the time being of Section 36 and Section 37 will pay all costs pertaining to the maintenance, upkeep and, if necessary, replacement of the pipes, conduits, manholes, valves, surface boxes and any other equipment forming part of the easement.

② (B) right of way for the benefit of Section 36

The full free uninterrupted and unrestricted right liberty and privilege for Landcorp its servants tenants agents workmen licensees and invitees (in common with the Grantee their tenants and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass with or without horses and domestic animals of any kind and with or without carriages vehicles motor vehicles machinery and implements of any kind over and along the servient tenement together with the rights implied in easements of vehicular right of way by the Ninth Schedule to the Property Law Act 1952

AND Landcorp DOETH FURTHER HEREBY GRANT to the Grantee for the benefit of Section 35 the full free uninterrupted and unrestricted right liberty and privilege for the Grantee their servants tenants agents workmen licensees and invitees (in common with Landcorp its tenants and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass with or without horses and domestic animals of any kind and with or without carriages vehicles motor vehicles machinery and implements of any kind over and along the subject land together with the rights implied in easements of vehicular right of way by the Ninth Schedule to the Property Law Act 1952.

30
2.

all

estate and interest in the

said land above described

IN WITNESS WHEREOF these presents have been executed this 13th day
of MAY 1991

SIGNED by the said ALLAN
JOHN POOLE and JUDITH
HAZEL POOLE as the Grantee
in the presence of:

) Allan John Poole by his
attorney

) Judith Hazel Poole by her
attorney

In witness whereof these presents have been executed this

of 19 day

LANDCORP FARMING
Signed by the above named
LIMITED by its Attorney
BARRY ROLAND DAWSON
in the presence of:-

LANDCORP FARMING LIMITED
by its Attorney

M. W. Kearns
Consultant
LANDCORP

Whangarei

LANDCORP FARMING LIMITED

Transferor

I hereby certify that this transaction does not contravene the provisions of Part 11A of the Land Settlement Promotion and Land Acquisition Act 1952.

SOLICITOR FOR THE TRANSFEE

A.J. & J.H. POOLE

Transferee

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

SOLICITOR FOR THE TRANSFEE

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar

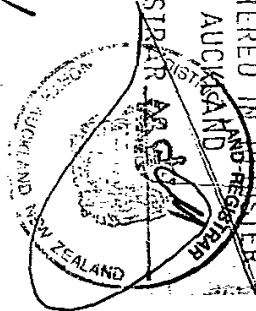
of the District of

D.M. ROUGHAN
SOLICITOR
KAMO

Solicitors for the Transferee

© AUCKLAND DISTRICT LAW SOCIETY 1984

78/778
24/30/515



1.47 30.MAY91 C 270216.1A



C 332377.1 TE

Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS LANDCORP FARMING LIMITED at Wellington (hereinafter called "Landcorp")
is

being registered as proprietor

of an estate in fee-simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten
or endorsed hereon in all those pieces of land situated in the Land District of North Auckland
containing 46.1290 hectares

more or less being FIRST Section 34 Block VII Kerikeri Survey District and being all the
land comprised and described in Certificate of Title Volume 78D folio 777 (North
Auckland Registry) SUBJECT TO

1. Water supply and water pipeline easements in gross created by Transfer C264408.1
2. Water pipeline easement created by Transfer C268897.1
3. Section 27B of the State-Owned Enterprises Act 1986
4. Section 3 of the Petroleum Act 1937
5. Section 8 of the Atomic Energy Act 1945
6. Section 3 of the Geothermal Energy Act 1953
7. Sections 6 and 8 of the Mining Act 1971
8. Sections 5 and 261 of the Coal Mines Act 1979
9. Part IVA of the Conservation Act 1987

(hereinafter called "Section 34")

AND WHEREAS ALLAN JOHN POOLE and JUDITH HAZEL POOLE of Tinian Managers (hereinafter
together called "the Grantee") are registered as proprietors of an estate in fee
simple (subject as aforesaid) in ALL THAT parcel of land containing 12.6930 hectares
more or less being Section 35 Block VII Kerikeri Survey District and being all the
land comprised and described in Certificate of Title Volume 78D folio 778 (North
Auckland Registry) TOGETHER WITH a right of way created by Transfer C270216.1
AND SUBJECT TO

1. Section 27B of the State-Owned Enterprises Act 1986
 2. Section 3 of the Petroleum Act 1937
 3. Section 8 of the Atomic Energy Act 1945
 4. Section 3 of the Geothermal Energy Act 1953
 5. Sections 6 and 8 of the Mining Act 1971
 6. Sections 5 and 261 of the Coal Mines Act 1979
 7. Part IVA of the Conservation Act 1987
 8. Water supply easement in gross created by Transfer C264408.1
 9. Water pipeline easement created by Transfer C270216.1
 10. Right of way created by Transfer C270216.1
- (hereinafter called "Section 35")

NEW ZEALAND STAMP DUTY 14/02
11/09/9100074001 SOLIDABLE 0.00

AND WHEREAS by an agreement for sale and purchase dated the 10th day of September 1990 the Grantee agreed that Landcorp could reserve rights of way over those parts of Section 35 marked C on SO Plan 58446 (hereinafter called "the servient tenement") for the benefit of Section 34 and Landcorp agreed to grant the Grantee rights of way and a water pipeline easement over those parts of Section 34 marked A and B on SO Plan 58446 (hereinafter together called "the subject land") for the benefit of Section 35.

NOW THEREFORE IN CONSIDERATION of the premises and for the consideration hereinafter appearing Landcorp DOETH HEREBY TRANSFER to the Grantee the following easements

A water pipeline easement for the benefit of Section 35 (over that part of the subject land marked A on SO Plan 58446)

1. The full free uninterrupted right liberty and privilege from time to time and at all times hereafter to construct lay maintain alter repair renew and cleanse or to have constructed laid extended maintained altered repaired renewed and cleansed a line or lines of pipes and conduits with or without man holes with such internal and external dimensions and with such valves and surface boxes as Landcorp shall think fit through over or under the subject land either upon or at such a depth beneath the surface of the soil as Landcorp shall think fit.
2. For the purposes hereinafter set forth or any of them the full free and uninterrupted and unrestricted right liberty and privilege for Landcorp its surveyors engineers employees contractors workmen agents servants and all persons authorised by Landcorp with or without vehicles and machinery implements tools pipes materials and equipment of any kind from time to time and at all times to enter and remain upon the subject land for the purposes aforesaid or any of them including opening up the soil for inspecting cleaning repairing maintaining and renewing the said pipes conduits machinery valves surface boxes and equipment and generally to do and perform such acts and things in and upon the subject land as may be necessary or proper for and in relation to any of the purposes as aforesaid.

AND Landcorp and the Grantee HEREBY COVENANT AND AGREE the one with the other of them as follows:

- (a) That all works authorised to be carried out herein shall be carried out expeditiously and with as little disturbance to the surface as possible and immediately upon the completion of any such work the surface of the land shall be restored as nearly as possible to its original condition.
- (b) That the Grantee will from time to time repair and make good all damage to fences gates drains paths or driveways upon Section 34 other than upon the subject land where caused by the carrying out by the Grantee of any of the works hereinbefore mentioned.
- (c) That the Grantee will not place any buildings erections fences or trees on the subject land or any part thereof and will not at any time hereafter do or permit or suffer any act whereby the rights powers licences and liabilities hereby granted to Landcorp may be interfered with or affected and if Landcorp shall find it necessary to remove any trees presently situated on the subject land it shall not be obliged to reinstate such trees on the subject land.
- (d) That the registered proprietor for the time being of Section 35 will pay all costs pertaining to the maintenance, upkeep and, if necessary, replacement of the pipes, conduits, manholes, valves, surface boxes and any other equipment forming part of the easement.

