

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of [Form 9](#)). Prior to, and during, completion of this application form, please refer to [Resource Consent Guidance Notes](#) and [Schedule of Fees and Charges](#) — both available on the Council's web page.

1. Pre-Lodgement Meeting

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

Yes No

2. Type of consent being applied for

(more than one circle can be ticked):

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

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

3. Would you like to opt out of the fast track process?

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant details

Name/s:

R + L Trust c/- Ross Mutton

Email:

Phone number:

Postal address:

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

Have you been the subject of any disqualification orders, suspension orders, or convictions under the Resource Management Act 1991? Yes No

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Northland Planning & Development 2020 Ltd

Email:

Phone number:

Postal address:

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

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

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7. Details of property owner/s and occupier/s

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

Name/s:

CLM Trustees Limited, Ross Gordon Mutton and Lesley Margaret Skill

Property address/
location:

--

8. Application site details

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

Name/s:	Ross Mutton	
Site address/ location:	110D Hukatere Road	110B Hukatere Road
	Pukenui	
	0484	Postcode
Legal description:		Val Number:
Certificate of title:	NA63C/987	

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

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? Yes No

Is there a dog on the property? Yes No

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

Please contact applicant prior to site visit.

9. Description of the proposal

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

Proposal to undertake a subdivision by way of boundary adjustment. Landuse consent is also sought for an internal setback breach. The combined application has been assessed as a Restricted Discretionary Activity within the Rural Production zone under the ODP.

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

10. Would you like to request public notification?

Yes No

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

(more than one circle can be ticked):

<input type="radio"/> Building Consent	Enter BC ref # here (if known)
<input type="radio"/> Regional Council Consent (ref # if known)	Ref # here (if known)
<input type="radio"/> National Environmental Standard Consent	Consent here (if known)
<input type="radio"/> Other (please specify)	Specify 'other' here

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

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

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

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

Subdividing land

Changing the use of a piece of land

Disturbing, removing or sampling soil

Removing or replacing a fuel storage system

13. Assessment of environmental effects:

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

Your AEE is attached to this application Yes

14. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. Billing Details:

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

Name/s: (please write in full) R + L Trust

Email:

Phone number:

Postal address:

(or alternative method of service under section 35 of the act)

Fees Information

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

15. Billing details continued...

Declaration concerning Payment of Fees

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

Name: (please write in full)

ROSS MUTTON

Signature:

(signature of bill payer)

Date

MANDATORY

16. Important Information:

Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

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

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

17. Declaration

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

Name (please write in full)

ROSS MUTTON

Signature

Date

A signature made by electronic means

See overleaf for a checklist of your information...

Checklist

Please tick if information is provided

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

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

Subdivision Resource Consent Proposal

Ross Mutton

110B Hukatere Road, Pukenui

Date: 8/04/2026

Please find attached:

- an application form for a Combined Subdivision & Land Use Resource Consent in the **Rural Production Zone** under the Operative District Plan; and
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The combined subdivision and land-use application requires consent under the Operative District Plan as a **Discretionary Activity**. The subdivision is a **Permitted Activity** under the Proposed District Plan.

If you require further information, please do not hesitate to contact me.

Regards,



Alex Billot

Resource Planner

Reviewed by:

Sheryl Hansford



Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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- 1. Far North District Council Application Form**
- 2. Certificate of Title – LINZ**
- 3. Scheme Plan – Von Sturmers Surveyors**
- 4. Site Suitability Report – Wilton Joubert**



Assessment of Environment Effects Report

1.0 Description of the Proposed Activity

Subdivision

- 1.1 The proposal is to undertake a subdivision by way of boundary adjustment of Lot 7 DP113250 (“the site”). The Applicant seeks to subdivide off the existing dwelling by creating a 4071m² allotment around the dwelling, with the remaining 6.95 hectares being amalgamated with the adjoining allotment Lot 6 DP113250, to the Northeast of the site. The balance lot contains a productive orchard and will be amalgamated with an existing orchard activity on the adjoining site. The site is located within the Rural Production zone under the Operative District Plan (ODP).
- 1.2 Right of way easements will be created over the existing metal access which provides access to both Lots 1 & 2. The existing access leg has been split into ½ shares between Lots 1 & 2, with reciprocal right of way easements over each half to enable shared access.
- 1.3 The proposed lot sizes are as follows:
- Proposed Lot 1 – 4071m² – to contain the existing dwelling
 - Proposed Lot 2 – 6.9526 ha – to contain the existing orchard activity and ancillary buildings. To be amalgamated with adjoining Lot 6 DP113250.

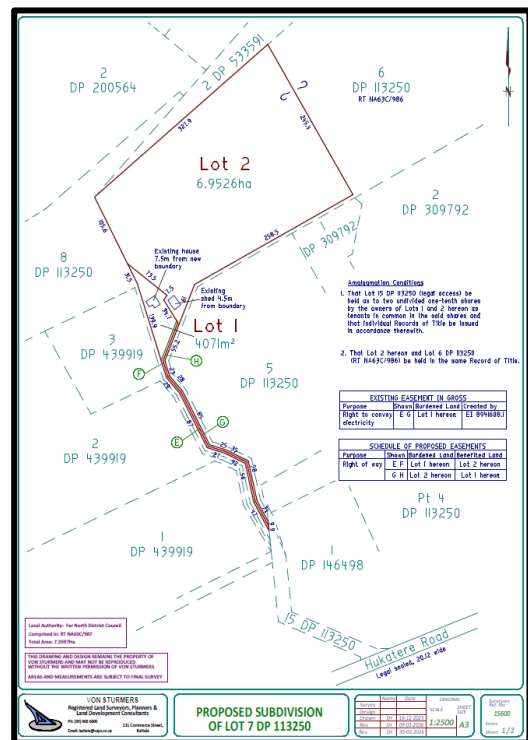
Areas and measurements are subject to final survey.

- 1.4 Given the title date for the site is 1988 and the proposed lot sizes, the subdivision component has been assessed as a **Restricted Discretionary Activity**. There will not be an increase in the number of titles as a result of the proposal.

Amalgamation Conditions

- 1.5 The proposal includes two amalgamation conditions which are as follows:

1. ***That Lot 15 DP113250 (legal access) be held as to two undivided one-tenth shares by the owners of Lots 1 and 2 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.***
2. ***That Lot 2 hereon and Lot 6 DP113250 (RT NA63C/986) be held in the same Record of Title.***



Land Use

- 1.6 The allotment dimensions for Proposed Lot 1 have been designed to accommodate the existing dwelling whilst following existing fencelines/shelterbelts. The existing shed is to be contained within Proposed Lot 2 to support the orchard activity. This has created setback distances less than 10 metres from the existing dwelling and shed to the new dividing boundaries, which results in setback infringements. As the setback infringements are internal only, no other parties have been considered to be affected and as such, no written approvals sought. The setback infringements result in a **Restricted Discretionary Activity**.
- 1.7 The proposal also results in an impermeable surface breach within Lot 1 due to the existing impermeable surfaces within the site. The total impermeable surfaces within Lot 1, and the share of impermeable surfaces of Lot 15 DP113250, amount to 1170m² or 25.5% of the total site area. This results in a **Discretionary Activity**.

2. The site and surrounding environment

- 2.1. The site is located at 110B Hukatere Road, Pukenui. The site currently contains a dwelling within the southwestern corner and a shed, with the remainder being utilized as a productive avocado orchard. The dwelling is to be contained within Lot 1, with the shed to be contained within the balance lot as it is utilized as part of the orchard.
- 2.2. The dwelling is set upon an elevated portion of the site, which overlooks the shed and orchard areas. Shelterbelts are located along boundaries and within the site to shelter the existing orchard activities. The site is accessed via a shared private accessway (Lot 15 DP113250), with an independent internal access leg then providing access to the lot. The accessways are of metal formation and are in good condition.
- 2.3. The surrounding environment consists of a mix of allotments, ranging from smaller rural-residential lots of 4000m² to 1 hectare and larger productive lots predominantly containing horticultural activities, which range from 2 to 10 hectares.
- 2.4. Ninety-mile beach is approximately a 10-minute drive west, with the village of Pukenui being approximately a 5-minute drive north.

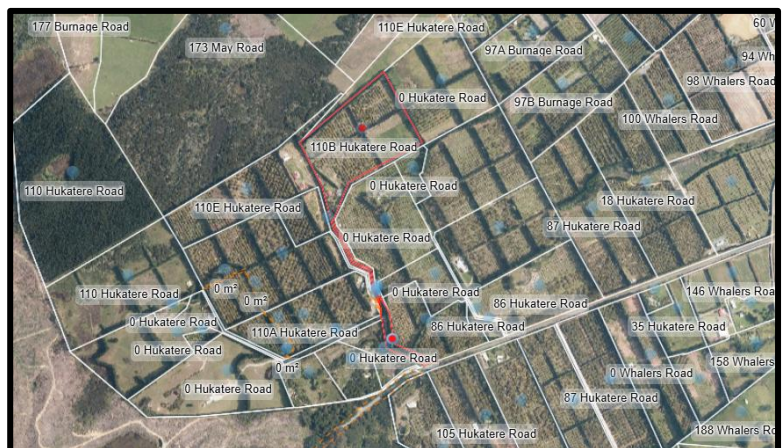


Figure 2: Aerial image of the site and surrounding environment.



Site Photos

2.5. A site visit was completed in February 2026, with a compilation of the photos taken below.



Figure 4: Image of the existing dwelling and shed. Taken from the northern area of Lot 1.



Figure 3: Image of existing dwelling and shed taken from the southern area of Lot 1.



Figure 6: Dwelling and shed taken from eastern side of the shed, orientated west.



Figure 5: Crossing from Hukatere Road to shared access lot, Lot 15 DP113250.



Figure 8: Internal access leg to the subject site.



Figure 7: Fork in access leg, which provides access to the dwelling (left) and the orchard activity (right). To be contained within ROW.

3. Background

- 3.1. Lot 7 DP113250 is held within Record of Title NA63C/987, which is dated 4th February 1988, with a legal area of 7.35ha. Also held within the same title is a 1/10th share of Lot 15 DP113250, which is an access lot created at the intersection of Hukatere Road.
- 3.2. There are no existing consent notices registered on the title. There is one registered easement over Lot 15 DP113250 (marked A) and Lot 7 DP113250 (marked E) on DP208320 which is in favour of Top Energy. These easements will remain unchanged.

Site Features

- 3.3. The site is located within the Rural Production zone within the Operative District Plan as well as being within the Rural Production zone under the Proposed District Plan. The site is not shown to be subject to any resource overlays.
- 3.4. Given the site's rural location there are no connections to reticulated services such as water supply, wastewater, and stormwater. The existing dwelling to be contained within Proposed Lot 1 has existing onsite provisions for wastewater, water supply and stormwater.
- 3.5. Proposed Lot 2 will contain the existing avocado orchard, with Proposed Lot 1 not containing any such activities. As the avocado orchard will be wholly contained within the balance lot, the 'piece of land' which contains the avocado orchard will not be taken out of productive use. Proposed Lot 2 will also be amalgamated with adjoining Lot 6 DP113250, which also contains an avocado orchard, such that the proposal will increase the productive potential of the balance lot. An assessment of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) will be undertaken further in this report.
- 3.6. The site is shown to have soils classified as LUC 3s4. LUC 3 soils are currently classified as highly versatile soils. An assessment of the National Policy Statement for Highly Productive Land (NPS-HPL) will be undertaken further in this report.

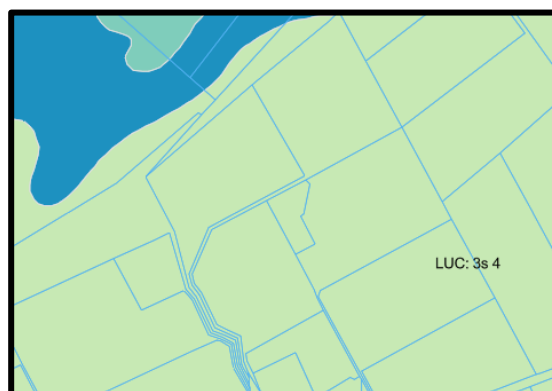


Figure 9: FNDC LUC maps.



- 3.7. The site is not shown to contain any areas of PNA or reserves. As mentioned, the site contains an existing dwelling with the remainder being a productive avocado orchard. The site is not located in an area where kiwi are noted as being present.
- 3.8. There are no known areas of flood susceptibility within the site as per the FNDC and NRC Hazard Maps.
- 3.9. The site is not shown to contain any archaeological sites. The existing use of the site will remain unchanged.
- 3.10. With regard to the Regional Policy Statement for Northland the site is located outside of the Coastal Environment and is not subject to any Outstanding Natural features and Landscapes.
- 3.11. The site is not located within or near a Statutory Acknowledgement Area.

4. Activity Status of the Proposal

Weighting of Plans

- 4.1. The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023.
- 4.2. A large number of comprehensive submissions were received across the board such that the Council has confirmed that other than the rules which were initially identified as having immediate legal effect no additional rules will have legal effect until such time as a decision is made on those provisions.
- 4.3. District Plan hearings on submissions have recently concluded, however no decisions on the PDP have been issued. For this reason, PDP rules which do not have immediate legal effect are not considered.
- 4.4. Recent advice from Council is that objectives and policies of the PDP are now given more weighting.

Operative District Plan

- 4.5. The site is zoned as Rural Production under the ODP, and therefore the site will be assessed against the criteria relevant to the Rural Production zone, including subdivision, zone and district wide rules.

ASSESSMENT OF THE APPLICABLE SUBDIVISION RULES FOR THE RURAL PRODUCTION ZONE:

PERFORMANCE STANDARDS



Plan Reference	Rule	Performance of Proposal
13.7.1	BOUNDARY ADJUSTMENTS	(a) There will be no change in the number and location of access - Complies (b) There will not be an increase in the number of certificates of title - Complies (c) The area of the adjusted lot does not comply with the allowable minimum for a controlled activity in the RP zone. The proposal will increase the degree of non-compliance – Does not comply (d) The areas are contiguous with the area of the original lots – Complies (e) The proposal results in an internal setback breach and an impermeable surface breach – Does not comply (f) All existing onsite drainage systems will be contained within the respective lots – Complies Therefore, as the proposal cannot comply with (c) and (e), the proposal cannot be assessed as a controlled boundary adjustment.
13.7.2.1 (i)	MINIMUM LOT SIZES	<p>Restricted Discretionary Activity.</p> <p>The title date is 1988 and therefore, the proposal can comply with the Restricted Discretionary criteria under Rule 13.7.2.1(i) clause 3 of the RDA provisions.</p> <p>The proposal is therefore assessed as a Restricted Discretionary Activity.</p>
13.7.2.2	ALLOTMENT DIMENSIONS	<p>Complies</p> <p>Proposed Lot 1 will contain the existing built development and onsite servicing.</p> <p>Proposed Lot 2 will remain in productive use and will be amalgamated with adjoining Lot 6 DP113250, such that there is ample area if the site were to be developed with a dwelling. It is noted that the intention of Lot 2 is to remain in productive use.</p>
13.7.2.3 - 13.7.2.9	Not Applicable for this application.	

4.6. The subdivision proposal is able to meet the **Restricted Discretionary** provisions for the Rural Production zone.



Rural Production zone

- 4.7. Proposed Lot 1 is to contain the existing dwelling and a ½ share of the metalled access as well as a share of Lot 15 DP113250 (access lot). Proposed Lot 2 is to contain the existing shed, as well as some metalled internal accessways and a share of Lot 15 DP113250 (access lot).
- 4.8. As such, assessment of the proposal against the rules contained within 8.6.5.1 of the ODP has been undertaken below.

ASSESSMENT OF THE PERMITTED RURAL PRODUCTION ZONE RULES:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
8.6.5.1.1	RESIDENTIAL INTENSITY	<p>Permitted.</p> <p>Proposed Lot 1 will contain one existing dwelling, with the first dwelling on the site being exempt.</p> <p>Proposed Lot 2 will not contain any dwellings and will remain as productive orchard.</p>
8.6.5.1.2	SUNLIGHT	<p>Permitted</p> <p>Given the setback distances from the dwelling to the new boundary is 7.5m, the existing dwelling is considered to adequately meet the required sunlight angles.</p> <p>The shed within Lot 2 will be located downslope of the dividing boundary which will be 4.5m away and as such, is considered to adequately meet the required sunlight angles.</p>
8.6.5.1.3	STORMWATER MANAGEMENT	<p>Discretionary</p> <p>Wilton Joubert have completed an assessment of the stormwater management for Lot 1 and have determined the following impermeable surface areas:</p> <ul style="list-style-type: none"> - Dwelling – 234m² - Internal metal driveway – 193m² - Right of way internal driveway – 656m² - Lot 15 DP113250 share – 87m² <p>Total – 1170m² or 25.5%</p> <p>As such, the proposal cannot meet the permitted threshold of 15% of the total site area nor the controlled threshold of 20%. The impermeable surface breach is therefore assessed as a Discretionary Activity.</p>



8.6.5.1.4	SETBACK FROM BOUNDARIES	<p>Restricted Discretionary</p> <p>The new dividing boundary between Lots 1 & 2 is to be located 7.5m from the existing dwelling and 4.5m from the existing shed. Given the topography of the site and the existing activities, the proposed boundary location is considered to be the most suitable.</p> <p>As the setback infringements are created as a result of the new dividing boundary for the subdivision, approval is considered to have been provided by the Applicant given they have consented to the subdivision and as such, no formal written approval forms have been sought and no other persons considered to be affected by the setback infringements.</p>
8.6.5.1.5	TRANSPORTATION	A full assessment has been undertaken in the table below.
8.6.5.1.6	KEEPING OF ANIMALS	Not applicable.
8.6.5.1.7	NOISE	Not applicable.
8.6.5.1.8	BUILDING HEIGHT	No new buildings sought.
8.6.5.1.9	HELICOPTER LANDING AREA	Not applicable.
8.6.5.1.10	BUILDING COVERAGE	<p>Permitted</p> <p>The building coverage within Lots 1 & 2 are well within 12.5% of the total site area for the lot.</p>
8.6.5.1.11	SCALE OF ACTIVITIES	Not applicable
8.6.5.1.12	TEMPORARY EVENTS	Not applicable.

- 4.9. As such, it is considered that the proposal triggers consent under *Rules 8.6.5.1.3 Stormwater Management and 8.6.5.1.4 Setback from Boundaries*. This application will include a land use component to cover these infringements.

District Wide Matters

Plan Reference	Rule	Performance of Proposal
Chapter 12		
12.1	LANDSCAPES AND NATURAL FEATURES	<p>Permitted.</p> <p>The subject site does not contain any outstanding landscape areas.</p>
12.2	INDIGENOUS FLORA AND FAUNA	<p>Permitted.</p> <p>The proposal will not result in removal of any indigenous flora or fauna.</p>
12.3	SOILS AND MINERALS	Permitted.



		No excavation works are proposed as part of this application, aside from the construction of passing bays which is considered to be well within the permitted threshold.
12.4	NATURAL HAZARDS	Permitted. The site is not shown to be susceptible to coastal hazards and there are no new dwellings proposed which would trigger assessment under the fire risk rule.
12.5	HERITAGE	Permitted. The site is not located within a Heritage area nor does it contain any notable trees or historic sites.
12.6	AIR	Deleted chapter.
12.7	LAKES, RIVERS, WETLANDS AND THE COASTLINE	Permitted. The proposal is not known to be in proximity to any lakes, rivers, wetlands or the coastline.
12.8	HAZARDOUS SUBSTANCES	Permitted. The site does not contain any known hazardous substances.
12.9	RENEWABLE ENERGY AND ENERGY EFFICIENCY	Permitted. No renewable energy is proposed.
Chapter 15 – Transportation		
15.1.6A	TRAFFIC	Permitted Activity The first residential unit on a site and farming activities are exempt from this rule. Proposed Lot 2 does not contain any existing residential dwellings. Proposed Lot 1 will contain one existing dwelling. Given the first dwelling is exempt, the proposal complies with the permitted standard.
15.1.6B	PARKING	Permitted Activity Proposed Lot 1 will contain the existing residential unit which has existing parking areas that will remain unchanged as part of this proposal. Proposed Lot 2 does not contain a residential dwelling. There is ample area for future parking requirements.
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	Permitted. Private accessways have been created over the existing metalled access. As mentioned, Lots 1 & 2 will have a half share of the access, with reciprocal right of way easements which are shown as E, F, G & H on the scheme plan. This private accessway will service two allotments. Appendix 3B-1 requires a legal width of 5 metres and a 3m carriageway width. (a) & (b) Wilton Joubert have completed an assessment of the access and determined that the access width is in general accordance with the required standards (both the 2004 standards and 2023 standards), such that widening of the accessway is not considered to be required. (c) The proposed private accessway will not service more than 8 HEs. (d) The site is accessed via an existing access lot, the proposal will not alter the number of users of the access lot given the proposed amalgamation. The proposed ROW will not service more than 9 HEs.