CERTIFICATE OF NON-REVOCATION

OF POWER OF ATTORNEY

I, the Attorney described in the schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof being the person described in the schedule below, appointed me his Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said appointor or otherwise.
3. THAT, in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at *Kerikeri*
the date set forth in
the schedule below:

SCHEDULE

Name of Attorney: Suzanne Joan Wooldridge
Place of residence of Attorney: Kerikeri
Occupation of Attorney: Solicitor
Date of Power of Attorney: 26 May 1986
Name of Appointor: Judith Hazel Poole
Place of residence of Appointor: Tinian, Mariana Islands
Occupation of Appointor: Farmer
Land Transfer Number: B.964964
Date of this Certificate: 28 August 1991

Full

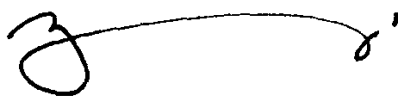
CERTIFICATE OF NON-REVOCATION

OF POWER OF ATTORNEY

I, the Attorney described in the schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof being the person described in the schedule below, appointed me his Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said appointor or otherwise.
3. THAT, in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at *Kerikeri*)
the date set forth in)
the schedule below:)



SCHEDULE

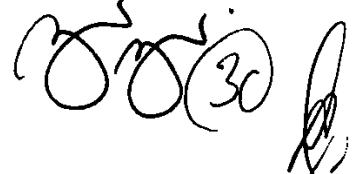
Name of Attorney: Suzanne Joan Wooldridge
Place of residence of Attorney: Kerikeri
Occupation of Attorney: Solicitor
Date of Power of Attorney: 26 May 1986
Name of Appointor: Alan John Poole
Place of residence of Appointor: Tinian, Mariana Islands
Occupation of Appointor: Farmer
Land Transfer Number: B.647499.1
Date of this Certificate: 28 August 1991



|| B rights of way for the benefit of Section 35

(2) The full free uninterrupted and unrestricted right liberty and privilege for Landcorp its servants tenants agents workmen licensees and invitees (in common with the Grantee their tenants and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass with or without horses and domestic animals of any kind and with or without carriages vehicles motor vehicles machinery and implements of any kind over and along that part of the subject land marked B on SO Plan 58446 together with the rights implied in easements of vehicular right of way by the Ninth Schedule to the Property Law Act 1952

(3) AND IN CONSIDERATION of the foregoing transfer the Grantee DOTH HEREBY TRANSFER to Landcorp for the benefit of Section 34 the full free uninterrupted and unrestricted right liberty and privilege for Landcorp its servants tenants agents workmen licensees and invitees (in common with the Grantee their tenants and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass with or without horses and domestic animals of any kind and with or without carriages vehicles motor vehicles machinery and implements of any kind over and along the servient tenement together with the rights implied in easements of vehicular right of way by the Ninth Schedule to the Property Law Act 1952.

 (30)

C E R T I F I C A T E O F N O N - R E V O C A T I O N O F
P O W E R O F A T T O R N E Y

I, BARRY ROLAND DAWSON of Whangarei, Regional Manager

HEREBY CERTIFY -

- 1 THAT by Deed dated the 27th day of April 1989 copies of which are deposited in the Land Registry Offices at -

AUCKLAND (North Auckland Registry) and there numbered C013129.1
BLENHEIM (Marlborough Registry) and there numbered 147225.1
CHRISTCHURCH (Canterbury Registry) and there numbered 808972/1
DUNEDIN (Otago Registry) and there numbered 732243/1
GISBORNE (Poverty Bay Registry) and there numbered 175103.1
HAMILTON (South Auckland Registry) and there numbered H885822
HOKITIKA (Westland Registry) and there numbered 082731
INVERCARGILL (Southland Registry) and there numbered 164752.1
NAPIER (Hawkes Bay Registry) and there numbered 513661.1
NELSON (Nelson Registry) and there numbered 289293.1
NEW PLYMOUTH (Taranaki Registry) and there numbered 361828.1
WELLINGTON (Wellington Registry) and there numbered B012725.1

LANDCORP FARMING LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed

- 2 THAT at the date hereof I was a Regional Manager of LAND CORPORATION LIMITED at Wellington
- 3 THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LANDCORP FARMING LIMITED or otherwise

SIGNED at Whangarei
this 5 day of September
1991

30 

In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

said land above described

IN WITNESS WHEREOF these presents have been executed this 28th day
of AUGUST 1991

SIGNED by the said ALLAN)
JOHN POOLE and JUDITH)
HAZEL POOLE as the Grantee)
in the presence of:)

*Allan John Poole by his
attorney Suzanne Joan Woodridge*

*Judith Hazel Poole by her
attorney Suzanne Joan Woodridge*

~~In witness whereof~~ these presents have been executed this

of

19

day

LANDCORP FARMING

Signed by the above named
LIMITED by its Attorney
BARRY ROLAND DAWSON
in the presence of:

LANDCORP FARMING LIMITED
by its attorney

Witness:

Occupation:

Address:

Consultant

*Land Corporation Ltd,
Wanganui.*

30 Dawson

TRANSFER ~~OF~~ CREATING
RIGHTS OF WAY AND
WATER PIPELINE EASEMENTS

Correct for the purposes of the Land Transfer Act

D.M. Roughan

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952.

D.M. Roughan

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

..... LANDCORP FARMING LIMITED Transferor

..... A.J. & J.H. POOLE Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

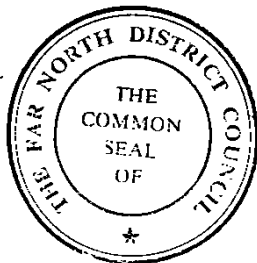
SOLICITOR FOR THE TRANSFEREE

.....
Assistant / District Land Registrar

of the District of

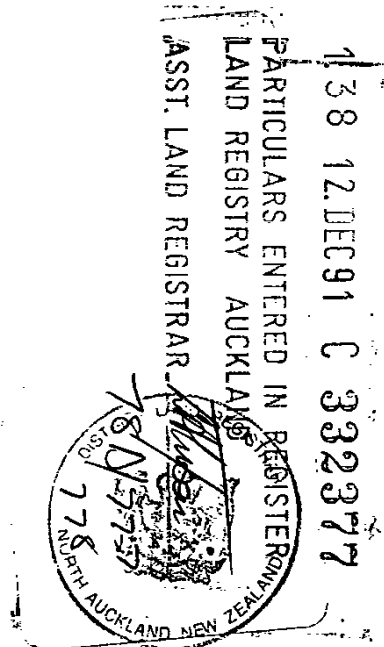
The rights of way granted and reserved by the within written transfer are permitted pursuant to Section 348 Local Government Act 1974

[Signature]
[Signature]
[Signature]



D.M. ROUGHAN
SOLICITOR
KAMO

Solicitors for the Transferee



Resource Consent Application for Sub Division of 71D Keridowns Road Kerikeri



RESOURCE CONSENT APPLICATION FOR SUBDIVISION

Judith Poole
71D Keridowns Road
Kerikeri

PLANNING REPORT

INTRODUCTION

The applicant owns 6.95ha along Keri Downs Road and seeks resource Consent to subdivide the property into two lots.

Lot 1 = 1.28 ha
Lot 2 = 5.67 ha

In 2008 the property was granted Resource Consent to subdivide in conjunction with Lot 3 DP-354902, and Sec 34 Blk VII Kerikeri Survey District to create 5 lots and a commonly owned access lot as described under RC-2070367. The Survey plan for this approval was never deposited and the Resource Consent is no longer being advanced.

The applicant instead seeks to undertake their own subdivision to create one additional lot in accordance with the Rural Production provision that supports 2 smaller lots provided there is a balance area over 4.0ha.

The property last underwent subdivision in November 2001 in accordance with RC-2010222, being an activity influenced by both the Transitional District Plan and the Proposed District Plan, meaning the current development entitlement is uncertain due to the certificate of title date not being prior to 28 April 2000.

The Resource Consent created 3 lots on DP-210939, 2 exceeded 4.0ha and one close to the 4000m² minimum area, meaning the activity would have today represented a Discretionary Activity, although it would be fair to assume the property has remaining a second smaller allotment entitlement.