15.1.6C.1.2	PRIVATE ACCESSWAYS IN URBAN ZONES	Not applicable.
15.1.6C.1.3	PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	Permitted. Wilton Joubert have recommended three passing bays along the proposed private accessway. The passing bays will be constructed in accordance with the 2023 Engineering standards as per Wilton Joubert's report. This is considered to result in a similar outcome to the 2004 Engineering Standards, with passing bays at 100 metre intervals (approximately).
15.1.6C.1.4	ACCESS OVER FOOTPATHS	Not applicable.
15.1.6C.1.5	VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	Permitted Activity. (a) Proposed Lots 1 & 2 will each utilise an existing authorised crossing place from Hukatere Road. Wilton Joubert have assessed the crossing place stating that it is sealed and in reasonable condition. The crossing place has been deemed to be sufficient to serve the proposed lots and sight lines can be complied with. It is also worth reiterating that there is no increase in the number of traffic movements across the crossing place, as a result of this proposal. (b) Hukatere Road is a sealed road. (c) As stated above in (a), the proposal will not see an increase in the number of traffic movements across the crossing place. No upgrading is determined to be required.
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.
15.1.6C.1.7	GENERAL ACCESS STANDARDS	Permitted. (a) The vehicle manoeuvring within Lot 1 will remain unchanged. (b) Complies. (c) The sides of the driveway will remain in grass. (d) Stormwater will be managed on site.
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	Permitted. (a) The subject sites do not have frontage to Hukatere Road. (b) Hukatere Road is considered to be constructed to the required standards. (c) Not applicable. (d) There are no known encroachments of the carriageway into the proposed lots.
15.1.6C.1.9 – 15.1.6C..11 are not applicable to this application		

Overall status of the proposal under the Operative District Plan

Subdivision

4.10. The subdivision component of the proposal is assessed as a **Restricted Discretionary Activity** in accordance with Rule 13.7.2.1(i).



Land use

4.11. The land use component results in two infringements:

- 8.6.5.1.3 Stormwater Management
- 8.6.5.1.4 Setback from Boundaries

4.12. Given the infringement of Rule 8.6.5.1.3 is a Discretionary Activity, the proposal cannot comply with the preambles within *8.6.5.2 Controlled Activities* or *8.6.5.3 Restricted Discretionary Activities*. The land use component is therefore assessed as a **Discretionary Activity** in accordance within *8.6.5.4 Discretionary Activities*.

Overall Status of the combined application

4.13. As per Rules 8.6.5.4 and 13.9 Discretionary Activities, the combined subdivision and land-use application will be assessed as a **Discretionary Activity**. The relevant sections of Chapter 11 and 13 of the ODP will be assessed as part of this application.

Proposed District Plan

4.14. The proposal is also subject to the Proposed District Plan process. Within the Proposed District Plan, the site is zoned Rural Production. Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, has been undertaken below:

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility. HS -R5 relates to a hazardous facility within a scheduled site and area of significance to Maori. HS-R6 relates to a hazardous facility within an SNA. HS-R9 relates to a hazardous facility within a scheduled heritage resource.	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect	Not applicable. The site does not contain any areas of historic heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2)	Not applicable. The site does not contain any notable trees.



	Schedule 1 has immediate legal effect	
Sites and Areas of Significance to Māori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect.	Not applicable. The site does not contain any sites or areas of significance to Māori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable. The proposal does not include any indigenous vegetation pruning trimming, clearance or associated land disturbance. No plantation forestry activities are proposed. Therefore, the proposal is not in breach of rules IB-R1 to IB-R5.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The subdivision is not an Environmental Benefit Subdivision (SUB-R6), Subdivision of a site with heritage area overlay (SUB-R13), Subdivision of site that contains a scheduled heritage resource (SUB-R14), Subdivision of a site containing a scheduled site and area of significance to Māori (SUB-R15) or Subdivision of a site containing a scheduled SNA (SUB-R17).
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5 As stated above the mapping system records the subject site as containing the	Permitted. Any earthworks will proceed under the guidance of an ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016, in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.



	Ratana Temple which is located on the adjoining site. Schedule 3 lists the legal description of MS07-18 as being P Ahipara A32A which is the adjoining site.	
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable. No signs are proposed as part of this application.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

4.15. The assessment above indicates that the proposal is determined to be a **Permitted Activity** in regard to the Proposed District Plan. Therefore, no further assessment of these rules will be undertaken.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

4.16. The site currently contains an existing dwelling with the remainder of the lot being utilised as a productive avocado orchard. The proposal will see the existing dwelling and the surrounding curtilage and access being subdivided off from the remainder of the productive orchard, with the productive orchard being amalgamated with an adjoining parcel of orchard (Lot 6 DP113250).



Figure 11: 2003 aerial showing dwelling and orchard.



Figure 10: Recent aerial imagery showing more development of orchard within balance lot.

4.17. Given that the avocado orchard is contained to one portion of the site, with the dwelling being completely separated from the orchard and no known horticultural use of the dwelling and curtilage area, it is considered that the 'piece of land' which contains a potential activity listed



on the HAIL is confined to the orchard boundaries only (Proposed Lot 2) and does not encroach into the dwelling area which will be contained within Proposed Lot 1. There will be no change in land use activity within either of the proposed lots. It is therefore considered that the 'piece of land' is contained within Proposed Lot 2.

- 4.18. As per the Guide for the NESCS, the NES applies to the resulting land parcels that contain a 'piece of land' where the land use of that resulting land parcel could change. Given that the avocado orchard will be located within Proposed Lot 2 which is to be amalgamated with an adjoining productive lot, it is not the intended for the area containing the avocado orchard to be used for a new residence or garden area as it will remain in productive use. As such, it is considered that the NES is not considered to apply to the activity. If a change of use to Lot 2 is to occur in the future, this will need to be assessed against the relevant assessment criteria of the NESCS at the time.
- 4.19. As such, the application has been considered **Permitted** in terms of this regulation.

Other National Environmental Standards

- 4.20. No other National Environmental Standards are considered applicable to this development. The proposal is permitted in terms of these above-mentioned documents.

5. Statutory Assessment

Section 104B of the Act

- 5.1. Section 104B governs the determination of applications for Discretionary and Non-Complying Activities. With respect to both Discretionary and Non-Complying Activities, a consent authority may grant or refuse an application and impose conditions under section 108.

Section 104(1) of the Act

- 5.2. Section 104(1) of the Act states that when considering an application for resource consent –

“the consent authority must, subject to Part II, have regard to –

- (a) Any actual and potential effects on the environment for allowing the activity; and*
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
- (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; and*
- (c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.’*



- 5.3. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of The Act). Positive effects include that the proposal will allow for the existing productive activities to continue within the balance lot. The proposal will not see an increase in the number of titles, given Proposed Lot 2 will be amalgamated with adjoining Lot 6 DP113250. The proposal will enable the orchard activity productive potential to increase by increasing the land area, whilst subdividing off the existing dwelling to create a smaller allotment around the dwelling and curtilage area. The proposal will not affect the productive capacity of the site, safeguarding the productive potential for future generations.
- 5.4. Section 104(1)(ab) requires that the consent authority consider 'any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity'. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. It is considered that all effects can be managed within the proposed lot boundaries.
- 5.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in section 6.
- 5.6. Section 104(1)(c) states that consideration must be given to 'any other matters that the consent authority considers relevant and reasonable, necessary to determine the application'. There are no other matters relevant to this application.

6. Environmental Effects Assessment

- 6.1. Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.
- 6.2. The combined subdivision and land-use application is considered to be a Discretionary Activity.
- 6.3. An assessment that corresponds with the scale and significance of the effects on the environment is provided below.

Subdivision



Allotment Sizes and Dimensions

6.3.1. The proposal is to subdivide the site by way of boundary adjustment. The proposal will see a smaller allotment created around the existing dwelling and curtilage area with a ½ share of the existing access, with the larger allotment containing the existing productive avocado orchard which is to be amalgamated with an adjoining allotment, Lot 6 DP113250. This lot also contains a productive avocado orchard. The proposal will not see an increase in titles nor traffic given the proposed amalgamation.

6.3.2. The proposed allotments are of sufficient size for the intended land use. It is noted that there are setback and impermeable surface infringements as a result of the proposal. The setback infringements have occurred given the existing location of the structures on the site. The proposed dividing boundary between Lots 1 & 2 has been designed to follow the existing internal accessway for the orchard, whilst maintaining the shed as part of the orchard lot, as the shed is an ancillary building for the orchard. Given the constraints of the site and the existing built form on the site, internal setback infringements are created. The impermeable surface infringement occurs due to the long length of the driveway which services the sites. The driveway areas themselves account for 80% of the total impermeable surface coverage within Proposed Lot 1. All stormwater is currently managed onsite, with the driveway areas shedding to the sides of the driveway and filtering through grassed areas to manmade drains created within the site. Wilton Joubert have determined that the attenuation volume required can be adequately managed within the existing tank within Lot 1, such that no additional attenuation measures are required. As such, it is considered that although the proposal does result in infringements of some of the zone standards, these are a non-issue given all effects can be managed within the site boundaries.

6.3.3. The intended land use of Proposed Lot 2 is to expand the existing horticultural activity which will be achieved by amalgamating the lot with the adjoining productive lot, Lot 6 DP113250, enabling a wider range of productive activities and increasing capacity.



Figure 13: Shed and internal access to be contained within Lot 2. Dwelling to be contained within Lot 1. Dividing boundary will go between shed and dwelling, where setback infringements occur.

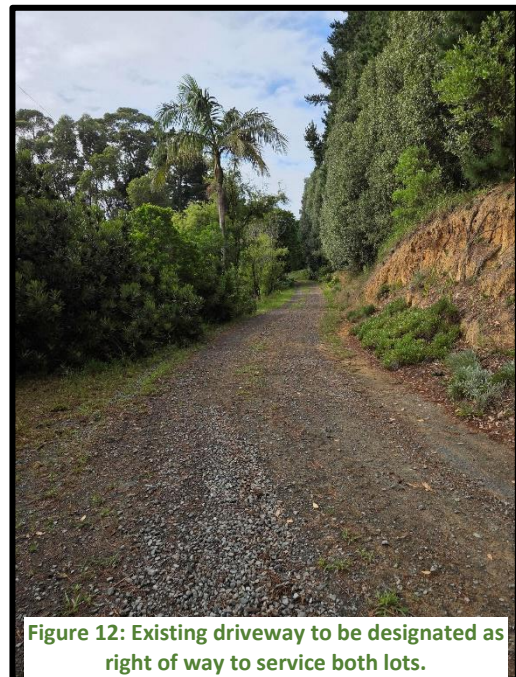


Figure 12: Existing driveway to be designated as right of way to service both lots.



- 6.3.4. The allotments are of sufficient size and dimension to allow for operational and maintenance requirements.
- 6.3.5. In regard to the relationship of the proposed allotments and their compatibility with the pattern of adjoining subdivision and land use activities and access arrangements, it is considered that the proposal is consistent with these items. The surrounding environment includes productive land used for farming and rural residential/lifestyle use. The surrounding environment consists of a mix of allotments, ranging from smaller rural-residential lots of 4000m² to 1 hectare to productive lots predominantly containing horticultural activities, which range from 2 to 10 hectares. There are similar sized allotments scattered throughout the area, such that the proposed lot sizes are considered to be consistent with lots in the surrounding environment and will enable similar activities.



Figure 14: Image showing lot sizes in the surrounding environment which are consistent with the proposed lot sizes.

- 6.3.6. Access to the proposed lots is existing. The sites are accessed from Hukatere Road, which adjoins an access lot, that each lot will continue to own a share of. A right of way is then proposed over the existing internal driveway to the proposed lots. Passing bays will be provided along the right of way as will be detailed further in this report. The proposal will not see an increase in the number of titles and therefore, there will not be an increase in the number of users of the crossing place, access lot, or proposed right of way.
- 6.3.7. In regard to the cumulative and long-term implications of the proposal and whether it is sustainable in terms of preservation of the rural environment (the site is not located within the coastal environment and therefore this aspect has not been considered), the proposal is considered to be sustainable due to the fact that the use of the sites can remain. The allotments will be of a size that is anticipated by the plan, being able to comply with the



Restricted Discretionary Activity lot size provisions and are considered to be compatible with the existing use of the surrounding environment, being a mix of large productive allotments and smaller rural lifestyle allotments. The proposal will also enable increased productivity of the horticultural activity on the site, whilst maintaining the dwelling to be contained within an independent title. Given that each site can continue the existing use, it is not considered that there will be any cumulative or long-term implications from the proposal.

- 6.3.8. Overall, it is considered that the proposal provides allotments which are suitable and consistent within the surrounding environment. The cumulative and long-term implications of the proposal are considered to be less than minor, with the preservation of the rural environment remaining intact.

Natural and Other Hazards

- 6.3.9. The site is not shown to be susceptible to natural hazards under the FNDC or NRC maps. The proposed subdivision will not exacerbate any natural hazards and will remain unchanged as a result.

- 6.3.10. The proposal has been determined to be Permitted in terms of the NESCS as detailed earlier in this report.

- 6.3.11. In regard to s106 of the Act, it is considered that there is no significant risk from natural hazards applicable, which would allow Council to refuse subdivision consent. The proposal is not considered to accelerate, worsen or result in material damage of any kind.

Water Supply

- 6.3.12. The subject site is not within an area serviced by reticulated water.
- 6.3.13. Water supply is existing to both of the lots. Lot 1 has an existing water tank on site which provides potable supply to the dwelling. Lot 2 has existing provisions for water supply for the horticultural activities.

Stormwater Disposal

- 6.3.14. The runoff within Lot 2 will continue to be directed to the natural drainage systems on site. It is considered that Proposed Lot 2 has ample available area such that stormwater disposal can be adequately managed within the site boundaries without creating any adverse downstream effects.

- 6.3.15. Given the proposed size of Lot 1 results in an impermeable surface infringement, Wilton Joubert have completed an assessment of the attenuation requirements. Tank attenuation has been designed to calculate for the 1% AEP rainfall plus climate change. Wilton Joubert have recommended that detention volume within the upper section of the existing water tank be utilised. It has been recommended that the tank overflow be fitted with a 37mm diameter orifice located at a certain distance below the overflow outlet to attenuate peak flows. A dispersal device is also recommended as per Wilton Joubert's report. It is anticipated that the



overflow and dispersal device requirements will be imposed as a condition of consent. Driveway areas have been recommended to shed runoff to lower lying grassed areas via sheet flow, which is what currently exists.

6.3.16. It is considered that the proposed lots have adequate area to provide for stormwater disposal via rainwater tanks and attenuation within each lot for any future development and therefore, no effects will be created that are more than minor.

Sanitary Sewage Disposal

6.3.17. The site is not benefited by Council’s reticulated wastewater scheme.

6.3.18. Proposed Lot 2 does not contain any known existing wastewater systems and is to remain in productive use.

6.3.19. Proposed Lot 1 contains an existing onsite wastewater treatment system which services the dwelling. Wilton Joubert completed an assessment of the wastewater system within their report. Wilton Joubert have stated that if the existing onsite wastewater system is functional, fit for the existing dwelling and located within Lot 1’s proposed boundaries, it may continue to operate. The site plan provided in their report (shown below) shows the disposal and reserve areas. The Applicant has confirmed the above, with the system being regularly cleaned.

6.3.20. It is therefore considered that the proposal will not create any adverse or cumulative effects in relation to wastewater disposal.

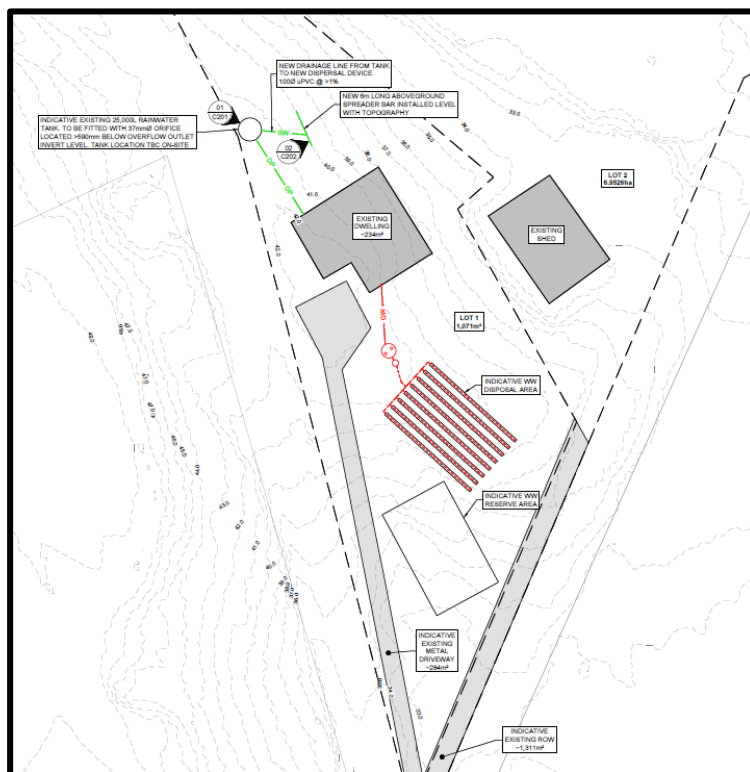


Figure 15: WJ plan showing location of WW and SW.



Energy Supply, Top Energy Transmission Lines and Telecommunications

- 6.3.21. The provision for power supply and telecommunications is not a requirement for the Rural Production zone.
- 6.3.22. The site is not known to be located within 20 metres of an electrical transmission line designed to operate at or above 50kV. The provision of energy supply and telecommunications is not anticipated to be a condition of consent for this proposal.

Easements for any Purpose

- 6.3.23. There are existing easements registered on the title which will remain, as shown on the scheme plan.
- 6.3.24. There is also reciprocal right of way easements proposed over the existing internal driveway, which is also indicated on the scheme plan. The access leg to Lot 6 DP113250, is not formed nor is it considered practical or logical to form, hence reciprocal right of ways have been formed to legalise the existing access to the sites.

Provision of Access

- 6.3.25. Wilton Joubert have completed an assessment of the access within their report. The proposal will not see an increase in the number of users of the property access or crossing place, given the proposed amalgamation.
- 6.3.26. The site is accessed via a crossing place from Hukatere Road. Wilton Joubert have assessed this crossing place as being in reasonable condition with no significant disrepair as well as being in general accordance with the 2023 Engineering Standards. The crossing place is sealed and meets the required sight distances for the actual operating speed at the crossing place location. No upgrading of the crossing place is therefore considered required nor necessary.
- 6.3.27. An access lot is then used to access the site, which the site has a tenth share in. Once again, no upgrading of this access lot is considered required nor necessary given the nature of the proposal.
- 6.3.28. An internal driveway then leads to the dwelling from the access lot and veers off to the east towards Proposed Lot 2. It is assumed that this driveway is contained wholly within the access leg to Proposed Lot 1, with the adjoining access leg to adjoining Lot 6 DP113250 remaining unformed. It is proposed that reciprocal right of ways are created over the existing metalled access, to legalise rights of use to Proposed Lot 2 and Lot 6 DP113250, given that technically there would not be a formed access to Lot 6 DP113250. The proposal will result in a superior outcome by legalising this right of way, as well as providing passing bays at every approximate 100 metres, as recommended by Wilton Joubert. Wilton Joubert have determined that the carriageway width of the existing metalled access complies with the required standards, such that increasing the width is not required.



6.3.29. Overall, it is considered that provision of access has been provided for in a way which will not create any adverse effects on the surrounding environment. A condition of consent is anticipated which will require the introduction of passing bays as per the Wilton Joubert report. No other conditions of consent in relation to access are anticipated.



Figure 16:

Top left - Crossing place from Hukatere Road.

Above - Internal access which will be contained within proposed right of way easement.

Image to the left - Fork in drive, which leads to Proposed Lot 1 (left) and Proposed Lot 2(right).

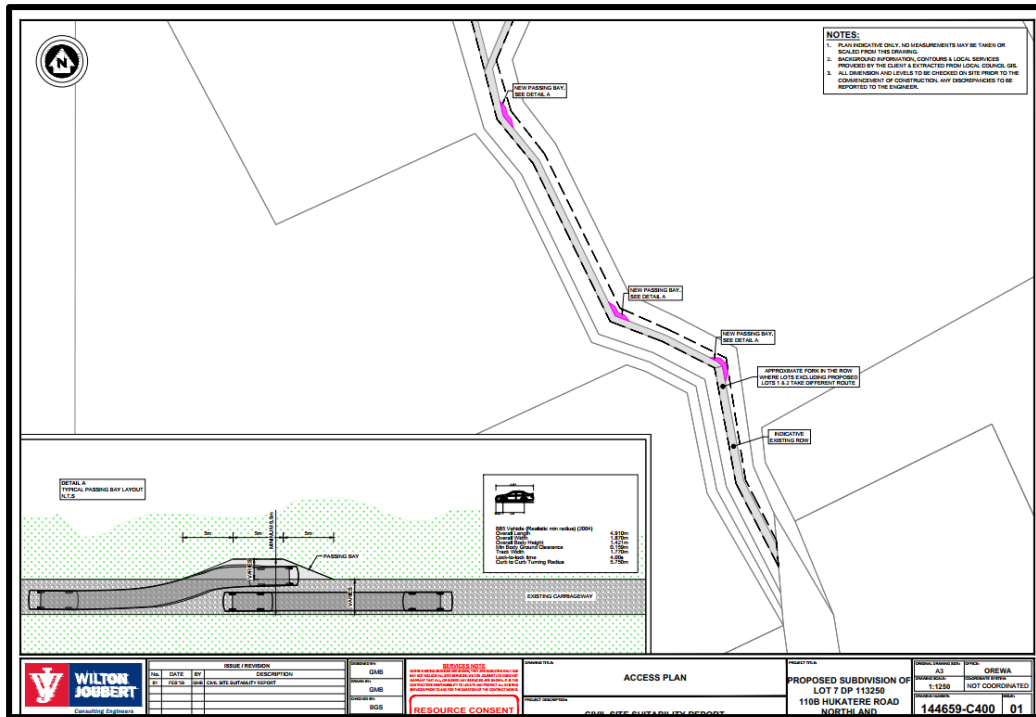


Figure 17: Wilton Joubert's indicative passing bay locations along the proposed right of way easement.