With the processing of the former subdivision falling outside the period of the Operative District Plan and the title date now compromised, it becomes necessary to apply for resource consent as a Non – Complying Activity that through demonstration of effects will illustrate support with effects less than minor.

SITE DESCRIPTION

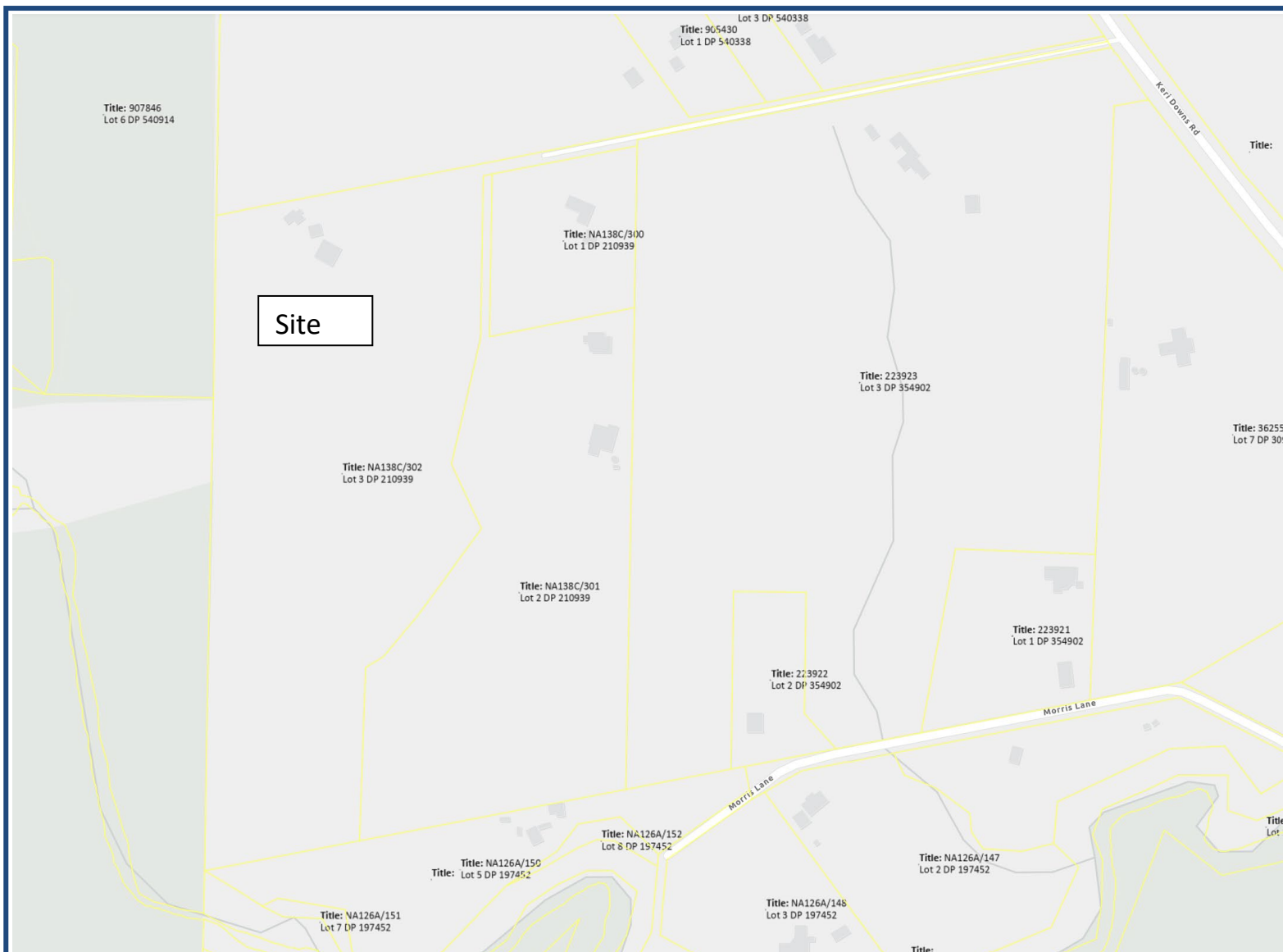
The properties legal reference:

Appellation:	Lot 3 DP-210939
Registered Owner:	Judith Poole
Computer Freehold Register:	NA138C/302
Total Area:	6.9520ha

The property defines a rural setting located along a shared Right of Way off Keri Downs Road.

The site is predominantly in scrub and grass except surrounding the existing residence defined by proposed Lot 1, which is made up of a formed metalled driveway, house, shed, feature pond. The property is best described for lifestyle living and suitable for rural residential use in keeping with the immediate surroundings

As shown in the Quick map image below, the surrounding properties include various rural residential and small lifestyle allotments that are broadly spread throughout the rural production landscape. With large areas of land in proximity being held in ownership of the Crown (Landcorp Farming Ltd – area to the northeast) it is fair to surmise that there will remain significant areas of land solely for production purposes not to concern effects of fragmentation.



RESOURCE MANAGEMENT ACT 1991

SCHEDULE 4

An application for Resource Consent for an activity must include the following:

ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS UNDER PART 2 RMA

Part 2 Purpose and Principles

5 Purpose

(1)
The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2)
*In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural 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.*

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:

**The property has one area dammed as a feature pond and this connects to a lower stormwater outflow. The nature of the wet area is not certain.
No further assessments have been carried out.**

The southernmost boundary is located near Kapiro Stream. There is no coastal influence.

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

The property is not known to have any outstanding landscape feature. There are no listed PNA areas on the property.

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

No protection proposed.

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

There are no significant waterways to consider providing public access too.

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

There are no known cultural or ancestral lands within the application site. The site is highly modified

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

There are no known historic heritage site to require assessment.

(g) the protection of protected customary rights.

There are no known customary rights to consider.

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.

The proposal is considered to adequately uphold all aspects without cause to any adverse effects.

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

The proposal does not contradict the Treaty of Waitangi's intentions.

ASSESSMENT OF THE ACTIVITY AGAINST ANY RELEVANT PROVISIONS OF A DOCUMENT REFERRED TO IN SECTION 104(1)(8)

Section 104(1)(b)

any relevant provisions of-

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan.

Under various headings the application covers all relevant provisions including, The Far North District Plan, National Environmental Standards and Proposed Regional Policy Statement. There are no other relevant provisions.

An application must also include an assessment of the activity's effects on the environment that –

- (a) *includes the information required by clause 6*
- (b) *address the matters specified in clause 7: and*
- (c) *includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

CLAUSE 6

(1) An assessment of the activity's effects on the environmental must include the following information:

- (a) *if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

The subdivision defines a reasonably low impact activity, with Lot 1 already occupying an existing residence and all necessary infrastructure accessible to Lot 2.

There is no vegetation clearance required and future earthworks involved with forming a building platform would not result in extensive soil disturbance.

The impact of subdividing the property presents no significant adverse effects in that regard.

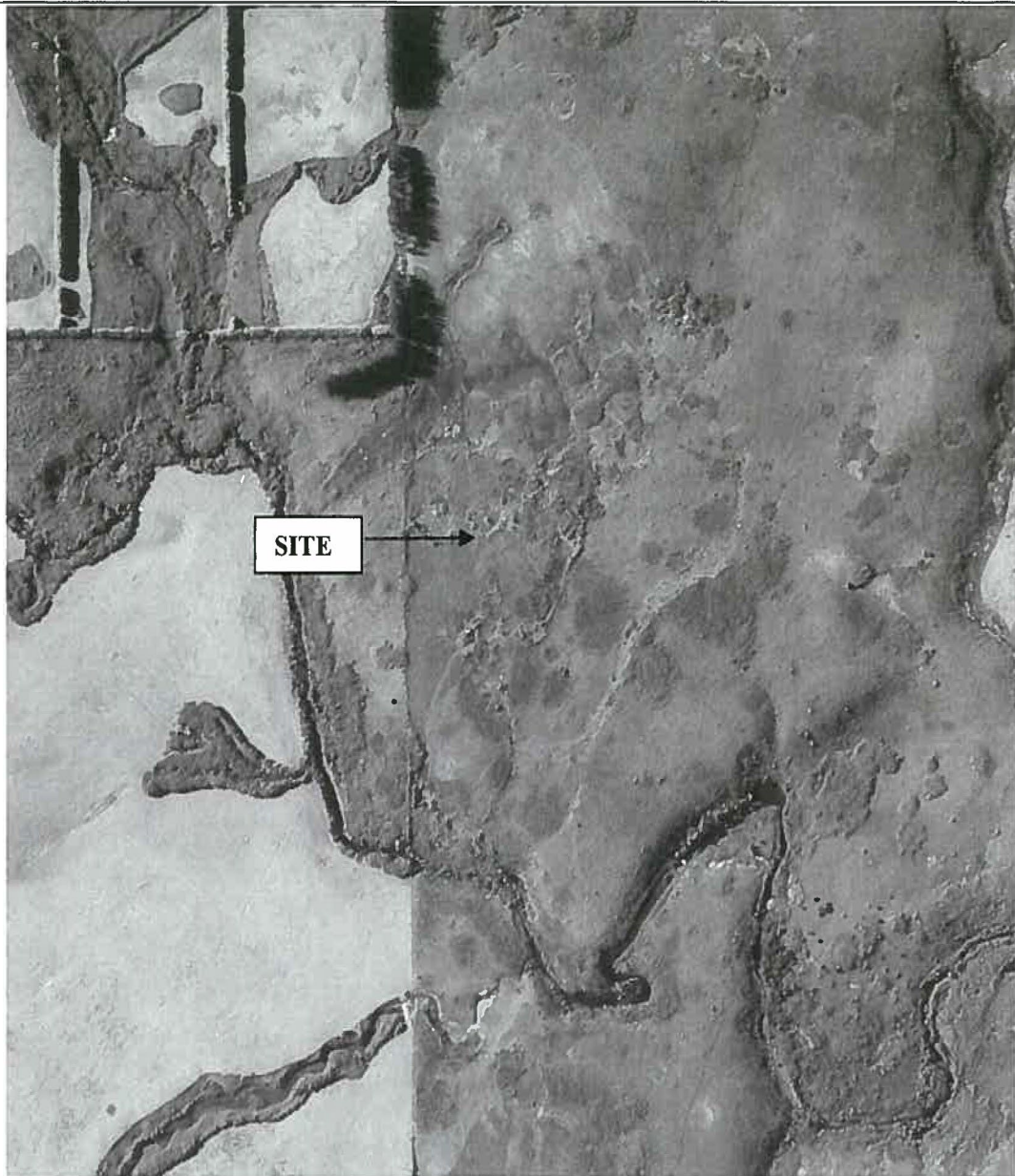
- (b) *an assessment of the actual or potential effects on the environment of the activity.*

The actual change in effects occur from increase in residential living, namely impacts such as effluent discharge, stormwater increases, traffic movements, noise, and visual effect from structures.

This does not necessarily constitute an array of adverse effects that are any worse than the effects already occurring from the use of the land associated with hobby farming, in particular, the use of fertiliser, treated timber fences and crop structures, pasture maintenance, spraying, and stock effluent entering waterways.

The property does not present an undisturbed natural environment; it is well and truly alienated leaving the proposed subdivision a reasonably low impact activity insofar as actual and potential change to the landscape is concerned.

The 1950's aerial photograph below presents a clear picture of the property, which is located in the centre of the frame, with a definite open landscape vastly removed of any mature vegetation. The height of the vegetation can be seen by the shadow cast from the hedgerow located to the north. The photograph also provides insight to the properties history with respect to NES 2011.



There is no need for vegetation clearance or disturbance of more vulnerable ecology, such as wetlands all of which are listed as nationally significant.

The effects on this basis are considered less than minor.

The effects from sewage discharge are mitigated through the requirement to meeting TP-58 standards. Discharge of treated effluent would uphold the Northland Regional Plan permitted guidelines without need for discharge consent, and readily attain to setbacks from boundary, buildings and waterways as required.

Stormwater from Lot 1 is contained onsite within the existing manmade pond, and this is of sufficient size to act as attenuation.

Lot 2 is of sufficient size and has onsite water course to discharge stormwater without concern.

The shared use of the existing access formation reduces the amount of impermeable surface compared to a series of independent access formations, therefore reducing the effects of stormwater runoff.

Any potential effects are limited to future land use activities, which provided they uphold permitted activity guidelines, constitute less than minor effects. The scale of activities rule allows 1 person per hectare, a total of 6 persons. The subdivision would effectively reduce the business opportunities down to 5 persons on Lot 2, and Lot 1 is technically too small for most activities, permitting only 1 person.

Although the subdivision is presented as a Non-Complying Activity, this may not have been the case if the initial subdivision of Sec 35 Block VII had instead occurred in a more uniform manner consistent with the Restricted Discretionary rule allowing two lots at 4000m².

For instance, the subdivision creating Lot 2 DP-210939 could have been an independent Discretionary Activity, being of area greater than 4.0-ha. This in turn, leaves our proposed Lot 1 as the second rural residential allotment, being over 4000m², with a balance area (proposed Lot 2) over 4.0-ha.

Overall, the level of effects are considered adequately understood without any unreasonable impact.

- (c) *if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

- (d) *if the activity includes the discharge of any contaminants, a description of –*
 (i) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*
 (ii) *any possible alternative methods of discharge, including discharge into any other receiving environment:*

Effluent disposal would uphold high standards in accordance with TP-58.

Stormwater would be predominantly clean from roof surfaces, and driveway surface water mainly discharges silt, which is directed into the manmade pond.

- (e) *a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects:*

There are no issue to address.

- (f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

Being an activity that could have readily occurred under Restricted status, and furthermore that there was recently an approval to subdivide under RC-2070367. Permitted Baseline considerations are to include effects from approved Resource Consents.

Regardless of whether a consent has lapsed, the associated effects from that approval have been through the Resource Consent assessments and concluded acceptable to the environment, therefore if an activity is proposed that is similar by nature then it must hold a degree of importance to compare those effects.

In consideration of Section 95 RMA, with all aspects taken into account, in particular the fact the subdivision could have occurred under Restricted Discretionary status if the former subdivision was not caught up in the District Plan change, it is fair to surmise that there are no affected persons.

On this basis the property is considered suitably unique and supports this scale of activity without need for consultation.

- (g) *if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

No monitoring appears necessary.

(h) *if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

No concern.

(2)

A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

The Far North District Plan Subdivision standards include:

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

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

- (a) a Notable Tree as listed in **Appendix 1D**.
- (b) an Historic Site, Building or Object as listed in **Appendix 1E**.
- (c) a Site of Cultural Significance to Maori as listed in **Appendix 1F**.
- (d) an Outstanding Natural Feature as listed in **Appendix 1A**.
- (e) an Outstanding Landscape Feature as listed in **Appendix 18**.
- (f) an archaeological site as listed in **Appendix 1G**.
- (g) an area of significant indigenous vegetation or significant habitats of indigenous fauna. as defined in

Method 12.2.5.6.

The property is not influenced by (a) – (f), and insofar as (g) is administered, an assessment pursuant to method 12.2.5.6 has not been carried out.

Method 12.2.5.6

The significance of indigenous vegetation and habitats will be assessed by reference to the criteria in Appendix III of the Northland Regional Policy Statement when processing applications for resource consent for land use or subdivision.

The property has a small area of vegetation located on Lot 2.

Although an assessment pursuant to method 12.2.5.6 has not been carried out, all the vegetation does not appear to constitute the need for validation.

CLAUSE 7

7 Matters that must be addressed by assessment of environmental effects

(1) An assessment of an activity's effects on the environment must address the following matters:

- (a) any effect on those in the neighborhood and, where relevant, the wider community, including any social, economic, or cultural effects

The proposal is considered to promote the Rural Production zone guidelines and surrounding land use, without any unreasonable effects to concern the wider community including social and economic or cultural aspects.