Effect of Earthworks and Utilities

6.3.30. Only minor earthworks are anticipated for the construction of the passing bays. Any earthworks will proceed under the guidance of an ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016.

Building Locations

6.3.31. Proposed Lot 1 will contain the existing dwelling.

6.3.32. Proposed Lot 2 is anticipated to remain in productive use. Any future built development on the site would be subject to the NESCS and other relevant policy documents. Given Proposed Lot 2 will be amalgamated with adjoining Lot 6 DP113250, no change of use is anticipated and any future development would be assessed on its own merits. There is ample area within the site to allow for future development, however this is not anticipated given the intention is for productive use.

6.3.33. The proposed lots are of a sufficient size, such that any future buildings will be able to facilitate passive solar gain if the owner decides to do so.

Preservation and Enhancement of Heritage Resources, Vegetation, Fauna and Landscape, and Land set aside for Conservation Purposes.

6.3.34. The site does not contain any known heritage resources that would need to be protected. The site is not known to contain any Sites of Cultural Significance to Māori. The site is not known to contain any indigenous vegetation or fauna nor is the site within a kiwi present area.



6.3.35. The use of the site will remain unchanged as a result of this proposal. It is therefore considered that the proposal will not create any adverse effects on these features.

Soil

6.3.36. The site has soils classified as LUC 3, which the Government has indicated will be removed from the NPS-HPL as part of the RMA reforms. These changes cannot yet be given any weighting as these have yet to come into legal effect.

6.3.37. The proposal will see the existing dwelling subdivided off from the productive activity within the site. The productive activity will then be amalgamated with an adjoining lot which is utilised for the same purpose. The proposal is therefore considered to safeguard the life supporting capacity of soil as there will effectively be no change to the current use of the site, given built development is existing within Proposed Lot 1, and Proposed Lot 2 will remain in productive use. A thorough assessment of the NPS-HPL will be undertaken further in this report.

Access to Waterbodies

6.3.38. It is considered that access to waterbodies is not applicable to this rural subdivision.

Land Use Incompatibility

6.3.39. Allotments within the surrounding environment varies, ranging from smaller rural-residential lots of 4000m² to 1 hectare to productive lots predominantly containing horticultural activities, which range from 2 to 10 hectares. There are similar sized allotments to those proposed, scattered throughout the area, such that the proposed lot sizes are considered to be consistent with lots in the surrounding environment and will enable similar activities.

6.3.40. In terms of compatibility with land use activities in the area, these range from rural productive and rural residential/lifestyle sections. The proposal will see one smaller allotment which will contain the existing built development, similar to those lots in the surrounding environment. The larger balance lot will contain the horticultural activity which will be amalgamated with an adjoining lot of similar use, such that the productive capacity will increase. The proposed allotments will not be incompatible with the productive intent of the zone. It is considered that the proposal is consistent with other land use activities in the area, especially given the use of the sites are existing, there will not be an increase in the number of titles nor will there be an increase in traffic.

6.3.41. The allotments will remain of a size that is anticipated by the plan as it is able to comply with the Restricted Discretionary Activity lot size provisions. The lots will continue to be utilised for productive use and given there will be no change in the use of the sites, it is considered that there will be no reverse sensitivity effects or incompatible land use given the activities currently exist within the site and surrounding environment.

Proximity to Airports

6.3.42. Not applicable as the subject site is not located in close proximity to an airport.



Natural Character of the Coastal Environment

6.3.43. Not applicable as the site is not located within the coastal environment.

Energy Efficient and Renewable Energy Development/Use

6.3.44. The proposed lots are of adequate size such that any future development can easily incorporate energy efficient buildings.

6.3.45. Items (b) through to (f) are considered irrelevant to this application.

National Grid Corridor

6.3.46. The proposal is not within the National Grid Corridor.

Summary

6.4. Overall, the proposed allotments are of similar size to those in the immediate and wider environment and will enable activities which already exist in the surrounding environment. The number of titles will not increase nor will traffic movements. What currently exists in the current environment will remain. The proposal is not considered to create any adverse effects on lots in the surrounding environment.

Land Use

6.5. The proposal results in infringements of the permitted rules *8.6.5.1.3 Stormwater Management and 8.6.5.1.4 Setback from Boundaries*. An assessment of the relevant sections of Chapter 11 has been undertaken below.

Setback from Boundaries

6.6. The existing dwelling within Lot 1 will be located 7.5m from the new dividing boundary with Lot 2, with the existing shed within Lot 2 being located 4.5m from the same boundary. This is less than the permitted setback distance of 10m, such that consent is required. Given that this boundary is a new dividing boundary, the Applicant would be considered to be the only affected party. As such, it is considered that written approval has been provided for as part of this consent application and no formal written approval form has been sought.

6.7. An assessment of *Section 11.6 Setback from Boundaries* has been undertaken below.

(a) Where there is a setback, the extent to which the proposal is in keeping with the existing character and form of the street or road, in particular with the external scale, proportions and buildings on the site and on adjacent sites.

(b) The extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties.

(c) The extent to which the buildings restrict visibility for vehicle manoeuvring.

(d) The ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting.



(e) The extent to which provision has been made to enable and facilitate all building maintenance and construction activities to be contained within the boundaries of the site.

- 6.7.1. The setback infringement will not change the existing character of the surrounding environment given built development is existing. The setback infringement does not occur along a road boundary or adjoining site and as such, no effects on the street scene or adjacent sites are anticipated. Vehicle manoeuvring will remain unchanged within both allotments. No adverse effects are anticipated given built development is existing and the setback breach occurs along an internal boundary. There is ample area to enable and facilitate building maintenance and construction activities within the boundaries of each site.



Figure 18: Area where subject boundary will be located, with existing shed (left) and dwelling (right).

- 6.7.2. Overall, the setback infringements are not considered to create any adverse effects given built development is existing and the infringements occur along an internal boundary. No adjacent sites are considered to be affected nor any other parties.

Stormwater Management

- 6.8. The impermeable surface coverage within Proposed Lot 1 amounts to 1170m² or 25% of the total site area. The impermeable surface infringement occurs given the long length of the driveway which services the sites. The driveway areas themselves account for 80% of the total impermeable surface coverage within Proposed Lot 1. All stormwater is currently managed onsite, with the driveway areas shedding to the sides of the driveway and filtering through grassed areas to manmade drains created within the site.
- 6.9. Wilton Joubert have completed a thorough assessment of stormwater within their report, which also includes recommendations. We accept and adopt the conclusions within the Wilton



Joubert Report and rather than repeating information that has already been provided, we direct the reader to this report for further detail. Below is a brief summary of the recommendations within the Wilton Joubert Report.

- 6.10. Tank attenuation has been designed to calculate for the 1% AEP rainfall plus climate change. Wilton Joubert have recommended that detention volume within the upper section of the existing water tank be utilised. It has been recommended that the tank overflow be fitted with a 37mm diameter orifice located at a certain distance below the overflow outlet to attenuate peak flows. A dispersal device is also recommended as per Wilton Joubert's report. It is anticipated that the overflow and dispersal device requirements will be imposed as a condition of consent. Driveway areas have been recommended to shed runoff to lower lying grassed areas via sheet flow, which is what currently exists.
- 6.11. Overall, it is considered that stormwater can be adequately managed on site, given the majority results from the metalled access areas, which is not uncommon in rural areas similar to this application.

7. Policy Documents

- 7.1. In accordance with section 104(1)(b) of the Act the following documents are considered relevant to this application.

Any relevant provisions of –

- i. FNDC Operative District Plan
- ii. FNDC Proposed District Plan
- iii. National Environmental Standards
- iv. National Policy Statements
- v. Regional Policy Statements

- 7.2. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that activity may have on the environment has been provided below.

National Environmental Standards

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

- 7.3. In terms of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES), it is considered that the proposal is Permitted in terms of the NESCS as detailed within Section 4 of this report.

Other National Environmental Standards

- 7.4. No other National Environmental Standards are considered applicable to this development.

National Policy Statements

- 7.5. There are currently 10 operative National Policy Statements. These are as follows:



- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement for Electricity Networks
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity.
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023
- National Policy Statement for Infrastructure 2025
- National Policy Statement for Natural Hazards 2025

National Policy Statement for Highly Productive Land

7.6. The subject site has soils which are LUC3.

7.7. The NPS for HPL has one objective and 9 policies. These all relate to sites which are classified as having highly productive land. Highly Productive Land is defined as –

highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)

7.8. As this is a new NPS the Regional Policy Statement is yet to map highly productive land and as such in assessing this, we refer to clause 3.5(7).

3.5(7) - Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) Is

- i. zoned general rural or rural production; and*
- ii. LUC 1, 2, or 3 land; but*

(b) Is not

- i. identified for future urban development; or*
- ii. subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle*

7.9. The subject site is zoned Rural Production and also contains soils classified as LUC 3. The PDP has not identified the site for future urban development, and the site is not subject to a plan change to rezone it from rural production to rural lifestyle.



- 7.10. It is therefore considered that the NPS for HPL is applicable to this application and an assessment of the relevant objective and policies within this document will be undertaken below. It is worth noting that the Government has provided direction that it is proposed to remove LUC3 soils from the NPS-HPL, however this has not yet come into legal effect.

2.1 Objective

Highly productive land is protected for use in land-based primary production, both now and for future generations.

- 7.10.1. The proposal will ultimately see the productive area of the site maintained and enhanced by amalgamating it with an adjoining productive lot, enabling the potential productive capacity to increase. The area of the site which contains the dwelling and curtilage, which has already been removed from production, will be held within an independent title. This is not considered to affect the use of the land for future generations, as the dwelling and curtilage do not enable additional productive capacity within the site. Given that the productive area of the site will be set aside, it is considered that the land is being protected for use in land-based primary production both now and for future generations.

Policy 1: Highly productive land is recognised as a resource with finite characteristics and long term values for land-based primary production.

- 7.10.2. The proposal will not alter the use of the land, with the existing horticultural activity remaining. This is considered to utilise the soils to ensure long term use of the land for primary production.

Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.

Policy 3: Highly productive land is mapped and included in regional policy statements and district plans.

- 7.10.3. As this is a new NPS, the RPS is yet to map HPL. Section 3.4 of the NPS for HPL provides some guidelines for mapping of HPL.
- 7.10.4. The site is not within an area which would be considered for rezoning for urban development.
- 7.10.5. Due to the nature of the proposal, it is considered that the proposed application does not affect the identification and management of HPL. As mentioned, the Government has provided direction that LUC 3 soils are proposed to be removed from the consideration of the NPS-HPL and therefore, this would render this NPS not applicable to the subject site.

Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.

- 7.10.6. The proposal will prioritise the use of the land for primary production use by maintaining the existing horticultural activity on the site and subdividing off the existing dwelling and curtilage area, which has already been removed from productive use. The applicant provides support of this by amalgamating Proposed Lot 2 with an adjoining horticultural lot, increasing



the opportunities for productive capacity and overall providing a superior outcome by containing the horticultural activity in one title. The use of the land for productive land has been prioritised and is considered to be the intention of the subdivision to allow more manageable and consistent land sizes whilst enabling a viable economic outcome for the residents of the land.

Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.

- 7.10.7. The proposal does not involve the urban rezoning of the site. The proposal is not considered to result in development of HPL given the built development is existing on the site and the proposal will not see an increase in the number of titles given the subdivision is by way of boundary adjustment.

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 8: Highly productive land is protected from inappropriate use and development.

- 7.10.8. In terms of Policy 7, it is considered that Section 3.8 of the NPS-HPL is applicable to determine if subdivision of this nature is provided for within the NPS-HPL. Section 3.8 of the NPS-HPL is as follows:

3.8 Avoiding subdivision of highly productive land

1. Territorial authorities must avoid the subdivision of highly productive land unless one of the following applies to the subdivision, and the measures in subclause (2) are applied:

(a) the applicant demonstrates that the proposed lots will retain the overall productive capacity of the subject land over the long term:

(b) the subdivision is on specified Māori land:

(c) the subdivision is for specified infrastructure, or for defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990, and there is a functional or operational need for the subdivision.

2. Territorial authorities must take measures to ensure that any subdivision of highly productive land:

(a) avoids if possible, or otherwise mitigates, any potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on surrounding land-based primary production activities

- 7.10.9. In terms of 3.8(1), it is considered the proposal will not affect the overall productive capacity of the subject land over the long term. The proposal will see Proposed Lot 1 containing the existing dwelling and curtilage, all of which have not been in productive use. The horticultural activity will be wholly contained within the balance lot, which will be amalgamated with adjoining Lot 6 DP113250 which also contains a horticultural activity.



- 7.10.10. This subdivision by way of boundary adjustment will not adversely affect the productive capacity of the existing horticultural activity within the site and will in fact provide a superior outcome in terms of productivity and economic viability. The Applicant has indicated that it is the intention of Lot 2 to remain in productive use, with Lot 1 being the area of the site which does not support the productive activity.
- 7.10.11. The proposal will not see an increase in the number of titles, given the proposal is a subdivision by way of boundary adjustment. This reassures the assessor that the proposal will not increase the density of development on areas of HPL and will in fact protect the areas of productive activities for future use.
- 7.10.12. The surrounding environment has seen many allotments of similar size and land use activities created which contain either a residential dwelling or horticultural activity or both, some of which are smaller than the lot sizes proposed or are of similar size or larger. This range provides reassurance that productive capacity of lots of this size are possible and viable. This is also seen within the Rural Production zone in general.
- 7.10.13. Given the above, it is considered that the proposal can meet 3.8(1)(a) and therefore subdivision of the site as proposed, is anticipated and provided for within the NPS-HPL.
- 7.10.14. Clause 3.8(1)(b) & (c) are not applicable to the proposal.
- 7.10.15. In terms of 3.8(2) the proposal is not considered to result in the potential cumulative loss of the availability and productive capacity of HPL in the district as has been explained above in detail within this report. The productive capacity and availability are considered to remain and is the intended purpose of this subdivision. As detailed within this report also, no reverse sensitivity effects are anticipated, given the existing use of the site will remain and activities similar to the proposal are already existing in the surrounding environment. The proposed subdivision will be relatively indiscernible from what is currently in existence given that the horticultural activity is to remain on the site and built development on Lot 1 is existing. Furthermore, as built development on Lot 1 is existing, the proposal will not result in loss of HPL, as what is currently in existence will remain unchanged. As such, productive capacity of the site will remain.
- 7.10.16. As such, it is considered that the proposal meets the requirements in 3.8(2).
- 7.10.17. Overall, it is considered that the proposal meets the requirements within Section 3.8 of the NPS for HPL and therefore, subdivision of the proposed nature is considered to be provided for under this clause. It is therefore considered the proposal is consistent with Policy 7 given subdivision can be provided as per Section 3.8.
- 7.10.18. In terms of Policy 8, it is considered that the area of HPL within the site will be protected from inappropriate use and development. The horticultural activity on site will remain, with the intent for the lot to remain in productive use. The area of the site which is not in productive use, will be held within an independent title, which is not considered to affect the



productivity of the horticultural activity. There will be no area of productive land removed from its current capacity. Proposed Lot 1 has been designed to follow the existing driveway areas, to ensure that all areas utilised by the horticultural activity can remain within the balance lot. This has meant that Lot 1 has been kept to a minimum lot size, compliant with the Restricted Discretionary Activity lot size for the zone, whilst maximising the balance lot size. This has been further enhanced by then amalgamating the balance lot with an adjoining productive lot, once again providing a superior outcome for the utilization of the site. As the use of the sites will remain, it is not considered that the proposal will result in inappropriate use and development as effectively there will be no change in use. As such, the proposal is considered to be consistent with Policy 3.8.

- 7.10.19. Overall it is considered that the proposal meets the requirements within Section 3.8 of the NPS-HPL and therefore, subdivision of the proposed nature is considered to be provided for under this clause. Assessment of Clause 3.10 is not considered necessary considered the subdivision by way of boundary adjustment is provided for within Clause 3.8.

Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

- 7.10.20. As detailed within this report, reverse sensitivity effects are not anticipated. The proposal is not considered to constrain land based primary production activities on HPL given the existing use of the site will remain. The proposal will see activities provided for which already exist in the immediate environment and are not anticipated to alter the productive capacity of the land or that of adjoining allotments. The area of the site which will be contained within Lot 1 is not in productive use such that it does not add value to the productive capacity of the land. The proposal is considered to result in a superior outcome in terms of future proofing the productive capacity of the land for future generations.

Summary

- 7.11. Overall, it is considered that the proposal is consistent with the objectives and policies of the NPS for HPL. It is considered that the subdivision of this nature is provided for within Clause 3.8 of the NPS for HPL, as the proposal will not affect the productive capacity of areas of HPL. The proposed subdivision by way of boundary adjustment is not considered to change the use of the land, nor will it enable the use of the land to be changed compared to what currently exists. The land use activities within the site are existing and will remain unchanged. Given this, assessment of Section 3.10 of the NPS-HPL has not been determined to be required.

Regional Policy Statement for Northland

- 7.12. The role of the Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northland's natural and physical resources.
- 7.13. The proposed district scale subdivision by way of boundary adjustment proposal is not considered to be contrary to the objectives and policies of the RPSN.



Far North Operative District Plan

Relevant objectives and policies

7.14. The relevant objectives and policies of the Plan are those related to the Subdivision Chapter, the Rural Environment and the Rural Production Zone. The proposal is considered to create no more than minor adverse effects on the rural environment. The proposal is considered to be consistent with the rural character of the surrounding area and is considered to have negligible effects on the rural amenity value of the area, as the lot sizes in the locality already reflect the size of the lots proposed and the use of the sites will remain unchanged. The proposal is considered to be consistent with the objectives and policies of the Plan as is detailed below.

Assessment of the objectives and policies within the Subdivision Chapter

7.4 The following assessment is based upon the objectives and policies contained within Sections 13.3 and 13.4 of the District Plan.

Objectives

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

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

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

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

13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.

13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.



13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.

7.15. The subdivision will be consistent with the purpose of the Rural Production zone as the proposed lot sizes can comply with the lot sizes set out under the Restricted Discretionary provisions and are therefore considered to be anticipated by the plan and within the zone. The proposed new allotments will enable *small scale farming and activities ancillary to rural production whilst maintaining and enhancing amenity values associated with the rural environment, and at minimising the likelihood and risk of incompatible land uses establishing in proximity to each other*, further reinforcing the consistency of the proposal with the purpose of the zone. Life supporting capacity of air, water, soil and ecosystems will not be compromised. No reverse sensitivity effects or acceleration of natural hazards are anticipated. The site does not contain any outstanding landscapes or natural features and is not located within the coastal environment. The site does not contain any scheduled heritage resources. Water supply is existing. The proposal is considered to result in a superior outcome as it will result in an area which is not in productive use, contained within an independent title, whilst maintaining a larger balance lot which will contain the existing horticultural activity and be amalgamated with an adjoining productive lot. This will future proof the land for future generations as the productive capacity of the site will increase. The proposal is not considered to affect the relationship of Māori and their ancestral land and other taonga. Electricity supply is not a requirement for this rural subdivision. The proposed lots are of ample area such that any new building can support energy efficient design. Alternative transport options, communications and local services are not a consideration of this rural subdivision. The site is not within the National Grid Yard.

Policies

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

- *natural character, particularly of the coastal environment;*
- *ecological values;*
- *landscape values;*
- *amenity values;*
- *cultural values;*
- *heritage values; and*
- *existing land uses.*



13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

13.4.4 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

13.4.5 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

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

13.4.7 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

13.4.8 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

- 7.16. The proposed subdivision will not have any adverse impacts on the character, ecological, landscape, amenity, cultural, heritage or existing land uses. The subdivision is in keeping with the surrounding character of the area. Vehicle access will be via the existing crossing place. Pedestrian access is not considered applicable to this rural subdivision as it has no links to existing footpaths. The site is not shown to be susceptible to natural hazards and furthermore, the development is existing on the site. No effects on neighbouring properties, public roads or the natural and physical resources of the site are anticipated. Onsite servicing is existing for the dwelling on Lot 1, with Lot 2 to remain in productive use. The site is not known to contain any heritage resources or areas of protected vegetation. The site is not located within the coastal environment, nor does it contain any outstanding landscapes or natural features. Water storage will be provided for onsite. The relationship of Māori is not anticipated to be affected. The objectives and policies of the Rural Environment and Rural Production zone will be undertaken below.

Assessment of the objectives and policies within the Rural Environment.

- 7.17. The following assessment is based upon the objectives and policies contained within Sections 8.3 and 8.4.

Objectives

8.3.1 To promote the sustainable management of natural and physical resources of the rural environment.



8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

8.3.3 To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.

8.3.4. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna

8.3.5 To protect outstanding natural features and landscapes.

8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment.

8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

8.3.8 To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.

8.3.9 To enable rural production activities to be undertaken in the rural environment.

8.3.10 To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.

- 7.17.1. The proposal promotes the sustainable management of natural and physical resources by enabling the horticultural activity to remain, without being fragmented. No additional Record of Titles will be created. The life supporting capacity of the site will not be compromised as has been discussed in detail within this report. No cumulative effects are anticipated as all effects can be managed within the lot boundaries. The site does not contain any outstanding natural features or landscapes. No potential conflicts between land use activities are anticipated as the lots reflect the existing lot sizes and uses in the surrounding environment and the use within the proposed lots is existing. Amenity values will be maintained as there will be no change to the existing use of the site. Superior outcomes are achieved as the productive use of the site will remain and be enhanced, whilst subdividing off an area of built development within the site. The proposal will enable rural production activities to continue as the use of the site will remain unchanged.