Existing Consent Notice (CONO 5237554.2) would carry over to Lots 1 & 2. This outlines that agricultural and horticultural operations occur in the vicinity and that where rainwater is collected off roof surfaces filters be installed.

- (b) *any physical effects on the locality, including any landscape, and visual effects.*

The nature of the immediate vicinity is undoubtedly a mix of rural living, rural residential and rural production, and the proposal does not detract from that theme.

The physical effects from any number of land uses occurring in this mixed environment does not indicate that the residential subdivision of a site as proposed, presents any unreasonable effects detrimental to the overall environment.

- (c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The subdivision does not result in any habitat disturbance. The anticipated future buildings site is within an area of open pastureland and on an easy contour.

- (d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:*

There is no physical change to the environment, and any future building construction is considered adequately low impact due to the absence of any vegetation clearance or need for any excessive earthworks cut or fill.

- (e) *any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:*

Stormwater and sewage appear to be the main discharges, and these both present a standard level of effects through use of best practices. Undoubtedly less of an impact than that of horticulture.

- (f) *any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

No concern.

An assessment to determine whether an activity will have or likely to have adverse effects that are more than minor include considering existing use rights, cumulative nature of effects, the scale and consequences of the effects, the effect on neighbours or the wider environment, and the sensitivity of surrounding uses.

It is considered that there are no affected persons due to the level of effects being less than minor and predominantly consistent with what is already lawfully allowed under the current planning model, assuming Lot 1 DP-210939 were the first subdivision of a rural residential allotment.

The effects from surrounding horticulture activity are seen to be adequately mitigated through water filtration.

Cumulative Effects

The site has a certain level of permitted use rights, namely construction and use of buildings for business activity. Although those activities do not include subdivision, they do include land use activities with a proportional level of effect. On this basis the proposal is not seen to cause any unreasonable cumulative effects contrary to the zone intent.

Reverse sensitivity effects

The proposed lots are of sufficient size and their use is considered to be in keeping with the surrounding activities not to cause an out of character sensitivity issue. The existing trend is a merged environment between smaller and larger allotments.

Overall, there are no specific concerns over and above those already understood particularly surrounding horticultural activities reverse sensitivity, to require additional mitigation measures.

Amenity Values

The proposal is not considered to change the existing character of the environment, instead representing a subtle diversification of the existing lifestyle living without depletion of the existing amenity values.

Overall, the application demonstrates with sufficient detail relative to the scale of the activity, the significance of the effects in relationship to the subject environment, without any obvious concerns to require avoidance, remediation or mitigation.

Permitted Baseline

When assessing the environmental impact, it is permissible and often desirable or necessary to consider the future state of the environment upon which effects will occur, including:

- *The future state of the environment as it might be modified by permitted activities.*
- *The environment as it might be modified by implementing resource consents that have already been granted at the time a particular application is being considered.*

The provisions of the Rural Production zone do not directly support more than 1 residential unit per 12ha; however, it does provide flexibility for up to 1 residential unit per 2ha (discretionary assessment), and allowance for a Minor Residential Unit under Controlled assessment.

The land use activity rules provide for a wide variety of activities, particularly if they are ancillary to farming, and allows for a site cover of up to 12.5%.

Although not specifically stated as a permitted baseline assessment, it does seem reasonable to also consider lapsed Resource Consents, particularly where the planning rules remain predominantly unchanged. This describes clearly what environmental impact could have occurred and similarly that that level of effects had been through the Resource Consent assessment and approved.

The potential level of effects associated with RC-2070367 on this basis warrants consideration.

Section 95E states a *consent authority must decide that a person is an affected person, in relation to an activity, if the activity's adverse effects on the person are minor or more than minor (but not less than minor);*

The effects associated with permitted baseline define effects essentially less than minor and thus forms the permitted baseline.

Proposed Northland Regional Policy Statement

The Proposed Northland Regional Policy Statement presents the latest initiatives and guidelines for the northland region, and because of its fresh direction holds particular relevance.

PART 3: OBJECTIVES

3.4 Indigenous ecosystems and biodiversity

Safeguard Northland's ecological integrity by:

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.*

3.5 Enabling economic wellbeing

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

We need people and businesses to choose Northland as a place to invest, and our economic development needs to be aligned with environmental outcomes.

3.15 Active management

Maintain and/or improve.

- (a) The natural character of the coastal environment and freshwater bodies and their margins;*
- (b) Outstanding natural features and outstanding natural landscapes.*
- (c) Historic heritage.*
- (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours);*
- (e) Public access to the coast; and*
- (f) Fresh and coastal water quality by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapu and community groups.*

Appropriate subdivision, use and development can be the most effective means to achieve on-going management and improvement of these resources and can provide opportunities to address on-going impacts / risks and result in net positive effects that may not otherwise occur.

4.2.1 Policy - Improving overall water quality

Improve the overall quality of Northland's water resources by:

- (a) Reducing loads of sediment, nutrients, and faecal matter to water from the use and development of land and from poorly treated and untreated discharges of wastewater; and*
- (b) Promoting and supporting the active management, enhancement and creation of vegetated riparian margins and wetlands*

5.1.3 Policy – Avoiding the adverse effects of new use(s) and development

Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following :

- (a) Primary production activities in primary production zones (including within the coastal marine area);*

The subject site defines a hobby farm environment and cannot be tagged 'primary production' land because the parcel area is not substantial to form a significant production based entity, and does not constitute horticultural land as this is something that has never been carried out on the site. The site better represent a lifestyle living parcel.

6.1.1 Policy - Regional and district plans

Regional and district plans shall:

- (a) Only contain regulation if it is the most effective and efficient way of achieving resource management objective(s), taking into account the costs, benefits and risks;*
- (b) Be as consistent as possible.***
- (c) Be as simple as possible.***
- (d) Use or support good management practices.*
- (e) Minimise compliance costs and enable audited self-management where it is efficient and effective.*
- (f) Enable subdivision, use and development that accords with the Regional Policy Statement; and***
- (g) Focus on effects and where suitable use performance standards.*

Policy Explanation:

We want Northland to be attractive for business and investment. One way we can help is by making our regional and district plans as '***business friendly***' as possible (while still maintaining environmental standards). Therefore, while this policy largely reflects requirements of the Resource Management Act 1991 (RMA) (for example, section 32) and good planning practice, it is appropriate that we reinforce these 'principles' of plan development in the Regional Policy Statement (RPS).

Regional Policy Statement

The application sites and proposed activities are not particularly influenced by the Regional Policy Statement due to the new lots basically overlaying areas that already exist for lifestyle living purposes, more so than a production base.

9.2

Enabling Development While Avoiding, Remediating and Mitigating Adverse Effects.

The approach is to concentrate on managing adverse effects while, in general, avoiding being prescriptive in terms of activities. This management regime enables people to undertake as wide a range of activities as possible, provided that certain environmental standards are met and significant adverse effects avoided.

The Regional Policy Statement encourages sustainable use of land in a manner that protects the productive base of farmland and quality soils while ensuring waterways and ecosystems are not adversely affected.

The Regional Policy Statement works on the basis of ensuring flexibility but equally that land use promotes the existing characteristics of the immediate environment with sustainability in mind.

DISTRICT PLAN

The property is located in the Rural Production zone and is not subject to any outstanding landscape.

OBJECTIVES AND POLICIES (*Subdivision*)

13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural wellbeing of people and communities.

13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly or indirectly from subdivision, including reverse sensitivity effects, are avoided, remedied or mitigated.

13.3.3 To ensure that the subdivision of land does not jeopardize the protection of outstanding landscapes or natural features in the coastal environment.

13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.

13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

(a) natural character, particularly of the coastal environment.

The property is not located near the coastal environment, and the natural character value of the obvious building sites is not considered high. There is no intention to develop within the bush area, which constitutes greater natural character and vulnerability to the effects of development.

(b) ecological values.

This is similar to natural character; the ecological values are not seen to be depleted and therefore effects are less than minor.

(c) landscape values.

The landscape values are not considered high value being a vastly modified environment with rural production activities.

Potential effects overall are considered less than minor.