Policies

8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.

8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded, and rural productive activities are able to continue.

8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features, and landscapes.

8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.



8.4.5 That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).

8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.

8.4.7 That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.

8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

- 7.17.2. As has been discussed throughout this report, the proposal will contribute to the sustainable management of natural and physical resources. The proposal is not anticipated to create any adverse effects. Onsite infrastructure is existing for Lot 1. No incompatible land uses are anticipated. The intensity, type and scale of the proposal is considered consistent with development in the area. The amenity value of the rural environment will be maintained. It is considered there is a functional need for the proposal as the productive capacity of the site will be increased, while subdividing off existing built development within the site which does not add value to the productive potential of the horticultural activity.

Assessment of the objectives and policies within the Rural Production Zone

- 7.18. The following assessment is based upon the objectives and policies contained within Sections 8.6.3 and 8.6.4

Objectives

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

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 well-being and for their health and safety.

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

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

8.6.3.5 To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.



8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments. To enable rural production activities to be undertaken in the zone.

8.6.3.9 To enable rural production activities to be undertaken in the zone.

- 7.18.1. The proposal will promote the sustainable management of the natural and physical resources by providing allotments which can retain the existing productive activities and be utilised for productive uses. The proposal enables the efficient use and development of the zone by providing allotments which are not objectionable to the surrounding environment. The lots are of a size where productive use can occur providing for social, economic and cultural wellbeing of people and communities. Amenity values will be maintained as the existing activities within the site will remain. The site is not located along Kerikeri Road. The proposal is not considered to create any potential conflicts between land uses as demonstrated within Section 6 of this report. The activities have a functional need to be located in the environment and the proposal will enable the existing rural production activities to be undertaken in the zone.

Policies

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

8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.

8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.

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.

8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.

8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.

8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities. 8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities

8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.



7.18.2. The rural production zone provides for a wide range of activities to be carried out; the proposal will retain the productive use of the lot within Lot 2. The potential for effects to arise from this subdivision are less than minor and are not considered to result in incompatibility as demonstrated throughout this report. The proposal enables land uses which are compatible with the existing environment and ensure no reserve sensitivity effects are generated as a result of the proposal. The proposed subdivision is considered to utilize the land in a manner which ensures the amenity values of the Rural Production Zone is maintained. The proposal is not considered to result in any reverse sensitivity effects from lawfully established activities.

Proposed District Plan

7.19. Under the Proposed District Plan, the site is zoned Rural Production and therefore an assessment of the objectives and policies within this chapter have been included below. The proposal is considered to create no more than minor adverse effects on the rural environment and is consistent with the rural intent of the surrounding environment and the zone. The proposal is considered to be consistent with the objectives and policies of the Proposed District Plan.

Rural Production Zone

7.20. An assessment on the relevant objectives and policies within the Rural Production Zone has been addressed below.

Objectives

RPROZ-O1 - The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

RPROZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

RPROZ-O3 - Land use and subdivision in the Rural Production zone:

- (a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;*
- (b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;*
- (c) does not compromise the use of land for farming activities, particularly on highly productive land;*
- (d) does not exacerbate any natural hazards; and*
- (e) is able to be serviced by on-site infrastructure.*

RPROZ-O4 - The rural character and amenity associated with a rural working environment is maintained.

7.20.1. The proposal will enable the availability of primary production activities and the long term protection, given the horticultural activity in the site will remain. The subdivision by way of boundary adjustment will see the horticultural activity amalgamated with an adjoining lot of



similar use, whilst removing an area which is not in productive use, into an independent title. The proposal is considered to be consistent with RPROZ-O1.

- 7.20.2. The proposal will not see a change in use of the site, with all activities existing. As such, it is considered that the proposal will continue to enable primary production activities within the balance lot. The proposal is considered to be consistent within RPROZ-O2.
- 7.20.3. HPL has been considered to be protected as a result of the subdivision by way of boundary adjustment as detailed within this report. No reverse sensitivity effects are anticipated given the use of the site will remain unchanged. The proposal does not compromise the land for productive activities given the horticultural activity will remain and not be fragmented. The site is not shown to be susceptible to natural hazards and infrastructure is existing. The proposal is considered to be consistent within RPROZ-O3.
- 7.20.4. Rural character and amenity will be maintained given the use of the site will remain unchanged from what is currently in existence. The proposal will be largely indiscernible to the surrounding environment, especially given that there will not be an increase in the number of titles or traffic. The proposal is considered to be consistent within RPROZ-O4.

Policies

RPROZ-P1 - Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

- 7.20.5. Primary production activities will continue in the balance lot. These are existing and will not change as a result of the proposal.

RPROZ-P2 - Ensure the Rural Production zone provides for activities that require a rural location by:

- (a) enabling primary production activities as the predominant land use;*
- (b) enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.*

- 7.20.6. Primary production activities will continue in the balance lot and remain the predominant land use. The built development on Lot 1 is existing. No additional built development is proposed.

RPROZ-P3 - Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

- 7.20.7. The proposal will not see new sensitive activities introduced, given the built development on site is existing. There will be no change in the land use activities on the site.

RPROZ-P4 - Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:



- (a) a predominance of primary production activities;*
- (b) low density development with generally low site coverage of buildings or structures;*
- (c) typical adverse effects such as odour, noise and dust associated with a rural working environment; and*
- (d) a diverse range of rural environments, rural character and amenity values throughout the District.*

7.20.8. Rural character and amenity will be enhanced given the use of the sites will remain unchanged and there will not be an increase in the number of titles as a result. Primary production activities will continue to be the predominant activity on Lot 2. The proposal is considered to be of low density. No reverse sensitivity effects are anticipated given the use of the site will remain unchanged.

RPROZ-P5 - Avoid land use that:

- (a) is incompatible with the purpose, character and amenity of the Rural Production zone;*
- (b) does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;*
- (c) would result in the loss of productive capacity of highly productive land;*
- (d) would exacerbate natural hazards; and*
- (e) cannot provide appropriate on-site infrastructure.*

7.20.9. The proposal will not result in a change of land use.

RPROZ-P6 - Avoid subdivision that:

- (a) results in the loss of highly productive land for use by farming activities.*
- (b) fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
 - 1. the type of farming proposed; and*
 - 2. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.**
- (c) provides for rural lifestyle living unless there is an environmental benefit.*

7.20.10. The proposal is not considered to result in the loss of HPL. Lot 1 will contain the existing built development and curtilage area, which is not in productive use. Lot 2 will contain the entirety of the horticultural activity. It is considered that the proposal will not result in the loss of HPL as the horticultural activity will not lose value or productivity as a result of the proposal. The proposal is not considered to fragment land, as essentially the proposal will see an area not used for production and not appropriate for productive use, being removed from the site. The proposal will see the horticultural activity amalgamated with an adjoining lot, increasing the opportunity for productive capacity and economic viability. The proposal will see the dwelling contained within a smaller lot, however the proposal will not see an increase in the number of titles and as such, is not considered to contribute to the increase in lifestyle living. The proposal will ensure that the productive activity is maintained.

RPROZ-P7 - Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:



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

7.20.11. The proposal will increase the productive potential of the land, by amalgamating the balance with an adjoining lot of similar use, providing more opportunity for productive capacity and economic viability. The horticultural activity does rely on the productive nature of the soil and the proposal accommodates this by only subdividing off the area of the site which has already been removed from productive use. As detailed, the proposed lot sizes are consistent with lots in the surrounding environment. The use of the site will remain unchanged given development is existing. The proposal is consistent with the scale and compatibility as the use of the site is already in existence and will remain unchanged. No reverse sensitivity effects are anticipated given the use is existing. No loss of HPL, land sterilisation or fragmentation is anticipated given Lot 1 will contain an area of the site which is not in productive use. The site is not located at a zone interface. Infrastructure is existing on site. There will not be an increase in traffic movements given there will not be an increase in the number of titles. No adverse effects on historic heritage, cultural values, natural features, landscapes or indigenous biodiversity are anticipated. There are no known associations held by Tangata Whenua.

Summary

7.21. The above assessment demonstrates that the proposal will be consistent with the relevant objectives and policies and assessment criteria of the relevant statutory documents.



8. Section 125 – Lapsing of consent

- 8.1. The Act prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as determined by the Council. It is requested that the standard five-year provision be applied in this case.

9. Notification Assessment – Sections 95A to 95G of The Act

Public Notification Assessment

- 9.1. Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:

Step 1 Mandatory public notification in certain circumstances

(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 2.

(3) The criteria for step 1 are as follows:

(a) the applicant has requested that the application be publicly notified:

(b) public notification is required under section 95C:

(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

- 9.1.1. It is not requested the application be publicly notified and the application is not made jointly with an application to exchange reserve land. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Public Notification precluded in certain circumstances.

(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(5) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:

(b) the application is for a resource consent for 1 or more of the following, but no other, activities:

(i) a controlled activity;

(ii) [Repealed]

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

(iv) [Repealed]

(6) [Repealed]

- 9.1.2. The application is for a combined subdivision and land-use activity assessed as a Discretionary Activity overall. No preclusions apply in this instance. Therefore, Step 3 must be assessed.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—



- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 4.*
- (8) The criteria for step 3 are as follows:*
 - (a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*
 - (b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

- 9.1.3. No applicable rules require public notification of the application. The proposal is not considered to have a more than minor effects on the environment as detailed in the sections above.

Step 4; Public notification in special circumstances

- (9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—*
 - (a) if the answer is yes, publicly notify the application; and*
 - (b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.*

- 9.1.4. There are no special circumstances that exist to justify public notification of the application. The proposal involves a subdivision by way of boundary adjustment, where no additional titles will be created. Development is existing within Lot 1, with Lot 2 retaining the horticultural activity. The proposal results in an infringement of setback and impermeable surfaces given the existing structures within the site. All effects can be managed within the lot boundaries. There are many allotments in the immediate vicinity which are of similar or smaller size to the proposed allotments and hence the proposal is not considered to be exceptional or unusual.

Public Notification Summary

- 9.1.5. From the assessment above it is considered that the application does not need to be publicly notified, but assessment of limited notification is required.

Limited Notification Assessment

- 9.2. If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

Step 1: Certain affected groups and affected persons must be notified.

- (2) Determine whether there are any—*
 - (a) affected protected customary rights groups; or*
 - (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*
- (3) Determine—*
 - (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
 - (b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*
- (4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).*



- 9.2.1. There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application.

Step 2: Limited notification precluded in certain circumstances.

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(6) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:

(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

- 9.2.2. There is no rule in the plan or national environmental standard that precludes notification. The application is not for a prescribed activity but is for a subdivision and land-use proposal. Therefore Step 2 does not apply and Step 3 must be considered.

Step 3: Certain other affected persons must be notified

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application. The proposal is not for a boundary activity nor is it a prescribed activity.

- 9.2.3. The proposal includes a boundary activity, which is an internal setback infringement from the existing structures to the new dividing boundary.

- 9.2.4. In deciding who is an affected person under section 95E, a council under section 95E(2):

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

- 9.2.5. A Council must not consider that a person is affected if they have given their written approval or it is unreasonable in the circumstances to seek that person's approval. In this case, there are no parties considered to be adversely affected which would warrant the requirement for written approval. The setback infringements are internal, with no adjacent properties deemed to be affected as detailed within this report.

- 9.2.6. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 6 of this report, which



found that the potential adverse effects on the environment will be minor. In regard to effects on persons, the assessment in Sections 5, 6 & 7 are also relied on, and the following comments made:

- The size of the proposed allotments are consistent with the character of the allotments in the locality. Therefore, the proposed allotment sizes are not objectionable with the surrounding environment.
- The proposal will not result in any additional titles, given Lot 2 will be amalgamated with adjoining Lot 6 DP113250. Lot 1 will contain the existing built development, while the productive activity remains entirely within Proposed Lot 2. As such, the proposal will be largely indiscernible from the surrounding environment as the physical form of the site will remain unchanged.
- The proposal will not fragment productive activities or HPL. The area within Lot 1 has already been removed from productive use, given it contains a dwelling and curtilage area. The proposal will not result in sterilisation of highly productive land and is considered to create a superior outcome in regard to utilizing the land more efficiently. As such, the proposal is not considered to be contrary to the NPS-HPL.
- The development is not considered to be contrary to the objectives and policies under the Operative District Plan or Proposed District Plan.
- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.

9.2.7. Therefore, no persons will be affected to a minor or more than minor degree.

9.2.8. Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),

9.2.9. The proposal is to subdivide the site by way of boundary adjustment where no additional titles will be created. No reverse sensitivity effects or incompatible land use activities are anticipated. It is considered that no special circumstances exist in relation to the application.

Limited Notification Assessment Summary

9.2.10. Overall, from the assessment undertaken Steps 1 to 4 do not apply and there are no affected persons.

Notification Assessment Conclusion

9.3. Pursuant to sections 95A to 95G it is recommended that the Council determine the application be non-notified for the above-mentioned reasons.



10. Part 2 Assessment

- 10.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 10.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations as the proposal is considered to retain the productive use of the land while still providing for their social, economic and cultural well-being. The proposal will also see the horticultural activity within the site maintained, whilst removing an area of the site which is not in productive use, to be contained within an independent lot. The character and amenity of the site and surrounding environment will remain unchanged. In addition, the proposal will avoid adverse effects on the environment.
- 10.3. Section 6 of the Act sets out a number of matters of national importance. These matters of national importance are considered relevant to this application. The proposal is not located within the coastal environment nor are there any known lakes, rivers, or wetlands located within the site. The site is not located along the coastal marine area or near lakes or rivers where public access would be required. The site does not contain areas indigenous vegetation. The site is not known to contain any areas of cultural significance, and the proposal is not considered to affect the relationship of Māori and their culture and traditions. The site is not known to contain any sites of historical significance or be within an area subject to customary rights. The proposal does not increase the risk of natural hazards and will not accelerate, exacerbate or worsen the effects from natural hazards. It is therefore considered that the proposal is consistent with Section 6 of the Act.
- 10.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment and will not physically alter the existing use of the site.
- 10.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The subject site is not known to be located within an area of significance to Māori. The proposal has considered the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.
- 10.6. Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by Sections 5-8 of the Act.

11. Conclusion

- 11.1. The proposal is to undertake a subdivision by way of boundary adjustment where no additional titles will be created. The area of productive land will be wholly contained within Lot 2, with



the dwelling and curtilage area, being contained within Lot 1. The proposal is not considered to fragment any areas of HPL and will protect the use of the land for production activities for future generations. Land use consent is also sought as a result of internal setback infringements and impermeable surface coverage. All effects can be adequately managed within the site boundaries.

- 11.2. Due to the existing pattern of development in the area, it is not considered that there are any adverse cumulative effects, and that the proposal does not result in degradation of the character of the surrounding rural environment.
- 11.3. In terms of section 104(1)(b) of the Act, the actual and potential effects of the proposal will be less than minor.
- 11.4. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 11.5. As a Discretionary Activity, the proposal has been assessed against the specific matters and limitations imposed by the District Plan. In accordance with sections 104, 104B, 105 and 106 of the Act in relation to discretionary activities, it is considered appropriate for consent to be granted on a non-notified basis.

12. LIMITATIONS

- 12.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 12.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 12.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 12.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





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

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




R.W. Muir
Registrar-General
of Land

Identifier **NA63C/987**
Land Registration District **North Auckland**
Date Issued 04 February 1988

Prior References

NA52D/720 NA56A/526

Estate Fee Simple
Area 7.3597 hectares more or less
Legal Description Lot 7 Deposited Plan 113250

Registered Owners

Ross Gordon Mutton, Lesley Margaret Skill and CLM Trustees Limited

Estate Fee Simple - 1/10 share
Area 5196 square metres more or less
Legal Description Lot 15 Deposited Plan 113250

Registered Owners

Ross Gordon Mutton, Lesley Margaret Skill and CLM Trustees Limited

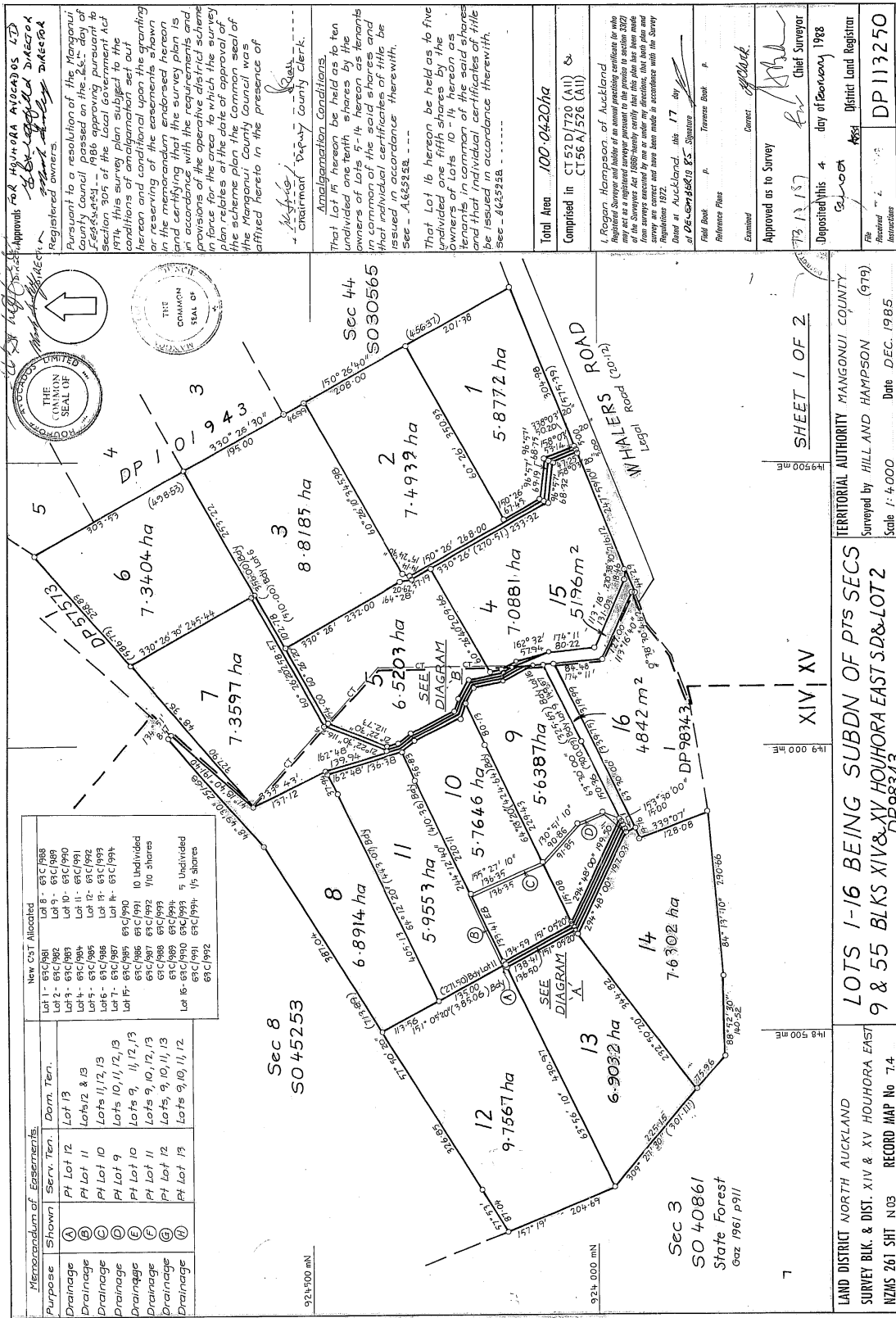
Interests

Subject to Section 59 Land Act 1948

Subject to Section 308 (4) Local Government Act 1974

Subject to a right (in gross) to convey electricity over Lot 15 DP 113250 marked A and over Lot 7 DP 113250 marked E on DP 208320 in favour of Top Energy Limited created by Easement Instrument 8941608.1 - 22.12.2011 at 1:37 pm

11627934.3 Mortgage to Rabobank New Zealand Limited - 6.12.2019 at 4:26 pm



Approved as to Survey
 Deposited this 4 day of February 1988
 Chief Surveyor
 District Land Registrar
 DP 113250

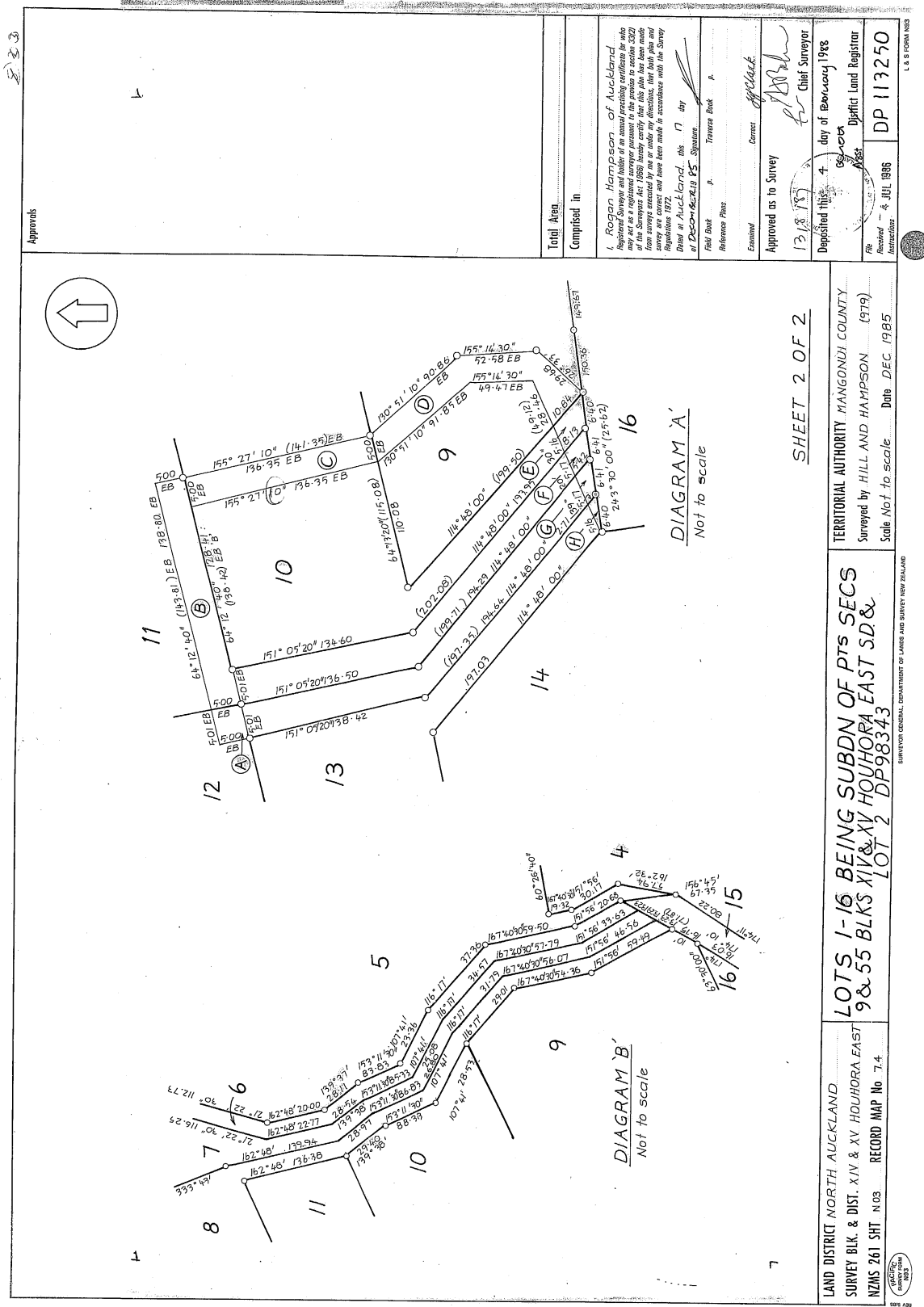
Scale 1:4000 Date DEC. 1985

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. XIV & XV HOUHOA EAST
 NZMS 261 SHIT N 03 RECORD MAP No 7.4

LOTS 1-16 BEING SUBDN OF PTS SECS
 9 & 55 BLKS XIV & XV HOUHOA EAST SD & LOT 2
 DP 98343

10.17.4

INCHES
 CENTIMETERS



Approvals

Total Area
Comprised in

I, Rogan Hampson of Auckland
Registered Surveyor and holder of an annual practicing certificate in who
has surveyed the above parcels of land in accordance with the provisions of section 32(2)
of the Survey Act 1980 and hereby certifies that the bearings and distances shown on this
survey are correct and have been made in accordance with the Survey
Act of Auckland, this 17 day
of December 1985

File No. p. Traverse Book p.
Reference This

Examined Correct
Approved as to Survey
13/12/85
Chief Surveyor

Deposited this 4 day of February 1986
District Land Registrar
Received - 4 JUL 1986
DP 113250

L & S FORM 102

SHEET 2 OF 2

TERRITORIAL AUTHORITY MANGONUI COUNTY
Surveyed by HILL AND HAMPSON (979)
Scale Not to scale Date DEC 1985

LOTS 1-16 BEING SUBDN OF PTS SECS
9 & 55 BLKS XIV & XV HOUHORA EAST SD &
LOT 2 DP 98343

LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. XIV & XV HOUHORA EAST
NZMS 261 SH T N 03 RECORD MAP No 7.4

2
DP 200564

6
DP 113250
RT NA63C/986

Lot 2
6.9526ha

2
DP 309792

8
DP 113250

3
DP 439919

Lot 1
4071m²

5
DP 113250

2
DP 439919

1
DP 439919

1
DP 146498

Pt 4
DP 113250

15
DP 113250

Hukatere Road
Legal sealed, 20.12 wide

Existing house
7.5m from new
boundary

Existing
shed 4.5m
from boundary

Amalgamation Conditions

1. That Lot 15 DP 113250 (legal access) be held as to two undivided one-tenth shares by the owners of Lots 1 and 2 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith.
2. That Lot 2 hereon and Lot 6 DP 113250 (RT NA63C/986) be held in the same Record of Title.

EXISTING EASEMENT IN GROSS

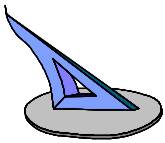
Purpose	Shown	Burdened Land	Created by
Right to convey electricity	E G	Lot 1 hereon	EI 8941608.1

SCHEDULE OF PROPOSED EASEMENTS

Purpose	Shown	Burdened Land	Benefited Land
Right of way	E F	Lot 1 hereon	Lot 2 hereon
	G H	Lot 2 hereon	Lot 1 hereon

Local Authority: Far North District Council
Comprised in: RT NA63C/987
Total Area: 7.3597Ha

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF VON STURMERS AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF VON STURMERS
AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY



VON STURMERS
Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 408 6000
Email: kaitaia@saps.co.nz
131 Commerce Street,
Kaitaia

**PROPOSED SUBDIVISION
OF LOT 7 DP 113250**

Name	Date	ORIGINAL	SHEET SIZE
Survey		SCALE	
Design		1:2500	A3
Drawn	SH 16-12-2025		
Rev	SH 09-03-2026		
Rev	SH 30-03-2026		

Surveyors
Ref. No:
15600

Series
Sheet **1/2**

2
DP 200564

6
DP 113250
RT NA63C/986

Lot 2
6.9526ha

2
DP 309792

8
DP 113250



Lot 1
4071m²

5
DP 113250

3
DP 439919

2
DP 439919

1
DP 439919

1
DP 146498

Pt 4
DP 113250

15
DP 113250

Hukatere Road
Legal sealed, 20.12 wide

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EXISTING EASEMENT IN GROSS

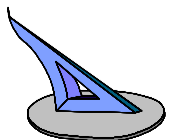
Purpose	Shown	Burdened Land	Created by
Right to convey electricity	E G	Lot 1 hereon	EI 8941608.1

SCHEDULE OF PROPOSED EASEMENTS

Purpose	Shown	Burdened Land	Benefited Land
Right of way	E F	Lot 1 hereon	Lot 2 hereon
	G H	Lot 2 hereon	Lot 1 hereon

Local Authority: Far North District Council
Comprised in: RT NA63C/987
Total Area: 7.3597Ha

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AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY



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131 Commerce Street,
Kaitaia



**PROPOSED SUBDIVISION
OF LOT 7 DP 113250**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey Design			
Drawn	SH 16-12-2025	1:2500	A3
Rev	SH 09-03-2026		
Rev	SH 30-03-2026		

Surveyors Ref. No:
15600
Series
Sheet **1/2**

SITE	110B Hukatere Road, Pukenui
LEGAL DESCRIPTION	Lot 7 DP 113250
PROJECT	Proposed 2-Lot Subdivision
CLIENT	R & L Trust
REFERENCE NO.	144659
DOCUMENT	Civil Site Suitability Report
STATUS/REVISION NO.	03– Resource Consent
DATE OF ISSUE	2 April 2026

Report Prepared For	Attention	Email
R & L Trust	Ross Gordon Mutton	ross.lesley@slingshot.co.nz

Authored by	G.M. Brant <i>(Be (Hons) Civil)</i>	Civil Engineer	gustavo@wjl.co.nz	
Reviewed & Approved by	B. Steenkamp <i>(CPEng, BEng Civil, CMEngNZ, BSc (Geology))</i>	Senior Civil Engineer	bens@wjl.co.nz	

1 EXECUTIVE SUMMARY

The following table is intended to be a concise summary which must be read in conjunction with the relevant report sections as referenced herein.

Legal Description:	Lot 7 DP 113250
Lot Sizes:	Proposed Lot 1 – 4,071m ² Proposed Lot 2 – 6.9526ha
Scope:	Civil Site Suitability Investigation: <ul style="list-style-type: none"> - Wastewater Assessment - Stormwater Assessment - Access
Development Proposals Supplied:	Subdivision Scheme Plan supplied by Von Sturmers (Ref No: 15600, dated: 16.12.2025)
District Plan Zone:	Rural Production Zone
Wastewater:	<p>The following is an indicative Conventional Trench wastewater design for a 4-bedroom dwelling – given the subsoils encountered we recommend Primary Level Treatment or higher:</p> <p>Daily Wastewater Production: 1,080L/day Daily Application Rate: 15mm/day Bed Length Required: 144m Recommended Field Setup: 8 x 18mL x 0.5mW with 1.0m spacings Disposal Area: Basal = 72m² Covered Area = 198m² (with spacings) Reserve Area: Basal = 72m² (100%) Covered Area = 198m² (with spacings)</p> <p>Recommendations for wastewater are provided in Section 5.</p>
Stormwater Management – District Plan Rules:	<p>Permitted Activity: 8.6.5.1.3 STORMWATER MANAGEMENT – The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.</p> <p>Controlled Activity: 8.6.5.2.1 STORMWATER MANAGEMENT – The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 20%.</p>
Stormwater Management:	<p>The existing development within Lot 1 exceeds 20% and is considered a Discretionary Activity. Given the large impermeable area allowance for Lot 2, it is anticipated that any existing / future residential development would comply with Permitted Activity Rule 8.6.5.1.3.</p> <p>Attenuation for the 1% AEP storm event should be provided for runoff resulting from existing / future proposed impermeable areas exceeding the Permitted Activity threshold to mitigate adverse effects of runoff on the downstream receiving environment. Alternatively, stormwater runoff resulting from existing / future impermeable areas exceeding the Permitted Activity threshold may be mitigated via soakage devices which should be</p>

designed / sized in accordance with Section 4.3.20 of the FNDC Engineering Standards (2023) and are subject to site-specific soakage testing.

Stormwater mitigation / attenuation recommendations are provided in Section 6.

3 SITE DESCRIPTION

The 7.3597ha subject property is legally described as Lot 7 DP 113250 and is located off the northern side of Hukatere Road. The site is accessed directly off Hukatere Road via an existing metalled accessway that provides access to the lot's existing dwelling and shed.

Undeveloped land consists predominantly of grass and trees. Topographically speaking, the property generally falls to the northeast at moderate grades and then at gentle grades downslope of the existing dwelling and shed.

The Far North District Council (FNDC) on-line GIS Water Services Map indicates that the property is not serviced by public wastewater, stormwater or potable water reticulation.



Figure 2: Snip from The Far North District Council (FNDC) on-line GIS Water Services Map showing site boundaries (cyan)

4 PUBLISHED GEOLOGY

Local geology at the subject site is noted on the GNS Science New Zealand Geology Web Map, Scale 1:250,000 as; **Early Pleistocene parabolic dunes**, described as; “*Weakly cemented and partly consolidated sand in parabolic dunes. Interdune lake and swamp deposits.*”. Refer to GNS Science Website.

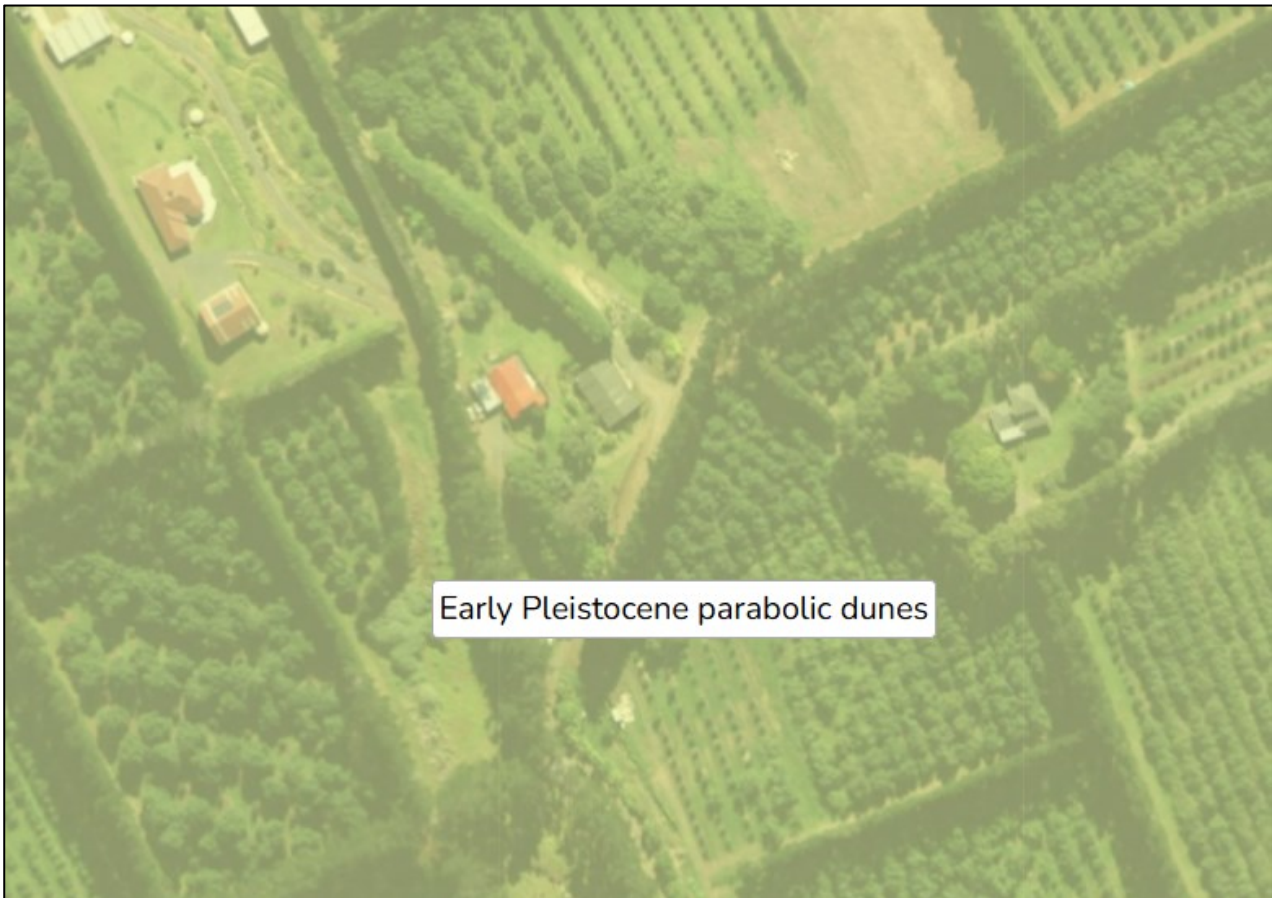


Figure 3: Screenshot aerial view from the New Zealand Geology Web Map

In addition to the above, hand auger testing was conducted by WJL within the subject site.

The subsoils encountered during WJL’s fieldwork consisted of SAND. Approximately 200mm of TOPSOIL was overlying the investigated area. Groundwater was not observed to a tested depth of 1.2m below natural ground level. Refer to the appended ‘BH Logs’.

Given the above, the site’s subsoils have been classified as **Category 3** in accordance with AS/NZS 1547:2012.

5 WASTEWATER

An existing on-site wastewater treatment system currently services Lot 1’s residential dwelling.

If the existing on-site wastewater treatment system is functional, fit for the existing dwelling and located within Lot 1’s proposed boundaries it may continue to operate.

If any part of the wastewater system, including any trenches or disposal fields are not located within Lot 1, the system can either be relocated to a suitable location and/or upgraded, or it can be decommissioned and replaced with a new on-site wastewater treatment system in accordance with the recommendations in Section 5.1 below.

5.1 DESIGN PARAMETERS

The following table is intended to be a concise summary of the design parameters, which must be read in conjunction with the relevant report sections as referenced herein.

The below wastewater design has been completed to show feasibility of on-site wastewater management within Lot 1. As there are no development plans available for the existing dwelling on-site, our recommendations have been based on a moderate size dwelling containing 4 bedrooms.

Given the subsoils encountered during WJL's fieldwork investigation, we recommend primary level treatment or higher for any new wastewater treatment system within the proposed lots.

Although a conventional trench system is recommended and shown below, alternative disposal methods are also acceptable subject to specific design.

5.1.1 Summary of Preliminary Design Parameters for a Primary Treatment System

Development Type:	Residential Dwellings
Effluent Treatment Level:	Primary (<BOD5 30 mg/L, TSS 45 mg/L)
Fill Encountered in Disposal Areas:	No
Water Source:	Rainwater Collection Tanks
Site Soil Category (AS/NZS 1547:2012):	Category 3 –SAND
Estimate House Occupancy:	6 Persons
Land Disposal Method:	Conventional Trenches
Loading Rate:	15mm/day
Typical Wastewater Design Flow Per Person	180L/pp/pd (Estimated – introduction of water conservation devices may enable lower design flows)
Estimated Total Daily Wastewater Production per Lot:	1,080L
Loading Method:	Dosed loading by pump or syphon
Emergency Storage Capacity:	Total holding capacity = ~4,500L Required storage time = 48 hours
Overall Bed Length Required where; L = Q / (DLR x W) L = length in m Q = design daily flow rate in L/day DLR = daily loading rate in mm/day	$L = 1080 / (15 \times 0.5) = 144m$

W = width in m	
Recommended Field Setup:	8 x 18mL x 0.5mW with 1m spacings, See appended Site Plan (144659-C001)
Primary Disposal Area:	Basal = 72m ² Total Covered Area = 198m ² (including spacings)
Reserve Disposal Area:	Basal = 72m ² (100%) Total Covered Area = 198m ² (including spacings)
Buffer Zone:	Required – refer to appended Site Plan (144659-C001)
Cut-off Drain:	Not required

5.2 REQUIRED SETBACK DISTANCES

The disposal and reserve areas must be situated outside the relevant exclusion areas and setbacks described within Table 9 of the PRPN: Exclusion areas and setback distances for on-site domestic wastewater systems:

Table 9 of the PRPN (Proposed Regional Plan for Northland)			
Feature	Primary treated domestic wastewater	Secondary treated domestic wastewater	Greywater
Exclusion areas			
Floodplain	5% AEP	5% AEP	5% AEP
Horizontal setback distances			
Identified stormwater flow paths (downslope of disposal area)	5 meters	5 meters	5 meters
River, lake, stream, pond, dam or wetland	20 meters	15 meters	15 meters
Coastal marine area	20 meters	15 meters	15 meters
Existing water supply bore	20 meters	20 meters	20 meters
Property boundary	1.5 meters	1.5 meters	1.5 meters
Vertical setback distances			
Winter groundwater table	1.2 meters	0.6 meters	0.6 meters

5.3 NORTHLAND REGIONAL PLAN ASSESSMENT

The existing wastewater disposal system servicing Lot 1 should meet the compliance points below, stipulated within Section C.6.1.1 of the Proposed Regional Plan for Northland:

C.6.1.1 Existing on-site domestic type wastewater discharge – permitted activity	
The discharge of domestic type wastewater into or onto land from an on-site system that was a permitted activity at the notification date of this Plan, and the associated discharge of any odour into air from the onsite system, are permitted activities, provided:	
#	Rule
1	the discharge volume does not exceed:
	a) three cubic metres per day, averaged over the month of greatest discharge, and
	b) six cubic metres per day over any 24-hour period, and
2	the following reserve disposal areas are available at all times:
	a) one hundred percent of the existing effluent disposal area where the wastewater has received primary treatment or is only comprised of greywater, or
	b) thirty percent of the existing effluent disposal area where the wastewater has received at least secondary treatment, and
3	the on-site system is maintained so that it operates effectively at all times and maintenance is undertaken in accordance with the manufacturer's specifications, and
4	wastewater irrigation lines are at all times either installed at least 50 millimetres beneath the surface of the disposal area or are covered by a minimum of 50 millimetres of topsoil, mulch, or bark, and
5	the discharge does not contaminate any groundwater supply or surface water, and
6	there is no surface runoff or ponding of wastewater, and
7	there is no offensive or objectionable odour beyond the property boundary.

We envision that there will be no issue meeting the Permitted Activity Status requirements as outlined above.

Any future wastewater disposal system should meet the compliance points below, stipulated within Section C.6.1.3 of the Proposed Regional Plan for Northland:

C.6.1.3 Other on-site treated domestic wastewater discharge– permitted activity	
The discharge of domestic type wastewater into or onto land from an on-site system and the associated discharge of odour into air from the on-site system are permitted activities, provided:	
#	Rule
1	The on-site system is designed and constructed in accordance with the Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012), and
2	The volume of wastewater discharged does not exceed two cubic metres per day, and
3	The discharge is not via a spray irrigation system or deep soakage system, and

4	The slope of the disposal area is not greater than 25 degrees, and
5	The wastewater has received secondary or tertiary treatment and is discharged via a trench or bed in soil categories 3 to 5 that is designed in accordance with Appendix L of Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012); or is via an irrigation line system that is:
	a) dose loaded, and
	b) covered by a minimum of 50 millimetres of topsoil, mulch, or bark, and
	For the discharge of wastewater onto the surface of slopes greater than 10 degrees:
6	a) the wastewater, excluding greywater, has received at least secondary treatment, and
	b) the irrigation lines are firmly attached to the disposal area, and
	c) where there is an up-slope catchment that generates stormwater runoff, a diversion system is installed and maintained to divert surface water runoff from the up-slope catchment away from the disposal area, and
	d) a minimum 10 metre buffer area down-slope of the lowest irrigation line is included as part of the disposal area, and
	e) the disposal area is located within existing established vegetation that has at least 80 percent canopy cover, or
	f) the irrigation lines are covered by a minimum of 100 millimetres of topsoil, mulch, or bark, and
7	the disposal area and reserve disposal area are situated outside the relevant exclusion areas and setbacks in Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems, and
8	for septic tank treatment systems, a filter that retains solids greater than 3.5 millimetres in size is fitted on the outlet, and
9	the following reserve disposal areas are available at all times:
	a) 100 percent of the existing effluent disposal area where the wastewater has received primary treatment or is only comprised of greywater, or
	b) 30 percent of the existing effluent disposal area where the wastewater has received secondary treatment or tertiary treatment, and
10	the on-site system is maintained so that it operates effectively at all times and maintenance is undertaken in accordance with the manufacturer's specifications, and
11	the discharge does not contaminate any groundwater water supply or surface water, and
12	there is no surface runoff or ponding of wastewater, and
13	there is no offensive or objectionable odour beyond the property boundary.