(d) amenity values.

The site is already set up for lifestyle living, and the proposed subdivision does not detract from that theme or the nature of effects associated with lifestyle living.

(e) cultural values.

There are no known cultural values within this vicinity to of concern.

(f) heritage values; and

The subdivision is not considered to introduce adverse effect on more recent heritage values. Potential effects overall are considered less than minor.

(g) existing land uses.

The site is already lifestyle based, and the inclusion of one additional lot does not present new change to the environment contrary to that already occurring.

Potential effects overall are unchanged and mitigation measures exist on the titles consent notice, therefore the effects in this regard are deemed less than minor.

ALLOTMENT SIZES 13.7.2

(Table 7)

Status	Rural Production (Far North District Plan)
Discretionary Activity	<i>The minimum lot size is 4.0ha.</i>
Restricted Discretionary Activity	<i>The minimum lot size is 12ha-or 2 lots at 4000m²</i>
Controlled Activity	<i>The minimum lot size is 20ha</i>

Lot 1 = 1.28ha**Lot 2 = 5.67 ha**

Lots 1 and 2 are presented on a Non Complying basis; however, the level of effects assessment is equivalent to the Restricted Discretionary standards.

ALLOTMENT DIMENSIONS 13.7.2.2

(Buildable Area)

Zone	Minimum Dimension
Rural Production	30m x 30m

All lots comply with the 30m x 30m requirements.

The proposed boundaries maintain the required 10-metre setback from the existing building.

RURAL PRODUCTION ZONE**ISSUES****8.6.1.1**

People who are dependent on the use of land in the Rural Production Zone for their livelihood can be adversely affected by controls designed to ensure sustainable management of natural and physical resources.

8.6.1.2

The sustainable management of natural and physical resources in the Rural Production Zone could be under threat in the absence of controls designed to avoid, remedy or mitigate the adverse effects of activities.

ENVIRONMENTAL OUTCOMES EXPECTED**8.6.2.1**

A Rural Production Zone where a wide variety of activities take place in a manner that is consistent with the sustainable management of natural and physical resources and compatible with the productive intent of the zone.

8.6.2.2

A Rural Production Zone which enables the social, economic and cultural well-being of people and communities, and their health and safety, while safeguarding the life supporting capacity of the environment and avoiding, remedying or mitigating adverse effects on it.

OBJECTIVES AND POLICIES**8.6.3.2**

To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.

8.6.3.3

To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.3.4

To promote and enhance the protection of significant natural values of the Rural Production Zone.

8.6.4.1

That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, on the environment resulting from these activities are avoided, remedied, or mitigated and are not to the detriment of rural productivity.

8.6.4.4

That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

The objectives and policies present a wide range of goals that configure a strong notion that incompatible activities or activities adverse to the existing environment, in particular existing land use activities, are approached with caution.

The proposal is not considered to introduce any disconnect with the existing environment, and accordingly promotes the nature of the existing land use.

ASSESSMENT CRITERIA CHAPTER 13 FAR NORTH DISTRICT PLAN**ALLOTMENT SIZES AND DIMENSIONS****13.10.1**

(a) Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.

All lots are of suitable size and dimensions as required under the Rural Production zone.

(b) Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.

All operational requirements are readily satisfied.

(c) The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.

The allotments are consistent with the prevailing rural production theme.

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

The scale of the subdivision is considered sustainable without cause to long-term implication Land diversification of this scale is not deemed adverse to the environment given its already fragmented nature.

13.10.2 NATURAL AND OTHER HAZARDS

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

(a) Any information held by the Council or the Northland Regional Council regarding natural hazards, contaminated sites or other hazards.

The application site is not known to be subject to any natural hazards.

From the historic photo (1950's) the application site does not form part of any farm implement area or show evidence of any horticultural use. Lot 1 does have more recent shed structures used for farm machinery and general storage

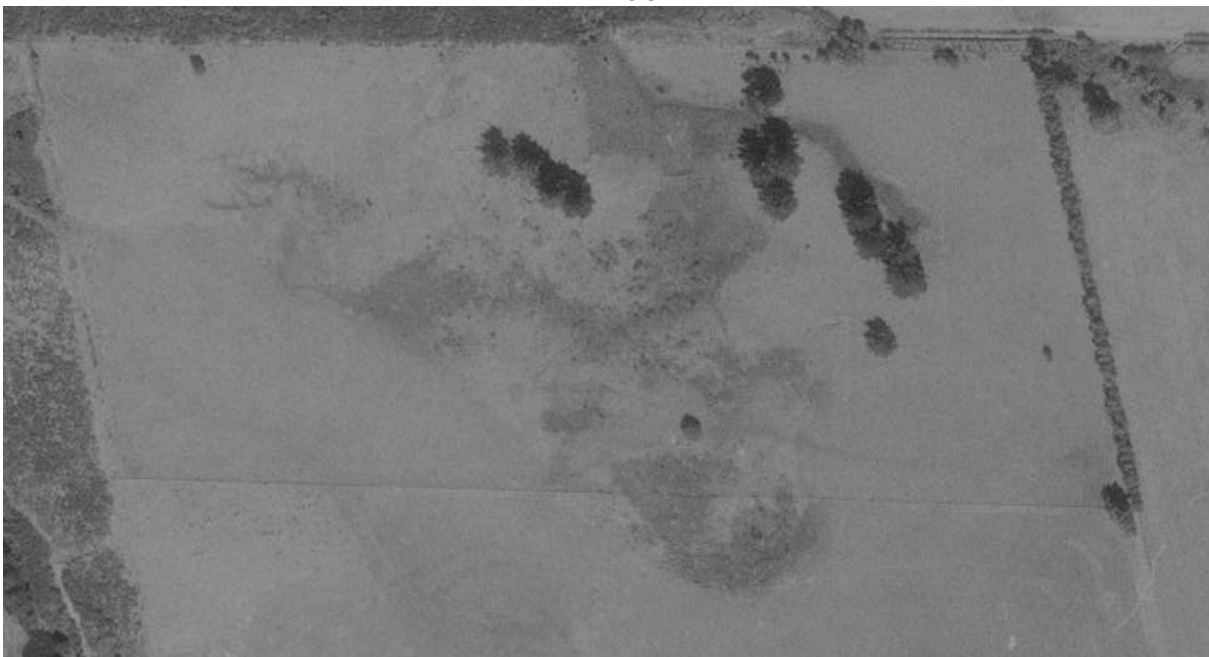
The property has been owner by the current owner since the original subdivision in 1990. The land has never been used or cultivated for horticulture use. The land has only been used predominantly as a hobby farm for grazing animals The owners have only used basic weed control chemicals for weed control. The property overall does not constitute a HAIL site from historic land use activity.

Below are aerials photos taken from Historic maps showing the property use over its historic ownership showing no horticultural use

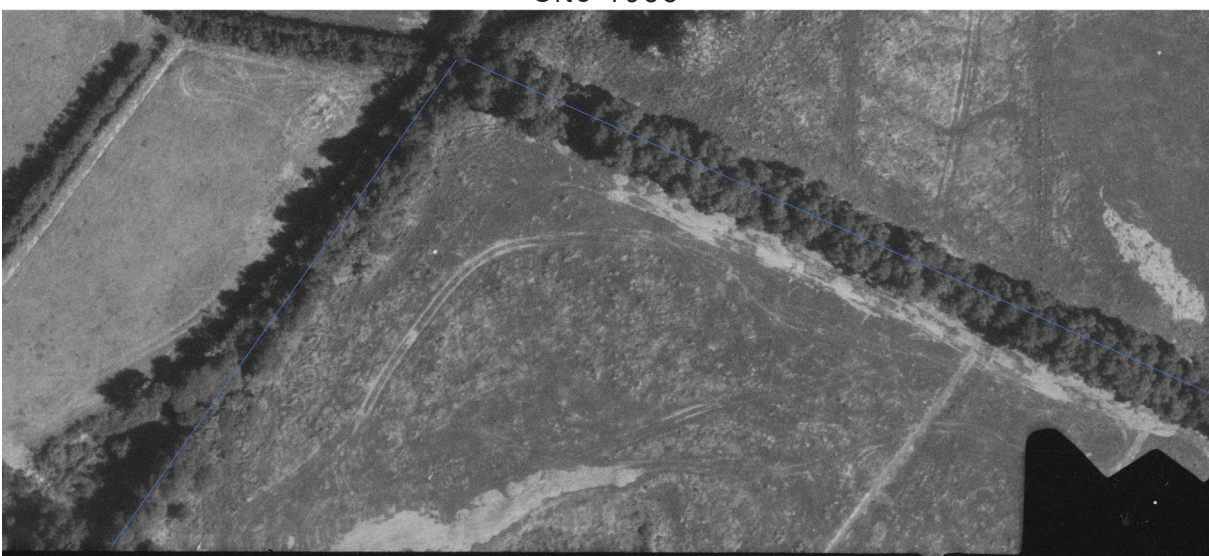
Site in 1980



Site 1982



Site 1988



2021



(b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.