We envision that there will be no issue meeting the Permitted Activity Status requirements outlined above.

Based on current observations and topography, the lot contains sufficient undeveloped natural ground to accommodate both the primary and reserve wastewater disposal areas in accordance with AS/NZS1547. Final sizing and positioning will be confirmed at Building Consent stage.

6 STORMWATER MANAGEMENT

6.1 ASSESSMENT CRITERIA

The stormwater assessment has been completed in accordance with the recommendations and requirements contained within the Far North District Engineering Standards and the Far North District Council District Plan.

As below, the site resides in a Rural Production Zone.

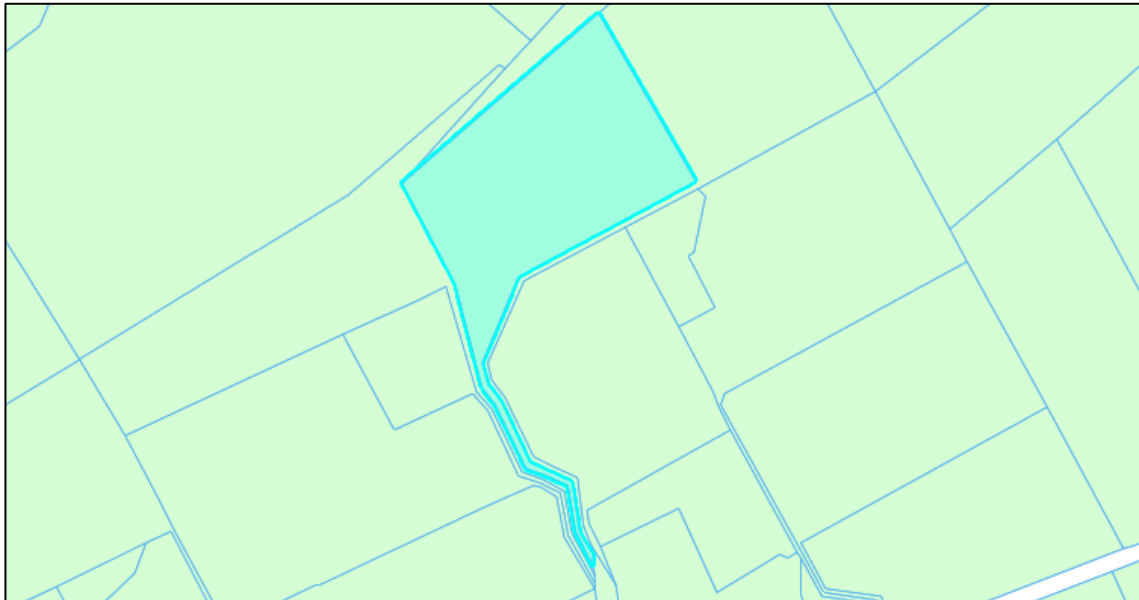


Figure 4: Snip of FNDC Maps showing site in Rural Production Zone

The following Stormwater Management Rules Apply:

Permitted Activity: 8.6.5.1.3 STORMWATER MANAGEMENT – The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.

Controlled Activity: 8.6.5.2.1 STORMWATER MANAGEMENT – The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 20%.

The table below is a summary of the proposed lots permitted impermeable areas, existing impermeable areas and their anticipated activity status:

	Site Area	Lot 15 DP 113250 1/10th Share	Total Site Area	Maximum Permitted Impermeable Area (15%)	Existing Impermeable Area	Anticipated Activity Status
Lot 1	4,071m ²	519.6m ²	4,591m ²	688.6m ²	ROW ½ Share = ~656m ² Lot 15 ROW 1/10 th Share = ~87m ² Metal Driveway = ~193m ² Dwelling = ~234m ² <u>Total = 1,170m² or 25.5%</u>	Discretionary Activity
Lot 2	69,526m ²	519.6m ²	70,046m ²	10,506.8m ²	<< 10,506.8m ²	Permitted

Given the above, the existing development within Lot 1 exceeds 20% and is considered a Discretionary Activity. Given the large impermeable area allowance for Lot 2, it is anticipated that any existing / future residential development would comply with Permitted Activity Rule 8.6.5.1.3.

Attenuation for the 1% AEP storm event should be provided for runoff resulting from existing / future proposed impermeable areas exceeding the Permitted Activity threshold to mitigate adverse effects of runoff on the downstream receiving environment. Alternatively, stormwater runoff resulting from existing / future impermeable areas exceeding the Permitted Activity threshold may be mitigated via soakage devices which should be designed / sized in accordance with Section 4.3.20 of the FNDC Engineering Standards (2023) and are subject to site-specific soakage testing.

Indicative tank attenuation design parameters are given below to demonstrate the feasibility of implementing attenuation on-site. The Type IA storm profile was utilised in attenuation calculations in accordance with TR-55. HydroCAD® software has been utilised in calculations for a 1% AEP rainfall value of 230mm with a 24-hour duration. Rainfall data was obtained from HIRDS and increased by 20% to account for climate change.

To appropriately mitigate stormwater runoff from the existing and future proposed impermeable areas, we recommend utilising Low Impact Design Methods as a means of stormwater management. Design guidance should be taken from 'The Countryside Living Toolbox' design document, and where necessary, 'Technical Publication 10, Stormwater Management Devices – Design Guidelines Manual' Auckland Regional Council (2003).

Stormwater management recommendations are provided below.

6.2 PRIMARY STORMWATER

6.2.1 Stormwater Runoff from Roof Areas

Stormwater runoff from the roof of any future buildings must be captured by a gutter system and conveyed to potable water / detention tank(s) on the corresponding lot.

Discharge and overflow from the rainwater tanks should be directed to a discharge point as specified below via sealed pipes.

6.2.2 Stormwater Runoff from Hardstand Areas

Where driveways are formed perpendicular to the slope of the topography, the driveway may shed runoff to lower-lying grassed areas via even sheet flow, well clear of any structures. Runoff passed through grassed areas will be naturally filtered of entrained pollutants and will act to mitigate runoff by way of ground recharge and evapotranspiration.

Where even sheet flow is not practicable, concentrated flows must be managed with swales to prevent erosion/scouring. These should be sized to manage and provide capacity for secondary flows and mitigate flow velocity where appropriate. Swales are to direct runoff to silt traps with suitably sized grate / scruffy dome inlets, from which runoff may be piped to the discharge point.

Alternatively, if sealed, driveways may be formed to shed runoff to catchpits installed per E1 of the NZ Building Code. Runoff collected via catchpits is to be directed to an outlet as specified below via sealed pipes.

Due to water quality concerns, runoff resulting from hardstand areas should not be allowed to drain to any potable water tanks.

6.2.3 Lot 1 Attenuation Feasibility

The existing impervious area within Lot 1 exceeds the permitted coverage threshold by ~481.4m². To address this exceedance, it is recommended that stormwater attenuation be provided via a detention volume within the upper section of the existing potable water tank.

As per the attached calculations, the existing tank's overflow should be fitted with a 37mmØ orifice located >590mm below the overflow outlet invert level to attenuate peak flows to below the maximum permitted discharge rate for the 1% AEP storm event adjusted for climate change. Refer to the appended Tank Detail (144659-C201) and calculation set for clarification.

6.2.4 Stormwater Runoff Discharge Point

Discharge and overflow from future potable water tanks / detention tank(s) and any hardstand catchpits / silt traps should be directed an appropriately sized dispersal device within the respective lot, unless discharge is directed to an open channel, where an appropriate riprap outlet is required for erosion protection. The dispersal device or discharge point should be positioned on/in stable ground downslope of any buildings and wastewater disposal, with setbacks as per the relevant standards.

It is recommended that discharge from Lot 1's existing potable water / detention tank be directed via sealed pipes to a dispersal device to the north of the existing dwelling. Refer to the appended Site Plan (144659-C001), Tank Detail (144659-C201), Dispersal Device Detail (144659-C202) and calculation set for clarification. The dispersal device is to have the following specifications:

- Minimum 6m dispersal bar length and 100mm bar diameter,
- Dispersal bar to be installed parallel to property's topography,
- The dispersal bar is to be installed well clear and downslope of wastewater effluent fields,
- Dispersal bar installed maximum 150mm above ground level via waratah standards & stainless wire or plastic clips,
- 15mmØ outlet holes drilled at 150mm centres along the bar,
- One end of dispersal bar fitted with open 90° bend with mesh/grated cover to serve as emergency overflow,
- Other end of dispersal bar fitted with screw cap installed for maintenance / cleaning access,
- 6-inch riprap to be placed around emergency overflow.

6.3 SECONDARY STORMWATER

Where required, overland flows and any concentrated runoff from higher ground should be intercepted by means of shallow surface drains or small bunds near structures to protect these from both saturation and erosion.

6.4 DISTRICT PLAN ASSESSMENT

This section has been prepared to demonstrate the likely effects of the activity on stormwater runoff and the means of mitigating runoff.

In assessing an application under this provision, the Council will exercise discretion to review the following matters below, (a) through (r). In respect of matters (a) through (r), we provide the following comments:

13.10.4 – Stormwater Disposal

(a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.

No discharge permits are required. No resource consent issued documents stipulating specific requirements are known for the subject site or are anticipated to exist.

<p><i>(b) Whether the application complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).</i></p>	<p>The application is deemed compliant with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009</p>
<p><i>(c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.</i></p>	<p>The application is deemed compliant with the Far North District Council Strategic Plan - Drainage</p>
<p><i>(d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.</i></p>	<p>Stormwater management should be provided for the subject lot by utilising Low Impact Design Methods. Guidance for design should be taken from 'The Countryside Living Toolbox' design document, and where necessary, "Technical Publication 10, Stormwater Management Devices – Design Guidelines Manual" Auckland Regional Council (2003). All roof runoff will be collected by rainwater tanks for conveyance to a safe outlet point. Hardstand areas should be shaped to shed to swales/catchpits for runoff conveyance to a safe outlet location.</p>
<p><i>(e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.</i></p>	<p>As above. Runoff from roof areas will be collected, directed to rainwater tanks and discharged in a controlled manner to a designated outlet, reducing scour and erosion. Hardstand areas should be shaped to shed runoff to lower-lying lawn areas as passive mitigation, or to swales/catchpits for runoff conveyance to a safe outlet location.</p>
<p><i>(f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.</i></p>	<p>Runoff from roof areas is free of litter, chemical spillages, or contaminants from roads. Hardstand areas should be shaped to shed runoff to lower-lying lawn areas as passive mitigation, or to swales/catchpits for runoff conveyance to a safe outlet location. Large downslope pasture areas and swales act as bio-filter strips to filter out entrained pollutants and catchpits/silt traps allow for the settlement of sediment.</p>
<p><i>(g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.</i></p>	<p>No alteration to waterways is proposed.</p>
<p><i>(h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.</i></p>	<p>Not applicable.</p>
<p><i>(i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.</i></p>	<p>Not applicable.</p>

<p><i>(j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.</i></p>	<p>Not applicable.</p>
<p><i>(k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.</i></p>	<p>Outlet locations are to be determined during detailed design and are to be located such that there are no adverse effects on adjacent properties.</p>
<p><i>(l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipe lines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.</i></p>	<p>Not applicable.</p>
<p><i>(m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.</i></p>	<p>Not applicable.</p>
<p><i>(n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.</i></p>	<p>Not applicable.</p>
<p><i>(o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.</i></p>	<p>Not applicable.</p>
<p><i>(p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.</i></p>	<p>Not applicable.</p>
<p><i>(q) The need for and extent of any financial contributions to achieve the above matters.</i></p>	<p>Not applicable.</p>
<p><i>(r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.</i></p>	<p>Not applicable.</p>

7 ACCESS

7.1 GENERAL

A basic access and vehicle crossing assessment has been completed for the proposed subdivision.

It is our understanding that the proposed lots intent to utilise the existing access point from the northern side of Hukatere Road that is currently utilised by the parent lot and neighbouring properties 110A, 110C & 110D Hukatere Road. The vehicle crossing and accessway are assessed under the Far North District Council Engineering Standards (2023).

7.2 VEHICLE CROSSINGS

The existing vehicle crossing from Hukatere Road is sealed, consistent with the adjoining Hukatere Road carriageway surface. The surfacing is in reasonable condition with no significant disrepair evident.

The existing vehicle crossing is in general accordance with the Far North District Council Engineering Standards (2023), Sheet 21 Type 1A – Light Vehicles. As such, we deem the existing crossing to be sufficient to serve the proposed lots.



Figure 5: Annotated screenshot showing existing vehicle crossing from Hukatere Road

7.3 SIGHT DISTANCES

Hukatere Road has a general operating speed of 100km/hr (NZTA National Speed Limits Register) and is considered a Primary and Secondary Collector road. The Far North District Council Engineering Standards (2023) – Sheet 4 notes that the minimum required sight distance is 210m.

The existing vehicle crossing allows for >210m of sight distance to the northeast and ~120m of sight distance to the southwest. While the sight distance to the southwest falls below the minimum sight distance specified in Sheet 4, the operating speed of vehicles coming from the bend on Hukatere Road from the southwest will be much lower than the posted speed limit given that Hukatere Road is unsealed to the southwest of the access point. The available sight distance is therefore considered to be acceptable, however, this is subject to review from the Far North District Council.



Figure 6: Annotated photo showing available sight distance to the northeast



Figure 7: Annotated photo showing available sight distance to the southwest

7.4 VEHICLE ACCESS

The vehicle access legal and surfacing widths for all proposed lots are assessed under the relevant requirements for both the operative and proposed district plans. The existing accessway has been found to be in general accordance with Figures 8 & 9 below. As such, widening of the accessway is not considered to be required at this stage.

APPENDIX 3B-1: STANDARDS FOR PRIVATE ACCESS

(Reference: **Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access and Zone Maps**)

Zone	No. of H.E.s	Legal Width	Carriageway Width	Maximum Gradient		Kerb	Foot-path	Storm-water Drain ¹
				Unsealed	Sealed			
Residential	1	-	3.0	1:6	1:4	-	-	Yes
Coastal Residential	2	5.0	3.0	-	1:4	-	-	Yes
Russell Township	3 - 4	7.5	3.0 with passing bays	-	1:4	-	-	Yes
Point Veronica	5 - 8	7.5	5.0	-	1:4	Yes	-	Yes
Commercial	1	-	3.0	1:8	1:5	-	-	Yes
Industrial	2 - 4	8.0	6.0	-	1:5	-	-	Yes
Orongo Bay Special Purpose	>5	8.0	6.0	-	1:5	-	-	Yes
Rural Production	1	-	3.0	1:5	1:4	-	-	Yes
Rural Living								
Waimate North Horticultural Processing	2	5	3.0	1:5	1:4	-	-	Yes
Carrington Estate								
General Coastal	3 - 4	7.5	3.0 with passing bays	1:5	1:4	-	-	Yes
Coastal Living								
South Kerikeri Inlet								
Recreational Activities	5 - 8	7.5	5.0	1:5	1:4	-	-	Yes

¹ All private access must have stormwater drainage measures such that adverse effects are not created on adjoining properties or the public road, in accordance with Council's "Engineering Standards and Guidelines" (June 2004 – Revised 2009)

Note 1: H.E. = Household Equivalent represented by 10 vehicle movements
Note 2: Refer to **Rules 15.1.6B.1.1(c) and (d)**.
Note 3: Access for more than 8 Household Equivalents shall be by public road and constructed to a standard identified in **Appendix 3B-2**.
Note 4: Access carriageways in urban zones that serve two or more users shall be sealed or concreted, refer **Rule 15.1.6B.1.2(c)**.

Figure 8: FNDC Operative DP Table 3B-1: Standards for Private Accessways

TRAN-Table 9 - Requirements for private accessways

Number of residential units	Maximum length (m)	Minimum legal width (m)	Minimum carriageway width (m)			Footpath width (m)	Maximum gradient	Crossfall
			Unsealed shoulder	Surfacing width	Total			
Urban								
2-4	50	4.0	-	1 x 3.0	3.0	-	12.5% from the first 5m from the road boundary and 22% for the remainder restricted to straight sections	3%
5-8	100	6.0		1 x 4.5	4.5	1 x 0.95		
Rural								
2	-	4.0	2 x 0.25	1 x 3.0	3.5	-	12.5% for the first 5m from the road boundary and 22.2% for the remainder	3% where sealed; 6% where unsealed
3-5		6.0	2 x 0.25	1 x 3.0	4.5			
6-8		10.0	2 x 0.25	1 x 3.0	6.0			

Figure 9: Snip of FNDC proposed District Plan TRAN-Table 9

7.5 PASSING BAYS

The Far North District Council Engineering Standards (2023) states the following regarding passing bays on rural accessways:

On accessways more than 200 m long and less than 4.5 m carriageway width, passing bays shall be provided at points of intervisibility (at approximate 100 m intervals). For such passing bays the carriageway width should be increased to 5.5 m over a 15 m length including 5 m tapers at each end.

Figure 10: Snip from FNDC Engineering Standards (2023) Section 3.2.28.3

It is recommended that passing bays be constructed in accordance with the above. Refer to the appended Access Plan (144659-C400) for proposed locations of passing bay widening.

8 LIMITATIONS

This report has been prepared for the benefit of the Client for the purpose of supporting a Resource/Subdivision Consent application for the project described herein and within the agreed scope of engagement. The report may be submitted to the relevant Territorial Authority for that purpose.

The Territorial Authority may rely on this report for the purposes of assessing the Resource Consent application, subject to the scope, assumptions, and limitations described herein. Any material changes to the development proposal, site conditions, or design assumptions from those described in this report should be referred to Wilton Joubert Limited for review.

This report remains the intellectual property of Wilton Joubert Limited. No responsibility or liability is accepted for the use of this report by any third party, or for any purpose other than that for which it was prepared, unless expressly agreed in writing. Any party choosing to rely on this report does so at their own risk.

While this report may be used in support of regulatory approvals, it does not remove the requirement for detailed, site-specific investigations, assessments, or inspections that may be required at subsequent design or Building Consent stages, in accordance with standard engineering practice.

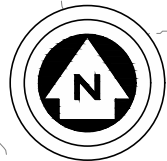
The conclusions and recommendations in this report are based on information available at the time of preparation and are dependent on appropriate implementation during construction. Variations in site conditions or construction practices may affect performance and should be reviewed by a suitably qualified and experienced engineer if encountered.

Yours faithfully,

WILTON JOUBERT LIMITED

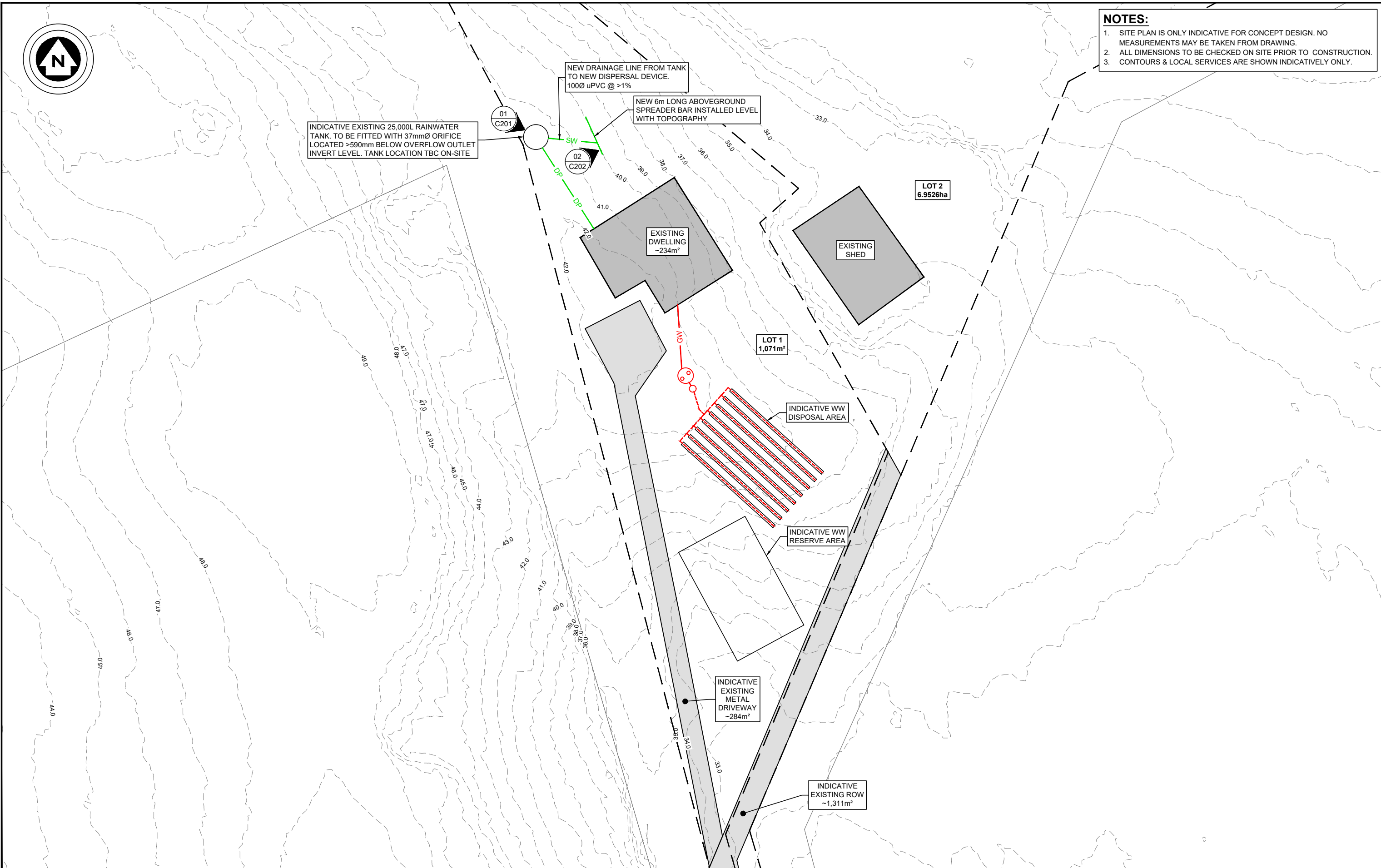
Enclosures:

- Site Plan – C001 (1 sheet)
- Tank Detail – C201 (1 sheet)
- Dispersal Device Detail – C202 (1 sheet)
- Access Plan – C400 (1 sheet)
- Hand Auger Borehole Records (1 sheet)
- Calculation Set



NOTES:

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ISSUE / REVISION			
No.	DATE	BY	DESCRIPTION
01	FEB '26	GMB	CIVIL SITE SUITABILITY REPORT
02	FEB '26	BGS	CIVIL SITE SUITABILITY REPORT REV02
03	APR '26	GMB	CIVIL SITE SUITABILITY REPORT REV03

DESIGNED BY:
GMB

DRAWN BY:
GMB

CHECKED BY:
BGS

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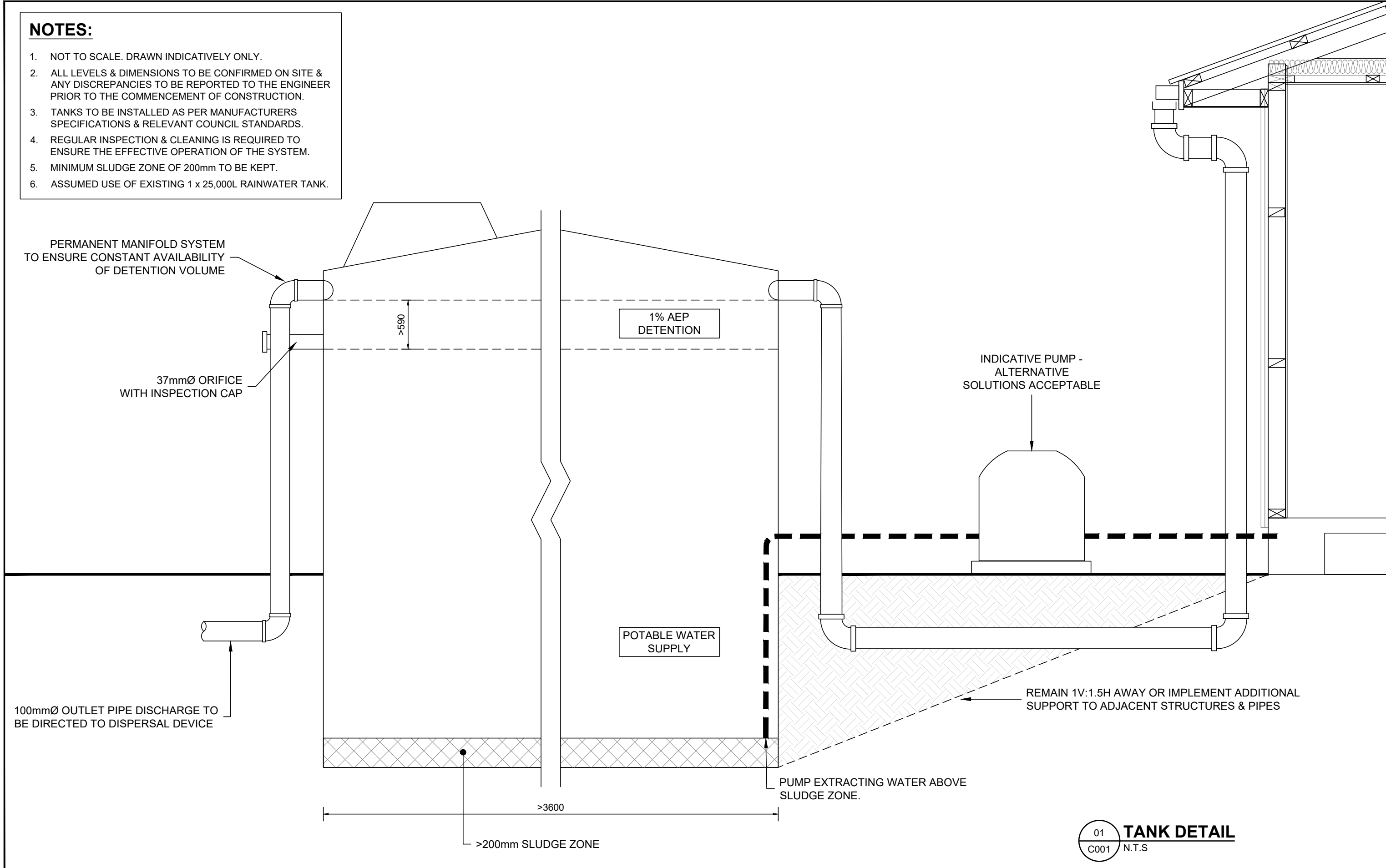
PROJECT DESCRIPTION:
CIVIL SITE SUITABILITY REPORT

PROJECT TITLE:
PROPOSED SUBDIVISION OF LOT 7 DP 113250 110B HUKATERE ROAD NORTHLAND

ORIGINAL DRAWING SIZE: A3	OFFICE: OREWA
DRAWING SCALE: 1:500	CO-ORDINATE SYSTEM: NOT COORDINATED
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3. TANKS TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS & RELEVANT COUNCIL STANDARDS.
4. REGULAR INSPECTION & CLEANING IS REQUIRED TO ENSURE THE EFFECTIVE OPERATION OF THE SYSTEM.
5. MINIMUM SLUDGE ZONE OF 200mm TO BE KEPT.
6. ASSUMED USE OF EXISTING 1 x 25,000L RAINWATER TANK.



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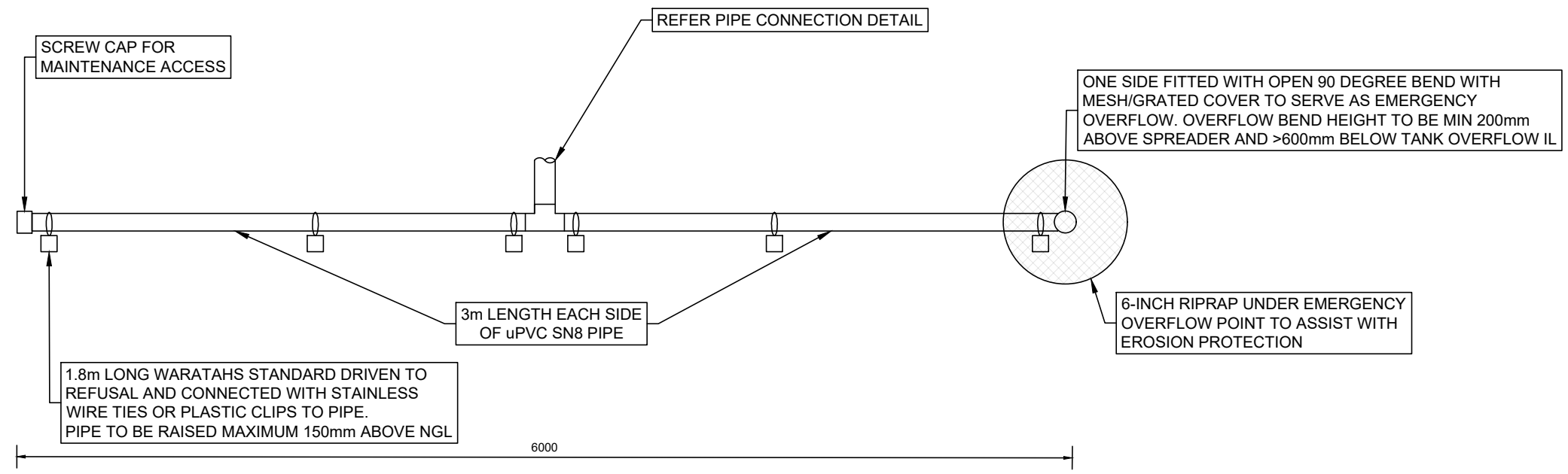
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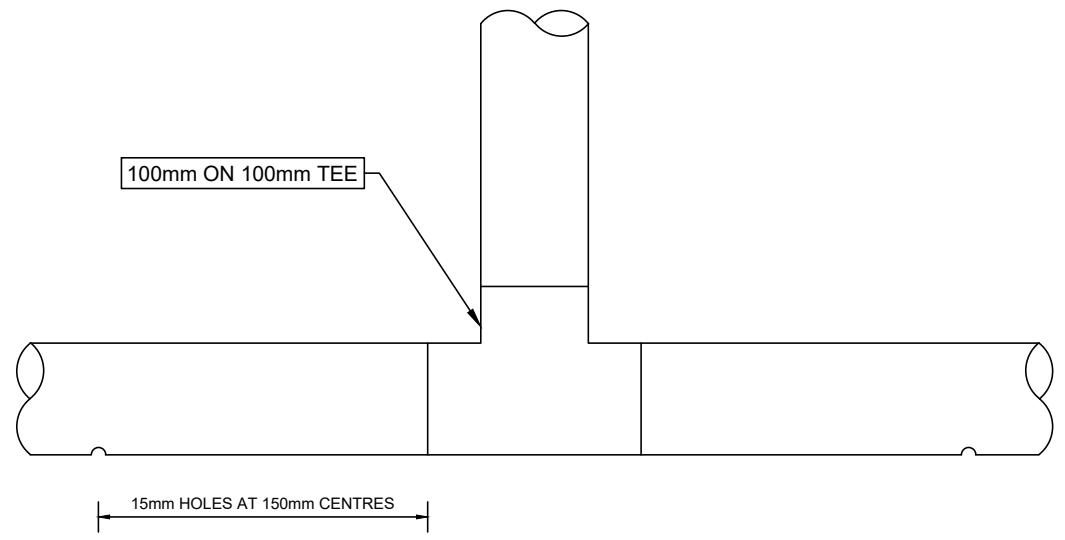
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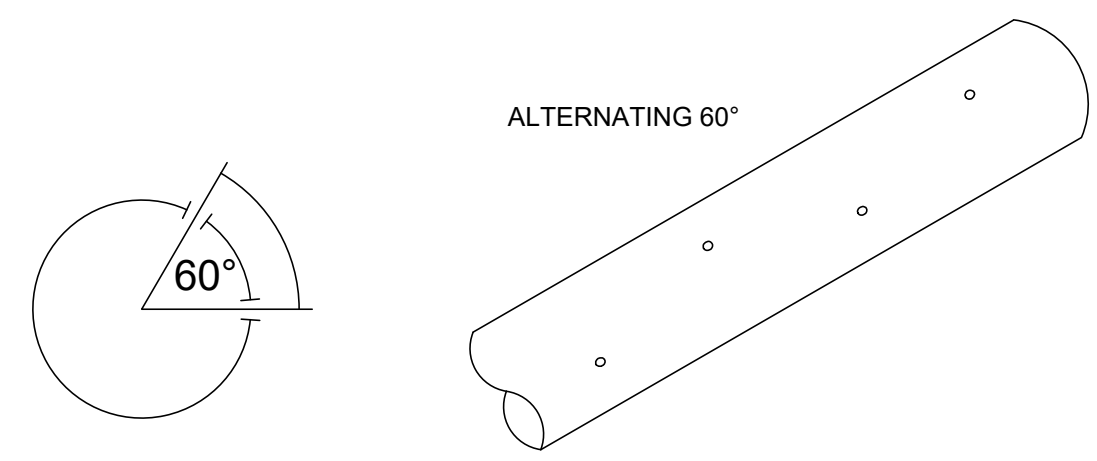
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PLAN



PIPE CONNECTION DETAIL



PIPE OUTLET HOLE ARRANGEMENT DETAIL

02 **DISPERSAL DEVICE DETAIL**
C001 N.T.S

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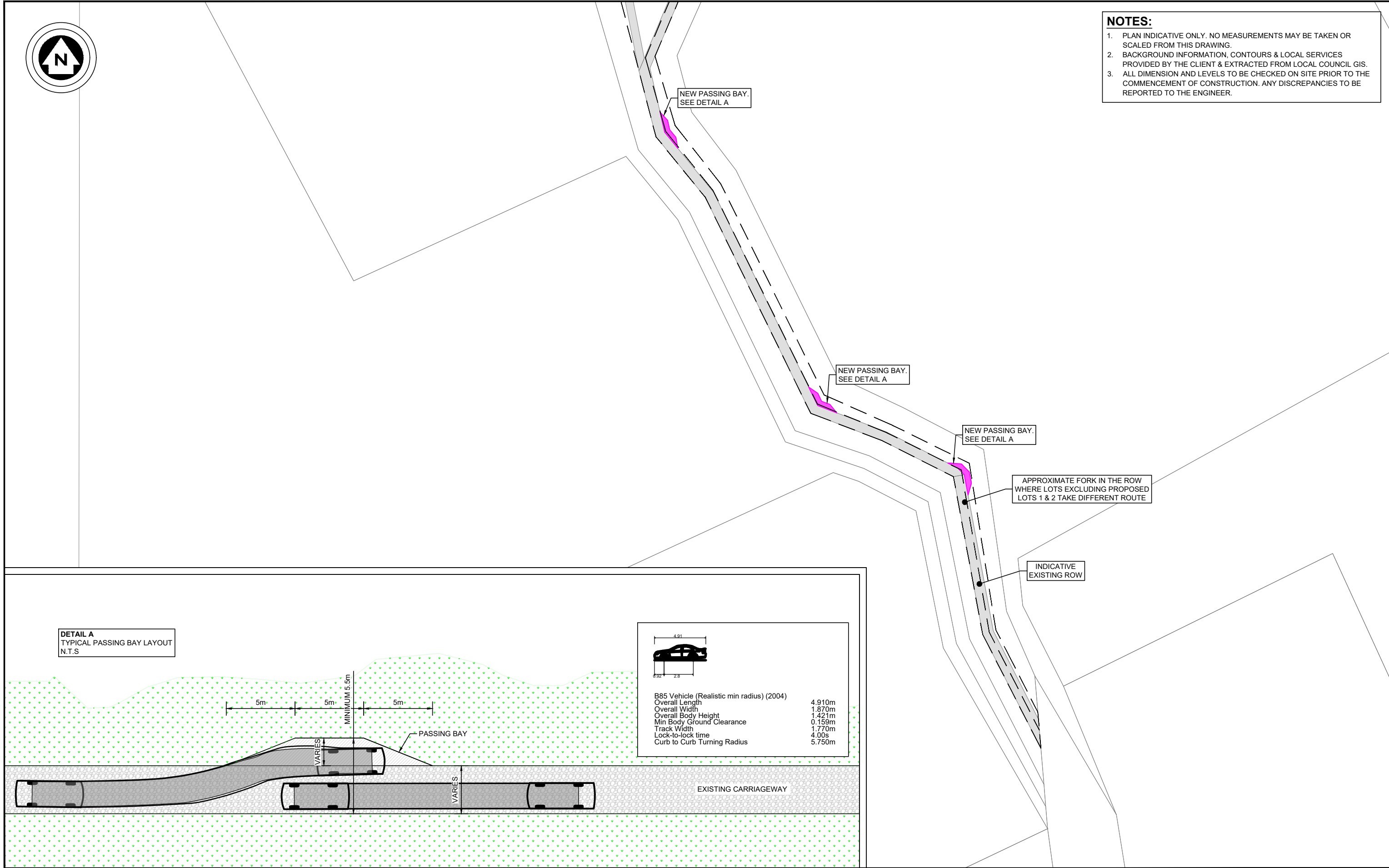
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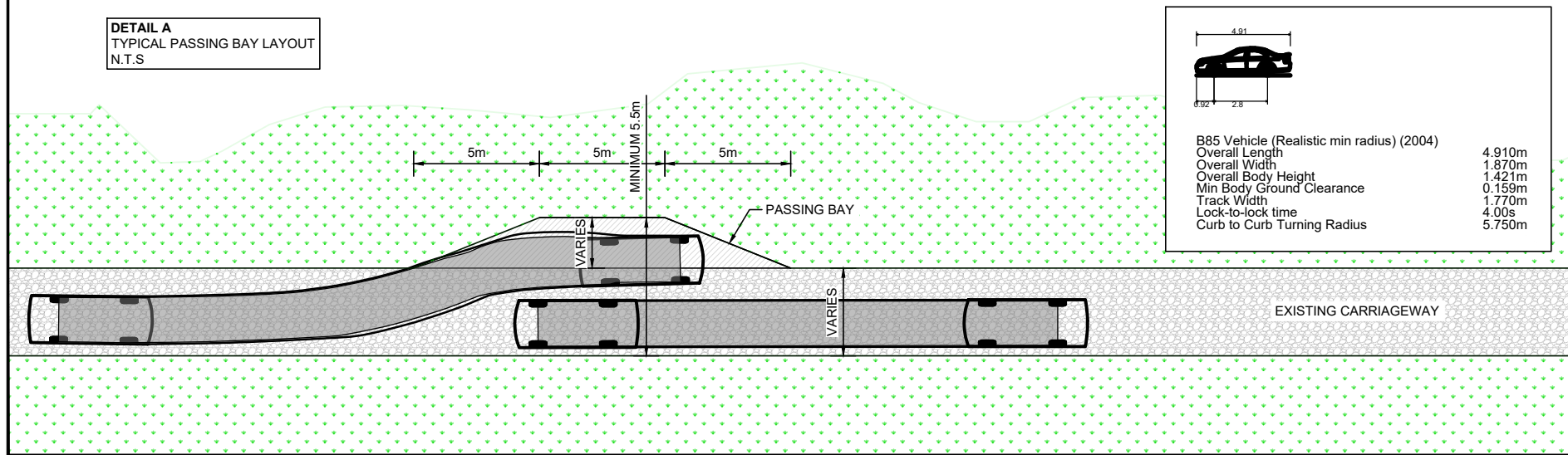
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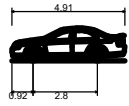


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DETAIL A
TYPICAL PASSING BAY LAYOUT
N.T.S



	
B85 Vehicle (Realistic min radius) (2004)	
Overall Length	4.910m
Overall Width	1.870m
Overall Body Height	1.421m
Min Body Ground Clearance	0.159m
Track Width	1.770m
Lock-to-lock time	4.00s
Curb to Curb Turning Radius	5.750m



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PROJECT TITLE:
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HAND AUGER : HA01

JOB NO.: 144659 SHEET: 1 OF 1

START DATE: 27/01/2026

NORTHING:

GRID:

DIAMETER: 50mm

EASTING:

SV DIAL:

ELEVATION: Ground

FACTOR:

DATUM:

CLIENT: R & L Trust
PROJECT: Civil Site Suitability Report

SITE LOCATION: 110b Hukatere Rd, Pukenui

STRATIGRAPHY	SOIL DESCRIPTION	LEGEND	DEPTH (m)	WATER	SHEAR VANE			DCP - SCALA (Blows / mm)	COMMENTS, SAMPLES, OTHER TESTS
					PEAK STRENGTH (kPa)	REMOULD STRENGTH (kPa)	SENSITIVITY		
Kariotiahi Group	TOPSOIL; Silty SAND, brown, moist, no plasticity friable.		0.0 - 0.2	Groundwater Not Encountered					
	NATURAL; SAND (trace Silt), orangey brown, moist, no plasticity (friable).		0.2 - 1.2						
	EOH: 1.20m - Target Depth.		1.2 - 1.4						

REMARKS

End of borehole @ 1.20m (Target Depth: 1.20m)

NZGS Definition of Relative Density for Coarse Grain soils: VL - Very Loose; L - Loose; MD - Medium Dense; D - Dense; VD - Very Dense

LOGGED BY: JM

▼ Standing groundwater level

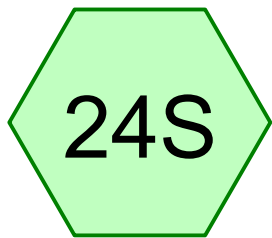
CHECKED BY: BGS

▽ GW while drilling

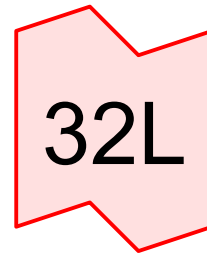


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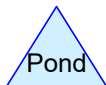
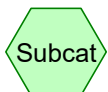
Lot 1 - Permitted Threshold



Permitted Threshold
Coverage



Permitted Flows



Routing Diagram for 144659-03

Prepared by Wilton Joubert Limited, Printed 2/04/2026
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144659-03