No NES report was considered necessary.

(c) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.

There are no known adverse effects to result from the subdivision.

(d) In relation to inundation from any source, the Council shall have regard to the following factors:

The application site is not known to be influenced by potential inundation.

*(e) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title, pursuant to **Rule 13.6.7**.*

The application site is not known to be influenced by potential erosion, falling debris or slippage.

*(f) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title, pursuant to **Rule 13.6.7**.*

The application site is not known to be influenced by potential subsidence.

(g) In relation to contaminated sites, any soil tests establishing suitability, and methods to avoid, mitigate or remedy the effects, including removal to approved disposal points.

Based on the historic use of the land, the site does not appear to require an investigation under the NES 2011.

(h) In relation to land filling and excavation operations, the following factors:

Not applicable.

13.10.3 WATER SUPPLY

Water supply is to be through use of roof surface catchment and storage in water tanks.

With the horticultural activity nearby, it is necessary to include water filtration on potable supplies obtained from roof surfaces.

Fire fighting supplies would need to register on the consent notice.

13.10.4 STORMWATER DISPOSAL

Lots 1 and 2 have ample area and onsite water courses for stormwater disposal without concern, including the feature pond on Lot 1 that doubles as an attenuation area.

With Lot 1 being less than 2.0ha a stormwater assessment has been prepared with reference to the attenuation area. The assessment does not require additional attenuation or controls through Resource Consent Conditions.

All lots comply with permitted impermeable surface cover.

13.10.5 SANITARY SEWAGE DISPOSAL

Effluent disposal is to be onsite in accordance with TP-58. Where required, an effluent Producer Statement may be requested to accompany the application under Section 223 RMA.

All proposed allotments have suitable area to allow for 100% reserve backup area without impeding on waterways .

The existing system on Lot 1 is in the centre of the allotment not to concern the boundary location.



13.10.6 ENERGY SUPPLY

Lots 1 and 2 will not be provided with any additional connections, and further services can be provided if and when required as outlined in the comments attached from Top Energy Ltd.

13.10.7 TRANSMISSION LINES

There are no transmission lines on the property.

13.10.8 TELECOMMUNICATIONS

Telecommunication connections are not proposed, and there is adequate service through use of existing connections and wireless options, not to be a concern. The assessment criterion is:

(i) the adequacy and standard of telecommunication installations.

The high standard and reliability of cell phone services are now adequate not to require ground installation to meet this standard.

Telephone discussions with Chorus Ltd noted that they do not require easements in Gross unless there are new allotments and new connections proposed. Where there are existing cables, legal rights already exist to those lines under provisions of older regulations.

Lines were layed to the proposed new boundary during the process of the previous subdivision

13.10.9 EASEMENTS FOR ANY PURPOSE

The existing easements outline on the scheme plan with their purpose and creating document number.

There are 3 proposed easement areas labelled 'c D & E' for purpose of Rights of Way, Rights to convey water, electricity, telecommunications and computer media over Lot 2 in favour of Lot 1.

There are appurtenant water supply easements as labelled A, B, & J.

COVENANTS

A consent notice pursuant to Section 221 would need to cover the following aspects:

- Firefighting water supply

Existing Consent Notice 5237554.2 would carry forward to Lots 1 and 2, and outlines water filtration requirements.

13.10.11 PROVISION OF ACCESS

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

Lots 1 and 2 use the same ingress with a 5.0-metre-wide sealed formation extending from Keri Downs Road up to easement 'D' where it then continues as a 5.0-metre-wide metalled formation up to easement 'E', reducing to 3.0-metres wide.

All access formation widths and finished surfaces are suitable for the number of users without need for upgrading.

13.10.12 EFFECT OF EARTHWORKS AND UTILITIES

The subdivision activity has no earthworks.

13.10.13 BUILDING LOCATIONS

(a) Whether the subdivision provides physically suitable building sites.

Lot 1 has the existing residence.

Lot 2 has various building options all physically suitable.

(b) Whether or not development on an allotment should be restricted to parts of the site.

There are no physical constraints to require building restrictions.

(c) Where a proposed subdivision may be subject to inundation, whether the establishment of minimum floor heights for buildings is necessary in order to avoid or mitigate damage.

No concern.

(d) Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g., through a northerly aspect on an east/west axis).

Both lots are open to the sun and orientated sufficiently to benefit from solar gain.

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

There are no areas proposed for protection.

13.10.15 SOIL

The proposal does not result in any unreasonable impact on soils, the life supporting capacity of the soil is not considered to be compromised.

13.10.16 ACCESS TO WATERBODIES

There are no waterbodies to provide access too.

13.10.17 LAND USE INCOMPATIBILITY

No concerns.

13.10.18 PROXIMITY TO AIRPORTS

Not applicable.

13.10.19 NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

Not applicable.

13.10.20 ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE

The subdivision does not initiate renewable energy; however, the layout of the lots and immediate landscape provides good solar gain to allow for each building to incorporate solar energy efficient designs, if and when required.

NATURAL AND PHYSICAL RESOURCES

There is no vegetation clearance or earthworks.

The property is not within known high density Kiwi zone.

Resource Management (National Environmental Standard for Freshwater) Regulations 2020

Part 3, Clause 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 lists vegetation clearance or earthworks within, or within a 10m setback from, a natural wetland as being a non-complying activity; and taking, use, damming, diversion, or discharge of water within, or within a 100m setback from, a natural wetland, as being a non-complying activity.

Clause 55 lists general conditions on natural wetland activities and includes conditions for water quality and movement, earthworks, land disturbance and vegetation clearance.

Subdivision works that are required will relate to the upgrading of the existing driveway which is not considered to have any implications in terms of these regulations. Multiple house sites are available on Lot 2 for the future development of a residential dwelling, with suitable setbacks from natural freshwater features on the property. The proposed activity has no apparent implications in terms of the above regulations.

SUMMARY

In summary, the subdivision assessment criteria proves to be adequately in line with the principles and purpose of the Resource Management Act without cause to any unreasonable environmental effects either at the subdivision stage or proceeding development of each lot.

The status of the subdivision maintains a less than minor effect, being in accordance with the intentions of the Rural Production zone and overall Rural Environment. The description of objectives and policies finds no irregularities with the application and therefore supports the Non-Complying status.

EXISTING ACTIVITIES OVERVIEW

The existing buildings on proposed Lot 1 uphold the permitted activity standards.

8.6.5.1.1 RESIDENTIAL INTENSITY

On subdivision of Lot 1 this becomes not applicable.

8.6.5.1.2 SUNLIGHT

All buildings are located a suitable distance from boundaries.

8.6.5.1.3 STORMWATER MANAGEMENT

Both proposed lots comply, having less than 15% impermeable surface site cover. Lot 1 has the smallest area and has only 6.5% cover.

8.6.5.1.4 SETBACK FROM BOUNDARIES

Complies.

8.6.5.1.5 TRAFFIC INTENSITY

Both lots uphold Appendix 3A FNDP and provisions under Transportation.

The permitted traffic movements of 60-one way is satisfactory for the new lots.