Type IA 24-hr 1% AEP + 20% CCF Rainfall=230 mm

Prepared by Wilton Joubert Limited

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Page 2

Time span=0.00-24.00 hrs, dt=0.05 hrs, 481 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment 24S: Permitted

Runoff Area=1,170.0 m² 58.85% Impervious Runoff Depth>177 mm
Tc=10.0 min CN=83 Runoff=14.87 L/s 207.1 m³

Link 32L: Permitted Flows

Inflow=14.87 L/s 207.1 m³
Primary=14.87 L/s 207.1 m³

Summary for Subcatchment 24S: Permitted Threshold Coverage

Runoff = 14.87 L/s @ 7.97 hrs, Volume= 207.1 m³, Depth> 177 mm

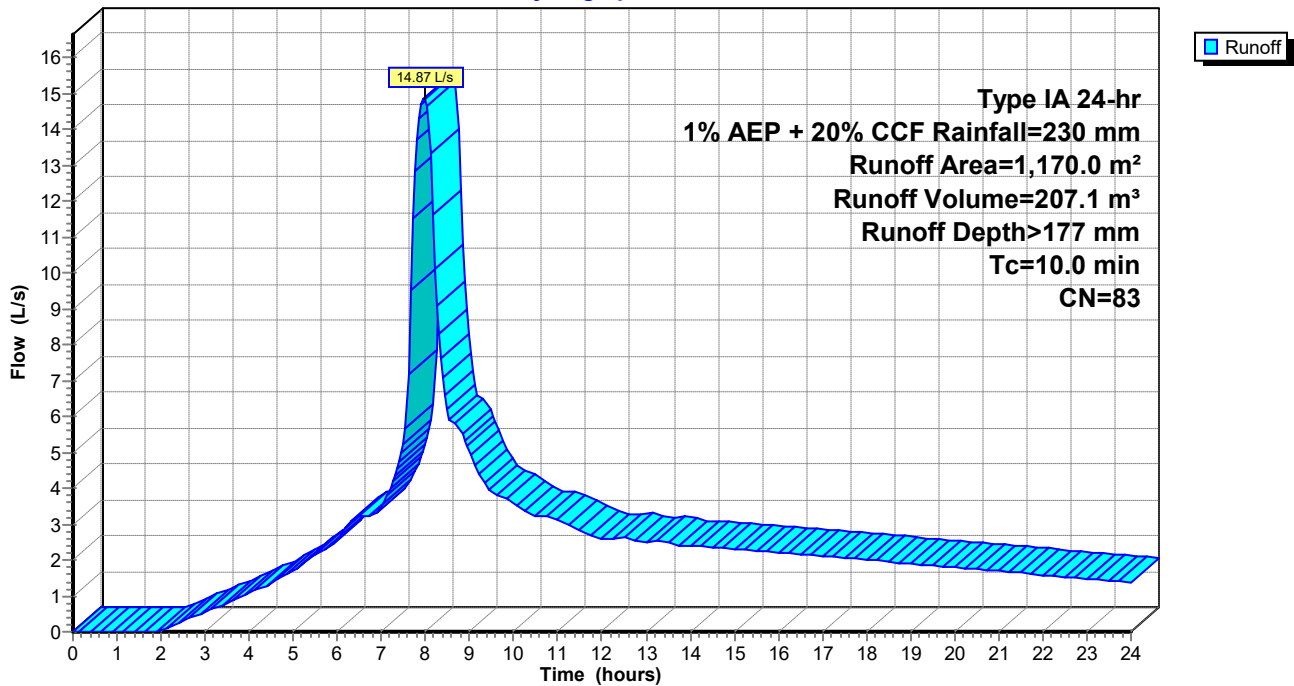
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Type IA 24-hr 1% AEP + 20% CCF Rainfall=230 mm

Area (m ²)	CN	Description
481.4	61	>75% Grass cover, Good, HSG B
688.6	98	Roofs, HSG C
1,170.0	83	Weighted Average
481.4		41.15% Pervious Area
688.6		58.85% Impervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m ³ /s)	Description
10.0					Direct Entry,

Subcatchment 24S: Permitted Threshold Coverage

Hydrograph



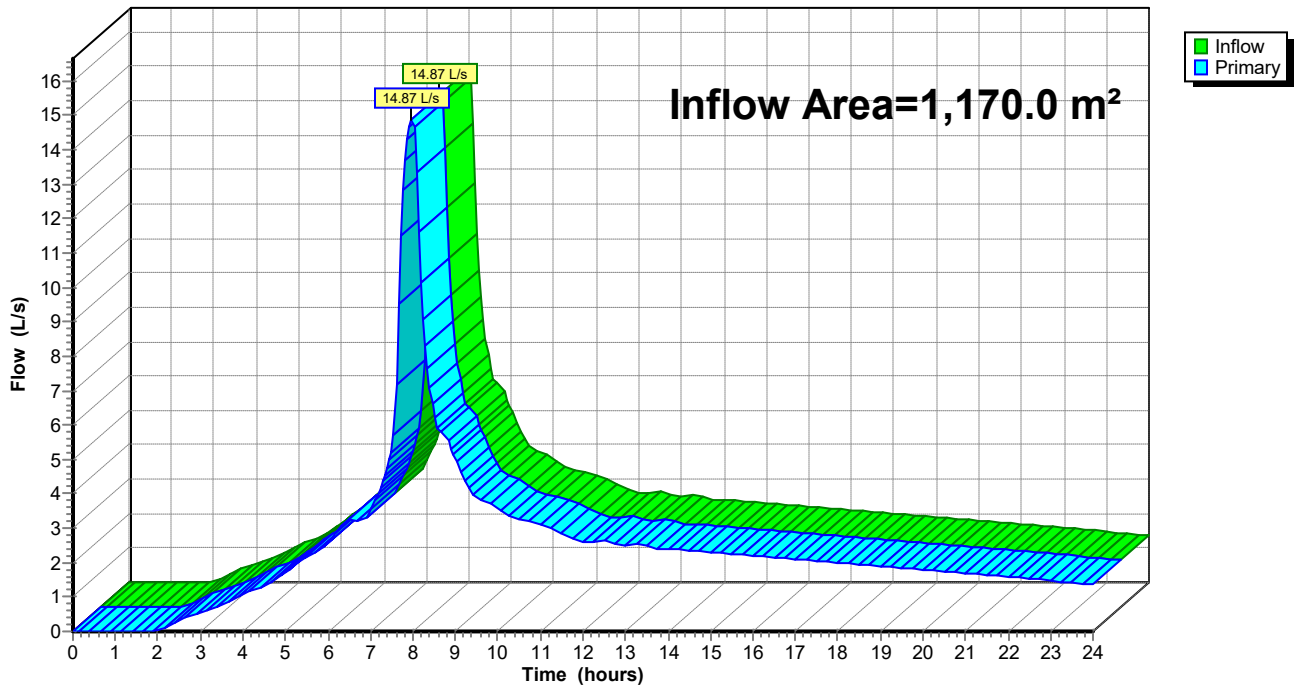
Summary for Link 32L: Permitted Flows

Inflow Area = 1,170.0 m², 58.85% Impervious, Inflow Depth > 177 mm for 1% AEP + 20% CCF event
Inflow = 14.87 L/s @ 7.97 hrs, Volume= 207.1 m³
Primary = 14.87 L/s @ 7.97 hrs, Volume= 207.1 m³, Atten= 0%, Lag= 0.0 min

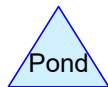
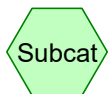
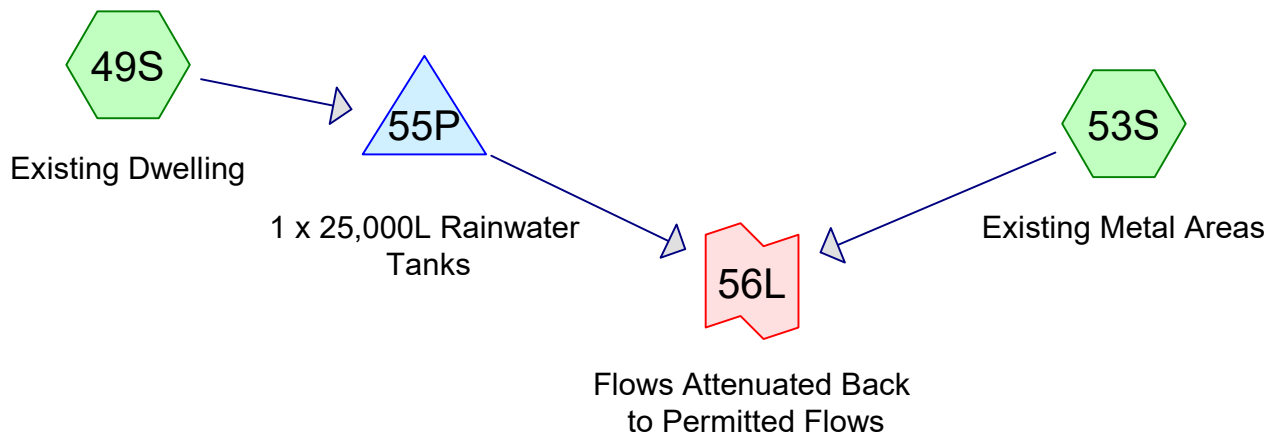
Primary outflow = Inflow, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs

Link 32L: Permitted Flows

Hydrograph



**Lot 1 - Existing
Impermeable Areas**



Time span=0.00-24.00 hrs, dt=0.05 hrs, 481 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

Subcatchment 49S: Existing Dwelling Runoff Area=234.0 m² 100.00% Impervious Runoff Depth>223 mm
Tc=10.0 min CN=98 Runoff=3.54 L/s 52.3 m³

Subcatchment 53S: Existing Metal Areas Runoff Area=936.0 m² 0.00% Impervious Runoff Depth>196 mm
Tc=10.0 min CN=89 Runoff=13.10 L/s 183.1 m³

Pond 55P: 1 x 25,000L Rainwater Tanks Peak Elev=0.490 m Storage=5.0 m³ Inflow=3.54 L/s 52.3 m³
Outflow=1.96 L/s 52.0 m³

Link 56L: Flows Attenuated Back to Permitted Flows Inflow=14.83 L/s 235.1 m³
Primary=14.83 L/s 235.1 m³

Summary for Subcatchment 49S: Existing Dwelling

Runoff = 3.54 L/s @ 7.94 hrs, Volume= 52.3 m³, Depth> 223 mm

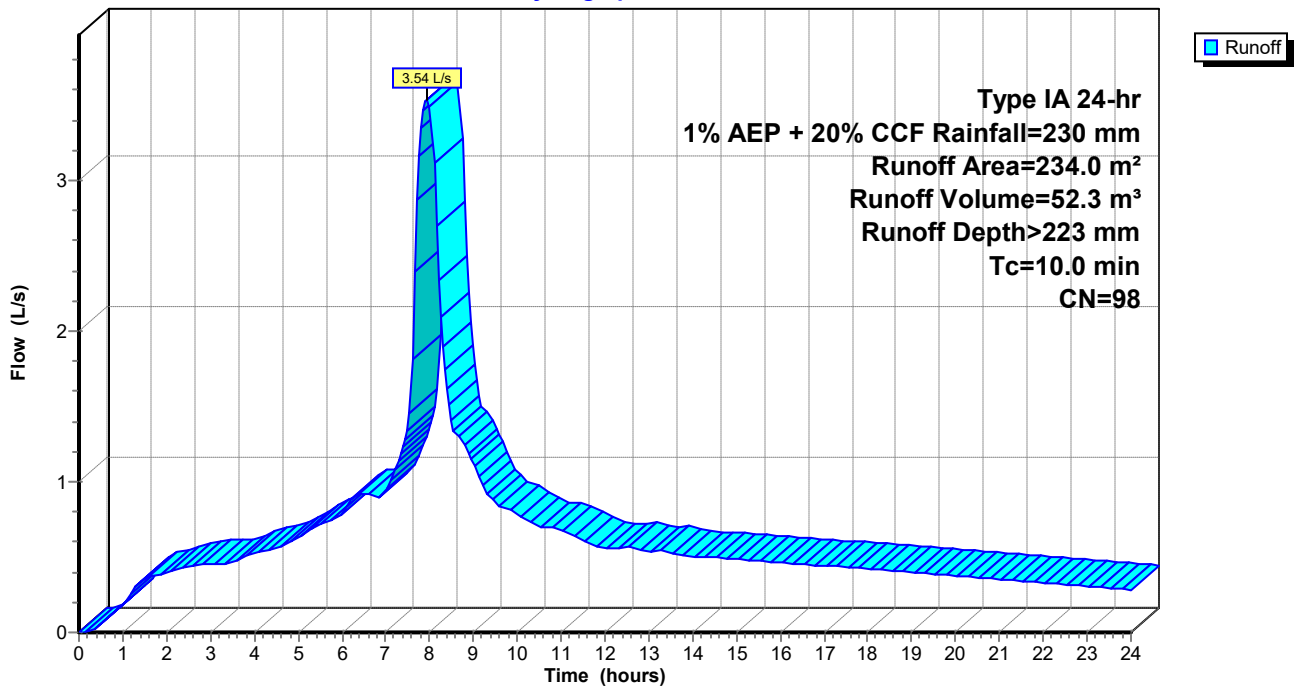
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Type IA 24-hr 1% AEP + 20% CCF Rainfall=230 mm

Area (m ²)	CN	Description
234.0	98	Roofs, HSG C
234.0		100.00% Impervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m ³ /s)	Description
10.0					Direct Entry,

Subcatchment 49S: Existing Dwelling

Hydrograph



Summary for Subcatchment 53S: Existing Metal Areas

Runoff = 13.10 L/s @ 7.95 hrs, Volume= 183.1 m³, Depth> 196 mm

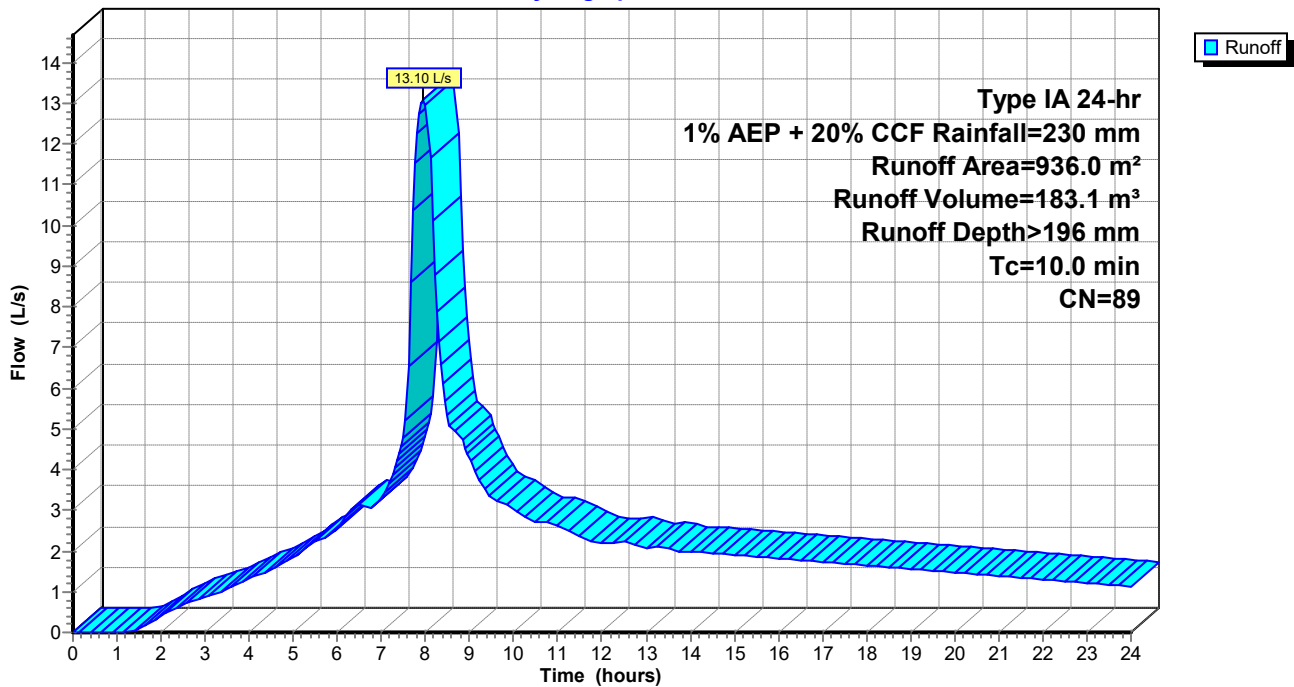
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Type IA 24-hr 1% AEP + 20% CCF Rainfall=230 mm

Area (m ²)	CN	Description
936.0	89	Gravel roads, HSG C
936.0		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m ³ /s)	Description
10.0					Direct Entry,

Subcatchment 53S: Existing Metal Areas

Hydrograph



Summary for Pond 55P: 1 x 25,000L Rainwater Tanks

Inflow Area = 234.0 m², 100.00% Impervious, Inflow Depth > 223 mm for 1% AEP + 20% CCF event
 Inflow = 3.54 L/s @ 7.94 hrs, Volume= 52.3 m³
 Outflow = 1.96 L/s @ 8.29 hrs, Volume= 52.0 m³, Atten= 45%, Lag= 20.9 min
 Primary = 1.96 L/s @ 8.29 hrs, Volume= 52.0 m³

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
 Peak Elev= 0.490 m @ 8.29 hrs Surf.Area= 10.2 m² Storage= 5.0 m³

Plug-Flow detention time= 23.3 min calculated for 52.0 m³ (99% of inflow)
 Center-of-Mass det. time= 18.6 min (665.8 - 647.2)

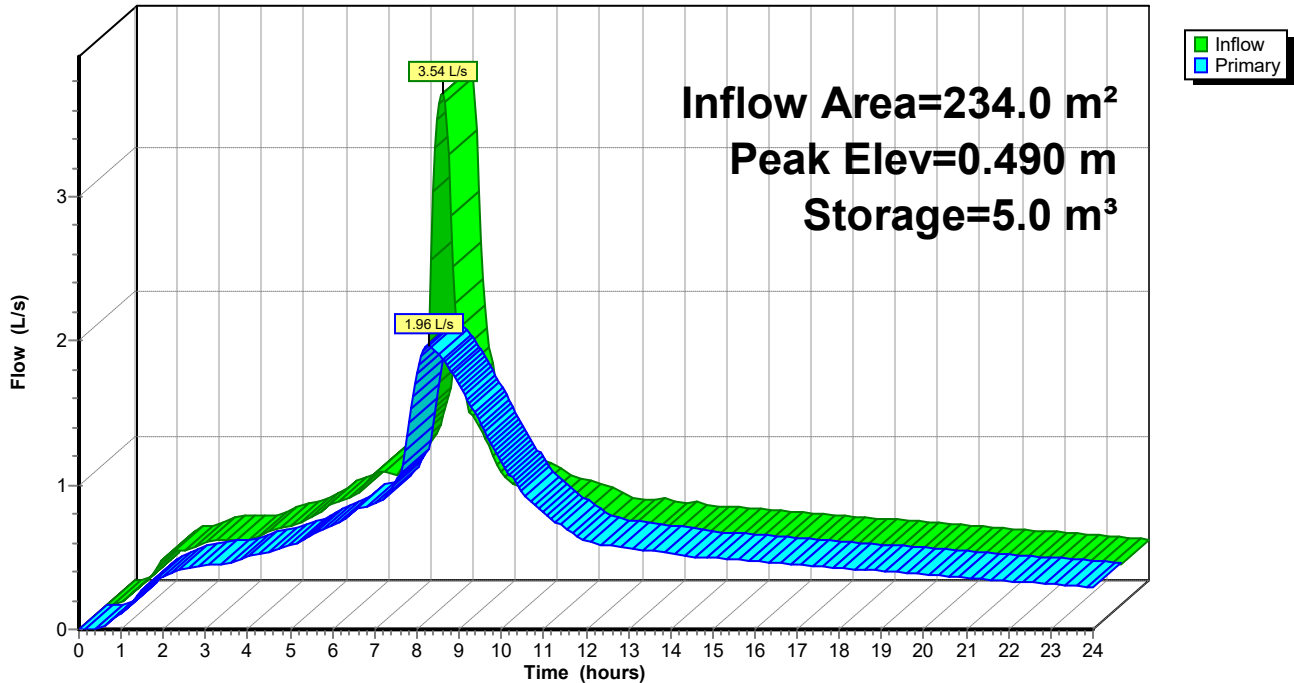
Volume	Invert	Avail.Storage	Storage Description
#1	0.000 m	26.5 m ³	3.60 mD x 2.60 mH Vertical Cone/Cylinder

Device	Routing	Invert	Outlet Devices
#1	Primary	0.000 m	37 mm Vert. Orifice/Grate C= 0.600

Primary OutFlow Max=1.96 L/s @ 8.29 hrs HW=0.489 m (Free Discharge)
 ←1=Orifice/Grate (Orifice Controls 1.96 L/s @ 1.82 m/s)

Pond 55P: 1 x 25,000L Rainwater Tanks

Hydrograph



Summary for Link 56L: Flows Attenuated Back to Permitted Flows

Inflow Area = 1,170.0 m², 20.00% Impervious, Inflow Depth > 201 mm for 1% AEP + 20% CCF event
Inflow = 14.83 L/s @ 7.98 hrs, Volume= 235.1 m³
Primary = 14.83 L/s @ 7.98 hrs, Volume= 235.1 m³, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs

Link 56L: Flows Attenuated Back to Permitted Flows

Hydrograph