8.6.5.1.6 KEEPING OF ANIMALS

Not applicable.

8.6.5.1.7 NOISE

Standard lifestyle use is not a concern.

8.6.5.1.8 BUILDING HEIGHT

There are no buildings over 12m.

8.6.5.1.9 HELICOPTER LANDING AREA

There is no helicopter landing area onsite.

8.6.5.1.10 BUILDING COVERAGE

The building coverage on Lot 1 is less than 10% of the site area. Lot 2 has no buildings.

8.6.5.1.11 SCALE OF ACTIVITIES

All existing land use activities are exempt.

8.6.5.1.12 TEMPORARY EVENTS

Not applicable.

CONCLUSION

The subdivision is consistent with the Rural Production zone objectives and policies without being repugnant to their intent, whilst demonstrating that the level of effects are less than minor to comfortably uphold the planning Gateway test.

The proposal is not deemed contrary to the higher planning documents, the Northland Regional Policy Statement and Proposed Northland Regional Policy Statement, having demonstrated consistencies with the policy framework.

As encouraged under 6.1.1 of the Proposed Northland Regional Policy Statement; *district plans shall:*

'Be as simple as possible' - 'Minimise compliance costs' – 'Enable subdivision, use and development that accords with the Regional Policy Statement'.

The subdivision is considered to uphold Part 2, Purpose and Principles under the Resource Management Act 1991, and outlines sufficient information to meet the requirements of Clause 6 and 7 of the assessment of environmental effects, to conclude a less than minor effect.

In consideration of the overall planning framework, the application is recommended to local authority for approval.

Appendices

Appendix 1	Top Energy Correspondence
Appendix 2	Stormwater Attenuation Calculations
Appendix 3	Record of Title
Appendix 4	C264408_1
Appendix 5	C270216_1
Appendix 6	C332377_1



28 April 2015

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Kerikeri

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FAX +64 (0)9 407 0611

Dear Sir

RE: PROPOSED SUBDIVISION - POOLE - KERI DOWNS ROAD KERIKERI

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

Top Energy's requirement for this subdivision is nil, power is already available at the boundary.

Costs for any new connections will be provided to a prospective electricity consumer after application and on site survey have been completed.

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

If you have any further queries, please do not hesitate to contact the writer.

Yours sincerely

Marcia Wendelborn
Network Project Administrator

T: 09 401 5623

E: marcia.wendelborn@topenergy.co.nz

The stormwater attenuation is calculated based on retention. Calculations determine the required stormwater hold volume for a 1:10 and 1:100 year storm ARI. Calculations compare the hold volume of the existing pond for retention (Imp = Impermeable Surface). The calculations separately reference zone permitted site coverage as per the District Plan and assesses the overall stormwater impact.

PROPOSED LOT1

Pre development

Catchment Area A:

Imp access :

Imp building :

Grass surface :

Bush / Scrub :

12800	mi
0	m ²
0	m ²
12800	mi
0	m ²

Postdevelopment

Catchment Area A:

Imp access :

Imp building :

Grass surface :

Bush / Scrub :

12800	m ²
575	mi
0	m ²
255	m ²
11970	mi
0	m ²

1 in 10 year Storm ARI scenarios (normal site conditions)

Rational Formula

 $Q = (C i A / 360) \times 1000$

Pre Development

Grass Surface

$$Q = \frac{C}{10.2s} \frac{i}{1120} \frac{A \text{ in ha}}{1.2s1}$$

$$Q = 106.7 \text{ It/second}$$

Rational Formula

 $Q = (C i A / 360) \times 1000$

Post Development

Grass Surface

$$Q = \frac{C}{10.2s} \frac{i}{1120} \frac{A \text{ in ha}}{1.1911}$$

$$Q = 99.8 \text{ It/second}$$

Rational Formula

 $Q = (C i A / 360) \times 1000$

Pre Development

Imp Surface

$$Q = \frac{C}{10.9} \frac{i}{1120} \frac{A \text{ in ha}}{0.1}$$

$$Q = 0.00 \text{ It/second}$$

Rational Formula

 $Q = (C i A / 360) \times 1000$

Post Development

Imp Surface

$$Q = \frac{C}{10.9} \frac{i}{1120} \frac{A \text{ in ha}}{0.0534}$$

$$Q = 24.9 \text{ It/second}$$

Predevelopment QN rate: 106.7 It/sec


Post-development QP rate: 124.7 It/sec -]

The difference between Pre and Post Development = 18.0 It/sec

Assuming attenuation with no release outlet, the Post Development hold volume required for 20-minute equals:

Ground Surface V = 150 m

Attenuation Basin design options for normal site conditions (assuming use of the existing pond):

EXISTING Circular Basin (APPROXIMATE):			
radius r =	13.0	Depth h =	1.8 m
$(1/3) \pi r^2 \times h$			
V =	318.6	m ³	

Assuming the existing pond was half empty, it provides sufficient volume to store the full post development stormwater for 20min.

1 in 100 year storm ARI scenarios for assertive onsite mitigation (5.4.1TP-10)

Rational Formula	Pre Development
$Q = (CiA / 360) \times 1000$	Grass Surface
Slope adjustment -0.05	
$Q =$	$\frac{C}{i} \quad A \text{ in ha}$
$Q =$	$\frac{0.2}{200} \quad 1.28$
$Q =$	142.22 lt/second

Rational Formula	Pre Development
$Q = (CiA / 360) \times 1000$	Imp Surface
$Q =$	$\frac{C}{i} \quad A \text{ in ha}$
$Q =$	$\frac{0.9}{200} \quad 0$
$Q =$	0.00 lt/second
Pre-development rate:	142.2 lt/sec

Rational Formula	Post Development
$Q = (CiA / 360) \times 1000$	Grass Surface
Slope adjustment -0.05	
$Q =$	$\frac{C}{i} \quad A \text{ in ha}$
$Q =$	$\frac{0.2}{200} \quad 1.1970$
$Q =$	133.00 lt/second

Rational Formula	Post Development
$Q = (CiA / 360) \times 1000$	Imp Surface
$Q =$	$\frac{C}{i} \quad A \text{ in ha}$
$Q =$	$\frac{0.9}{200} \quad 0.083$
$Q =$	41.50 lt/second
Post-development Qp rate:	174.5 lt/sec

The difference between Pre and Post Development = 12.3 lt/sec

Attenuation volume for 20-minute attenuation:

Ground Surface V -- - 209 m:s — BaSTn - — J

The existing pond volume of 318m³ continues to be sufficient, assuming the pond was 2/3rd empty.

District Plan Rural Living zone

The allotments total 'Q' rate permitted (1 in 100 Year ARI)

DISTRICT ZONE IMP= 15.0%

Rational Formula		15% IMP site cover	
$Q = (C i A / 360) \times 1000$		<u>Imp Surface</u>	
Q =	C	i	A in ha
	0.9	200	0.192
Q =	96	lt/second	
Post-development Q _p rate:		96.0 lt/sec	

With the District Plan standards permitting a post development increase of 96 lt/sec in a 1 in 100 year storm event and the actual post development increase is 41.5 lt/sec, in principle of no attenuation is required by rule.

Conclusion

Lot 1 does not have any onsite constraints or issues that require more assertive attenuation. The current Q rate is in accordance with the zone criteria, therefore although the existing pond will not at all times be half empty, it will in most instances provide a degree of attenuation that is considered beneficial to reduce discharge Q rates and at the least act as a silt catchment.

The subdivision activity is considered to present a less than minor effect on stormwater discharge not to require any controlled management through Resource Consent conditions.

Limitations:

Donaldsons Surveyors Ltd provides this information as a recommendation for the purpose of a Stormwater Management assessment under the Operative Far North District Plan. The information and opinions contained within this report shall be for the use of our Client and the Far North District Council, and shall not be used in any other context, unless agreed to by Donaldsons Surveyors Ltd.

Donaldsons Surveyors Ltd shall not be liable for any failure associated with the recommendations or failure of the physical construction and maintenance of either existing or proposed stormwater attenuation design.

